REGULAR ASSEMBLY MEETING 2024-26 AGENDA

December 16, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar

https://juneau.zoom.us/j/91515424903 or 1-253-215-8782 Webinar ID: 915 1542 4903

Submitted By:

_____

Katie Koester, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

E. APPROVAL OF MINUTES

1. **January 10, 2024 Special Joint Assembly/Eaglecrest Board Meeting 2024-02 Minutes-DRAFT**
2. **March 4, 2024 Regular Assembly Meeting 2024-06 Minutes-DRAFT**
3. **April 1, 2024 Regular Assembly Meeting 2024-08 Minutes-DRAFT**

F. MANAGER'S REQUEST FOR AGENDA CHANGES

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)*

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

I. Ordinances for Introduction

4. **Ordinance 2024-43 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Approximately 63 Acres of USS 4605 FR, and 2.27 Acres of USS 3172 LT 38, Located on North Douglas Highway, from RR to D3.**

   This proposed rezone requested by CBJ (applicant) is consistent with development to the west and north. Bonnie Brae and Blacktail Subdivisions to the west are zoned D3. Lots to the north along North Douglas Highway are also zoned D3. Development will be challenging due to mapped wetlands and slopes in excess of 18 percent.

The Planning Commission heard this proposal at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

5. **Ordinance 2024-44 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 28 Acres of USS 3820 LT3 B1 and USS2391 LT 1, Accessed via Glacier Highway in the Auke Bay Area.**

This proposed rezone requested by CBJ (applicant) is uphill from the Auke Bay community core. Staff recommends reducing the applicant's scope to eliminate incompatible Comprehensive Plan land use designations, resulting in a total of approximately 29.5 acres for rezone. Mapped wetlands cover most of the proposed rezone, which will increase development costs.

The Planning Commission accepted Staff recommendation at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the reduced scope rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at its December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

6. **Ordinance 2024-45 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 33 Acres of Parcel No. 8B3401000100, USS 3807, Located at 15700 Auke Rec Bypass Road, North of 15700 Glacier Highway.**

The applicant (CBJ) requests a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3 (in the Auke Bay area).

The Planning Commission considered this proposal at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

7. **Ordinance 2024-46 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Pederson Hill II Lt 2A, Parcel 4B2201010102, Approximately 6 Acres, Located at the End of Karl Reishus Boulevard.**

Applicant (CBJ) requests a rezone for approximately six acres at the end of Karl Reishus Boulevard from 10SF to D10 creating opportunity for multifamily housing.

The Planning Commission considered this proposal at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

8. **Ordinance 2024-47 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 39 Acres of USS 4605 FR, Located on North Douglas Highway, from D3 to D18.**

At the Regular Planning Commission meeting on October 22, 2024, the Commission voted to recommend approval of a CBJ (applicant) request rezone of 39 acres of CBJ land south of Grant Creek from D3 to D18. A fraction of these 39 acres was subject to a 2022 Property Acquisition and Disposal (PAD2022 0002) that received a recommendation of approval from the Planning Commission and Assembly Lands Housing and Economic Development Committee.

The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

9. **Ordinance 2024-48 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 87 Acres, Parcel 6D0611000010, North of Grant Creek from D3 to D15.**

At the Regular Planning Commission meeting on October 22, 2024, the Commission voted to recommend approval of a CBJ (applicant) rezone of approximately 87 acres of undeveloped land north of Grant Creek from D3 to D15. Rezone is consistent with the adjacent zoning district.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

10. **Ordinance 2024-49 An Ordinance Amending the Comprehensive Plan by Adopting the Blueprint Downtown Area Plan.**

On April 23, 2024, the Planning Commission, at its special public meeting, adopted the analysis and findings listed in the attached memorandum dated April 16, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to adopt the Blueprint Downtown Area Plan as an addendum to the CBJ Comprehensive Plan with revisions noted in the staff report. The Commission added a recommendation to encourage a stronger focus on housing with preference language for projects involving housing downtown.

The Assembly discussed the adoption of the recommended text amendment at the June 3, 2024 Lands, Housing, and Economic Development Committee and the September 9, 2024 Committee of the Whole meeting. After discussion about adoption options, resolution vs. ordinance, the COW passed a motion to direct staff to draft an ordinance to adopt the Blueprint Downtown Area Plan as part of the CBJ Comprehensive Plan, 7-1.

It is noted that grammatical and formatting errors will be resolved prior to the final printing of the Plan. A handful of corrections recommended for approval are noted in Attachment A.

The draft Blueprint Downtown Area Plan may be found online: https://juneau.org/community-development/blueprint-downtown.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

11. **Ordinance 2024-01(b)(Y) An Ordinance Transferring $288,836 from CIP F22-027 Juneau Police Department Roof Replacement to CIP P41-091 Deferred Building Maintenance.**

This ordinance would transfer $288,836 from the Juneau Police Department Roof Replacement CIP to the Deferred Building Maintenance CIP. This transfer would return unspent funds previously appropriated through 2023-04(b)(G). This project is complete and ready to be closed and does not require the remaining funds.

This transfer of project funding is consistent with the intent of the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Public Works and Facilities Committee reviewed this request at the December 2, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next Assembly meeting.

12. **Ordinance 2024-01(b)(Z) An Ordinance Appropriating $1,000,000 to the United States Army Corps of Engineers Glacier Flood Study Capital Improvement Project; Funding Provided by the U.S. Department of Agriculture, Forest Service, Tongass National Forest.**

CBJ has entered a Participating Agreement with the United States Department of Agriculture, Forest Service, Tongass National Forest. Through this agreement, CBJ has been awarded $1,000,000 in funding that would provide for continued technical and financial support for near-term studies to provide base line data for the United States Army Corps of Engineers General Investigation study to find a long-term solution to future Mendenhall Lake outburst flooding. The local match requirement of $326,707 will be met by in-kind Engineering and Public Works personnel service costs which must be met by the end of the agreement.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

J. Resolutions

13. **Resolution 3064 A Resolution Approving Amendments to the Bylaws of the City and Borough of Juneau International Airport Board.**

The City and Borough of Juneau International Airport Board approved changes to its bylaws at its August 8, 2024, regular Board Meeting. Changes to the bylaws require Assembly approval and were last updated in 2004.

The Human Resources Committee reviewed this resolution at its November 18, 2024, meeting, amended the bylaws document, and forwarded a recommendation for the Assembly to adopt the bylaws as amended.

The City Manager recommends the Assembly adopt this resolution.

14. **Resolution 3066 A Resolution Approving Amendments to the Bylaws of the Eaglecrest Ski Area Board of Directors**

The Eaglecrest Ski Area Board approved changes to its bylaws at its November 7, 2024, regular Eaglecrest Board Meeting. Changes to the bylaws require Assembly approval through resolution and were last adopted February 1, 2007.

The Human Resources Committee reviewed this resolution at its November 18, 2024, meeting and forwarded its recommendation for adoption to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

15. **Resolution 3080 A Resolution of the City and Borough of Juneau in Support of Raising the Maximum Available Alaska Department of Transportation Harbor Facility Grant to $7,500,000 for Eligible Projects on an Annual Basis.**

This resolution recommends increasing the maximum grant award eligibility under the State of Alaska Department of Transportation's Harbor Facility Grant Program from $5M to $7.5M. This would not affect CBJ's current applications but may impact grant strategies in the future, should the Legislature take action to amend AS 29.60.800.

The proposed resolution was drafted and adopted by the Alaska Association of Harbormasters and Port Administrators (AAHPA) at its annual conference on October 24th. AAHPA encourages its member municipalities to also provide local support for this change.

The Docks & Harbors Board reviewed this resolution at its regular Board meeting on November 21st and recommended forwarding it to the full Assembly for approval.

The City Manager recommends the Assembly adopt this resolution.

16. **Resolution 3081 A Resolution of the City and Borough of Juneau Supporting Full Funding ($5,740,408) for the State of Alaska Harbor Facility Grant Program in the FY2026 State Capital Budget.**

This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately $20 million in harbor grant funding since the program's inception, including a $5M grant for Phase IV rebuild of Aurora Harbor which is planned for completion in late 2025.

For the current legislative session, Docks & Harbors has applied for a $500K matching grant for zinc anodes for Statter Harbor and $1,394,250 for half of the local match required for the federal MARAD PIDP grant to construct an Aurora Harbor Drive Down Float. Statewide, three communities – Sitka, Unalaska and Juneau, have committed to contribute 50% in local match funding for FY2026 towards projects of significant importance.

The Docks & Harbors Board reviewed this resolution at its regular Docks & Harbors Board meeting on November 21st and recommended forwarding it to the full Assembly for approval.

The City Manager recommends the Assembly adopt this resolution.

17. **Resolution 3082 A Resolution Adopting an Alternative Allocation Method for the FY2025 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.**

This resolution would facilitate the CBJ's participation in the State's FY2025 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2023 from fisheries business activities within the CBJ's qualifying area.

Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area.

It is anticipated that the CBJ's share will be approximately $1,431.58.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

18. **Bid Award BE25-108: Juneau Douglas Vactor Receiving Station – Rebid – Phase I**

Bids were opened on the subject project on December 3, 2024. The bid protest period expired at 4:30 p.m. on December 4, 2024. Results of the bid opening are as follows:

Responsive Bidders	Total Amount

Carver Construction, LLC	**$4,619,675.00**
Dawson Construction, LLC	$5,450,800.00
Engineer's Estimate	**$5,357,800.00**

Project Description: The Work covered in the Contract documents generally includes demolition of the existing grit system, construction of new piping, concrete channels and slabs, new grating, installation of a temporary bypass system for incoming sewage, construction of new vaults, channels, grating and railing, installation of new grit washing and dewatering equipment, lighting upgrades and sprinkler system replacement, partial wall and roof replacement of the headworks building, and upgrades to the non-potable water system.

The City Manager recommends award of this project to Carver Construction, LLC for the total bid amount of $4,619,675.00.

L. Liquor/Marijuana Licenses

19. **Liquor & Marijuana License Actions**

These liquor and marijuana license actions are before the Assembly to either protest or waive its right to protest the license actions.

Liquor License - Renewal

Licensee: Mac Ventures LLC d/b/a McGivney's Sports Bar & Grill, Type: Beverage Dispensary License: #5430 Location: 51 Egan Dr.

Licensee: RNDC Alaska Inc. d/b/a RNDC Alaska, Type: Wholesale Malt Beverage & Wine License: #5495 Location: 8420 Airport Blvd. Suite 201

Licensee: Alaska Sustainable Seafoods LLC d/b/a Deckhand Dave's, Type: Beverage Dispensary License: #4349 Location: 109-117/127/139 S. Franklin St.

Licensee: Alaska Sustainable Seafoods LLC d/b/a Deckhand Dave's, Type: Restaurant/Eating Place License: #5231 Location: 127-139 S. Franklin St.

Licensee: Genuine Ventures LLC d/b/a Tracy's King Crab Shack, Type: Restaurant/Eating Place License: #2812 Location: 432 S. Franklin St.

Liquor License – Transfer of Location

Licensee: Thibodeau's Market, Inc., d/b/a Thibodeau's Type: Package Store License: #4742 Location From: No Premises Location To: 8717 Mallard St.

Marijuana License - Renewal

Licensee: Borealis Mountain Inc. d/b/a Thunder Cloud 9, Type: Retail Marijuana Store License #:15246 Location: 5310 Commercial Blvd. Suite 2B

Licensee: Taku Horticulture Company LLC d/b/a Taku Horticulture Company LLC, Type: Standard Marijuana Cultivation Facility License #:12176 Location: 1758 Anka St. Bldg. B Suite A1

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest these applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's Office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor and marijuana license actions.

M. PUBLIC HEARING

20. **Ordinance 2024-40 An Ordinance Creating a Local Improvement District No. 210 HESCO Barrier Project Phase 1 and Appropriating the Sum of up to $7,830,000.**

In response to the recent Mendenhall River flooding, and in coordination with the US Army Corps of Engineers, the CBJ is pursuing advance flood fighting measures in the form of HESCO barriers to safeguard homes in the Mendenhall Valley. This Ordinance creates a local improvement district which contains all benefited homes in the Phase 1 installation of the HESCO barriers along the Mendenhall River. Using the 16 ft inundation maps, CBJ has identified 466 properties which would be specially benefited from Phase 1. The project costs are estimated at $7,830,000. The project costs will be equally shared between property owners and the CBJ.

The Assembly discussed this project on October 21, 2024, and directed that an ordinance be presented. This Ordinance was introduced on November 18, 2024. Included with the Ordinance is a map of included homes and an assessment roll.

The City Manager recommends the Assembly take public testimony at this and one additional regular Assembly meeting (scheduled for February 3, 2025).

21. **Ordinance 2024-01(b)(T) An Ordinance Appropriating $2,500,000 to the Municipal Compost Facility Capital Improvement Project; Grant Funding Provided by the United States Environmental Protection Agency.**

This ordinance would appropriate a $2,500,000 grant from the United States Environmental Protection Agency (EPA) to the Municipal Compost Facility CIP. This Congressionally Directed Spending (CDS) grant was secured through the Consolidated Appropriations Act in federal fiscal year 2023. This funding would contribute toward the planning, design, site preparation, and construction of basic infrastructure for organics diversion recovery. Future composting activities will increase local organics diversion efforts without the need for long-haul overseas transportation to the lower 48 states No local match is required for this funding.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

22. **Ordinance 2024-01(b)(U) An Ordinance Appropriating $125,000 to the Manager for the Parks and Playground Major Maintenance Capital Improvement Project; Grant Funding Provided by the Alaska Department of Natural Resources.**

This ordinance would appropriate $125,000 to the Parks and Playground Major Maintenance CIP. This funding would contribute toward work at Sigoowu Ye Park. The project work includes the demolition and removal of existing playground equipment and furnishings, installation of new playground equipment; and site improvements such as lighting, sidewalks and landscaping. The local match requirement will be provided by previously appropriated funds in the Parks and Playground Major Maintenance CIP.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

23. **Ordinance 2024-01(b)(V) An Ordinance Appropriating $653,520 to the Manager for the Lemon Creek Multimodal Path Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.**

CBJ has been awarded a $653,520 Reconnecting Communities Pilot (RCP) grant from the Federal Highway Administration. This grant would support for the planning, design, and community engagement for the installation of a non-motorized pathway in the Lemon Creek community. This project would

provide safe, convenient, community centric non-motorized access within the community. A local match requirement of $163,380 will be provided by previously appropriated funds in the Lemon Creek Multi Modal CIP.

The Public Works and Facilities Committee reviewed this request at the July 15, 2024 meeting.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

24. **Ordinance 2024-01(b)(W) An Ordinance Appropriating up to $3,000,000 to the Manager for a Loan to Tower Legacy II, LLC for Creekside Apartments; Funding Provided by the Affordable Housing Fund.**

In July 2024 the CBJ Assembly made $4,000,000 available for use by for-profit and non-profit organizations, public and regional housing authorities, and tribal governments interested in the creation of affordable and workforce housing in the City and Borough of Juneau. On November 4, 2024, The LHED Committee reviewed funding recommendations and forwarded this project to the full Assembly for approval.

This ordinance appropriates $3,000,000 to the Creekside Apartments project.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

25. **Ordinance 2024-01(b)(X) An Ordinance Appropriating up to $1,000,000 to the Manager for a Loan to BroKo Holdings, LLC for 220 Front Street; Funding Provided by the Affordable Housing Fund.**

In July 2024 the CBJ Assembly made $4,000,000 available for use by for-profit and non-profit organizations, public and regional housing authorities, and tribal governments interested in the creation of affordable and workforce housing in the City and Borough of Juneau. On November 4, 2024, The LHED Committee reviewed funding recommendations and forwarded this project to the full Assembly for approval.

This ordinance appropriates $1,000,000 to the Front Street project.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

26. **Ordinance 2024-36 An Ordinance Amending the Uniform Alaska Remote Sellers Sales Tax Code.**

Ordinance 2024-36 implements housekeeping amendments to the Alaska Remote Sellers Sales Tax Commission (ARSSTC) uniform code recently passed by the ARSSTC board. These amendments were developed through a workgroup of member jurisdictions, including representation by CBJ staff from both the Finance and Law departments. In FY 2024, CBJ collected $4.5M in sales tax revenue through ARSSTC from sales where the seller is located outside of our jurisdiction.

The Assembly Finance Committee reviewed this ordinance on November 6, 2024.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

27. **Ordinance 2024-37 An Ordinance Amending the Uniform Sales Tax Code Related to Definitions, a Temporary Sales Tax Registration, and Deposits by Nonresidents.**

Ordinance 2024-37 clarifies and supports the sales tax code as a result of common questions and compliance concerns that have arisen over the years. The definitions that are added or amended are intended to provide clarity to the merchants, and in some instances, to put CBJ in better alignment with the Alaska Remote Sellers Sales Tax Commission (ARSSTC) uniform code. In addition, a section is added to create an “itinerate” sales tax registration which will ease the burden on small businesses based outside of Juneau that may come to town for short periods of time.

The Assembly Finance Committee reviewed this ordinance on November 6, 2024.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

28. **Ordinance 2024-41 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Mendota Park Parcel 1B, Located on Davis Avenue, from D10 to D15.**

This rezone request would facilitate the addition of eleven (11) units to this lot. The neighboring Alaska Department of Corrections is concerned that increased density would result in development closer to the common lot line, for which mitigation would be challenging due to terrain. While rezone conditions are limited to health and safety, the development will require a new or updated Conditional Use Permit. The lot had been rezoned D15 but was downzoned due to intersection concerns at Davis Avenue and Glacier Highway. Since then the intersection has been signalized.

The Planning Commission heard this proposed rezone at its regular meeting on October 22, 2024; and recommends the Assembly approve the proposed rezone.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

29. **Ordinance 2024-42 An Ordinance approving the City and Borough's participation in proposed refinancings by the Alaska Municipal Bond Bank of the Bond Bank's various General Obligation Bonds that provided funds to purchase various revenue bonds of the City and Borough, under loan agreements between the City and Borough and the Bond Bank; and authorizing revised schedules of principal and interest payments on the City and Borough's bonds, in accordance with the loan agreements, if the Bond Bank successfully refinances its bonds.**

This ordinance would authorize the issuance of up to $13.5 million in bonds to refund (refinance) the 2014A Port, 2015 Harbor, and 2021 Port bonds. The original bonds were sold through the Alaska Municipal Bond Bank and financed harbor improvements, seawalk construction, and cruise ship berth enhancements. As a result of lower market interest rates, this refunding is estimated to result in a total savings of approximately $700,000 over the remaining life of the bonds.

The Assembly Finance Committee reviewed this request at the November 6, 2024 meeting.

The City Manager recommends the Assembly take public testimony and adopt this ordinance.

N. UNFINISHED BUSINESS

O. NEW BUSINESS

P. STAFF REPORTS

30. **Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement District Frequently Asked Questions 12.16.24**

IMPORTANT NOTE: This is a draft FAQ reflective of the proposed Ordinance 2024-04. It will be updated to reflect amendments made by the Assembly on December 16th and be posted on the website and sent with the certified mailing to the preliminary assessment roll.

Q. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

R. ASSEMBLY COMMENTS & QUESTIONS

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

T. EXECUTIVE SESSION

31. **Litigation Update**

Suggested Motion: For the Assembly to recess into Executive Session to discuss pending CBJ litigation, specifically a candid discussion of the facts and litigation strategies with the municipal attorney.

32. **City Manager's Evaluation**

Suggested motion: For the Assembly to enter into Executive Session to discuss subjects that could tend to prejudice the reputation or character of any person, specifically to discuss the City Manager evaluation and compensation.

U. SUPPLEMENTAL MATERIALS

33. ***RED FOLDER ITEM PLACEHOLDER - Any Red Folder items and/or Amendments that are proposed during this meeting will be published in this space the day after the meeting.***

Ordinance 2024-40 Amendment #1 by Paul Kelly (Withdrawn)

Ordinance 2024-40 Amendment #2 by Mayor Weldon (Passed)

Ordinance 2024-40 Amendment #3 by Mayor Weldon (Passed)

Ordinance 2024-40 Amendment #4 by Paul Kelly (Withdrawn)

Ordinance 2024-40 Amendment #5 by Neil Steininger (Passed)

34. **RED FOLDER Item from Deputy Mayor Smith re: Airport Manager Hiring Committee**

V. ADJOURNMENT

W. INSTRUCTION FOR PUBLIC PARTICIPATION

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. ***Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify***. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

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

SPECIAL ASSEMBLY JOINT MTG. 2024-02 WITH EAGLECREST BOARD *DRAFT* MINUTES

January 10, 2024, at 5:30 PM

Assembly Chambers/Zoom Webinar

https://juneau.zoom.us/j/93917915176 or 1-253-215-8782 Webinar ID: 939 1791 5176

Immediately followed by Assembly Finance Committee Meeting

A. CALL TO ORDER

Deputy Mayor Michelle Hale called the joint meeting to order at 5:30 pm in the Assembly Chambers located at 155 Heritage Way.

B. LAND ACKNOWLEDGEMENT

Assemblymember Greg Smith provided the following Land Acknowledgement: We would like to acknowledge that the City & Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

C. ROLL CALL

Assemblymembers present: Deputy Mayor Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, ‘Wáahlaal Gidaag (via Zoom), Christine Woll, Greg Smith, Paul Kelly, Ella Adkison, and Mayor Beth Weldon (via Zoom)

Eaglecrest Boardmembers present: Chair Mike Satre, Jonathan Dale, Thomas “TJ” Mason, Hannah Shively

Eaglecrest Boardmembers absent: Stephanie Warpinski, Norton Gregory, Kevin Krein

Staff Present: City Manager Katie Koester, Eaglecrest Manager Dave Scanlan, and Eaglecrest staff members Erin Lupro and Kristin Strom, Municipal Clerk Beth McEwen, Finance Director Angie Flick, Budget Manager Adrien Wendel, Finance Administrative Assistant Tony Perletti

D. AGENDA TOPICS:

Joint Assembly Meeting with the Eaglecrest Board

Deputy Mayor Hale conducted the meeting and asked all the members of the Assembly and Eaglecrest Board to introduce themselves and provide information about their role on each of those bodies.

1. Introduction Board Chair, Mike Satre

Chair Satre said this winter has been difficult, and they haven’t been able to open in the time that they had hoped. He noted that this is like what ski areas across the western U.S. have been experiencing this winter, except for Alyeska. He credited Dave Scanlan and his staff for working over their 40 hours/week to open and keep the mountain open while experiencing staffing shortages. He said it is no surprise that Eaglecrest does not have much of a labor pool to draw from and the board appreciates the assistance they have received from the City Manager and Attorney’s offices on pursuing the J1 visa workers.

He said Eaglecrest is opening the season from a good financial position. He spoke to the board’s plans for summer operations that will help offset the winters that have suffered due to climate change. Mr. Satre’s presentation touched on the importance of the gondola project and while the Assembly provided the funding to purchase the gondola, the board knew that it had to come up with the money to install and operate it. They were successful in raising $10M for that purpose through the agreement with Goldbelt. Mr. Satre then turned the floor over to Eaglecrest Boardmember Hannah Shively who provided an overview of the Eaglecrest Wage Study Report.

2. Eaglecrest Wage Study Report

Eaglecrest Boardmember Hannah Shively explained that unlike most ski areas, Eaglecrest is one of only a few municipally owned and operated ski areas in the country. She gave a broad overview of the current staffing situation and comparisons of Eaglecrest staff wages to other industries in town, as well as a comparison to wages at other ski areas nationwide. Some of the highlights of her presentation included the fact that Eaglecrest wages are approximately 14% lower than most other ski areas and that is compounded by a Cost of Living (COL) rate 25% higher than most other ski areas. She noted that these lower rates automatically rule out Eaglecrest from the searching options for skilled ski area workers.

Mr. Satre emphasized that the board is going to be working on this issue for both long term and short-term solutions. Mr. Satre and Eaglecrest staff then proceeded to answer questions from Assemblymembers including questions related to Eaglecrest employees not being part of the regular CBJ union negotiations. Assemblymembers would like to hear from the Eaglecrest Board about why they are not part of the unions and what it might look like if they became part of the MEBA union similar to other CBJ staff.

3. Projected Year-Round Operations, Revenue, and Expenses

Mr. Satre then gave a presentation on the fiscal status of Eaglecrest including 10-year projections based on the implementation of year-round operations once they start the use of the gondola. Mr. Satre proceeded to answer questions from Assemblymembers about the financial projections, as well as what it would look like once they are up and running with summer operations and the gondola in use.

4. Deferred Maintenance Short-Term and Long-Term Needs

Mr. Satre said that one of the reasons he applied to serve on the Eaglecrest Board was as an avid user of the facility, he was concerned with the aging infrastructure, and he wanted to be able to do something about that. He said the board has heard questions from the community about how and when they intend to replace the Ptarmigan lift. He noted that one of the main reasons they want to implement summer operations is to be able to pay for some of the deferred maintenance needs and replacement of aging chair lifts without having to go to the Assembly and/or voters for bond funds for those projects. Some of the key pieces of infrastructure that need attention include the ski lodge, the chair lifts, the maintenance facilities, and snow making facilities.

Jonathan Dale also spoke to the aging infrastructure and that status quo is no longer going to be acceptable. They will need to eventually replace the Ptarmigan, Hooter, and Black Bear lifts, as well as the various infrastructure needs that Mr. Satre pointed out.

Ms. McEwen noted that Eaglecrest Boardmember Norton Gregory joined the meeting at approximately 6:15 pm.

Mr. Satre then proceeded to answer additional questions from Assemblymembers as they related to grants, funding, employees and J1 visa housing.

Mr. Satre and Deputy Mayor Hale thanked everyone for attending and sharing this information and encouraged the ongoing open channels of communications should anyone from either body have questions or concerns that they wished to communicate to the Assembly or Eaglecrest Board.

E. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

INSTRUCTION FOR PUBLIC PARTICIPATION

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

No one from the public signed up to testify.

F. SUPPLEMENTAL MATERIALS

Clerk's Note: Eaglecrest presentation materials were submitted as Red Folder/Supplemental Materials at the meeting.

1. RED FOLDER: Eaglecrest Presentation to Joint Assembly/Eaglecrest Board Meeting

2. RED FOLDER: Eaglecrest Wage Study - Executive Summary

G. ADJOURNMENT

There being no further action to come before the Assembly, the meeting adjourned at 6:26 p.m.

Signed: _____ Signed: _____

Elizabeth J. McEwen, Municipal Clerk Beth A. Weldon, Mayor

REGULAR ASSEMBLY MEETING 2024-06
DRAFT MINUTES

March 04, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

Meeting 2024-09: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and via zoom, was called to order by Deputy Mayor Michelle Hale at 7:00pm.

A. FLAG SALUTE

Assemblymember Ella Adkison led the Assembly in the Flag Salute

B. LAND ACKNOWLEDGEMENT

Assemblymember Hughes-Skandijs provided the following Land Acknowledgement: We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

C. ROLL CALL

Assemblymembers Present: Ella Adkison, Paul Kelly, ‘Wáahlaal Gídaag (via Zoom), Christine Woll, Greg Smith (via Zoom), Alicia Hughes-Skandijs, Wade Brydon, and Acting Mayor Hale

Assemblymembers Absent: Mayor Weldon

Staff Present: City Manager Katie Koester, Deputy City Manager Robert Barr, Municipal Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Deputy Municipal Clerk Andi Hirsh

D. SPECIAL ORDER OF BUSINESS

1. In Memoriam Proclamation: Albert Shaw

Acting Mayor Hale read the In Memoriam Proclamation for Albert Shaw (packet pg. 7).

E. APPROVAL OF MINUTES

2. June 12, 2023 Regular Assembly Meeting #2023-13 DRAFT Minutes

3. December 18, 2023 Joint Assembly/Docks & Harbors Board Special Meeting #2023-28 DRAFT Minutes

4. February 23, 2024 Special Assembly Meeting #2024-05 DRAFT Minutes

MOTION by Ms. Woll to adopt the above minutes and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Manager Koester requested to remove item 9 under Bid Awards. Mr. Smith inquired as to why. Manager Koester explained that there are some outstanding questions for the low bidder that need to be clarified before it's awarded. This will come back to the next meeting.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)*

Sonja Kumar, on behalf of Juneau for Palestine, said they shared a ceasefire resolution with the committee and are disappointed that their resolution did not make the agenda tonight, but are hopeful for future meetings. She informed members that they hosted a ceasefire rally for Palestine a few weeks ago to show

support for a permanent ceasefire and an end to U.S. funding of military weapons to the Israel Defense Forces. In addition to the rally, they also met with Representative Mary Peltola a few weeks ago to discuss the matter and hope the meeting will help shape some of the congresswoman's decisions. She stated that this ceasefire resolution means a lot to those of living on Lingít Aaní, and that there are people in Anchorage and Fairbanks who are also working with their city councils to pass similar resolutions.

Harper Gunn, a downtown resident, said she is also speaking on behalf of Juneau for Palestine. She urged the Assembly to put forward and approve a resolution calling for a ceasefire in Gaza. She stressed that, in the last month, the situation has only become more dire. She said they are asking this assembly to follow in the footsteps of other cities, and to listen to Vice President Harris in calling for an immediate ceasefire. She asked members to consider supporting the resolution.

Joseph Greenough, an Auke Bay Resident, shared that he is a third generation Alaskan who has worked in numerous big industries in Alaska, with tourism being the most important to him. He said tourism has played a vital role in the growth and development of the community, and that it brings numerous benefits to the local economy and the residents who live in Juneau. Tourism is a significant source of employment for Juneau, and with that, economic resources are abundant as tourists require a range of services from accommodations, dining, and entertainment. He stressed that tourism stimulates Juneau's economy as more than a million and a half tourists visit and spend their time and money on various goods and services. He said that tourism has given him an occupation as a manager for a whale watching company, which allows him to support himself. He stated that, as a local operator, he can see there are things the industry needs to work on to maintain a healthy relationship with the community; he has faith and trust in the industry to ensure that it will do everything it can to show the public how they are stewards of Juneau. Ms. Hughes-Skandijs asked Mr. Greenough if he has been participating in the ongoing meetings of with the Tourism Best Management Practices (TBMP) Working Group, and if so, how he thinks the meetings have been going. He answered yes, and said the company he works for is part of TBMP, as well as SEAWWA (Southeast Alaska Whale Watching Association).

Mel Izzard, a Valley resident, said she is testifying today to ask for the Assembly's support in calling for a ceasefire in Palestine. She stressed that Juneau is just around 30,000 people, and the official death toll in Gaza is now over 30,000 people. She said she believes the Juneau Assembly has a powerful voice, and that calling for a ceasefire would put Juneau on the right side of history and show State and Federal legislators that the community will not stand for the baseless murder of civilians. She urged the Assembly to use its voice to call for a ceasefire.

Adres Javier Camacho, a Valley resident, said he is present to speak in favor of the city passing a resolution that calls for a ceasefire in Palestine. He stressed that taxpayer dollars are going to this war. He said it would be a powerful statement if, as the state capital, Juneau says that this is not okay and has to stop.

Joann Wallace gave up her time to testify on taxes.

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

MOTION by Mr. Bryson to adopt the consent agenda and asked for unanimous consent. ***Hearing no objection, the consent agenda was adopted by unanimous consent.***

I. Ordinances for Introduction

5. Ordinance 2023-14(b)(Z) An Ordinance Appropriating $76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

Engineering and Public Works has been awarded $76,130 in grant funding for the Energy Efficiency and Conservation Block Grant (EECBG) from the U.S. Department of Energy. This funding will be used toward the replacement of a gas-powered utility vehicle with an electric vehicle (EV) truck and the installation of Level 2 EV charging equipment at multiple municipal facilities for CBJ EVs. These investments will reduce community Greenhouse Gas emissions in the near term and will allow the CBJ to assess the cold weather resilience for potential future EV truck purchases. No local match is required for this funding.

Juneau Commission on Sustainability (JCOS) has been consulted and is supportive of this request. The Public Works and Facilities Committee approved this request at the January 29, 2024 meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

6. Ordinance 2023-14(b)(AE) An Ordinance Transferring $250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project.

105 vehicles have been removed from the River Road property, with costs amounting to approximately $155,000. CBJ has been reimbursed $105,000 of that amount. As of December 2022, it was estimated that there are approximately 228 vehicles still located at the River Road property. In FY23, Ordinance 2022-06(b)(Z) appropriated $250,000 to the RecycleWorks operating budget to cover the costs for the removal of the remaining vehicles. Due to lengthy court process and safety concerns for CBJ staff, the removal of the remaining vehicles is pending. Due to the multi-year nature of this work, staff requests to transfer the $250,000 from the RecycleWorks FY24 operating budget to the capital budget to cover the costs of the removal of the remaining vehicles on the property when the project is able to resume.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

7. Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

The City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process for people to report potential violations (CBJC 01.45.110). Although the conflict of interest code overlaps with traditional whistleblower protections, it does not mention the phrase “whistleblower” or explicitly provide protections to whistleblowers. This ordinance would create a whistleblower law for municipal employees, which is modeled off of the Alaska Whistleblower Act (AS 39.90.130).

The Assembly Human Resources Committee reviewed this on 11/13/23 and 2/5/24 and recommended the Assembly introduce this ordinance.

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

J. Resolutions

8. Resolution 3056 A Resolution Authorizing the Manager to Apply For, and Enter Into, a Loan Agreement of up to $500,000 with the Alaska Department of Environmental Conservation, Alaska Drinking Water Fund State Revolving Loan Fund, for the Lead Service Line Inventory (LSLI).

The CBJ Utilities Division is seeking Assembly authorization to apply for and accept up to $500,000 in financial assistance from the Alaska Department of Environmental Conservation (ADEC) to complete a Lead Service Line Inventory (LSLI) as required by the Environmental Protection Agency (EPA). The financial assistance will take the form of a loan with 58.3% in principal forgiveness through the State Revolving Fund (SRF). CBJ appropriated $250,000 for the LSLI project in 2023. The use of lead pipes was banned in the 1980s. The CBJ Utilities Division is currently working with a consultant on Phase 1 of the project, which is a desktop exercise to filter and exclude contemporary construction from the next survey phase (Phase 2). A draft inventory is due to ADEC by July 24, 2024. To apply for the ADEC SRF

loan, the Assembly must pass a resolution to 1) authorize the SRF application process, and 2) authorize a designated representative of the local government to execute the loan agreement.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards REMOVED by Maanger

9. BE24-147 Adair Kennedy Baseball Field Improvements

[This item was removed from the Agenda upon the Manager's Request.]

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	*BASE BID*	*Add. Alt. No 1*	*Add. Alt. No 2*	*TOTAL BID*
Dawson Construction, LLC	*$2,629,802.89*	*$15,000.00*	*$315,000.00*	*$2,959,802.89*
Coogan Construction Co.	*$2,650,689.89*	*$7,500.00*	*$25,000.00*	*$2,966,189.89*
Admiralty Construction, Inc.	*$3,098,265.89*	*$25,000.00*	*$310,000.00*	*$3,433,265.89*
North40 Construction Corp.	*$3,108,363.89*	*$42,000.00*	*$300,000.00*	*$3,450,363.89*
Engineer's Estimate	*$3,573,537.89*	*$50,000.00*	*$255,000.00*	*$3,878,537.89*

The City Manager recommends award of this project, Base Bid and both Alternates to Dawson Construction, LLC for the total amount bid of $2,959,802.89.

L. Transfers

10. Transfer Request T-1072 A Transfer of $110,000 from CIP P41-097 Sportsfield Repairs to CIP P41-109 Adair Kennedy Lighting.

This request would transfer $110,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. This funding would provide for the replacement of the 30-year-old ballfield lighting system at Adair Kennedy baseball field with new LED lights. The Sportsfield Repair CIP will retain adequate funding for the remaining FY24 priority projects.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting.

The City Manager recommends approval of this transfer.

M. PUBLIC HEARING

Prior to opening up the public hearing on the below legislation, Acting Mayor Hale invited Superintendent Hauser to provide a presentation on the School District's Fiscal Year (FY) 2025 budget.

Superintendent Hauser explained that the FY25 budget process can be completed now that the final district reorganization plan has been adopted by the Board of Education. Enrollment projections project a decline of 3.4%, or 140 students, for a total of 3,942 enrolled students. He informed members that a bipartisan education bill passed through the state House and Senate but is expected to be vetoed by the governor. With the consolidation plan and an increase in the Base Student Allocation (BSA), he said it seems likely there would be few to no reductions in force; without the BSA increase however, the district would still have a deficit of about $4.8 million and would need to make reductions in force. Regarding the timeline, the Administration is in the process of developing a balanced budget based on a BSA increase to $5,960. One of the assumptions in the budget is one of the ordinances that's under consideration tonight; the $1.65 million for non-instructional shared services. He outlined that the board's first reading of the budget will be held on Thursday, March 7, and a second reading will be held Tuesday, March 12. The goal is to have a balanced budget to submit to the Assembly by March 12.

Ms. Woll asked if the deficit figure would increase if the FY25 shared services ordinance did not pass tonight. Superintendent Hauser answered yes, the $4.8 million figure reflects the revenue assumption that tonight's ordinance with $1.65 million in funding is adopted.

Mr. Smith said that, as the Assembly liaison to the board, he has listened to many of the meetings regarding the deficit. He asked about the board's discussion around the 7th grade to 12th grade model at Juneau-Douglas High School (JDHS) and Thunder Mountain High School (TMHS). Superintendent Hauser explained that, when the board was looking at reorganization consolidation models earlier on, there were a number of concepts that were put out there for consideration and feedback; the 7-12 model, among other models, were on the concept grade level sheets, and the board received over 1,500 pieces of feedback through face to face public input sessions. He said that there were a number of models that were budgeted out through requests that came from the board, and ultimately, about a week and a half ago, the board made the decision to adopt the S1b model with grades 7-8 at TMHS, 6th grade being added to elementary schools, and grades 9-12 at JDHS. Mr. Smith noted that the Assembly has gotten a lot of feedback about this model.

'Wáahlaal Gídaag asked Superintendent Hauser to speak to the conversations they have had about minimizing the impacts on students. Superintendent Hauser stated that he works for the students. This whole process has been about student opportunities and making sure that the district can still, even facing a significant deficit, continue to provide the opportunities for students. He relayed that he met with the student government councils for both schools, had conversations, and read all the feedback testimony. He has had conversations with the district's academic outcome and reorganization committee which started in November. One of the focuses they are looking at is the transition. Building administrators have been talking about and working together and have already sent out a joint communication to families about scheduling classes, athletics, and trying to get information to focus on alleviating some stress families and students might have.

Ms. Woll said it's been known from the beginning that there are some complexities around the timing of all this, and that she understands why the district is putting together a budget not including a BSA increase. She asked if the actions that are needed to reverse a deficit of this size can be undone later down the line when more resources may be available. Superintendent Hauser answered that superintendents, administrators and boards have gotten used to the reality of receiving money after the budget is passed. It was many governors ago when there was forward funding in education, which allowed for stable and predictable funding. He explained that the district does have a significant deficit and is currently in the process of putting together, and the board adopting, a reduction in force plan to address the severity of the reductions. One of the things that the plan puts in place for the district is a structure to thoughtfully bring back staff. He said he has much hope for a BSA increase, and that, once it is known with certainty that there will be additional funding, then the district can start bringing back staff.

PUBLIC TESTIMONY

Acting Mayor Hale provided instructions for public testimony. She advised that those signed up to testify can testify on any one, or all three of the ordinances relating to the Juneau School District.

Sharyn Augustine, a Valley resident, parent of a sophomore and a junior, stressed that the current consolidation model was approved at 12:30 am after it was voted down. She said the 7-12 model was initially presented but was later dropped with no explanation. She spoke in favor of the 7-12 model as it is used in the Lower 48 and Australia and said that none of the board meetings had materials presented in support of the model. She asked the Assembly to demand the board be transparent and to not fund them until they've had a chance to look at all the information.

Mark Johnson, a North Douglas resident and guardian of two elementary-aged students, shared that the reorganization plan would create transportation complications, as he outlined in a letter to the editor to Juneau Empire. He said his concern is putting 25-30 kids in a cramped bus with no supervision for half an

hour and detailed two incidents his kids experienced on the bus. He urged that bus monitors be hired as part of the restructuring plan.

Rebecca Braun, a Downtown resident and parent of a JDHS student, testified in support of all three ordinances and is concerned that rejecting the ordinances won't undo any negative impacts, but rather, probably exacerbate problems and require more difficult decisions. She shared that she went to the JDHS site council meeting and said that the community of the school are committed to promoting healing and a successful transition.

Amy Lloyd, a Twin Lakes resident and a teacher in the JSD, asked that members move past the emotional feedback from a small group trying to halt the progress made by the board, and focus on something positive. She said that funding education pays off, and shared that she has compiled a report from 16 graduates from JSD from the 2022 graduating class, and she has chosen to highlight those who may well come back to Juneau and raise a family here. She listed several graduates and their current post-secondary statuses. She stated that the best way to get a quality education is with the adopted plan, S1b, and asked members to pass all three JSD ordinances.

Daniel Coleman, a Valley resident and parent of a JSD student and a homeschooling student, said he believes the board made a rush decision that will harm all schools and the community without fully considering well researched options. He asked that, before the Assembly offers this loan and takes over non-instructional costs, that it will question why the board did not consider the model with grades 7-12 in both high schools. He noted that the draft facility master plan in 2017, paid for by CBJ, predicted much of what JSD is dealing with today and offered several recommendations, with the first recommendation option being to combine PreK-6, and then put 7-12 in each of the high school buildings. The school administration never proposed or supported that model. The consultants we paid for recommending that model, and the school district did not fully consider it. It's late, but it's not too late in the process. He asked that members reconsider support of the loan and non-instructional funding until they're confident that the district is making the best educated decision.

Noah Coleman, a Valley resident, testified that it would not be beneficial to move 10-12 graders to JDHS because of the possible transportation, scheduling, and community issues. On transportation, parking will be harder and there will be more inexperienced drivers in the winter. He explained that, scheduling wise, Zero hour classes may have to be pushed back or cut due to the drive and traffic. Teacher layoffs may also lead to clubs being cut. He said there has been a large amount of pushbacks in the decision to merge with JDHS, and that this may lead to conflict and possibly fights.

The Assembly took a break at 8:03 pm and returned at 8:09p.m.

Shannon Greene, a Valley resident and parent of 3 students, said that Mayor Weldon was correct when she stated, as quoted in the newspaper, that the school board broke the public's trust. She stated that everyone supports investing tax dollars to fund education, and said there is no question that CBJ has demonstrated that same investment in education, but stressed that she is concerned about giving more money to the school board without guardrails. She called on school board members with direct financial responsibility who have demonstrated a continuous fiscal lack of stewardship of the public tax dollars to resign. She suggested rebuilding this breech of public trust with a responsible school board.

John Lohrey, a Valley resident, expressed his support for keeping both high schools open for grades 7-12. Studies show that small schools have been found to outperform large schools in important metrics, with academic test scores and graduation rates being higher, as well as higher student participation in activities and a lower dropout rate. When Juneau went to two schools, the graduation rate increased, with the graduation rate for native students increasing from less than 50% to almost 80%, and the participation rate in student activities increased from 44% to 70%. Regarding costs, he said the school board reported negligible cost differences between the 7-12 model and the 9-12 JDHS proposal adopted at the February 22 meeting; but in a February 26 letter, four former school board members reported that there could be a $2.6 million

loss in state funding two years from now if the one school proposal is adopted. He said he is not opposed to the loan, but the Assembly should verify the possible $2.6 million in future state funding losses, as well as question the board as to why they reject neighborhood schools' model with grades 7-12.

Cindee Brown-Mills, a Valley resident, recalled when she met with Assemblymembers about scenario planning during last week's Innovation Summit. The conversations were on the importance of taking the time to fully understand the impact decisions have on the future. Juneau is facing a future of declining population, so it is vital that the community attracts working age adults. Having an excellent school system is tied to this. She asked members to postpone or put conditions on district funding requests and stressed that time be taken to fully understand and evaluate potential consequences.

Raegan Adams, a Valley resident and a TMHS student, said many students and parents publicly testified that they were opposed to the conjoining of the high schools, yet it still passed. She said she feels all options weren't fairly looked at and hopes the Assembly could help them look at all viable options, including the 7 to 12 model. Having the choice of schools would help benefit everyone's needs.

Jennifer Adams, a Valley resident, said it is important to fully support funding the school district, but advised Assemblymembers to protect their investment. She said that this generation of children was raised with choices and recounted the choice her own daughter made to go to TMHS. She asked why the community can't provide students with an environment where they can learn and thrive instead of putting them into the one school model. She said people don't want 1,000 kids in one school, and that nearly 1,000 Juneau residents have signed a petition over the weekend to have to 7-12 model explored. She pointed out that, while the Assembly cannot overthrow the School Board's decision, it can influence it using the financial assistance being voted on right now. She asked the Assembly to provide the funding but to also guide the board in exploring all options.

Bonnie Webster, an Out the Road resident, has three students in the district. She clarified that those advocating for the 7-12 model are not asking for the loan to be denied, but rather, that stipulations be put on the loan to make the board reconsider and review all options.

Tonia Danelski, a Valley resident with a student at TMHS and another in middle school, thanked the Assembly for supporting the district during this difficult situation. It's a combination of lack of funding on the state level, as well as fiscal mismanagement in the school. She urged moving forward in a way that is thoughtful and considerate, because the decision to put all high schoolers in JDHS is putting extra strain on Thunder Mountain students. She said it is a slippery slope, as she does not want the Assembly to micromanage the district but would like it to provide guidance and encouragement to the board.

Melissa Culumn, a Valley resident, shared that she is a retired teacher and is currently homeschooling her child. She asked members to consider the issues that the consolidation model creates. Since an increase in funding is unlikely, it's imperative that the district looks beyond this rushed decision by the board and instead think of creative ways to manage an ever-shrinking budget and student population. Without a long-term plan or outline of future consolidation models, she feels that funding the gap year gives the district the green light to operate as usual. She asked members if the city was presented with a long-term district plan to make sure it doesn't find itself in the same predicament. She informed members that homeschool students who currently attend Raven or IDEA must pay to participate in all extracurricular activities, in addition to paying for class time, when they attend school in the district. She stressed that the current consolidation model chosen by the district will limit her child's access to classes. Many have expressed a desire to homeschool. If the board doesn't vet all the options. She asked members what safeguards the city has on this loan to ensure that the school district will repay the loans in a timely manner. Further, the Assembly needs to make the district provide a long-term plan that outlines possible consolidation models for the future, provides a cost analysis of the consolidation model and the 7-12 model.

Joe Zarlengo, a Valley resident, stated that no corrective action taken constitutes an increase in property tax. He said he does not know how $9 million is overspent but does agree that conditions need to be set on the

loan. He questioned what the community gets for the money spent now, as the school's reading scores are 44% to 48%, math scores are 34% to 40%, and science is at 49%. He advised that there needs to be investment in the community in order to incentivize people to come live here and increase student population.

Damien Schane, a Downtown resident with three students in the district, supports adoption of all the ordinances. He said his hope is that they can inspire the legislature and the governor to approve legislation increasing the BSA. He stated that saying no will only make the situation worse and jeopardize student education.

Brenda Taylor, a Valley resident, spoke in support of the ordinances. She said she understands that this issue was created by the state legislature and the governor. She highlighted the K-5 STEAM (Science, Technology, Engineering, Arts, and Mathematics) event last Monday where there were 396 children, 386 adults, 51 activities, 70 presenters, and 21 TMHS students. She said that the community deserves support for those extra tools to encourage enthusiasm, which is why she supports all three of the ordinances.

Chris Wallace, a Lemon Creek resident, said he does not understand how the district is in a $9.7 million dollar deficit. He stressed that the district is not improving in performance, despite increasing amounts of funding for a shrinking number of students. He stated that he is a hockey referee in the district, and pointed out that there is $2.9 million on the agenda to spend on a baseball field while the district can't afford classrooms; the city needs to get its priorities straight. He stressed that he hasn't seen any terms of the proposed $4.1 million loan, and asked if the Assembly thinks the district is really going to pay this back.

Alex Wertheimer, a Lynn Canal resident, shared that his children have graduated out of the district, and that his oldest grandchild is in elementary school. He stated that they want their grandkids to have the educational opportunities that their children had in the district, and that good public schools are essential for providing for the children's future and for Juneau's future as well. Without good schools, the community will not keep or attract young families, thus adding to the continuing enrollment decline. Large scale layoffs and exploding teacher student ratios will devastate the schools and damage the community. He thanked members for coming up with a plan to make it possible for the board to reconfigure, restructure, and re-budget so that it can maintain quality public schools into the future. He reiterated support for all three ordinances, and suggested that 2024-01(b)(A) be amended to make it so the FY25 funding for non-instructional costs be contingent on the BSA increase approved by the legislature.

Kent Mearig, a Valley resident and teacher at TMHS and parent of JSD students, asked that the Assembly consider some possible contingencies. He said that engagement with stakeholders and educators within the district and affected schools did not happen to the degree that it should have, considering the sort of decisions that are upcoming due to the budget deficit. He knows there would have been other TMHS teachers testifying tonight, if it hadn't been such an emotionally charged issue for them. He said they have tried to communicate the deficits that moving forward with the current plan will cause students, but that has been met with deaf ears. He asked the Assembly to speak up for them.

April Gilbert, a Valley resident, stressed the positive socioeconomic impacts of having neighborhood schools, like a student being able to walk to school or their activities. Consolidating the schools would mean asking two-thirds of the students to ride a bus downtown, and there might be students whose parents can't pick them off after school, so they won't be able to participate in afterschool activities. She said students identify with activities, and those activities are often what makes them want to participate in school. She explained that having two 7-12 schools means the community keeps both high schools. She heard that the most important decision was to be able to offer a more variety of accelerated classes, and that only helps those who want to take advanced placement and doesn't take into effect those students who just need to graduate.

Jannessa Luerra, a Valley resident and a 1998 graduate of JDHS, said that, while she has a lot of school pride in JDHS, her kids and sister grew up with choosing TMHS and have thrived. TMHS is close to home and makes

any transporting they need to do easier. She asked the Assembly to consider putting a stipulation on the loan, or having the board go back and reevaluate the 7-12 model, as it is important to the community to have 2 bigger schools that are more identical in size.

Riley Soboleff, an Auke Bay resident and TMHS student, said that, as a student, she does not deserve to be the one who has to pay for these financial issues by losing her high school. She stressed that they are the students who had two years of their lives affected by COVID, and that adding more change will lead to larger mental health problems. She relayed that School Board and Assemblymembers have been saying that there will be more opportunities, but she said she doesn't see putting 1,000 students in a building and cutting numbers of new teachers will give students more opportunity. If she goes to JDHS, she will do part-time school and not go full-time and not participate in as many athletics and opportunities and athletics, clubs or opportunities as she is currently in. Cutting half the opportunities for a high school student will affect their schooling and future careers, which will cause many students to lose opportunities on their resume. She asked that CBJ not throw money at a bad school board decision.

Jenny Thomas, a Valley resident with two students at TMHS, said she is not asking that there be no funding, but rather, she would like answers as to why the one school 9-12 model was chosen.

Lisa Mattson, a Lena Loop Road resident with a senior at TMHS, shared that this has put a damper on what should be a celebratory year for students. She said her senior shows that neighborhood schools are important, as is having a choice. She stated that model 6 was not vetted, and that, if the district doesn't give students a choice and have neighborhood schools, then it's only backsliding. The valley and the people of Juneau put it on the ballot for multiple years and fought for a valley High School. She said the community is backsliding and doing harm to future generations

The Assembly took a break at 8:51 pm and reconvened at 8:59 pm.

11. Ordinance 2023-14(b)(AD) An Ordinance Providing for a One-Time Loan in FY24 to the Juneau School District for up to $4.1 Million Dollars.

In 2024 the Juneau School District suddenly discovered a current-year structural deficit of approximately $9.5 million dollars as a result of years of insufficient state funding, over projecting enrollment, and financial mismanagement. The Board of Education took immediate action to make cuts to the 2024 budget; however, the magnitude of the deficit is too great to address through cuts in the current school year. This ordinance, along with a companion general fund ordinance, appropriates approximately $4.1 million dollars from the restricted budget reserve as a loan to enable the school district to complete the current school year. These funds will be used to pay for instructional costs while the companion general fund ordinance will be used to pay for non-instructional costs.

The Assembly and its committees discussed this topic multiple times in the last two months (1/29/24, 1/30/24, 2/7/24, 2/23/24, 2/26/24), including holding a public hearing at the February 26 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

Assembly Action

Acting Mayor Hale asked that members make comments or ask questions about the three ordinances together before they start making motions.

Mr. Kelly highlighted the testimony tonight of people who are not satisfied with the adopted. consolidation plan. He asked Superintendent Hauser what the challenges would be in changing the plan this year or next year.

Superintendent Hauser answered that the board has voted and adopted a reorganization model and are moving forward with the process. He explained that, if there was a change, it would have to go through another process per the Charter. The budget is due April 5, and they are currently working on getting

the budget adopted by the board on March 15. He stated that he is not sure how to be able to move forward to get a budget to the board to review and adopt if there was a request to change from what was adopted already.

Ms. Hughes-Skandijs thanked those who came out and testified, especially the students and the teachers. They have received many, many email comments. Throughout this process, it has been hard because the school board has been in an impossible situation, and the Assembly is tied to helping the board solve the problem because it has power of the purse; however, these are two separately elected bodies with separate duties, and at the end of the day, it is the school board that gets to decide the education policy decisions and what those look like. She said the Assembly does not have the legal power to put stipulations on a loan, nor dictate what the model should look like, it can only decide how much money to fund the district.

Mr. Kelly said the previous speaker articulated his feelings, and that is why he asked Superintendent Hauser the questions that he did. They are separately elected bodies, with the school board governing matters of school policy and the Assembly passing ordinances and raising taxes. Regarding the ordinances, he said he hears and supports the community's concerns about wanting to see transparency, but his first priority in how he votes is going to be for the students.

MOTION by Mr. Bryson adopt Ordinance 2023-14(b)(AD) and asked for unanimous consent.

OBJECTION by Mr. Kelly for the purposes of an amendment. He said he will only be moving half of the amendment on page 76 section U.

AMENDMENT #1 by Mr. Kelly to amend Ord. 2024-14(b)(AD) as follows:

> Insert an additional term into Section 3(d), page 3:
>
> "Section 3. Terms. The CBJ Assembly authorizes the Manager to enter into a loan agreement with the Juneau School District for an amount up to $4.1 million dollars with the following essential terms:
>
> (a) The loan period is five (5) years;
>
> (b) The first payment is due no later than in FY26; and
>
> (c) The interest rate shall be zero percent (0%); and
>
> (d) No later than FY26, the Juneau School District must publish a budget book available to the public no later than when the annual budget is submitted to the Assembly."

Ms. Woll objected to the amendment. She asked Mr. Kelly if, by requiring a budget book, he means a printed hard copy budget book for the Assembly or for the public. Mr. Kelly said his intention is that the budget book be available for everybody. Ms. Woll asked about the release date and whether Mr. Kelly would want the book released at the same time as the annual budget is submitted to the Assembly. She said that it seemed early to her and asked why he picked that date. Mr. Kelly answered that the FY26 date was decided when he was drafting the amendment with the city attorney.

Ms. Adkison sought confirmation from Superintendent Hauser that school districts in Alaska have to submit their operating budgets to the state, which is then posted to the state's website by July 15. Superintendent Hauser said that's correct, state statute requires that districts submit their budget to the state by July 15, and in response to a follow up, answered that the budget is then public and accessible.

'Wáahlaal Gídaag asked about the intent of the motion. Mr. Kelly explained that the purpose is to improve transparency, as there was difficulty in prior years getting information.

Acting Mayor Hale objected to the motion and offered her understanding that the district does plan on publishing a budget book, and so is unsure as to whether the amendment needs to be a condition on the loan.

Ms. Hughes-Skandijs said there absolutely should be a district budget book that is as detailed as the city's and pointed out that this was discussed in the recent joint meeting with the school board. She asked Superintendent Hauser to confirm that this is true. Superintendent Hauser responded that a budget should be available and accessible, and said his goal is to ensure the district is good stewards of its funding from the city and state. He shared that Finance Committee Chair Muldoon, Finance Director Pierce, and himself have all discussed getting a budget booklet made and available.

Mr. Bryson commented that the motion speaks to the need to keep the district accountable, and that a budget booklet might help prevent a situation like this in the future.

AMENDMENT A to Amendment #1 by Ms. Woll to propose an amendment, which read as follows:

"…(d) No later than FY26, the Juneau School District must publish a budget book available to the public no later than after adoption by the Assembly."

Ms. Woll asked for unanimous consent. There being no objection, Amendment A to Amendment #1 was adopted by unanimous consent.

Ms. Woll objected to adoption of the Amendment #1, as amended. She said that, while her own amendment made her feel better about the language since it is less prescriptive, she still does not think the amendment is needed. The district said it is already interested in releasing a detailed budget book.

Ms. Adkison asked if the amendment would require the budget book for just a year, or in perpetuity. Mr. Kelly said his intent is that it be in perpetuity.

'Wáahlaal Gídaag asked Superintendent Hauser on what the district thinks of this kind of stipulation being put on the loan. Superintendent Hauser responded by reiterating that the goal of his administration is to put together a budget book that is reflective of the district's budget. He said the stipulation of having the budget book out by FY26 is something they have been planning on anyways. She removed her objection.

Acting Mayor Hale objected to the Amendment. She stressed that the Assembly and the School Board are two distinct bodies. She also stressed that the role less state funding has had, as the district has had to continuously cut the budget. She said the motion seems like micromanaging and she does not support it.

Mr. Bryson said that not having a budget booklet is what got the district into this situation. He explained that, while the situation is being solved now, it is important to put this language in the ordinance so no School Board would be able to make this same error.

Roll Call Vote on Amendment 1, as amended, to Ordinance 2023-14(b)(AD).

Yeas: Mr. Kelly, Ms. Adkison, Mr. Smith, Ms. Hughes-Skandijs, Mr. Bryson

Nays: 'Wáahlaal Gídaag, Ms. Woll, Acting Mayor Hale

Motion carried: 5 Yeas, 3 Nays

Acting Mayor Hale informed members that a roll call vote is needed since Mr. Smith is not visually present on Zoom.

Roll Call Vote on Motion to adopt Ordinance 2023-14(b)(AD), as amended.

Yeas: Mr. Bryson, Mr. Smith, Ms. Adkison, 'Wáahlaal Gídaag, Ms. Woll, Mr. Kelly, Ms. Hughes-Skandijs, Acting Mayor Hale

Nays: none

Motion carried: 8 Yeas, 0 Nays

12. Ordinance 2023-14(b)(AB) An Ordinance Providing up to $3,922,787 to the Juneau School District for Non-instructional Costs for FY24.

In 2024 the Juneau School District suddenly discovered a current year structural deficit of approximately $9.5 million dollars as a result of years of insufficient state funding, over projecting enrollment, and financial mismanagement. The Board of Education took immediate action to make cuts to the 2024 budget; however, the magnitude of the deficit is too great to address through cuts in the current school year. This ordinance, along with a companion loan ordinance, appropriates approximately $3.9 million dollars from the general fund to enable the school district to complete the current school year. These funds will be used to pay for non-instructional costs while the companion loan funds will be used to pay for instructional costs.

The Assembly and its committees discussed this topic multiple times in the last two months (1/29/24, 1/30/24, 2/7/24, 2/23/24, 2/26/24), including holding a public hearing at the February 26 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-14(b)(AB) and asked for unanimous consent.

Mr. Smith stated that he was going to have to hang up and leave the meeting soon after this vote as his flight is about to leave. He said he is proud that the Assembly is stepping up to help where they can.

Roll Call Vote on Motion to adopt Ordinance 2023-14(b)(AB).

Yeas: Mr. Smith, Ms. Hughes-Skandijs, Mr. Bryson, Ms. Woll, ‘Wáahlaal Gídaag, Ms. Adkison, Mr. Kelly, Acting Mayor Hale.

Nays: none

Motion carried: 8 Yeas, 0 Nays

Mr. Smith left the meeting at 9:50p.m.

13. Ordinance 2024-01(b)(A) An Ordinance Providing up to $1,650,405 to the Juneau School District for Non-instructional Costs for FY25.

In 2024 the Juneau School District suddenly discovered a current year structural deficit of approximately $9.5 million dollars as a result of years of insufficient state funding, over projecting enrollment, and financial mismanagement. The Board of Education took immediate action to make cuts to the 2024 budget; however, the magnitude of the deficit is too great to address through cuts in the current school year and will continue to be challenging in FY25. This ordinance appropriates approximately $1.65 million dollars from the general fund to support JSD in FY25 by covering non-instructional costs in FY25 as CBJ and JSD plan for the potential transition of facility maintenance services to CBJ.

The Assembly and its committees discussed this topic multiple times in the last two months (1/29/24, 1/30/24, 2/7/24, 2/23/24, 2/26/24), including holding a public hearing at the February 26 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2024-01(b)(A) and asked for unanimous consent.

Ms. Woll objected for the purpose of making a comment. She thanked the public for testifying. She said the Assembly has an opportunity to support Juneau's students with this funding. She added that, in response to concerns about accountability, there are conditions ensuring that CBJ has more access to district finances, as well as a requirement that the district present a plan showing how it can reach a balanced budget. She removed her objection.

Acting Mayor Hale objected to make a comment. She reiterated that the Assembly and the School Board are separately elected bodies and stressed that the Assembly does not have oversight over the district, as per the charter. She explained that the state has shifted more costs onto municipalities, and that the Assembly has done what it can to help the district in this crisis. She removed her objection.

Hearing no further objection, Ordinance 2024-01(b)(A) was adopted by unanimous consent.

14. Ordinance 2023-32 An Ordinance Clarifying the Process for Electing an Assemblymember Due to a Midterm Vacancy.

The date when an office of the Assembly is vacant dictates whether the Assembly appoints a successor or the voters elect a successor. The Assembly enacted CBJC 11.10.040(a) to prescribe how vacant Assemblymember positions are filled. While that code provision provides a helpful standard, it does not provide specificity when a midterm vacancy occurs whether the Assembly appoints or the voters elect. This ordinance clarifies that ambiguity:

-If a midterm vacancy occurs more than 60 days from the election, then the voters elect the vacant position;

-if a midterm vacancy occurs within 60 days of an election, then the Assembly appoints an interim and the vacancy would be placed on the subsequent year's election.

The Assembly Human Resources Committee recommended this ordinance at its meeting on November 28, 2023. The Systemic Racism Review Committee considered this ordinance at its meeting on February 6, 2024.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None

Assembly Action

MOTION by Ms. Adkison to adopt Ordinance 2023-32 and asked for unanimous consent.

Mr. Kelly objected for the purposes of an amendment. He pointed out that the last day to file to run in the election is 71 days before the election. He asked Mr. Palmer what would happen if there was a resignation or vacancy that occurred within the 71 days. Mr. Palmer explained that, so long as the individual resigned before day 60, the position would go on the ballot. If the person resigned closer to day 60 to the election, then the Assembly could appoint an individual to the seat for 14 months. Ms. McEwen clarified that the position would be on the ballot, but because the candidate filing period would have already ended, they could only be a write-in candidate. If it was anywhere between the 71-to-81 days to election when the filling deadline is still open, then a person could file for office and have their name on the ballot; the way the ordinance is written, their name wouldn't appear on the ballot but the number of positions on the ballot would still increase.

Mr. Bryson said he had hoped that Mr. Kelly's amendment would have suggested 81 days because that would have made the deadline coincide with the start of the candidate application period. Acting Mayor Hale said that, regardless of the amount between days 60 or 81 in the election, the Assembly would still have to appoint. Mr. Bryson offered his understanding that, if the language was changed to 81 days, then it goes to the beginning of the registration period in the new election. Acting Mayor Hale asked Mr.

Palmer to confirm her understanding. Mr. Palmer explained that if the date changed from day 60 to day 81 and someone resigned somewhere between day 81 and day 30, then the Assembly would have the ability to appoint someone. If the position was vacant by day 30 or more, then the position could be placed on the ballot, but only for a person that is a write-in candidate. He said day 81 is a reasonable number if the Assembly wants to use that instead of day 60.

Ms. Hughes-Skandijs said she would like a calendar and some examples for this conversation. Mr. Palmer advised that there is a list of reference dates for this year's election in the Red Folder. He noted that day 81 would be July 12, and day 60 would be August 2.

Acting Mayor Hale commented that a thought she had while talking with staff was to bump this ordinance back to committee. She said she is also a visual person and would also like the discussion laid out but said that isn't possible this meeting.

Ms. Woll said that if the Assembly wants to tweak the document, it should go back to committee.

MOTION by Mr. Kelly to refer Ordinance 2023-32 to the Assembly Committee of the Whole and asked for unanimous consent.

Ms. Woll asked that the ordinance be referred to the Human Resources Committee instead, as that was the committee handling it. Mr. Kelly did not object to that change to his motion. *Hearing no objection, the motion to refer the ordinance to the Human Resources Committee was adopted by unanimous consent.*

15. Ordinance 2023-14(b)(Y) An Ordinance Transferring $540,340 from Various Capital Improvement Projects to CIP R72-167 Dogwood Lane, CIP R72-169 10th, F, W. 8th Streets Reconstruction, and CIP U76-127 Collection System.

This housekeeping ordinance would transfer $540,340 from multiple nearly complete or fully complete projects to newer projects to allow bidding and construction during the 2024 season. Due to significant continued cost escalation, projects receiving funding no longer have sufficient budgets to complete the construction stage. This transfer will allocate additional funds to complete construction on these high priority projects. Any ongoing projects will retain sufficient funds funding to cover remaining project work. Funding is provided by Water Funds and Wastewater Funds.

The Public Works and Facilities Committee will review this request at the January 29, 2024 meeting**.** The Systemic Racism Review Committee reviewed this ordinance at its February 6, 2024 meeting and moved it forward to the full assembly for action with the following comment: *the SRRC understands that the proposed ordinance reflects the CBJ's Capital Improvement Plan prioritization process and the SRRC commits to reviewing the CIP broadly in an effort to find systemic racism as the committee is charged with.*

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None

Assembly Action

MOTION by Mr. Kelly to adopt Ordinance 2023-14(b)(Y) and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

N. NEW BUSINESS

16. 2024 Assembly Goals Adoption

The Assembly goals were discussed and decided upon at the December 2, 2023 annual Assembly Retreat. The changes requested at the retreat were incorporated into a draft version that was considered at the January 29, 2024 Assembly Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this final version of the 2024 Assembly Goals.

Assembly Action

MOTION by ‘Wáahlaal Gídaag to adopt the 2024 Assembly Goals and asked for unanimous consent.

Mr. Palmer advised that public comment be taken on this item.

Public C.omment

None.

Acting Mayor Hale thanked Mr. Palmer for the reminder.

Hearing no objection, the motion was adopted by unanimous consent.

17. JG Construction Request to Purchase City Property near 6300 Jackie Street (Lemon Creek area)

In February, JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process, which have been available to purchase since 2017 by over-the-counter sale. The two lots are located on Jackie Street and were platted as part of the Renninger Subdivision. The applicant has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots. The applicant proposes to use the property for residential development and the application states that if the sale is approved, then they will build a maximum of 28 apartments. JG Construction currently rents 18 units, 9 of which are rented to the USCG and JG Construction has rented to USCG for 24 years.

On February 26, the Lands, Housing, and Economic Development Committee reviewed this application and forwarded it to the full Assembly with a motion of support to work with the original proposer.

According to 53.09.206 the next step in processing the application is for the Assembly to determine “whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals”. If the Assembly provides a motion to negotiate with the original proposer on these two lots, and if the negotiations are successful, ordinances with terms and conditions of the sales will be introduced prior to a public hearing.

The Manager recommends the Assembly pass a motion of support to work with JG Construction as the original proposer in accordance with City Code 53.09.260.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to pass a motion of support to work with JG Construction as the original proposer, in accordance with City Code 53.09.206.

Acting Mayor Hale objected for the purposes of a question. She said it seemed like the Assembly hasn’t heard from someone else who may have wanted these smaller lots, and does not know if it will. Manager Koester explained that the lots have been available for purchase, as listed in the Land Allocation Plan since 2017; this is the first interest in these lots that has been expressed.

Mr. Bryson pointed out that this applicant asked what the city was doing to increase housing, to which he himself advised not to complain about other developers and to just tell the Lands Committee what he needs. He said this is the result of the Assembly seeking to spur developers to build multifamily housing, and that this is an instance where the Assembly can help facilitate that work.

Ms. Hughes-Skandijs underlined that these lots have been under Lands for many years.

Acting Mayor Hale removed her objection. ***Hearing no further objection, the motion was adopted by unanimous consent.***

O. STAFF REPORTS

None.

P. ASSEMBLY REPORTS

Mayor's Report

Acting Mayor Hale said that Mayor Weldon was not present. She suggested doing the committee and liaison reports together instead of separately. She asked Mr. Palmer if the Assembly should take up Item 18 first. Mr. Palmer offered to cover the appeal briefly.

Presiding Officer Reports

18. Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal. The State Office of Administrative Hearings held the oral argument hearing on January 24, 2024. The Hearing Officer's proposed decision is due to the parties soon, and the Assembly will likely be able to consider the decision at the regular Assembly meeting on April 1.

There is no action for the Assembly.

Mr. Palmer explained that this is a Planning Commission appeal that went to a hearing officer. The hearing officer’s written decision is due to the parties soon, in the next week or so, and then the parties have a chance to review the decision, and provide comment. It ultimately comes back to the Assembly for consideration. He said he anticipates the Assembly will have it on its agenda on April 1. But will communicate if there are any changes.

Q. ASSEMBLY COMMENTS & QUESTIONS

Combined reports and comments & questions

Assembly Finance Committee (AFC) Chair Woll reported that the committee is meeting again on Wednesday to proceed with the Special Joint Assembly meeting with the Airport Board. AFC will include presentations by partner organizations, Juneau Community Foundation, and Juneau Arts and Humanities Council. Ms. Woll, as Assembly liaison, reported that the Chamber of Commerce talked about the Juneau School District budget at their last meeting, and provided the Assembly several letters. She said the Eaglecrest Board met a month ago and reported that they are considering purchasing a sawmill to be able to take advantage of the timber that exists on the mountain while they work on their construction projects. Also, Eaglecrest’s gondola and summer visitor plans were approved by the Planning Commission.

Ms. Woll said they heard from community members during the last two meetings about calling for a ceasefire. She is reminded of former Assemblymember Gladziszewski’s comment when Russia invaded Ukraine, “If we can do something, let’s do something.” Ms. Woll said she is in favor of a ceasefire and would be in favor of lending the voice of CBJ to those calling for ceasefire. She said, while the Assembly does usually

stay out of international affairs, she would be in favor of passing a resolution if the other Assemblymembers are also going to support it. She asked other members to provide their comments.

'Wáahlaal Gídaag reported that the Airport Board met on 2/8 for a 15-minute meeting, and that their next meeting is 3/14. The Commission on Aging met on 2/27 and the next meeting will be on 3/12. Regarding a ceasefire resolution, she said she would like to know more and would consider something moving forward. She also noted that many of the Juneau folks are heading up to Arctic Winter Games next week in Palmer and Wasilla, including her son.

Public Works & Facilities Committee (PWFC) Chair Bryson shared that he made opening remarks at this year's Southeast Conference and met with the Southeast Solid Waste Authority. He had dinner with Senator Dan Sullivan about the Coast Guard Cutter coming to Juneau. Also met with the Teal Street Community Group about homeless situations in the Valley. He reported that the PWFC met. He also reported that he met with the Bartlett Regional Hospital Board, attended the BIPOC Business Expo, the AWARE Dinner, the Territorial Sportsman Dinner, and the UAS Campus Council. Mr. Bryson spoke on the ceasefire question, and recounted the Assembly's discussion during the start the Ukraine-Russia war, which ultimately lead to the Assembly not separating its sister city tie with Vladivostok; this led to Russia writing propaganda about that decision and putting his name, and the rest of the Assembly's, in the articles. He said he would pause before he would be willing to put his name towards something like this. Ms. Woll said her intent is not to put people on the spot, but if people want a ceasefire resolution to move forward then comments would be helpful.

Lands, Housing, and Economic Development Committee (LHEDC) Chair Hughes-Skandijs reported that the committee forwarded the Renninger land sale, which was just before the Assembly tonight. At the last LHEDC meeting, they talked about options for Mayflower Island, which is going to be returned to BIA. There is a lot to be found out about that. DIA is interested and it was sent to the COW with a motion. The Juneau Housing/Homeless Coalition meeting was cancelled. She said the Systemic Racism Review Committee weighed in on the transfer, as noted in the packet. There were questions about the CIP Process, and the SRRC is excited to look at that process. Travel Juneau hasn't set its next meeting date yet. As for her own comments, she recalled that Assembly comments were skipped at the last meeting, so she couldn't thank those that testified about the ceasefire. She agrees that there needs to be a ceasefire and urged citizens to call their federal representatives, as she is doing too.

Ms. Adkison reported that the Juneau Commission on Sustainability met on 2/7 about solid waste, where they discussed that grants are getting very competitive. The Juneau Economic Development Council had their retreat on 2/9 and are interested in pursuing housing to a greater degree. Docks and Harbors met on 2/29 and are looking at potentially changing vehicle surcharges for vessels of owners who don't respond. D&H also had language comments on the Title 85 changes, which is going to be brought forward at the 4/1 Assembly meeting.

Mr. Kelly welcomed Ms. Hughes-Skandijs back to Chambers. He reported that the School Board Finance Committee has been meeting sporadically, and that he attended the most recent Regular Meeting, where they were there until midnight. He was late because he was watching the legislature pass the BSA increase. He noted that the Eaglecrest Board issued the CIP for the Gondola. The Local Emergency Planning Committee (LEPC) had AEL&P present about the Salmon Creek Dam emergency preparedness. He responded to the ceasefire proposal question and said that he spoke with some of the individuals who brought that up, and learned a lot more info. He said he feels sensitive to how this will affect other members of the community. Reached out to members of the Jewish community. It was suggested that whatever they do, if they do something, that it should be inclusive and call for peace rather than choosing sides.

Mr. Bryson, as Acting Human Resources Committee (HRC) Chair, forwarded the following motion:

MOTION by Mr. Bryson to appoint Bradley Austin, Jeffrey Wilson and Darrel Whetherall to the Building Code Board of Appeals for terms beginning immediately and ending 2026 and asked for unanimous consent.
Hearing no objection, the motion was adopted by unanimous consent.

Committee of the Whole (COW) Chair Hale said there is another COW meeting next Monday, 3/11. She shared that she gave opening remarks after Senator Jesse Kiehl at the Innovation Summit. There was strategic planning, and members went through a process similar to that done at the Assembly retreat for looking at the future of Juneau. Tomorrow is the next PRAC meeting. She said she attended the 2/6 PRAC meeting, and informed members that Lauren Verrelli is the new Deputy Parks & Recreation Director. She also informed members that Manager Koester, Ms. Adkison, and she met with Tlingit & Haida President Peterson on 2/2. On 2/13, she went with Director Koch to the Streets Department at shift change where she thanked them with a breakfast. She attended the Dzantik'i Heeni Middle School meeting where kids testified on the school budget in a practice session. With respect to the ceasefire resolution, she stressed that it is a matter of deep anguish and it is very hard for the Assembly to understand the issues fully. She would prefer that they not move forward with a cease fire resolution. She was also quite stung by the way the Russians spun their sister city action and cautioned members about weighing in on international issues due to the complexity of the matters. She said she would like a ceasefire but does not believe the Assembly is the right body to do that.

R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

S. EXECUTIVE SESSION

None.

T. SUPPLEMENTAL MATERIALS

19. RED FOLDER: Ordinance 2023-14(b)(AD) *An Ordinance Providing for a One-Time Loan in FY24 to the Juneau School District for up to $4.1 Million Dollars.* **Proposed Amendments by Assemblymember Kelly**

U. ADJOURNMENT – 10:27p.m.

There being no further business to come before the Assembly, the meeting was adjourned at 10:27 p.m.

Signed: _____ Signed:_____

Elizabeth J. McEwen — Beth A. Weldon

Municipal Clerk — Mayor

REGULAR ASSEMBLY MEETING 2024-08 *DRAFT* MINUTES

April 01, 2024, at 7:00 PM

Assembly Chambers/Zoom Webinar

A. CALL TO ORDER

B. FLAG SALUTE & LAND ACKNOWLEDGEMENT

Mr. Smith led the Assembly in the flag salute.

Ms. Hale provided the following land acknowledgement: "We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!"

C. ROLL CALL

Assemblymembers present: Greg Smith, Ella Adkison, Paul Kelly, 'Wáahlaal Gídaag (participating remotely), Christine Woll, Wade Bryson, Michelle Hale, and Mayor Beth Weldon

Assemblymembers absent: Alicia Hughes-Skandijs

Staff present: City Manager Katie Koester, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Port Director Carl Uchytil, Parks and Recreation Direction George Schaaf, Tourism Manager Alix Pierce, Assistant Municipal Attorney Sherri Layne

D. SPECIAL ORDER OF BUSINESS

E. APPROVAL OF MINUTES

1. August 21, 2023, Regular Assembly Meeting Minutes – Draft

MOTION by Ms. Hale to adopt the August 21, 2023, Regular Assembly Meeting Minutes and asked for unanimous consent. *Hearing no objection, the minutes were approved by unanimous consent.*

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Ms. Koester asked that item 15, Bid Award for the Adair Kennedy Baseball Field Improvements, be moved to new business to correct a typo.

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Joshua Adams, who owns property downtown, said that in a recent meeting the Juneau Assembly voted almost unanimously to proceed with the Telephone Hill Redevelopment project without formally conducting a Section 106 review. He said this sets a dangerous precedent for future development in the district. He said either the Assemblymembers did not understand the true implications of the Section 106 review, or the idea is to get rid of structures when nobody is watching. He said he fears the Assembly will try to push through a quick sale by demolishing the existing homes and selling the 4.4 acres of Telephone Hill as-is to a contractor. He said this is dangerous because a contractor in possession of the hill would not be obligated to follow the development option voted on by the people. He said if Juneau goes through with the initial stages of the redevelopment project without fulfilling its obligations to the 1966 Historical Preservation Act, it is possible that the historic homes on Telephone Hill would be destroyed, leaving nothing more than an enduring scar in the middle of downtown Juneau. He said people think they want the redevelopment of Telephone Hill because they've been misled and don't understand that you can have housing and history in the same place. He said we lose nothing by delaying an incomplete plan for a Section 106 review which has already been paid for.

William Quayle, from downtown Juneau, said the pedicab rules must be changed. He said Juneau is the only city in the United States that does not let pedicabs drive at night with lights. He said he wants to get rid of regulations that require pedicabs to only operate downtown and during the day. He said he would like to operate from the bus stop to the Mendenhall Glacier, but he cannot because of the current rules. He listed other places in Juneau he would like to give people rides outside of downtown, including Treadwell and the Mendenhall Mall.

Ken Huse, from North Douglas, said he wanted to thank the Juneau Assembly for public comment. He said he would appreciate if Juneau could add their voice to the over 100 cities from around the world by calling for a ceasefire in Gaza. He said then we would have taken an action to help alleviate the current cruelty and widespread suffering and starvation of innocent people to which we, day after day, month after month, witness. He begged the Assembly to call for a ceasefire as the only conscionable thing that we can do to help end the suffering.

Zara Kahn, from West Juneau, spoke regarding the conflict in Palestine and said that not long ago the Assembly took bold action to stand with Ukraine and to penalize the aggressor. She said it matters little whether it passed or failed; that the Assembly spoke up and provided representation. She said she is before the Assembly to ask for representation. She said two million civilians have been bombed and are homeless and 40,000 children are dead or are starving to death. She said the US is complicit in providing $18 billion dollars. She said this is a man-made catastrophe and humanitarian crisis. She said there is justice for some in our community, that some people have a right to their land, that some lives matter. She said that Islamophobia and Muslim bigotry is marching forward at an unprecedented pace. She urged the Assembly not to stay silent and to represent the majority of people who are calling for a ceasefire.

Sonia Kumar, from Auke Bay, said she was here on behalf of herself as a member of this community for four years. She said almost 5300 Palestinians had died since she had last come to testify on this issue before the Assembly. She said the total death toll is estimated to be about 33,000 Palestinians. She said that today is her first foray into local politics, and she is disappointed as the Assembly seems to be more concerned about the opinions of their friends than the needs of the community. She said calling for an immediate and permanent ceasefire and the end to the violence in Palestine is not antisemitic. She asked how it is so easy to turn a blind eye to the pervasive racism and Islamophobia in our community and stay silent on this issue. She said a recent survey conducted by Data for Progress showed that 69% of Southeast Alaska residents support a ceasefire and the de-escalation of violence in Gaza. She said that Juneau passing a resolution for a ceasefire is not going to stop the slaughter but that the symbolic nature of the ceasefire resolution is important for this community.

Tony Tengs, from downtown Juneau, said he is here to enjoin the Assembly to pass a resolution in support of an immediate ceasefire in Gaza and the occupied territories. He said this is something that would help our delegation in Washington stand up to the powerful Israel lobby. He referred to an opinion piece written that said that it serves both the Israeli and Hamas to undercount the casualties and a more accurate estimate would be approximately 200,000 people dead in Gaza already. He said that Ernest Gruening was one of only two to vote against the Tonkin Gulf resolution that got us into the Vietnam War. He said Mr. Gruening looked foolish at the time but was vindicated by history. He urged the Assembly to pass a resolution supporting a ceasefire.

Mel Izzard, from the Mendenhall Valley, asked the Assembly to call for a ceasefire in Gaza. She thanked the Assembly members who have expressed interest in passing a ceasefire resolution and questioned whether the other members were listening to their constituents. She urged the Assembly to show dignity and stand up for what is right, regardless of how controversial they might think it is, because the majority of Southeast Alaskans support a ceasefire. She asked the Assembly to speak up against both antisemitism and Islamophobia, to speak up against the forceful and illegal seizure of native land in Palestine, and to demand an end to the murder of civilians.

Rosemary Welling, from Tee Harbor, spoke about the Marie Drake building and the planetarium. She said it seemed like one option was to demolish the building, including the planetarium, but other options might be for CBJ to maintain the building and allow the Friends of the Marie Drake Planetarium to continue to operate it. She said last year they had about 2,300 people attend free shows there, including about 600 students. She said it

would cost at least $2 million dollars to build a new planetarium. She said the planetarium could expand its usage to show the highlights of Southeast Alaska, like the icefield or auroras. Mr. Bryson asked if it was possible to disassemble and reassemble the planetarium at a different location. Ms. Welling said it might be possible but it would make more financial sense to replace the dome rather than move it.

Amy Paige, from downtown Juneau, urged the Assembly to adopt a resolution calling for a ceasefire in the Gaza-Israel war so humanitarian aid can reach the starving people of Gaza and the hostages held by Hamas can be released safely. She said the conflict affects us all as our tax dollars are fueling the killing and destruction. She said she does not expect this resolution to solve the problem. She said she was shocked by the initial attack by Hamas and the killing of 1,200 civilians and the taking of hostages and has been horrified by the destruction of Gaza, including hospitals, mosques, schools and homes, and the misery and death befalling Palestinians. She said we must demand the immediate end of military aid to Israel and humanitarian aid must be allowed to reach Gaza and that is why she is urging the President, congressional leaders, and the Assembly to support a ceasefire.

Jonathan Swinton, from Douglas, is the executive director of Gastineau Human Services. He said their agency provides substance abuse treatment and reentry services in their halfway house. He said they dedicate a lot of resources in providing a continuum of care, including residential substance use treatment, outpatient treatment, and a halfway house for those coming through Corrections programs. He said people who do well in their programs are struggling to find affordable housing, and as a result can end up relapsing or reoffending. He said they propose to develop a 51-unit low-income long-term housing facility for people dealing with reentry or recovery on five (5) acres of property they own. He said to make this happen it will cost a substantial amount of money; he said they have lined up some money but need $2 million dollars of matching funds. He plans to make an official request to ask CBJ for the money. Mayor Weldon asked if Gastineau Human Services was working with the State of Alaska. Mr. Swinton said they had a request in to Senator Murkowski's office and to the Alaska Housing Finance Corporation.

Amy Skilbred, from the Salmon Creek area, is the executive director of the Juneau Community Foundation. She said she was speaking in support for Gastineau Human Service's request for $2 million dollars. She said the entire group of organizations that support people experiencing homelessness support this project. She said an additional 51 rooms would be incredibly helpful. She said they need some assurance about the money by April 27 to meet a deadline for a federal government grant program. Ms. Hale asked if they are asking for this outside of the regular budget cycle. Ms. Skilbred said the federal grant application is due on May 1.

David Ringle, from the Airport area, is the executive director of St. Vincent de Paul. He said he is here to talk about long term housing solutions. He said that for every person they house at the warming shelter there are three people in long-term housing, spread across rental units and transitional housing units. He said recently the National Low Income Housing Coalition produced a study called The Housing Gap that showed for every 100 low-income households in Alaska, there were only 25 low-income rental units. He said the long-term solution to homelessness is housing. He said states that are successful in reducing homelessness have put as much money into housing as into shelters. He urged the Assembly to make an investment in low-income housing.

Dick Callahan, from West Juneau, asked the Assembly to support a resolution for a ceasefire in Gaza. He said that the Zionist plan to colonize Palestine started in 1897 and that 127 years later Israel is a country receiving hundreds of billions of dollars from the United States and cannot feed, water, or defend itself. He said that means Israel cannot commit genocide by itself and we also bare responsibility. He said no one in this room supports genocide and asked the Assembly to vote to support a ceasefire.

Phillip Moser, from the Valley, spoke in support of a ceasefire resolution in Gaza. He said that this past weekend he watched crimes against humanity happen with the funds from our country, including hospitals being burned and bombed and health care workers, reporters, and food aid workers killed. He said hundreds of civilians are being killed each day. He said the country of Israel is a profitable US ally and the United States profits from the sale of weapons. He said it was easier to denounce the Russian invasion of Ukraine. He said silence and inaction are choices; he said Juneau did not speak up about the interment of Unangax̂ people on Admiralty Island, when

Japanese-Americans were interned and driven out of Juneau, or when there was a federal proposal to relocate Jewish refugees to Southeast Alaska. He said the city is affected by actions outside of its borders and should act on it.

Mariya Lovishchuk, from North Douglas, said she came to speak about the Gastineau Human Services housing project, which is estimated to cost $11.5 million. She said it is currently at about 35% design right now. She said there are two close deadlines for federal grants coming up. She said they do not need a complete, signed ordinance with the application but do need an assurance of funding from the Assembly. She said the Glory Hall homeless shelter and all current Housing First apartments are full. She said they know how to build projects, but need the Assembly's support, like Housing First phase 1 and 2. She said the $2 million dollar ask from the Assembly will leverage them the remainder of the funding and they have a clear path forward for receiving it.

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction*- None*

Assembly Request for Consent Agenda Changes *- None*

Assembly Action

MOTION by Ms. Hale to the consent agenda as amended by the Manager and asked for unanimous consent. ***Hearing no objection, the consent agenda was approved as amended with item K moved to new business.***

I. Ordinances for Introduction

2. Ordinance 2024-04 An Ordinance Establishing Duties of the Tourism Office.

This ordinance establishes the CBJ Tourism Office and allows the Manager to assign the Tourism Manager as the project manager or co-project manager for projects with a substantial relationship to tourism. Duties include a centralized tourism policy and management; coordination of community planning and projects related to tourism; public relations related to the visitor industry, including contract management and cruise ship schedule coordination; and other duties as assigned by the Manager.

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

3. Ordinance 2024-10 An Ordinance Amending Chapter 85.02 Related to the Docks and Harbors Board Roles Related to Tourism.

The Assembly has funded a Tourism Manager position since 2021, who works for the City Manager. This ordinance would clarify the Docks and Harbors Board duties related to tourism management. Notably, Docks and Harbors would maintain and operate the municipal cruise ship docks, and the Tourism Manger would be responsible for cruise-ship based tourism management, including capital projects. There is a companion ordinance, 2024-04, related to Tourism Manager duties. This ordinance would help advance the goals of the Visitor Industry Task Force (VITF) and provide a more direct route for Assembly control of tourism-related projects.

The Assembly most recently discussed this ordinance at the Assembly Committee of the Whole on February 26, 2024, and directed Assembly liaisons to discuss this topic with their empowered boards.

Assemblymember Woll has included a proposed amendment for consideration at the next meeting.

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

4. Ordinance 2023-14(b)(S) An Ordinance Appropriating up to $ 1,213,423 to the Manager as Local Grant Match for the North Douglas Crossing Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate up to $1,213,423 for the North Douglas Crossing CIP to fulfill two local grant match requirements:

Rebuilding America's Infrastructure and Sustainability and Equity (RAISE) Grant Match $ 866,000

FFY23 Congressionally Directed Spending (CDS) Grant Match $ 347,423

The RAISE grant's local match contribution was pledged in Resolution 3019(b) adopted during the January 30, 2024, Regular Assembly meeting. The CDS funding was secured by U.S. Senator Lisa Murkowski in the Consolidated Appropriations Act for Federal fiscal year 2023. These grants will provide funding for community outreach and the design phase of the North Douglas crossing. The Engineering and Public Works Department is currently working with the Alaska Department of Transportation & Public Facilities to confirm whether previously appropriated funds can be used toward the match. Due to the time sensitivity of the project, this request would ensure the grant match funding is available. If previously appropriated funds are approved for the local match, these appropriated general funds would be returned to the General Fund.

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

5. **Ordinance 2023-14(b)(AF) An Ordinance Appropriating $164,000 to the Manager for Tripper Transit Services During Tourist Season; Funding Provided by Marine Passenger Fees.**

This ordinance would appropriate $164,000 of Marine Passenger Fees for Capital Transit's "tripper" bus service during peak tourist season. The 2023 summer cruise season highlighted significant challenges for Capital Transit in effectively serving both Juneau residents and cruise ship tourists. Due to the volume of cruise ship tourists using the local bus system, hundreds of local bus riders, including people in wheelchairs, were unable to board buses due to no capacity available. This funding would restore the mid-day Valley/Downtown Express Route 8 on weekdays and extend the Valley/Downtown Express Route 8 service to Saturdays and Sundays during April, May, and June. Passenger fee funding for FY25 Tripper bus services is included in the FY25 Manager's Proposed Budget, pending appropriation by the Assembly.

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

6. **Ordinance 2024-03 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2024 Based Upon the Proposed Budget for Fiscal Year 2025.**

This ordinance establishes the mill rates for property taxes for 2024, which funds a significant portion of the City and Borough of Juneau's FY25 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY25 Proposed Budget that will be reviewed by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies.

For FY25, the operating mill rate is proposed to increase 0.16 mills for a total proposed mill levy of 10.32 mills, the components of which are:

FY2025 Proposed Mill Rate

Areawide: 6.36 (an increase of 0.16 from FY24 Adopted)

Roaded Service Area: 2.45 (flat from FY24 Adopted)

Fire Service Area: 0.31 (flat from FY24 Adopted)

Debt Service: 1.20 (flat from FY24 Adopted)

Total FY25 Proposed Mill Rate: 10.32 (an increase of 0.16 from FY24 Adopted)

An opportunity for public comment on the proposed mill rate will be provided during the Regular Assembly meeting on April 29, 2024.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

7. **Ordinance 2024-01 An Ordinance Appropriating Funds from the Treasury for FY25 City and Borough Operations.**

This ordinance appropriates $521,504,900 in expenditure authority for the City and Borough of Juneau's FY25 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes $501,565,300 of forecast revenue and transfers-in and decreases in fund balances, across all funds, by $19,939,600. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures. Budgeted expenditures and revenues will be reviewed in detail with the Finance Committee during the budget process in April and May.

The Charter requires that a public hearing be held on the FY25 operating budget by May 1, 2024, and the ordinance be adopted by June 15, 2024.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024.

8. **Ordinance 2024-02 An Ordinance Appropriating Funds from the Treasury for FY25 School District Operations.**

This ordinance will appropriate to the School District an FY25 operating budget of $85,397,400. This is an overall decrease in the budget of $10,919,600 from the FY24 Amended Budget. The FY25 school budget is supported with a combination of funding sources including CBJ local funding, and state and federal funding of $44,368,300. The local funding consists of $34,432,000 for general operations (i.e. educational funding) and $3,690,400 for non-educational programs and activities.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided, and provide notification of the support to the School Board within 30 days of the School District's budget submission. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding limits, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2024.

On April 29, 2024, a meeting is scheduled for the Assembly to state, by motion, the amount of local funding to be provided to the School District.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024.

9. **Ordinance 2024-15 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 5 Located near 6200 Jackie Street to JG Construction for Fair Market Value.**

In February, JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots (Lot 4 and Lot 5) have been available for purchase from the CBJ since 2017 by over-the-counter sale and have been designated for higher-density residential development. The application states that if the sale is approved, JG Construction will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to the USCG, and JG Construction has rented to the USCG for 24 years.

The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. On March 11, 2024, the Assembly authorized the CBJ to enter fair market value negotiations with JG Construction.

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

10. Ordinance 2024-16 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 4 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

In February JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots have been available for purchase from the CBJ since 2017 by over-the-counter sale. The two lots are located on Jackie Street and were platted as part of the Renninger Subdivision which was completed by CBJ in 2015. JG Construction has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots and proposes to use the property for residential development. The application states that if the sale is approved they will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to the USCG, and JG Construction has rented to the USCG for 24 years. The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. The Assembly reviewed the application at the March 11, 2024, meeting and authorized the CBJ to enter fair market value negotiations with JG Construction.

4/1/2024 Clerk Note: Ordinance Title updated on the agenda to reflect lot, location and the ordinance in the packet.

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

J. Resolutions

11. Resolution 2986 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.

This resolution would update the Assembly Rules of Procedure with a number of housekeeping changes, clarify that committees only make recomendations, clarify quorum for four-member committees is three members, and clarify when members may participate remotely.

This item was reviewed by the Assembly Human Resources Committee on March 4, 2024, and by the Committee of the Whole on March 11, 2024, with a recommendation to adopt.

The City Manager recommends the Assembly adopt this resolution.

12. Resolution 3054 A Resolution Accepting a Gift of $431,870.34 from the Estate of Duane Levi Packer to the Eaglecrest Foundation to Benefit the Eaglecrest Ski Area Maintenance Department.

The Eaglecrest Ski Area is extremely grateful to Duane Packer for bequeathing these funds to the Maintenance Department. The Eaglecrest Ski Area will work with the Eaglecrest Foundation to ensure the funds are disbursed consistent with Mr. Packer's will and CBJ laws.

The Eaglecrest Board of Directors reviewed this topic on December 7, 2023. The Assembly Human Resources Committee reviewed this topic on March 4, 2024, and recommended the Assembly adopt this resolution.

The City Manager recommends the Assembly adopt this resolution.

13. Resolution 3058 A Resolution Authorizing the Manager to Negotiate a Less than Fair Market Sale of a Surplus Fire Engine from Capital City Fire/Rescue.

Capital City Fire/Rescue determined that its 1995 Seagraves 4WD Fire Engine is surplus to its needs. The community of Yakutat has requested to acquire it, and the Fire Chief believes the fair-market value could be over $50,000. CBJC 53.50.210(b) allows the CBJ to transfer any surplus property to another government or quasi-government unit for items that exceed $50,000 with Assembly consent. This resolution would allow the Manager to negotiate a less than fair market sale of the surplus fire engine to Yakutat.

The City Manager recommends the Assembly adopt this resolution.

14. Resolution 3052 A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2025 through 2030 and Establishing the Capital Improvement Project Priorities for Fiscal Year 2025.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2025 through 2030, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY25.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 11, 2024, meeting and forwarded the plan to the Assembly.

The City Manager recommends the Assembly introduce this resolution, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

K. Bid Awards – *Clerk's Note: removed from the consent agenda; moved to New Business.*

15. BE24-147 Adair Kennedy Baseball Field Improvements

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No 1	Add. Alt. No 2	TOTAL BID
Dawson Construction, LLC	**$2,629,802.89**	**$15,000.00**	**$315,000.00**	**$2,959,802.89**
Coogan Construction Co.	$2,650,689.89	$7,500.00	$25,000.00	$2,966,189.89
Admiralty Construction, Inc.	$3,098,265.89	$25,000.00	$310,000.00	$3,433,265.89
North40 Construction Corp.	$3,108,363.89	$42,000.00	$300,000.00	$3,450,363.89
Engineer's Estimate	***$3,573,537.89***	***$50,000.00***	***$255,000.00***	***$3,878,537.89***

The City Manager recommends award of this project, Base Bid and both alternates to Dawson Construction, LLC for the total amount bid of $2,959,802.89.

L. Transfers

16. Transfer Request T-1073 A Transfer of $50,000 from CIP B55-086 BRH Deferred Maintenance to CIP B55-084 Hospital CT/MRI Replacement.

This request would transfer $50,000 from the BRH Deferred Maintenance CIP to the Hospital CT/MRI Replacement CIP. This project is close to completion but requires additional funding for increased

construction costs. The primary increased costs that this funding would be contributing toward includes expanding/remodeling the MRI room to meet Facility Guidelines Institute (FGI) requirements and increasing service, replacing the warped MRI room door, and addressing the failed existing magnetic shielding at the MRI room floor. The BRH Deferred Maintenance CIP will retain adequate funding for projects.

The Hospital Finance Committee reviewed this request at the March 8, 2024, meeting. The Public Works and Facilities Committee reviewed this request at the March 11, 2024, meeting. The Hospital Board of Directors approved this request at the March 26, 2024, meeting.

The Manager recommends approval of this transfer.

17. Transfer Request T-1074 A Transfer of $15,537 from CIP H51-122 Dock Security Stations to CIP H51-123 Weather Monitoring and Communications.

This request would transfer $15,537 from the Dock Security Stations CIP to the Weather Monitoring and Communications CIP. This project is ongoing and provides real time current sensor/weather reporting and hosting to the Marine Exchange of Alaska's website. Funding is provided by a completed project that is ready to be closed.

The Docks and Harbors Board reviewed this request at the March 28, 2024, meeting.

The Manager recommends approval of this transfer.

18. Transfer Request T-1076 A Transfer of $3,271,560 from Various Wastewater Capital Improvement Projects to CIP U76-112 JDTP New Vactor Dump.

This request would transfer $3,271,560 of Wastewater Funds from various Wastewater CIPs to CIP U76-112 Juneau-Douglas Treatment Plant (JDTP) New Vactor Dump. The JDTP New Vactor Dump CIP is ready to bid, with estimated project costs amounting to $7.92 million. In FY23, Transfer Request T-1053 transferred funds from the JDTP New Vactor Dump CIP to a higher priority project requiring immediate funds for project work, delaying the work for the JDTP New Vactor Dump CIP. This CIP is now the highest priority project for the Wastewater Utility and requires additional funding to go to bid. This project would construct a new receiving station for waste and debris collected by the CBJ's Vactor trucks and replace and upgrade the JDTP's grit collection equipment with a new high-efficiency, high-capacity grit removal system, prolonging the life of downstream treatment process pumps and conveyances. Funding is provided by completed projects and ongoing projects that will retain sufficient funding for the next stages of project work.

The Public Works and Facilities Committee reviewed this request at the March 11, 2024, meeting.

The Manager recommends approval of this transfer.

19. Transfer Request T-1077 A Transfer of $60,000 from CIP P41-097 Sportsfield Repairs to CIP P41-109 Adair Kennedy Lighting.

This request would transfer $60,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. This funding would provide for the replacement of the 30-year-old ballfield lighting system at Adair Kennedy baseball field with new LED lights. Transfer Request T-1072 recently transferred $110,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. Since that transfer, bids were received for the project, amounting to $60,000 more than anticipated. This transfer request would provide the additional funding required to award the bid. The Sportsfield Repair CIP will retain adequate funding for the remaining FY24 priority projects.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024, meeting.

The Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

20. Liquor License Actions

These liquor license actions are before the Assembly to either protest or waive its right to protest the license actions.

Liquor License - NEW

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Seasonal Restaurant/Eating Place Tourism License: #15765 Location: 100 N. Franklin St., Juneau

Liquor License - RENEWAL

Licensee: Specialty Imports Inc. d/b/a Specialty Imports

License Type: Wholesale, License: #4943 Location: 540 W. 8th St., Juneau

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest the applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's Office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor actions.

N. City/State Project Review

21. CSP2023-0001: City Project Review for Eaglecrest Ski Area's Summer Development Plans

At its February 27, 2024, meeting, the Planning Commission recommended approval of amenities at Eaglecrest Ski Area, a municipally owned ski area operated as a special revenue fund of the City and Borough of Juneau.

Proposed amenities include a new aerial conveyance gondola with three stations and supporting tower structures, a Summit House resort lodge, construction access roads, mountain bike trails, Upper Fish Creek bridge crossings, a picnic pavilion near Cropley Lake, and a snow tubing park.

The project received a Conditional Use Permit approval under USE2023 0009.

O. Other

P. PUBLIC HEARING

22. Ordinance 2024-14 A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street.

This ordinance authorizes a summer campground similar to past CBJ summer campgrounds on wooded AJT/AEL&P land, most recently a couple hundred yards past the end of Gastineau Avenue. The ordinance moves that location to a more visible property at 100 Mill Street. At a high level, staff hope a more visible and accessible location will result in a safer experience for campers who choose this option.

The Assembly discussed this item at its March 11, 2024, Committee of the Whole meeting and directed staff to prepare this ordinance.

The Manager recommends you hear a staff report from Deputy Manager Barr, hear public testimony, ask questions and discuss, and set this ordinance for public hearing at the next regular Assembly meeting.

STAFF REPORT

Mr. Barr acknowledged that homelessness is one of the most difficult and complex topics we struggle through as a community and that despite increased investment at the local level challenges have continued to increase over

time. He said they are breaking ground on Housing First phase 3 and when it is complete will have 92 permanent supportive housing units, in addition to the 320 other beds currently available in our community. He said there is a spectrum of housing needs; on one end of the spectrum are people who just need a little bit of help from their local community to become permanently housed while on the other end of the spectrum are people who have extensive mental health, trauma, and/or long-term substance use issues and need a significant amount of help. He said when talking about the cold weather shelter and the campground, they are mostly talking about people on the more challenging end of the spectrum.

Mr. Barr noted that CBJ has been operating a cold weather shelter since 2017 and a campground for much longer. He said campground services are limited in part due to an Alaska Supreme Court case that CBJ lost in 2018. He said the Assembly's options were to move the current campground to a more visible location or to stop operating one.

Mr. Barr said they have received direction to move the current campground, hence the ordinance before the Assembly tonight. He said they have been working with Alaska Electric Light & Power (AJT/AEL&P), the landowner, of the 100 Mill Street location around indemnification, liability, and insurance. He said this was in progress and there is not currently a signed lease. Mr. Barr said they are also working on planning, including removing the existing AEL&P tower parts and building the campground out including potable water, platforms, restrooms, bearproof containers, removing the barbed wire, and adding entry/exit points on the fence.

Mr. Barr said he wished he could assure the Assembly that moving the campground to a more visible location would solve the problems that arose last year but could not. He said he thinks it will help, which is why it is before the Assembly today, but acknowledged that it might not, and they may need to find a different solution in the future.

Mr. Smith asked if Mr. Barr met with the property owners near the proposed campground site. Mr. Barr said he spoke with several owners last week and mostly spoke about systemic reasons and briefly touched on mitigation measures. Ms. Adkison asked if there will be additional conversations. Mr. Barr said yes.

Public Hearing

Karen Perkins, a Valley resident, is the pastor of Resurrection Lutheran Church (RLC) but is speaking as an individual. She said that she acknowledged all the excellent work people are doing to build permanent housing but said we are failing this population. She said there are multiple studies that say that homeless shelters do not negatively impact communities if run properly. She said that the phrase "incentivizing homelessness" is reprehensible and there is no such thing.

Karen Lawfer, from West Juneau, said there are lots of myths about unsheltered people, such as people choosing to live in tents or their vehicles, or are all violent drug users with untreated mental health issues. She pushed back on these myths. She said she worked as a trained volunteer when the cold weather shelter was at RLC and currently volunteers with the food pantry. She said they serve a meal on Tuesday afternoon because people are hungry and unsheltered. She said people have been permanently or temporarily barred from the Glory Hall or from businesses, which turns people who are just seeking shelter into criminals. She advocated for a low-barrier shelter to be available on a year-round basis.

Brad Perkins, from the Mendenhall Valley, said he has worked with unhoused people since 2000, in San Fransisco, Oahu, and Juneau. He said he was the manager of the cold weather emergency shelter for several years, including when it was at the Public Safety Building, Teal Street building, and RLC. He said he is not representing RLC but is speaking on his own behalf. He said it is time to revisit whether the cold weather emergency shelter and campground model are right for Juneau. He advocated for a permanent low-barrier shelter. He said that RLC received an infrastructure grant of $50,000 to renovate their kitchen to provide specialized food services to this population. Mr. Smith asked if RLC was distributing food currently. Mr. Perkins said yes, primarily processed food and some hot meals as well.

Daryl Miller, a Mill Street and Anchorage resident, came in support of the Rock Dump Coalition proposal. He said he owns a business and residence in the Thane Yacht Condos. He said he used to have a shop in the downtown area, but when they felt it was unsafe they moved to the Thane area. He said now there will be a similar community issue in this new area. He spoke to the number of needles found at the Thane campground last year and advised the Assembly to not pursue this new campground. Mr. Smith asked if Mr. Miller had experienced any adverse issues due to the vicinity of the cold weather shelter that operates in Thane. Mr. Miller said no, but then said that people walk to the shelter in the middle of the street due to the sidewalks not being cleared of snow.

Kyle McDonnell, a Douglas resident, said he was here on behalf of Alaska Coach Tours and the Rock Dump Coalition. He said that Alaska Coach Tours is a locally owned business that has operated in Juneau for 20 years, with the last 19 years being at the Rock Dump location. He said they have not had problems until this last year. He said they have 10 year-round employees and 55 seasonal employees. He said the Rock Dump is an industrial location and is not safe for the unhoused population. He cited the three commercial bus yards and a freight facility with vehicles moving in and out of the area frequently. He said in the winter there were bus break-ins, equipment damaged, and trash everywhere. He was concerned that if a bus is broken into in the summer it would take it out of commission for anywhere from a day to several weeks, losing thousands of dollars of cancelled tours. He asked the Assembly to vote no on this ordinance.

Patrick Vallejo, a downtown resident, said he had lived at the end of Gastineau Avenue for 35 years. He said this last summer was the worst he has seen. He said in the summer when the campground was open, it was nonstop people, traffic, illegal activities, and drug paraphernalia. He said that neighborhood kids could not play outside unsupervised. He said people were living in their cars on the street and using the bathroom out in public. He said he understands the concerns of the businesses who are in the Rock Dump area, but he does not know where to put the campground. After a follow up question by Ms. Hale, he confirmed that he does not want the campground to remain near Gastineau.

Brett Farrell, a downtown resident, said he was here as a member of the Rock Dump Coalition, and he is in charge of safety at Alaska Marine Lines (AML). He thanked everyone who testified and works with this population. He said there have been incidents involving the warming shelter residents that were uncomfortable for employees and theft from people staying at the warming shelter. He said AML is a United States Coast Guard regulated facility, which is a federal requirement. He said when they experience a security breach it is a big deal, and the potential summer campground affects their risk analysis of this facility. He said the alternative proposal of using the Little Rock Dump is a better idea and asked the Assembly to consider it.

Robie Janes, from downtown, is the general manager of Gastineau Guiding company. He said their company has been in the Rock Dump area for 29 years and they never had a break-in until this last winter. He said it is very concerning for the safety of their approximately 120 employees. He said they have presented and come up with a short-term solution, using the Little Rock Dump area. He said this extra time will help create a better long-term solution for the businesses, employees, and vulnerable people who camp.

Michael Tripp, a downtown resident, said he is a principal owner of Timberwolf Adventures, the business right next door to the proposed campsite. He said they have started a project to double the size of their warehouse and broke ground this week and it is scheduled to take a year to complete. He said the campers would be right next to an active construction site. He asked the Assembly to consider the Little Rock Dump instead. He said there is a median, not a sidewalk, heading to the spot. He said people safely navigate that road with pedestrians and cyclists all summer long. Ms. Hale asked how close the project will be to the proposed campsite. Mr. Tripp said the finished building will be 35 feet from the property line, but that trucks and equipment will be closer during the construction phase.

Daren Booten, from downtown Juneau, said he is also an owner of Timberwolf Adventures, the business next door to the proposed campsite. He implored the Assembly to vote no on the 100 Mill Street location, saying the location is not viable or sustainable. He said his primary concern is for the safety of employees, citizens, and

visitors, and noted that over 400,000 cruise ship visitors walk through this area each year. He asked for a better option and asked the Assembly to move the campsite to the Little Rock Dump instead.

Hayden Garrison, from Twin Lakes, said he owns the Green Elephant, Avis Car Rental, and Sentinel Coffee. He said with the winter emergency shelter people walked through his property throughout the entire night. He said they have seen many problems this last winter, including usage of the private outhouses. He asked the Assembly to use a different campsite, such as the Little Rock Dump. He said there is little work needed to be done to outfit the space. He said the turn around is wide enough for emergency, repair, and other vehicles. He said access is not as issue as walkers, joggers, and bikers use the area without issue as is. He noted that CBJ did not plow the sidewalk to the cold weather emergency shelter and patrons had to walk in the road to access the facility.

Brett Hutchinson, from Gastineau Avenue, said he is a representative of the Rock Dump Coalition. He described an incident that happened the last summer at his house where he received a death threat from a camper. He said the campers last year were different than previous summers; while they had many pleasant interactions in previous years, this last summer had people screaming, spiting, throwing items, and trespassing on his property. He said with the help of JPD they went from more than 50 people trespassing per day to about 5 people trespassing per day. He said they had to put down their dog after it had gotten into some drug packets and had seizures for a week. He asked the Assembly to not move the campground to the Mill Street location.

Dave Ringle, from the Airport neighborhood, said he ran the Emergency Cold Weather Shelter on behalf of St. Vincent de Paul. He said over 330 unique individuals used the warming shelter this last winter, with up to 63 people in a single night. He said there are 27 individuals they served this last winter that were served by an emergency shelter in 2017 and are still needing assistance. He said in other communities, like Anchorage, Seattle, and San Fransisco, unsupervised camps hurt and prevent people from developing the habits they need to be successful in transitioning out of homelessness. He said no shelter is perfect, but we need to be taking steps to address root causes of homelessness and reduction in sheltering costs. He said homelessness has increased in the United States by 50% over the past few years, according to the Point in Time Count. He said he would like to find a better solution than an unsupervised campground. Ms. Woll asked his opinion on the Mill Street campground proposal. Mr. Ringle said he saw problems in putting the campground near where the warming shelter was. He said as the area gets busier it will increase the number of confrontations and conflict. Mr. Smith asked about policies at the cold weather shelter to reduce illegal behavior. Mr. Ringle said that having indoor restroom facilities would be helpful for future years, as it would prevent the need for people to go outside. He said transportation services would reduce the number of people walking around, which may help reduce vandalism, trespassing, and break-ins. Ms. Adkison asked about dispersed camping. Mr. Ringle said St. Vincent de Paul served dispersed campers last year and it was very difficult. Mr. Bryson asked what happened in the winter warming shelter if people's behavior was inappropriate. Mr. Ringle said they called JPD or CARES. Mr. Smith asked about vulnerable campers. Mr. Ringle said the most vulnerable people should not be camping, and they have done their best to move such people into other facilities, like a hotel or treatment. Mr. Ringle said if there was a campground some people would choose it and some people would choose to disperse camp. He said there are problems with all the models.

Kiernan Riley, a North Douglas resident, spoke in opposition of moving the Thane Campground. They said they worked with chronically homeless individuals for the last three years, including people who camp at the Thane campground. They said they do not care about the affect that unhoused residents have on tourism or business, but cares about the residents themselves. They said moving the campground out to Mill Street will make it inaccessible and will lead to dispersed camping, which will lead to increased police interactions and arrests. They asked if campers were consulted before deciding to move the campground. Ms. Woll asked how this location is less accessible than the current location. Mx. Riley said that without a shuttle there is no incentive to walk that far to go to a tent, when a person could put the tent a lot closer to town. Ms. Adkison asked about visibility. Mx. Riley said the more an area is policed the more police interactions there are.

Assembly Action

Mayor Weldon instructed the Assembly that as this is an ordinance for introduction, no amendments would be permitted. She said the purpose of the discussion was to give staff direction on whether to continue with the 100 Mill Street location, move locations, or do nothing.

Ms. Adkison asked about a year-round shelter. Mr. Barr answered that the current provider does not have the capacity to operate a year-round shelter and that he was not aware of any other providers in town with that capacity. Mayor Weldon asked if the city has put out a request for interest. Mr. Barr said they work closely with social service providers in town but have not issued a formal Request for Information or Request for Proposal.

Mr. Bryson asked how concerned the Coast Guard was about AML's security breach. Mr. Barr said CBJ recently learned about the security breach and have not yet reached out to the Coast Guard, which they plan to do.

Ms. Woll asked for clarification from the City Attorney about what actions or direction they can provide. Mr. Palmer said the only item up for debate is to introduce the ordinance or not. He said if they want to have further discussion on funding or ancillary items, they can discuss them during the Assembly Questions and Comments agenda item. Ms. Woll asked how their decision affects staff. Mr. Barr said they are currently operating under the direction they received from the Committee of the Whole. He said that if this ordinance is introduced as-is, staff would continue to prepare the Mill Campground site, including negotiating the lease, removing items currently stored on-site, and creating camping infrastructure.

Mr. Kelly asked about other locations. Mr. Barr said they have visited the Little Rock Dump (a spit of land approximately half a mile further down Thane) and said while the land could function as a campground, he did not recommend it primarily because of access difficulties and lack of visibility. He said he thought the campers would be less safe without a visible location and easy access by emergency personnel and social service providers. He said it is difficult to find a CBJ owned parcel that is not near businesses or homes, and they need to balance camper safety with the need to mitigate impacts on the surrounding area.

Ms. Hale asked about transportation. Mr. Barr said in the winter there was a shuttle service that had multiple runs in the evening to bring people to the shelter and transportation in the morning to take people to the Glory Hall. He said he had not looked at what it would take to provide a summer shuttle service and he was not confident that Capital Transit would have capacity in the summer to provide this service. He said more work could be done in this area if the Assembly was interested.

Mayor Weldon asked about security at the Mill Street site. Mr. Barr said it is a conversation to have with local business owners if the Assembly chooses to move forward with the Mill Street site. Mr. Bryson asked if the security industry had enough staff to expand to this area. Mr. Barr said that recently CBJ has gotten bids for other security projects, but those bids came in very high.

Ms. Woll asked about lighting. Ms. Koester said the section of Thane Road in question is owned by the Alaska Department of Transportation. She said there are instances where CBJ has negotiated and paid for lighting on DOT roads. She said the roads within the Rock Dump subdivision are owned by CBJ.

MOTION by Ms. Hale to introduce Ordinance 2024-14 A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street, refer it to the Committee of the Whole, and set it for public hearing at the next Regular Assembly meeting. In speaking to her motion, she said this is the most fleshed out option the Assembly has seen but has additional questions for staff.

OBJECTIONS by Mr. Bryson and Mr. Smith.

Mr. Smith said this is a situation with no good options. He said that every location has drawbacks, and he is inclined for CBJ to not run a campground.

Mr. Kelly said he is not in favor of making a change from one bad option to another but wanted to keep this conversation going.

Ms. Adkison said she had serious concerns about dispersed camping, which is what will take place if this ordinance does not pass. She said dispersed camping makes it harder to talk to, get services to, and clean up after campers. She said she would like to see more mitigation on affected business owners in the future.

OBJECTION by Mayor Weldon for purposes of a question. She asked the attorney if she could bring a new ordinance to the Committee of the Whole authorizing a campground at the Little Rock Dump. Mr. Palmer said that she can. She removed her objection. Mayor Weldon said as a previous EMT she had responded to emergencies at the old Thane Campground; she said dispersed camping was not the answer and is more hazardous for emergency responders.

Roll Call vote on Motion to introduce Ordinance 2024-14:

Yeas: Ms. Hale, Ms. Woll, ‘Wáahlaal Gídaag, Mr. Kelly, Ms. Adkison, Mayor Weldon

Nays: Mr. Smith, Mr. Bryson

Motion passed: 6 Yeas, 2 Nays.

23. Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

The City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process for people to report potential violations (CBJC 01.45.110). Although the conflict of interest code overlaps with traditional whistleblower protections, it does not mention the phrase “whistleblower” or explicitly provide protections to whistleblowers. This ordinance would create a whistleblower law for municipal employees, which is modeled off the Alaska Whistleblower Act (AS 39.90.130).

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting. The Assembly Human Resources Committee reviewed this at its November 13, 2023, and February 5, 2024, meetings and recommended forwarding to the Assembly for action.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Bryson to adopt Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

24. Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty.

This ordinance will help the Parks & Recreation Department manage large, non-commercial events held in municipal parks or recreation facilities. Currently, a permit is only required for commercial activities or events where admission is charged. Things like concerts, festivals, or even large weddings do not require a permit even if they attract hundreds or thousands of people to a municipal park. These types of events are happening more frequently, impacting the public’s ability to use parks and recreation facilities, and incurring significant costs to taxpayers due to excessive trash, litter, and overcrowded restrooms. This ordinance will allow the Parks & Recreation Department to (1) manage the time, place, and manner of large events in public parks, (2) require reasonable conditions to protect public safety and property, and (3) recover costs through reasonable permit fees.

The Parks & Recreation Advisory Committee discussed this ordinance on November 7, 2023, and December 5, 2023, and unanimously recommended that it be adopted. The Systemic Racism Review Committee considered this ordinance at its meeting on February 6, 2024.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Woll to adopt Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty and asked for unanimous consent.

OBJECTION by Mr. Smith for purposes of a question. He asked when regulations about this ordinance would come before the Assembly. Mr. Palmer said the goal would be to have a package of regulations out to the public in a week and to the Assembly at the April 29, 2024, meeting. Mr. Smith said he had some concerns limiting large groups, specifically people's first amendment rights, but said his concerns might be allayed by the specific regulations that have not been presented yet. ***He removed his objection.***

Mayor Weldon asked what large events would be required by the permit. Mr. Palmer said that weddings, concerts, festivals, and other large, planned events would fall under these regulations. He said that first amendment activities, such as a protest at Marine Park, are challenging to regulate.

Hearing no objection, Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty passed by unanimous consent.

25. Ordinance 2023-14(b)(Z) An Ordinance Appropriating $76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

Engineering and Public Works has been awarded $76,130 in grant funding for the Energy Efficiency and Conservation Block Grant (EECBG) from the U.S. Department of Energy. This funding will be used toward the replacement of a gas-powered utility vehicle with an electric vehicle (EV) truck and the installation of Level 2 EV charging equipment at multiple municipal facilities for CBJ EVs. These investments will reduce community Greenhouse Gas emissions in the near term and will allow the CBJ to assess the cold weather resilience for potential future EV truck purchases. No local match is required for this funding.

Juneau Commission on Sustainability (JCOS) has been consulted and is supportive of this request. The Public Works and Facilities Committee approved this request at the January 29, 2024, meeting. The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Adkison to adopt Ordinance 2023-14(b)(Z) An Ordinance Appropriating $76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

26. Ordinance 2023-14(b)(AE) An Ordinance Transferring $250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project.

105 vehicles have been removed from the River Road property, with costs amounting to approximately $155,000. CBJ has been reimbursed $105,000 of that amount. As of December 2022, it was estimated that there are approximately 228 vehicles still located at the River Road property. In FY23, Ordinance 2022-06(b)(Z) appropriated $250,000 to the RecycleWorks operating budget to cover the costs for the removal of the remaining vehicles. Due to lengthy court process and safety concerns for CBJ staff, the removal of the remaining vehicles is pending. Due to the multi-year nature of this work, staff requests to transfer the $250,000 from the RecycleWorks FY24 operating budget to the capital budget to cover the costs of the removal of the remaining vehicles on the property when the project can resume.

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024, meeting and had the following comment for the Assembly: *This ordinance funds a private property cleanup and is worded in a manner which perhaps unintentionally obscures the use of public funds for the purpose of private property cleanup, even if the city hopes to recoup the costs from the owner. The private property cleanup was identified through a code-enforcement report by community members. The committee discussed how public funds used for this purpose may be better served by other projects which could better serve a broader segment of the community. Enforcement based solely on reports by community members has the potential to further systemic racism.*

The City Manager recommends the Assembly adopt this ordinance.

Public Testimony

Kim Titus, from River Road, owns property adjacent to the property in question. He said the neighborhood is zoned D3 residential. He said the issue about junked cars started 7 to 9 years ago and code violations went before the Planning Commission. He said the largest towing business in Juneau operated out of this residential property; he said they are no longer in business. He said in April 2019 CBJ filed suit in Superior Court about cleanup; the cleanup has not occurred, and the court orders have not been followed. He said though CBJ had removed about 100 cars from the property, new junked cars have since appeared on the property. He said he supports the transfer, assuming CBJ can recoup the cost.

Assembly Action

Ms. Woll asked a clarifying question about the ordinance. Ms. Koester said this ordinance transfers already appropriated money from the Recycleworks operating budget to a CIP project but does not add additional funds. She said the reason to do this is this money will take multiple operational years to spend and currently makes the Recycleworks budget look larger than it is, as these funds are restricted to this usage.

Mr. Kelly asked about the Systemic Racism Review Committee's (SRRC) recommendation. Mr. Barr, who staffs that committee, said the SRRC talked about CBJ being a complaint-driven enforcement organization, which Mr. Barr agreed was an accurate assessment. The SRRC said being a complaint-driven organization may further systemic racism because people in marginalized communities are less likely to complain. The SRRC also commented they did not think this project was a good use of public funds. Mr. Barr said CBJ will try to recoup those funds in the future. Ms. Woll and Mayor Weldon thanked the SRRC for its comments.

Mr. Bryson asked for an update about enforcement and access to the property. Ms. Koester said the Code Enforcement Officer does not feel safe accessing the property due to threats and JPD does not have the resources at this time to support removal of cars from the property. She said they are monitoring the property so when they are more fully staffed, they can move onto enforcement.

Ms. Woll asked about CBJ's confidence in getting reimbursed. Mr. Palmer said he is confident they will recover a large chunk of the money, and maybe all of it, but the process will take some time. He said there are two sources of recovery for this property; the first is they are currently capturing money from the sale of the towing company and the second is they will capture money from the sale of the property through liens.

Mr. Kelly asked what will keep the property owner from adding more junked cars. Mr. Palmer said the property owner sold the towing business but was allowed to keep one tow truck over CBJ's objections and has been adding more cars to the property.

MOTION by Mr. Kelly to adopt Ordinance 2023-14(b)(AE) An Ordinance Transferring $250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project by unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

Q. UNFINISHED BUSINESS

27. 2024 Export Manufacturing Exemption Applications

The Assessor's Office received the following 2024 Export Manufacturing Exemption Applications for business personal property used in manufacturing: Alaska Glacier Seafood Inc., AKBEV Group LLC, Forbidden Peak Brewery, and Devils Club Brewing Co. The Assembly must approve any export manufacturing exemption for real or business personal property, CBJ 69.10.020(1)(c).

This request was reviewed at the March 7, 2024, Assembly Finance Committee and forwarded to the full Assembly for approval.

The property owners listed above have had Assembly approval in the past. It is recommended their new applications be approved.

MOTION by Mr. Smith to approve the applications for Alaska Glacier Seafood Inc., AKBEV Group LLC, Forbidden Peak Brewery, and Devils Club Brewing Co. export manufacturing exemption be approved and asked for unanimous consent. ***Hearing no objection, the applications were approved.***

R. NEW BUSINESS

15. BE24-147 Adair Kennedy Baseball Field Improvements *Removed from Consent Agenda at request of the City Manager for the purposes of correcting a typo (underlined below)*

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No 1	Add. Alt. No 2	TOTAL BID
Dawson Construction, LLC	**$2,629,802.89**	**$15,000.00**	**$315,000.00**	**$2,959,802.89**
Coogan Construction Co.	$2,650,689.89	$7,500.00	<u>$25,000.00</u>	$2,966,189.89
Admiralty Construction, Inc.	$3,098,265.89	$25,000.00	$310,000.00	$3,433,265.89
North40 Construction Corp.	$3,108,363.89	$42,000.00	$300,000.00	$3,450,363.89
Engineer's Estimate	***$3,573,537.89***	***$50,000.00***	***$255,000.00***	***$3,878,537.89***

The City Manager recommends award of this project, Base Bid and both alternates to Dawson Construction, LLC for the total amount bid of $2,959,802.89.

Mayor Weldon recused herself from this topic as her son is employed by Dawson Construction.

Ms. Koester said the typo in the agenda and memo was related to Coogan Construction's Additional Alternative Number 2, which was listed as $25,000 but should have been $308,000. She said that the total bid numbers in the agenda were correct, as were the numbers in the posting notice of bid.

MOTION by 'Wáahlaal Gídaag to award this project, Base Bid and both alternatives for a total amount bid of $2,959,802.89, to Dawson Construction and asked for unanimous consent. ***Hearing no objection, this motion passed.***

28. **Ruschmann Request to Purchase CBJ Property**

In August 2023 Chris Ruschmann applied to acquire CBJ property adjacent to his property which is located at 15700 Auke Rec Bypass Road. This CBJ property is located outside of the sewer service boundary and is not served by municipal water. The applicant's property is served by municipal water and if this application moves forward, there is an opportunity to negotiate an access and utility easement through the applicant's property to provide municipal drinking water to the remaining CBJ parcel. Access to municipal water would increase the value and developability of the remaining CBJ property in a way that makes this proposal beneficial to the CBJ.

According to 53.09.260, the Assembly shall determine "whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals". If the Assembly provides a motion to negotiate with the original proposer on these two lots, and if the negotiations are successful, ordinances with terms and conditions of the sales will be introduced prior to a public hearing. The LHED Committee reviewed this application at the March 11, 2024, meeting and passed a motion of support for working with the original proposer.

The Manager recommends the Assembly pass a motion of support to work with the original proposer in accordance with City Code 53.09.260.

MOTION by Ms. Hale to send this proposal back to the Lands Committee for more information about the property, including size and property lines.

Ms. Koester said to answer some of Ms. Hale's questions, staff need direction to negotiate with the original proposer. She said CBJ has a 29-acre parcel and the intention for the sale is to be one acre or less in exchange for the easement. She said any negotiated proposal could come before the Assembly again, which they could reject.

OBJECTION by Mayor Weldon for purposes of a question. Mayor Weldon asked about alternative easements. Ms. Koester said that the AEL&P easement Mayor Weldon is referring to is on CBJ land and would not serve the purpose of getting water to the parcel. Ms. Koester said the Lands Manager, Dan Bleidorn, thought it would be prohibitively expensive to get the water through Glacier Highway due to how long the connection would have to be. Mayor Weldon removed her objection.

Ms. Hale removed her original motion.

MOTION by Ms. Hale to work with the original proposer and for the Lands Manager to explore other options for getting water to the site and asked for unanimous consent. *Hearing no objection, this motion passed by unanimous consent.*

29. Addition of an Assembly Goal under "Economic Development," specifically: *"Collaborate with USCG and other partners to clear local hurdles in Icebreaker homeporting efforts."*

MOTION by Mr. Smith to add an Assembly Goal under Economic Development: Collaborate with USCG and other partners on homeporting an Icebreaker in Juneau and to share that additional goal with appropriate federal partners and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

S. STAFF REPORTS

30. Update on Draft MOA on Daily Passenger Limits

Ms. Pierce, Tourism Manager, provided an update to the Assembly about negotiated passenger limits to go into effect for the 2026 cruise ship season. Ms. Pierce noted that cruise ship schedules are set two years in advance and that 2025 will be the first season with the new five (5) ship limit. She said that if you look at the schedule in 2025, there are some days that appear to have more than five (5) ships because the National Geographic ship has under 100 passengers and is exempt from the five (5) ship limit. She said in a recent meeting the cruise line agencies and CBJ conceptually agreed to the concept of a daily passenger limit with quieter Saturdays. She said they have not come up with a number yet. Ms. Pierce said the cruise ship agencies are also evaluating how to end hot berthing (two ships using the same berth in a single day). She said there was also discussion on how to reduce congestion. She said they also discussed options with the private dock owners, including the best-ship-best-dock concept, rates, the sea walk, access, easements, and passenger fees.

Mayor Weldon said she supported trying to get to the daily passenger limit goals mentioned by using the CBJ owned docks for scheduling as needed.

Mr. Byson asked what the cruise industry's reaction to the request for daily limits was. Ms. Pierce said the industry's gut reaction to is look out for their own interests and long-term plans. She said the industry has agreed to daily limits elsewhere in the world and they were asked to come ready to discuss daily limits.

Mr. Kelly asked if they discussed the length of the cruise ship season. Ms. Pierce said no.

31. Update on Municipal Way office space and staffing

Mr. Barr said they have been moving staff out of the Municipal Way building for health and safety reasons due to the construction. He said this effort is not part of the broader City Hall effort. He said they signed a letter of intent with the real estate agent who manages the Burns building with a targeted lease start date of May 1, 2024.

He said they have a current lease for the Municipal Way building and the lease costs for that building are not included in the budget. He said they are exercising their subject to appropriation authority in that budget to discontinue the lease.

T. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon provided condolences to Karen Crane's family in her passing. Ms. Crane had served on the Assembly previously.

Mayor Weldon had a meeting with Admiral Dean and gave her a small key to the city. She said they have started conversations about CBJ becoming a USCG city. Mayor Weldon said they will eventually be forming a community task force on this, but other work must be done first. She also sent thank you letters to Senators Sullivan and Murkowski and Representative Peltola for getting the Icebreaker homeported in Juneau.

Committee and Liaison Reports & Comments

Mr. Bryson said the Public Works and Facilities Committee met and discussed the day tripper concept, the Juneau Douglas North Crossing, and the CIP list. He attended a Bartlett Regional Hospital Board meeting and met with the CEO. Mr. Bryson said he was impressed by the CEO's understanding of the hospital's position and finances. Mr. Bryson testified at the Senate Regional Affairs Committee, the Senate Finance Committee, and the House Health and Social Services Committee about increasing State disaster aid funding from $21,000 to $50,000. Mr. Bryson said that someone bequeathed $430,000 to Eaglecrest and noted how special Eaglecrest is to the community.

Ms. Woll said the Finance Committee will meet on Saturday at 8:30 a.m. She said the meeting is for information gathering with presentations and time to ask questions, but they will not be taking many actions. She said the audit has been published and noted while the results were better than last year there are still areas to improve. Ms. Woll said the Juneau Chamber of Commerce met and mentioned that they had sent multiple letters to the Assembly with no response. Ms. Woll assured them that Assemblymembers read the emails that come in, even if they do not respond to them. Ms. Woll commended the people who came and spoke about a ceasefire, remarking that it takes a lot of courage to stand up and say things in this community about things that people don't want to talk about. She clarified that she would be supportive of a resolution for an Israel-Gaza ceasefire.

Ms. Adkison reported that Docks and Harbors board met this last Thursday and reviewed the Title 5 changes, and they had specific questions and concerns about how responsibilities would be allocated. She was unable to make it to the Juneau Economic Development meeting this last month. Mr. Adkison attended the Juneau Commission on Sustainability meeting where they discussed the CIP projects.

MOTON to ask staff to meet with business owners in the 100 Mill Street area regarding the proposed campground and asked for unanimous consent.

Ms. Woll said that staff may need more clarification about if and how they should move forward with that site. Ms. Adkison said she would like to see staff begin preparations on the site.

Hearing no objection, the motion passed by unanimous consent.

Mr. Kelly said he would also support a ceasefire resolution. Mr. Kelly said he had attended two Planning Commission meetings and said a discussion of Blueprint Downtown will be heading to a full hearing soon. He said the School Board Finance committee has not met recently. Mr. Kelly attended the Juneau Chamber luncheon last Thursday.

Mr. Smith said the Assembly Human Resources Committee met and unanimously approved to send the following appointments to the full Assembly:

MOTION by Mr. Smith for the reappointment of **Donna Pierce** to the **Juneau Public Library Endowment Board Public Seat** for a term beginning immediately and ending January 31, 2027, and the appointment of **Sharon Tabor** to the **Juneau Public Library Endowment Board Friends of the Library Seat** for an unexpired term beginning immediately and ending January 31, 2025, and asked for unanimous consent. *Hearing no objection, motion passed.*

Mr. Smith said they reviewed and made some changes to the CBJ Board application and empowered board questions. He said the School Board last met on March 14, 2024, where they passed their final budget and reduction in force plan.

'Wáahlaal Gídaag said the Juneau Commission on Aging had a conversation about website design and a brochure they are developing. She said the Airport Board had a discussion on a chemical backup electric boiler and the use of CARES funding to complete the design on that. She noted there is a potential conflict of interest at the Airport Board level, including the Chair of Airport Finance Committee. 'Wáahlaal Gídaag said she attended the Arctic Winter Games and Juneau athletes brought home several medals.

Ms. Hale said the Parks & Recreation Advisory Committee met and talked about pickleball, specifically converting some tennis courts to pickleball courts at Adair Kennedy Park. She said they discussed conflicts between walkers and bikers on the Christopher Trail. She said the Committee of the Whole met on March 11, 2024, and talked about dock electrification, campgrounds, rules and procedures and City Hall. She said she attended a lunch and learn about the assessment and appeals process and said it is recorded and available for people to view.

Mayor Weldon commented that in the consent agenda they approved the sale of a used fire truck at less than fair market value to Yakutat.

Presiding Officer Reports

32. APL 2023-AA01 Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal. The State Office of Administrative Hearings held oral argument on January 24, 2024. The Hearing Officer issued a draft decision to the parties. Huna Totem Corp. filed an objection and Ms. Hart filed a letter of support. The Hearing Officer is considering those pleadings and will have a final draft decision for the Assembly to consider at the regular Assembly meeting on April 29, 2024. Notably, no public testimony was/is? allowed on this topic.

There is no action for the Assembly at this time.

Mr. Palmer said the Hearing Officer offered a proposed decision, which was appealed. He said the matter is back before the Hearing Officer again and anticipated that decision would be before the Assembly at their April 29, 2024, meeting for discussion.

U. ASSEMBLY COMMENTS & QUESTIONS

V. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

W. EXECUTIVE SESSION

X. SUPPLEMENTAL MATERIALS

Y. ADJOURNMENT – 10:54 p.m.

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

Signed: _____ Signed:_____

Elizabeth J. McEwen Beth A. Weldon

Municipal Clerk Mayor

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-43

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Approximately 63 Acres of USS 4605 FR, and 2.27 Acres of USS 3172 LT 38, Located on North Douglas Highway, from RR to D3.

WHEREAS, the area of the proposed rezone to D3, located on North Douglas Highway, spans two lots: USS 4605 FR and USS 3172 LT 38; and

WHEREAS, the area of USS 4605 FR proposed for rezone to D3 is currently zoned as RR; and

WHEREAS, the CBJ Comprehensive Plan maps this area of USS 4605 FR for Medium Density Residential and Resource Development; and

WHEREAS, the proposed rezone is consistent with neighboring areas of Medium Density Residential in Bonnie Brae Subdivision, and along North Douglas Highway; and

WHEREAS, the proposed rezone is consistent with Rural Reserve, as it provides a specific residential land use and appropriate rezoning; and

WHEREAS, the area of USS 3172 LT 38 proposed for rezone to D3 is currently zoned as D1; and

WHEREAS, the CBJ Comprehensive Plan maps this area of USS 3172 LT 38 for Rural Low Density Residential and Rural Dispersed Residential; and

WHEREAS, the proposed rezone density is consistent with Rural Low Density Residential of 1-3 units per acre; and

WHEREAS, the Rural Dispersed Residential designation is outdated due to the presence of water and sewer utilities: and

WHEREAS, Rural Low Density Residential is on the same lot; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from RR to D3 zoning district does not substantially change the land use and will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of approximately 63 acres of USS 4605 FR, and 2.27 acres of USS 3172 LT 38, located on North Douglas Highway, from RR and D1 to D3. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

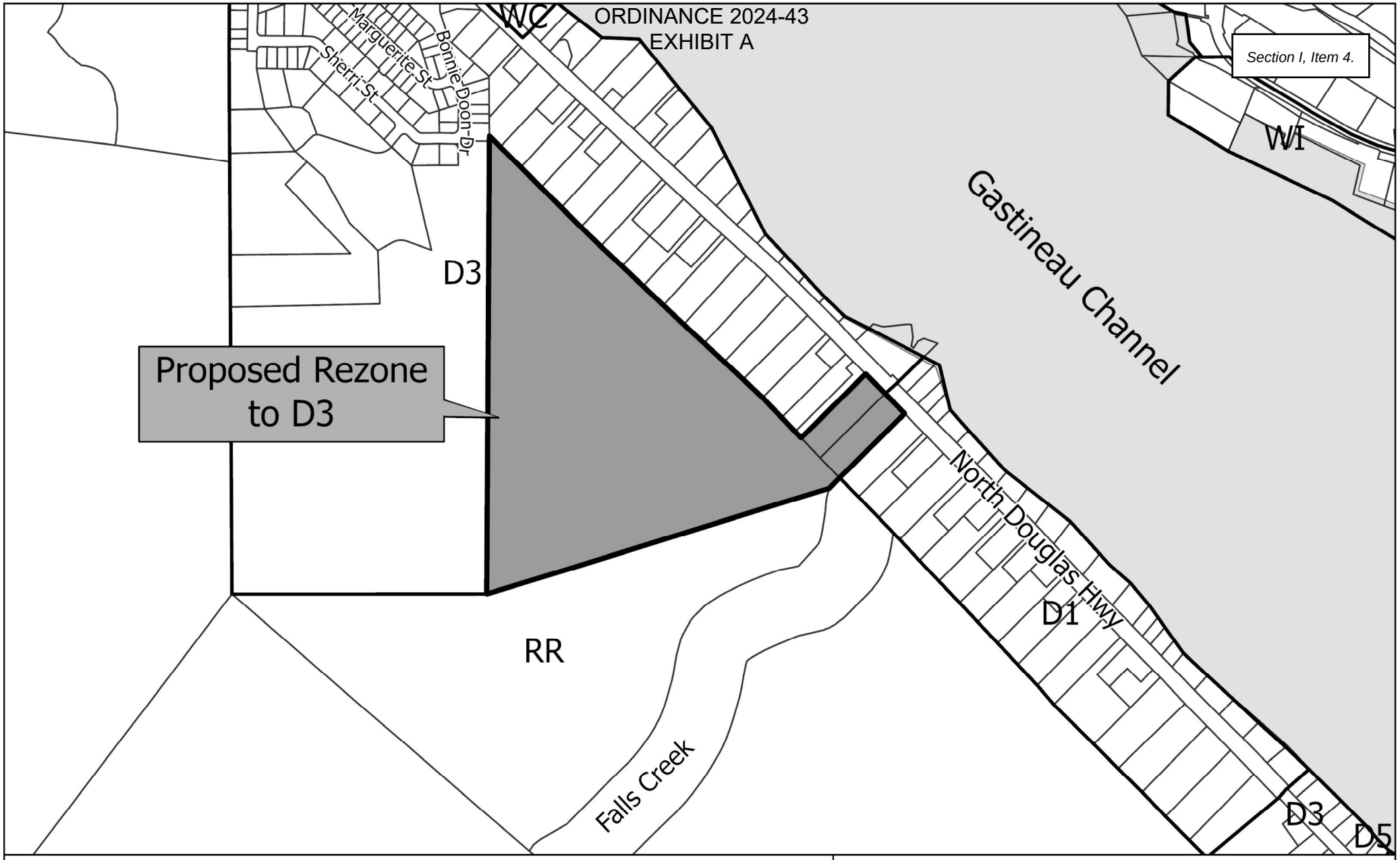
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk



Zone changes to portion of USS 4605 FR from RR to D3

N

CDD Case: AME 2024 0004

0 475 950 1,900 Feet

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0004

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of 66 acres uphill (southwest) of 6101 through 6615 North Douglas Highway from RR to D3.
Property Address:	North Douglas Highway
Legal Description:	USS 4605 FR
Parcel Code Number:	6D0611000010
Hearing Date:	October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 10, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a rezone of 66 acres uphill (southwest) of 6101 through 6615 North Douglas Highway from RR to D3.

Attachments: October 10, 2024, memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2024 0004.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-44

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 28 Acres of USS 3820 LT3 B1 and USS2391 LT 1, Accessed via Glacier Highway in the Auke Bay Area.

WHEREAS, the area of the proposed rezone is uphill (north) of 11900 through 12170 Glacier Highway and consists of three lots; and

WHEREAS, the Community Development Department recommends reducing the applicant's original scope to eliminate incompatible Comprehensive Plan land use designations, resulting in a total of approximately 29.5 acres (two lots) for the proposed rezone to D15, rather than 36 acres; and

WHEREAS, the first lot, USS 3820 LT3 B1, consists of 39.81 acres, is currently zoned D3 and approximately 28 acres of the lot is designated in the 2013 Comprehensive Plan as Institutional and Public Use; and

WHEREAS, Institutional and Public Use land use supports rezoning to D15 to accommodate Assembly housing development priorities including, but not limited to, housing for staff of the US Coast Guard Icebreaker MV Aiviq and concerns about residences in the path of Mendenhall River flooding; and

WHEREAS, the second lot, USS 2391 LT 1, consists of 1.39 acres and is currently zoned D10 and D3(T)D15; and

WHEREAS, USS 2391 LT 1 is designated in the 2013 Comprehensive Plan as Medium Density Residential (MDR); and

WHEREAS, MDR is described as urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and D15 is considered a low-density multifamily district; and

WHEREAS, USS 2391 LT 1 currently provides parking to access Spaulding Meadows Trail and development of USS 2391 LT 1 to provide access to the rezone area will require moving Spaulding Meadows Trail parking; and

WHEREAS, USS 3820 LT 3 TR A, zoned D-3, abuts USS 2391 LT 1 and can accommodate Spaulding Meadows Trail parking; and

WHEREAS, both D3 and D15 would allow trailhead development under paragraph 6.266 of the Table of Permissible Uses; and

WHEREAS, the Planning Commission concluded that the change to D15 zoning district does not substantially change the land use and will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of 28 acres of USS 3820 LT3 B1 from D3 to D15; and USS 2391 LT 1 from D10 and D3(T)D15 to D15. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

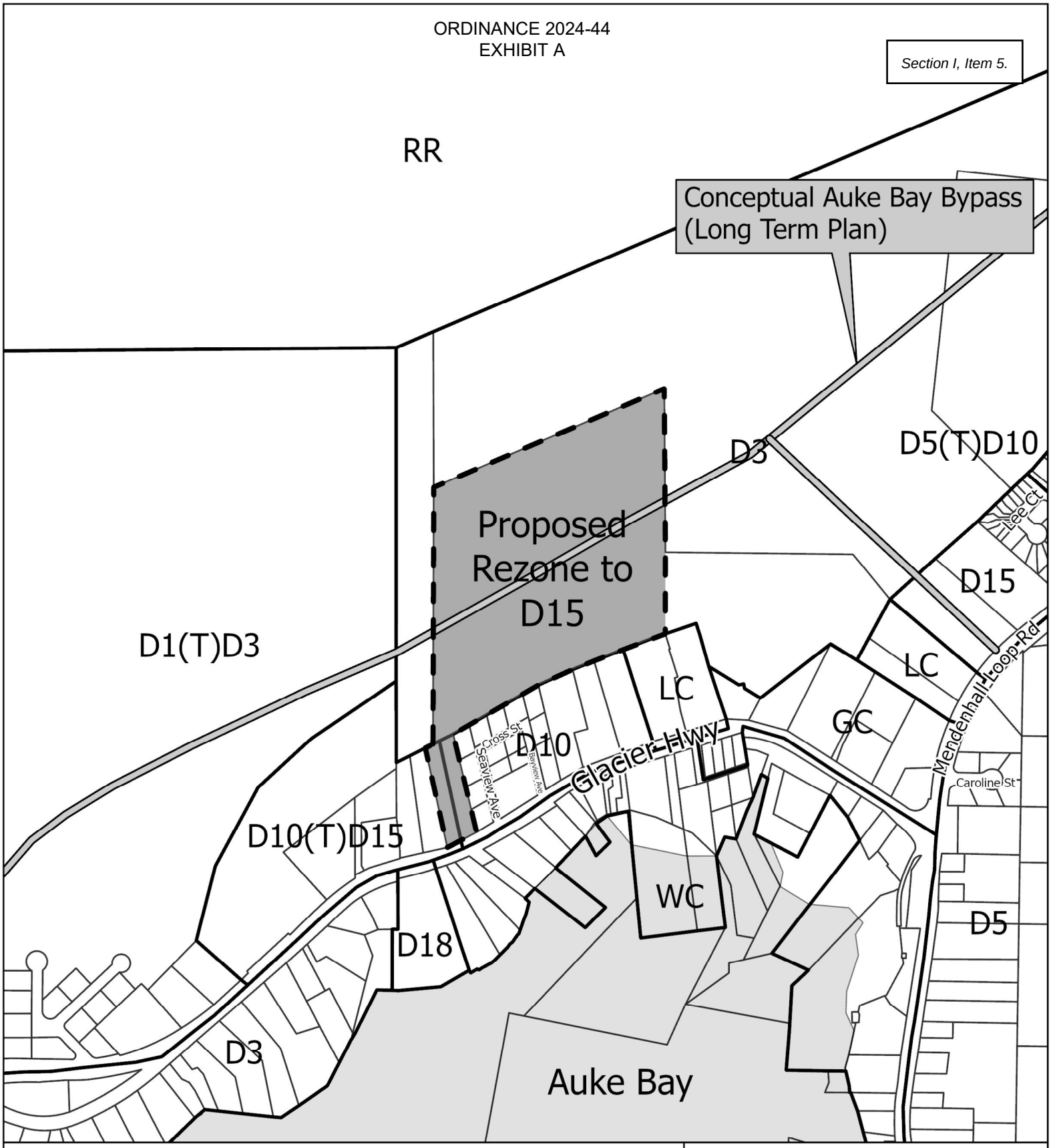
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk



Zone change for a portion of
USS 3820, Lot 3B1 from D3 to D15
and USS 2391, Lot 1
from D10(T)D15 and D10 to D15

CDD Case: AME 2024 0005

N

0 250 500 1,000 Feet

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0005

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of 36 acres uphill (north) of 11900 through 12170 Glacier Highway from D3 to D15.

Property Address: 11860 Glacier Highway

Legal Description: USS 3820 LT 3B1

Parcel Code Number: 4B2801030121

Hearing Date: October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 10, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation to reduce the scope of the rezone to 30 acres uphill (north) of 11900 through 12170 Glacier Highway from D3 to D15.

Click for Link October 10, 2024, memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2024 0005.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-45

An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 33 Acres of Parcel No. 8B3401000100, USS 3807, Located at 15700 Auke Rec Bypass Road, North of 15700 Glacier Highway.

WHEREAS, the area of the proposed rezone consists of 33 acres located at 15700 Auke Rec Bypass Road, identified as USS 3807, and zoned Rural Reserve (RR); and

WHEREAS, RR is intended for lands primarily in public ownership managed for the conservation and development of natural resources, and for future community growth and recreation, cabins, lodges, and small seasonal recreational facilities may be allowed; and

WHEREAS, the CBJ Comprehensive Plan maps this area for Medium Density Residential (MDR); and

WHEREAS, the proposed rezone to D3 conforms to the RD; and

WHEREAS, the D3, residential district, is intended to accommodate primarily single-family and duplex residential development and D-3 zoned lands are primarily located outside the urban service boundary; and

WHEREAS, the D3 density reflects the existing pattern of development of properties in the surrounding districts; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from RR to D3 zoning district does not substantially change the land use and will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of USS 3807, located at 15700 Auke Rec Bypass Road, from RR to D3. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

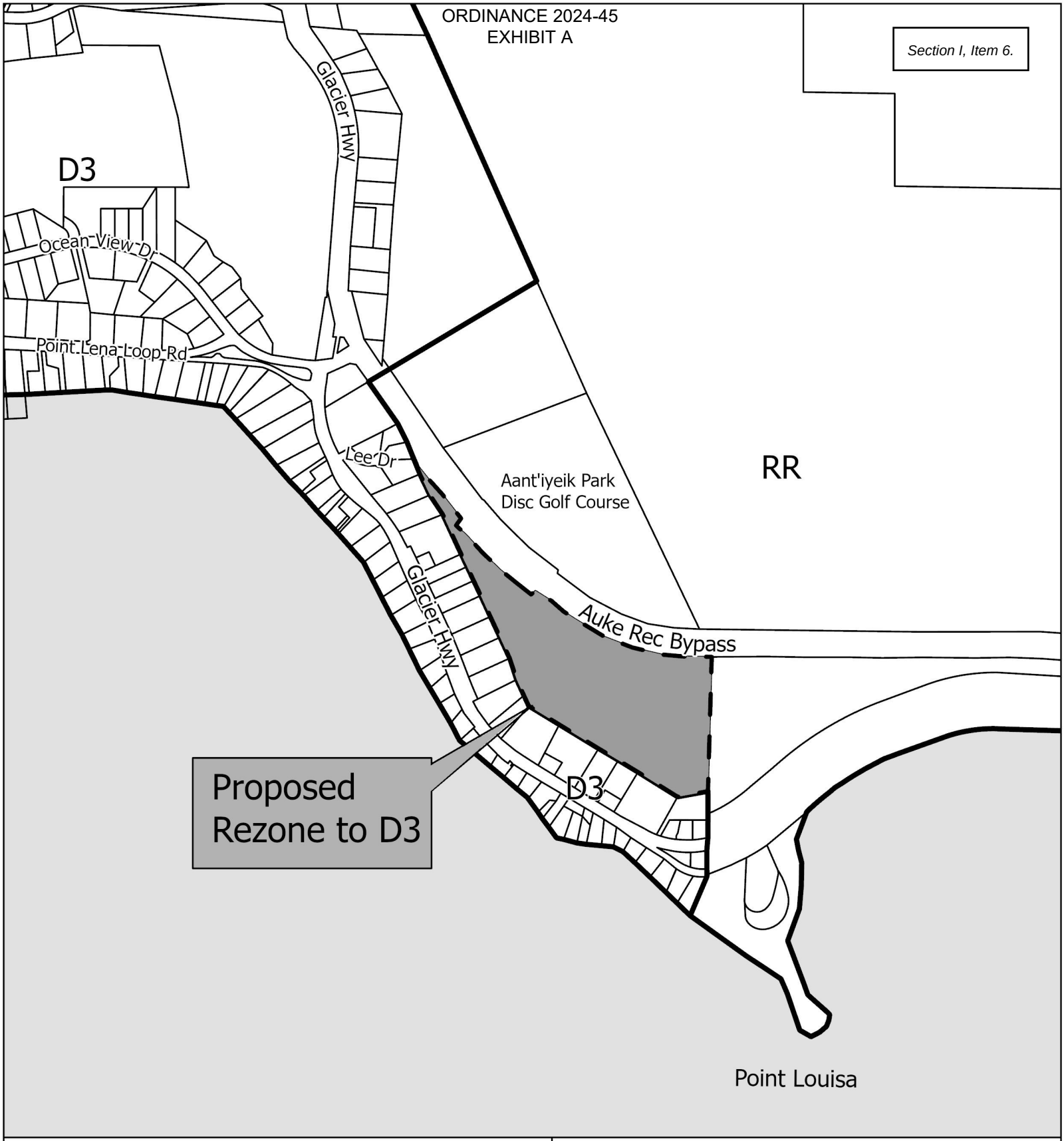
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth McEwen, Municipal Clerk



Zone changes to a portion of USS 3807 from RR to D3

Ordiance 2024 - 45 Exhibit A

N

CDD Case: AME 2024 0006

0 500 1,000 2,000 Feet

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0006

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3.
Property Address:	15700 Auke Rec Bypass Road
Legal Description:	USS 3807
Parcel Code Number:	8B3401000100
Hearing Date:	October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 11, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for the of Staff's recommendation for a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3.

Attachments: October 11, 2024, memorandum from Jay Larson, Community Development, to the CBJ Planning Commission regarding AME2024 0006.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Nicolette Chappell
Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-46

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Pederson Hill II Lt 2A, Parcel 4B2201010102, Approximately 6 Acres, Located at the End of Karl Reishus Boulevard.

WHEREAS, the proposed rezone is a 6-parcel section of City and Borough of Juneau-owned undeveloped land at the end of Karl Reishus Boulevard, currently zoned D10SF; and

WHEREAS, this parcel has two zoning designations: D10SF and D10, and this portion of D10SF-designated land starts in the middle of the parcel on the west side and continues across to and down to the lower east side of the parcel, sandwiched between two D10 zones on the same parcel; and

WHEREAS, the change from D10SF to D10 would make the parcels consistent with the surrounding areas and allow for multi-family development, with a conditional use permit for major development; and

WHEREAS, the 2013 CBJ Comprehensive Plan mapped this area for Medium Density Residential (MDR), urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre; and

WHEREAS, the proposed rezoned property conforms to MDR; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from D10SF to D10 zoning district does not substantially change the land use and will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of Zoning of Pederson Hill II Lt 2A, Parcel 4B2201010102, located at the end of Karl Reishus Boulevard, from D10SF to D10. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

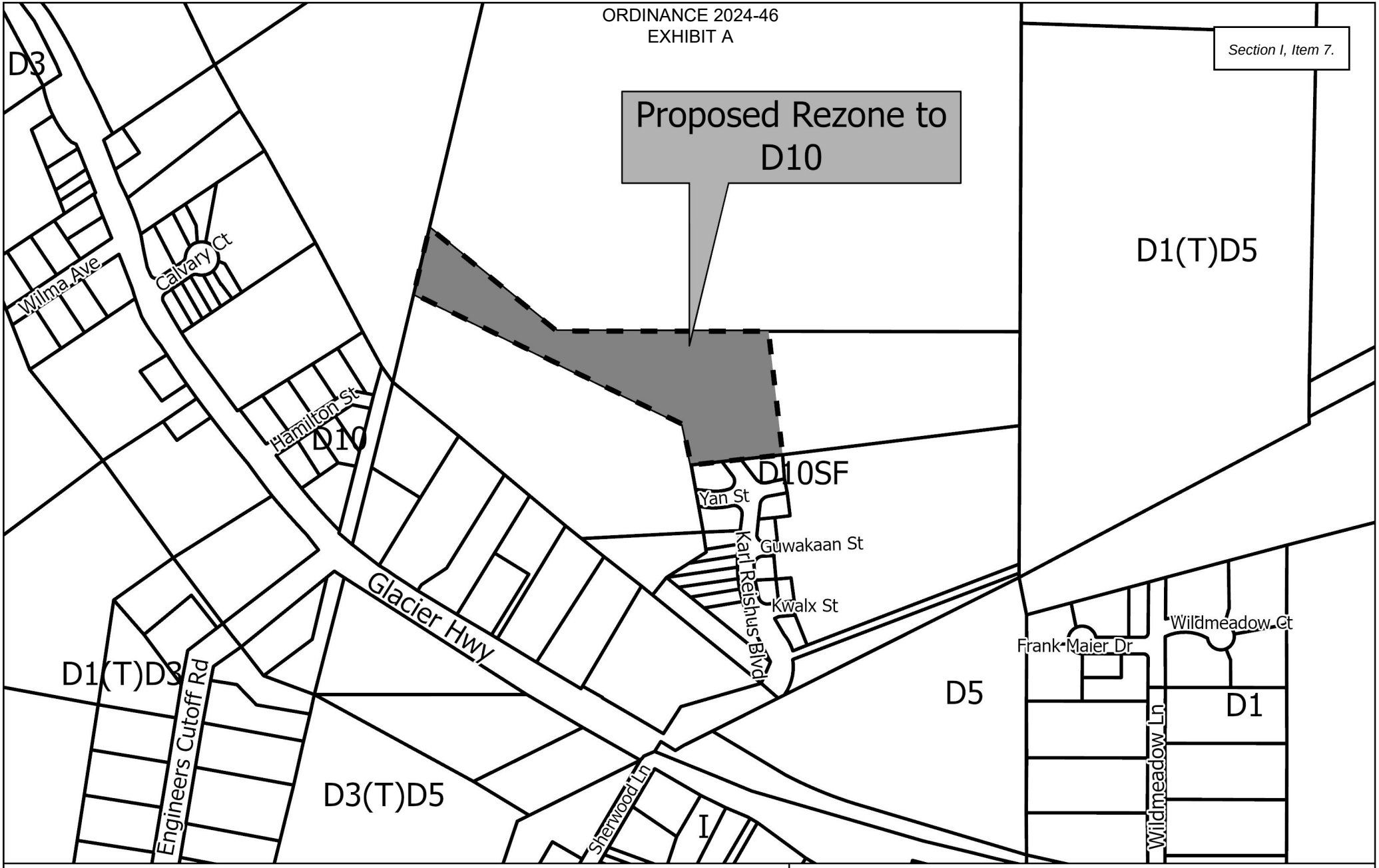
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk



Zone changes to a portion of Pederson Hill ll Lot 2A from 10SF to D10

N

CDD Case: AME 2024 0007

0 335 670 1,340

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0007

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of approximately six acres at the end of Karl Reishus Boulevard from 10SF to D10.
Property Address:	Glacier Highway
Legal Description:	PEDERSON HILL II LT 2A
Parcel Code Number:	4B2201010102
Hearing Date:	October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 10, 2024, and recommended that the City and Borough Assembly adopt the director's analysis and findings and forward recommendation of approval to the Assembly for the requested rezone of the six acre parcel, 4B2201010102.

Attachments: October 10, 2024, memorandum from Jay Larson, Planner II, Community Development, to the CBJ Planning Commission regarding AME2024 0007.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-47

An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 39 Acres of USS 4605 FR, Located on North Douglas Highway, from D3 to D18.

WHEREAS, the area of the proposed rezone consisting of 39 acres, located on North Douglas Highway, identified as USS 4605 FR, is currently zoned as D3; and

WHEREAS, the land use maps of the 2013 Comprehensive Plan identify the subject lots as Medium Density Residential (MDR) and Resource Development; and

WHEREAS, MDR is described as urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and D18 is considered a high-density multifamily district; and

WHEREAS, the parcels to the North and East are zoned D18; and

WHEREAS, a fraction of the 39 acres was the subject of a 2022 property disposal that received a recommendation of approval from the Planning Commission and Assembly Lands Housing and Economic Development Committee and involved an adjacent landowner whose property is zoned D18; and

WHEREAS, the proposed rezone property conforms to MDR; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from D3 to D18 zoning district will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of 39 acres, an area encompassing a Fraction of USS 4605 (the tract described as

beginning at the west most corner of Lot 1, Kowee Subdivision, thence northeast along said lot 1200 feet to a corner of said lot, thence northwest along said lot 796.63 feet to a corner of said lot, thence west to the south west corner of Tract II, USS 2135, thence north to an intersection with the 200 ft south buffer of Grant Creek, thence southwesterly along said creek buffer to the boundary of Lot 2, USS 2393, thence southeast along said lot boundary to the point of beginning) (parcel numbers 6D0611000010) located on North Douglas Highway, from D3 to D18. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

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

Adopted this _____day of _____, 2024.

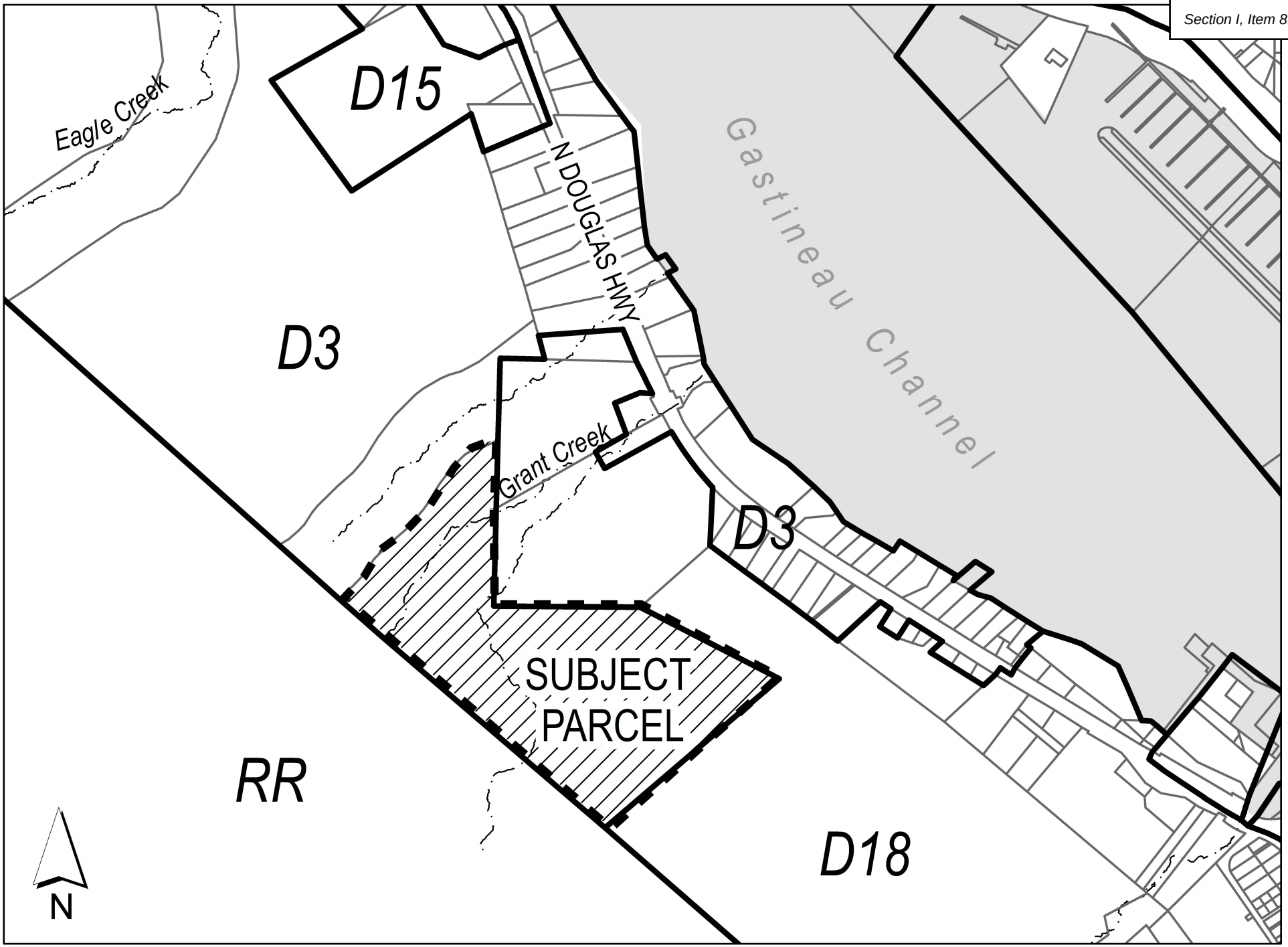
_____

Beth A. Weldon, Mayor

Attest:

_____

Elizabeth J. McEwen, Municipal Clerk



1,000 500 0 1,000 Feet

Planning Commission
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www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0002

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of 39 acres south of Grant Creek on Douglas from D3 to D18.
Property Address:	North Douglas Highway
Legal Description:	USS 4605 FR
Parcel Code Number:	6D0611000010
Hearing Date:	October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 11, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a rezone of 39 acres south of Grant Creek on Douglas from D3 to D18.

Attachments: October 11, 2024, memorandum from Ilsa Lund, Community Development, to the CBJ Planning Commission regarding AME2024 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Nicolette Chappell
Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-48

An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 87 Acres, Parcel 6D0611000010, North of Grant Creek from D3 to D15.

WHEREAS, the area of the proposed rezone consisting of approximately 87 acres of a 645.71 acre parcel of City and Borough of Juneau owned undeveloped land, located along North Douglas Highway, between Grant Creek and Eagle Creek, identified as USS 4605 FR, is currently zoned as D3; and

WHEREAS, the land use maps of the 2013 Comprehensive Plan identify the subject lots as Medium Density Residential (MDR) and, as currently zoned, the area does not meet the 2013 Comprehensive Plan land use map designation; and

WHEREAS, MDR is described as urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and D15 is considered a low-density multifamily district; and

WHEREAS, the parcels to the North are zoned D15; and

WHEREAS, the proposed rezoned property conforms to MDR; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from D3 to D15 zoning district will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of approximately 87 acres (the tract described as beginning at the west most point of Tract 1, USMS 2225, thence southwesterly along a 200 ft buffer parallel to Eagle Creek to the boundary of Lot 2,

USS 2393, thence southeasterly along the boundary of Lot 2, USS 2393,to the intersection with the 200 ft north buffer parallel to Grant Creek, thence northeasterly along said buffer to the east boundary of USS 4605 FR, thence northwesterly along the east boundary of USS 4605 FR to the boundary of Lot 1, Channel View Subdivision, thence southwesterly along Lot 1, Channel View Subdivision to the south most corner of said lot, thence northwesterly along said lot to the west most corner, thence northeasterly along said lot to south most corner of Tract 1, USMS 2225, thence northwesterly to the point of beginning) (parcel numbers 6D0611000010), located on North Douglas Highway, from D3 to D15 zoning. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

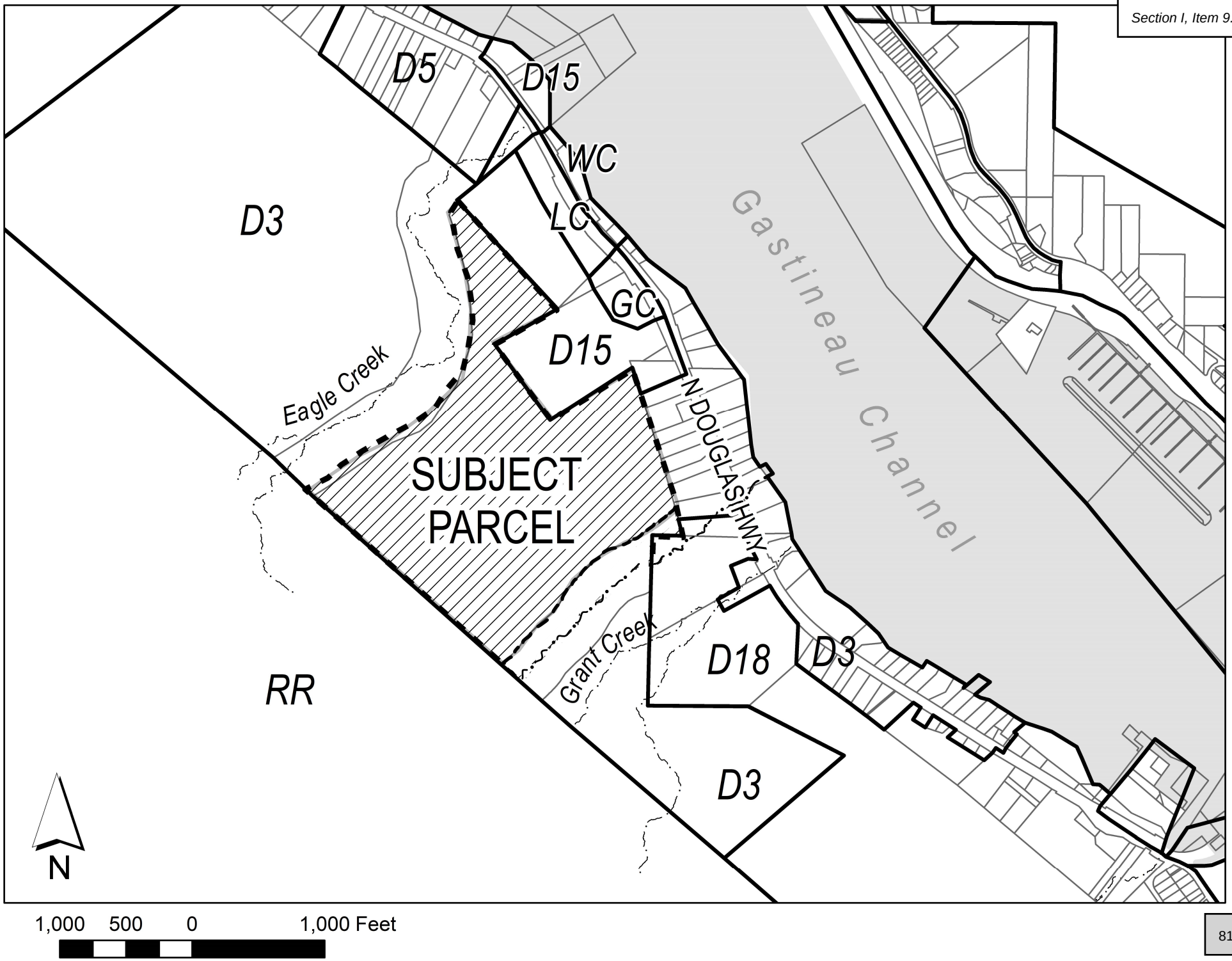
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk


D5
D15
WC
LC
GC
D3
D15
Eagle Creek
SUBJECT
PARCEL
N DOUGLAS HWY
Gastineau Channel
Grant Creek
D18
D3
RR
D3
N
1,000 500 0 1,000 Feet

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0009

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of approximately 87 acres north of Grant Creek on Douglas from D3 to D15.
Property Address:	North Douglas Highway
Legal Description:	USS 4605 FR
Parcel Code Number:	6D0611000010
Hearing Date:	October 22, 20204

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 11, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a rezone of approximately 87 acres north of Grant Creek on Douglas from D3 to D15.

Attachments: October 11, 2024, memorandum from Ilsa Lund, Community Development, to the CBJ Planning Commission regarding AME2024 0009.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
Introduced: 12/16/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-49

An Ordinance Amending the Comprehensive Plan by Adopting the Blueprint Downtown Area Plan.

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

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

Section 2. Amendment of Section. CBJC 49.05.200, Comprehensive plan, is amended to read:

49.05.200 Comprehensive plan.

…

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the Comprehensive Plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the Comprehensive Plan.

(1) *Plan adopted.* There is adopted as the Comprehensive Plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:

…

(N) Auke Bay Area Plan, dated March 16, 2015; ~~and~~

(O) Lemon Creek Area Plan, dated December 18, 2017; and

(P) Blueprint Downtown Area Plan, dated January 6, 2025.

…

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

Adopted this ____day of _____, 2025.

Beth Weldon, Mayor

Attest:

Elizabeth J. McEwen, City Clerk

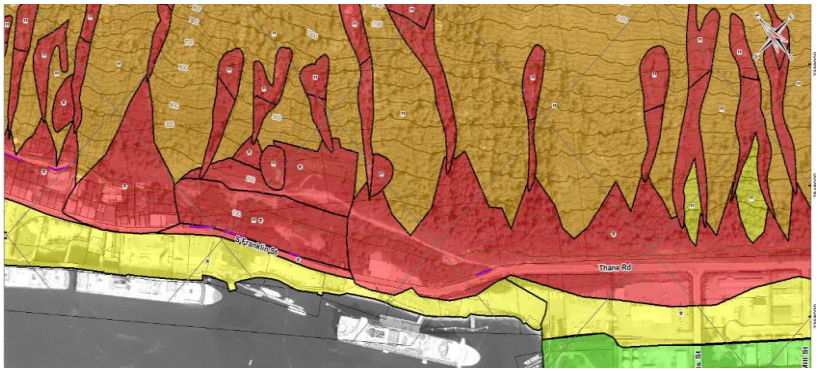
CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

Attachment A – CORRECTIONS

1. "Avalanches and Landslides" subsection (pg. 153-154):
   - Delete the third paragraph: “Avalanches, or snowslides, and landslides have many similarities...” The explanation is not factually accurate.
   - Delete the last paragraph: “In recent years.” The explanation is a correlation-causation fallacy.
2. "Floods" subsection (pg. 154-155):
   - Delete the last sentence of the first paragraph: “In the 2020 maps some properties had minor reductions in the flood zone boundary; no properties were added.” This statement is inaccurate.
3. “Gastineau Avenue By-Pass” subsection (pg. 227-228):
   - Delete the “Gastineau Avenue By-Pass” section due to severe avalanche and landslide risk:
     The 2022 *Downtown Juneau Landslide and Avalanche Assessment (LAA)* determined that the existing Gastineau Avenue right-of-way falls within high and severe landslide hazard areas. Extensions of Gastineau Avenue would fall within the same hazard areas. Extension of Gastineau Avenue would likely involve right-of-way improvements less than 1,000 feet from the slide path of the 1936 landslide, Juneau’s deadliest on record (Figure 1b, Tetra Tech, Technical Memo 7, below).

     In addition, the steering committee recognized that, while a by-pass would relieve some traffic on S. Franklin Street, the by-pass would still travel along Marine Way to access Egan Drive, shifting traffic congestion closer to the downtown core.



Landslide Hazard Designation Mapping, Tetra Tech, Figure 1.6d

Excerpt of Table B.1: Refined Landslide Hazard Designation System

Hazard Designation	Color	Hazard Attribute Description
High	Orange	Estimated event probability is "Likely," with a return period of 5 to 30 years…. Landslide events are likely to keep happening in the future[A]
Severe	Red	Estimated event probability is "Very Likely to Almost Certain," with a return period of 1 to 20 years. Landslide events are very likely to almost certain to keep happening in the future[A]

[A] *Estimated event probability based on observed and recorded slope movement activity level. Note that this is not an indication of consequence (potential for damage), nor is it a magnitude/frequency study, which can determine return periods with more accuracy.*

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
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www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

DATE: April 16, 2024

TO: Mandy Cole, Chair, Planning Commission

BY: Scott Ciambor, Planning Manager
Community Development Department

THROUGH: Jill Lawhorne, AICP, Director
Community Development Department

FILE NO.: AME2018 0007

PROPOSAL: A Text Amendment to adopt the *Blueprint Downtown Area Plan* as part of the CBJ Comprehensive Plan

This staff report provides details on the draft *Blueprint Downtown Area Plan* planning process and includes attachments that provide responses to Planning Commission questions from the March 12, 2024, Committee of the Whole meeting, agency comments, and public comments.

These materials can be found on the CDD website at: https://juneau.org/community-development/blueprint-downtown.

PLANNING COMMISSION ROLE

Three sections of Title 49 cover the purpose of the *Comprehensive Plan* and the duties of the Planning Commission in the *Comprehensive Plan* review process.

- Section 49.05.200 (b) notes, "The comprehensive plan adopted by the assembly by ordinance *contains the policies that guide and direct public and private land use activities* in the City and Borough."
- Section 49.10.170 (a) notes, "The commission shall undertake a general review of the comprehensive plan two years after the adoption of the most recent update and shall recommend appropriate amendments to the assembly. Proposed map changes shall be reviewed on a neighborhood or community basis as directed by the planning commission."
- CBJ 49.10.170(d) states that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

The *Comprehensive Plan* and its additions are incorporated into Title 49 at CBJ 49.05.200.

PURPOSE OF THE BLUEPRINT DOWNTOWN PLAN

A major goal of the *Blueprint Downtown Area Plan* (Blueprint Downtown) is to provide strategic direction for development and growth, while embracing livability and a sense of place, as well as maintaining quality of life for residents.

The plan provides a framework to guide the City and Borough of Juneau (CBJ) Assembly, city departments, the Planning Commission, and CBJ boards and commissions that will refer to this document to:

- Make informed decisions concerning future growth and development while maintaining a positive quality of life for residents;
- Plan for projects more efficiently;
- Assign appropriate resources to community needs;
- Identify needs for new or revised zoning and/or development regulations; and
- Identify infrastructure priorities.

The plan also provides a framework to guide individuals, private companies, and other stakeholders when making investment and development decisions, and when questions affecting community development arise.

STEERING COMMITTEE AND COMMUNITY ENGAGEMENT

On October 23, 2018, at its public hearing, the CBJ Planning Commission appointed 13 community members to the Blueprint Downtown Steering Committee.

The Steering Committee held 41 meetings over four years, fielded public testimony, and engaged in public meetings, online surveys, on-street interviews, pop-ups, radio shows, community presentations, and walking tours. The year-long Visioning Process led by Sheinberg Associates, lucid reverie, and MRV Architects won the 2019 Most Innovative award from the Alaska Chapter of the American Planning Association. Details on the visioning process and public comment are in the Plan, its Appendices, and the Blueprint Downtown webpage.

At the January 25, 2023, steering committee meeting, the group finished its work and motioned to approve the draft *Blueprint Downtown Area Plan* and send it to the Planning Commission for review and recommendation to the Assembly for adoption as part of the *Comprehensive Plan*.

PLANNING COMMISSION COMMITTEE OF THE WHOLE

On March 12, 2024, at the Planning Commission Committee of the Whole meeting, staff provided a brief introduction and overview of the draft *Blueprint Downtown Area Plan*. Responses to Commissioner questions from that meeting are in **Attachment C**.

The Planning Commission set a special public hearing date for April 23, 2024.
In preparation for this hearing, staff issued a Public Service Announcement inviting public comment and solicited comments and project updates from agencies. See **Attachment D**. Agency comments will be submitted with additional materials.

COMPLIANCE WITH THE *COMPREHENSIVE PLAN* (COMP PLAN)

The *Comprehensive Plan* identifies the importance of downtown Juneau as the traditional economic, civic, historical, and cultural center of the community. The Comp Plan addresses this in multiple areas:

Chapter 5 Economic Development

- Policy 5.2 Through a cooperative effort with the State of Alaska, to plan for and support development of an attractive setting, facilities, and other services to enhance the state capital and to strive to provide an atmosphere conductive to good leadership in the state, accessible to and supportive of all people of the state of Alaska.
- Policy 5.5 To maintain and strengthen downtown Juneau as a safe, dynamic and pleasant center for government and legislative activities, public gatherings, cultural and entertainment events, and residential and commercial activities in a manner that complements its rich historic character and building forms.

Chapter 10 Land Use

- Policy 10.13. To provide for and encourage mixed use development that integrates residential, retail, and office use in *Downtown areas*, shopping centers, along transit corridors, and other suitable areas.
- Policy 10.15 To reserve sufficient lands and facilities to support the State Capital functions in Downtown Juneau, including the provision of adequate transportation, housing, commerce communications services, cultural and entertainment activities and other support services.

Guidelines and Considerations for Subarea 6 (Maps K, M, N)

- Preserve the scale and densities of the older single family neighborhoods in the downtown area, including the Casey-Shattuck “flats” and Starr Hill historic districts, Chicken Ridge, Basin Road, Mt Maria, the Highlands, and the higher density apartments and homes in the vicinity of the Federal Building.
- Encourage the retention of existing dwelling units in or near the older residential neighborhoods to avoid exacerbating traffic and parking congestion and to preserve the privacy and quiet of those neighborhoods.
- Strengthen and enhance the Capitol Complex in the downtown Juneau area. Provide for orderly expansion of state government facilities in the vicinity of the State Capitol and the State Office Building.

The Blueprint Downtown plan supports and implements these policies while providing more specific and responsive information. If adopted, Blueprint Downtown will be an addendum to the Comp Plan. Blueprint Downtown provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability. Where Blueprint Downtown and the Comp Plan conflict, or where Blueprint Downtown is more specific, the *Blueprint Downtown Area Plan* supersedes the *Comprehensive Plan.*

Findings
Based upon the information presented, the draft *Downtown Juneau Area Plan* conforms to the Comprehensive Plan.

COMPLIANCE WITH OTHER RELEVANT CBJ PLANS AND STUDIES
The draft *Blueprint Downtown Area Plan* reviews relevant CBJ plans, studies, and other agencies' plans and projects.

Blueprint Downtown "incorporates past planning efforts by combining them with how downtown should continue to grow, develop, and harness opportunities…", (Blueprint Downtown, p. 17) and includes a complete list of other plans reviewed during the process. (Blueprint Downtown, Appendix B)

A diagram showing how the draft *Blueprint Downtown Area Plan* fits among other planning efforts and how the plan's components could be implemented is included. (Blueprint Downtown, Figure 1, p. 28)

Specific recommendations in Action Tables at the end of each chapter include a column referencing the existing plan that aligns with or suggests a similar idea included in Blueprint Downtown.

Findings
Based on the information presented, the draft *Blueprint Downtown Area Plan* conforms to other relevant CBJ Plans and Studies.

RELEVANT UPDATES
Many actions identified in the *draft Blueprint Downtown Area Plan* were part of ongoing projects. Project updates will be submitted with additional materials.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission review and consider the draft *Blueprint Downtown Area Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

ATTACHMENTS

Attachment A: Draft Blueprint Downtown Area Plan
Attachment B: Draft Blueprint Downtown Appendices
Attachment C: Responses to Questions from the March 12, 2024, Planning Commission Committee of the Whole Meeting
Attachment D: Public Comment

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

DATE: December 6, 2024

TO: Beth A.Weldon, Mayor

BY: Scott Ciambor, Planning Manager
Community Development Department

THROUGH: Katie Koester, AICP, City Manager

FILE NO.: AME2018 0007

PROPOSAL: A Text Amendment to adopt the *Blueprint Downtown Area Plan* as part of the CBJ Comprehensive Plan

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On April 23, 2024, the Planning Commission, at its special public meeting, adopted the analysis and findings listed in the attached memorandum (Attachment B) dated April 16, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to adopt the Blueprint Downtown Area Plan as presented as an addendum to the CBJ Comprehensive Plan with revisions noted in the staff report.

The Commission added a recommendation to encourage a stronger focus on housing with preference language for projects involving housing downtown.

The Assembly discussed the adoption of the recommended text amendment at the June 3, 2024 Lands, Housing, and Economic Development Committee and the September 9, 2024 Committee of the Whole meeting. After discussion about adoption options, resolution vs. ordinance, the COW passed a motion to direct staff to draft an ordinance to adopt the Blueprint Downtown Area Plan as part of the CBJ Comprehensive Plan, 7-1.

The draft Blueprint Downtown Area Plan may be found online: https://juneau.org/community-development/blueprint-downtown.

It is noted that grammatical and formatting errors will be resolved prior to the final printing of the Plan. Staff have noted additional corrections (Attachment A) since the COW meeting to be made to the Plan, including :

- Remove incorrect information in the *Avalanches and Landslides* subsection (pg. 153-154)
    - For more details, see *CDD Agency Comment*, **Attachment A;**
- Remove incorrect information in the *Floods* subsection (pg. 154-155)
    - For more details, see *CDD Agency Comment*, **Attachment A; and**
- Remove *Gastineau Avenue By-Pass* subsection (pg. 227-228)
    - For more details, see *Gastineau Avenue By-Pass,* **Attachment A.**

STAFF RECOMMENDATION

Staff recommends the Assembly approve an ordinance amending the Comprehensive Plan by adopting the Blueprint Downtown Area Plan with suggested changes.

Presented by: The Manager
Introduced: December 16, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(Y)

An Ordinance Transferring $288,836 from CIP F22-027 Juneau Police Department Roof Replacement to CIP P44-091 Deferred Building Maintenance.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $288,836 be transferred:

From: CIP

F22-027	Juneau Police Department Roof Replacement	($ 288,836)

To: CIP

P44-091	Deferred Building Maintenance	$ 288,836

Section 3. Source of Funds.

Temporary 1% Sales Tax	$ 231,368
General Sales Tax	$ 57,468

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this_____ day of _____, 2025.

_____

Beth A. Weldon, Mayor

Attest:

_____

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: December 16, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(Z)

An Ordinance Appropriating $1,000,000 to the United States Army Corps of Engineers Glacier Flood Study Capital Improvement Project; Funding Provided by the U.S. Department of Agriculture, Forest Service, Tongass National Forest.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $1,000,000 for the United States Army Corps of Engineers Glacier Flood Study Capital Improvement Project (D14-104).

Section 3. Source of Funds

U.S. Department of Agriculture	$	1,000,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2025.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3064

A Resolution Approving Amendments to the Bylaws of the City and Borough of Juneau International Airport Board.

WHEREAS, the City and Borough Juneau International Airport Board ("Airport Board") is responsible for the operation and maintenance of the Airport under the general direction of the Assembly; and

WHEREAS, the Assembly may accept the bylaws recommended by the Airport Board, may reject such bylaws, or may modify them; and

WHEREAS, at its regular meeting on August 8, 2024, the Airport Board approved certain amendments to the bylaws consistent with CBJ ordinances and forwarded the same to the Assembly; and

WHEREAS, the Airport Board held two additional public meetings on September 12, 2024, and October 10, 2024, and again approved the August 8, 2024 amendments with no additional changes; and

WHEREAS, the Airport Board recommends that the Assembly approve the amended bylaws attached as Attachment 1 to this resolution.

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

Section 1. The Assembly hereby approves the City and Borough of Juneau International Airport Board Bylaws, attached as Exhibit A.

Section 2. **Effective Date.** This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____ 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

ATTACHMENT #1

BYLAWS
of the
CITY AND BOROUGH OF JUNEAU
INTERNATIONAL AIRPORT BOARD

ARTICLE I - NAME

The name of this Board shall be the City and Borough of Juneau International Airport Board ("the Board").

ARTICLE II - PURPOSE

The Board was established by Title 5 of the CBJ Municipal Code pursuant to the CBJ Charter to exercise all powers necessary and incidental to operation and maintenance of all airport facilities in the public interest and in a sound business manner. The Board establishes financial and operational policy and appoints the Airport Manager. The Board operates the Airport as an enterprise fund, which means it is self-supporting.

ARTICLE III - MEMBERSHIP

1. The Board shall consist of a maximum of seven members who will be appointed by and serve at the pleasure of the Assembly.

2. Members of the Board are appointed for staggered three-year terms and shall serve without compensation. A member shall serve until his or her successor is appointed by the Assembly.

3. Other qualifying factors related to qualifications for membership are contained in CBJ Municipal Code sections 05.01.010 and .030.

ARTICLE IV - MEETINGS

1. Regular meetings of the Board <u>will be hybrid meetings and</u> shall be held on the second Thursday of each month at 6:00 p.m. in the Alaska Room of the Airport Terminal and streamed virtually, unless otherwise noticed.

2. Meetings shall be open to the public and conducted according to Robert's Rules of Order. Notice of the meeting shall appear as published <u>by the City & Borough of Juneau's public notice system</u> ~~in the local newspaper.~~ Participation <u>remotely shall be allowed for regular, special, and committee meetings of the Board.</u>

ATTACHMENT #1

3. Special meetings may be called at any time by the Chair or at the request of the ~~Board~~ Committee Chairs. At least two business days' notice shall be given and filed with the CBJ Clerk.

4. Minutes of regular meetings shall be distributed by Airport staff to members at least seven days prior to the next regular meeting. Minutes of special meetings shall be distributed to members as soon as possible after the meeting.

5. Upon advising the Board or Committee Chair in sufficient time for Airport staff to make the necessary technical arrangements, a member who is unable to physically attend a meeting may attend a regular or special Board meeting or a committee meeting by telephone ~~electronic communication~~ or virtually.

6. A quorum of the Board shall consist of a majority of the membership, including those present electronically and virtually. A quorum must be present for any business to be conducted.

7. Voting shall be by roll call vote or by general consent (no objection). In a roll call vote the Chair shall be required to vote. A majority vote of the Board membership is needed to approve any action.

ARTICLE V – CONFLICT OF INTEREST

If a member has either a financial or a personal conflict of interest, the member ~~may~~ shall not deliberate or vote on any matter in which he or she has such an interest. A member who is involved in a matter that may result in a conflict of interest shall disclose the matter on the public record and asked to be excused from the discussion and official action on the matter. The presiding officer ~~shall~~ may determine whether the member's involvement would be a conflict of interest. The presiding officer's decision may be overridden by a majority vote of the Board. See CBJ Conflict of Interest Code, Sections 01.45.010 - .080 and 01.45.100.

ARTICLE VI - OFFICERS

The officers of the Board shall consist of a Chair, Vice Chair, and Secretary. Officers shall hold offices for one year or until their successors are elected. ~~There shall be a two-year (two one-year terms) limit for the Chair.~~ The election of officers shall take place in July (or as soon as new Board Members are appointed) with the officers to begin their duties at their first meeting after their election.

Duties of the **Chair** shall include, but are not limited to, the following:

1. Presiding at all regular and special meetings of the Board in person.
2. Ensuring that all correspondence and business of the Board is carried out.
3. Acting as spokesman for the Board.

4. Appointing committees, including ad hoc committees and task forces of the Board as deemed necessary.
5. Acting as liaison between the Board and the CBJ Assembly.
6. In consultation with the Airport Manager, preparing the agenda for each meeting.

Duties of the **Vice Chair** shall be to preside in the absence of the Chair and perform all the duties of that office. If the Chair chooses to participate remotely, the Vice Chair shall preside. In the absence of the Secretary, the Vice Chair will perform the duties of the Secretary.

Duties of the **Secretary** shall include reviewing and giving tentative approval to minutes of all regular and special meetings of the Board, as prepared by Airport staff, prior to the distribution of the draft minutes to other members of the Board and the public.

ARTICLE VII – STANDING COMMITTEES

The standing Committees of the Board shall be the Finance Committee and the Operations Committee and any other committee designated and approved by a majority of the Board.

The Chair shall appoint the members of the standing committees of the Board, designating one member to serve as the chair of each committee. If the committee chair chooses to participate remotely, the chair shall designate another member to preside over the meeting. Each standing committee shall consist of at least three members.

Duties of the standing committees shall include, but not be limited to, the following:

1. Finance Committee: Shall meet quarterly and consider and make recommendations to the full Board regarding:

    a. The Airport Manager's proposed operating and capital budgets;
    b. Airport rates and charges; and
    c. All other items that have or may have a financial impact on the Airport.

2. Operations Committee: Consider and make recommendations to the full Board regarding any issue that has or may have an operational impact on the Airport.

Action(s) recommended by the standing committees shall be subject to approval by a majority of the Board members at a Regular or Special meeting.

ARTICLE VIII – AIRPORT MANAGER

The Airport Manager serves at the pleasure of the Board and shall be responsible for the hiring and/or firing of airport personnel. Subject to direction from the Board, the Airport Manager shall be responsible for the general supervision and the administration of the business and affairs of the Juneau International Airport.

ATTACHMENT #1

ARTICLE IX – EVALUATION OF THE AIRPORT MANAGER

The Board, meeting in executive session, shall evaluate the performance of the Airport Manager at least once each year, prior to the anniversary date of the Airport Manager's employment. Results of the evaluation shall then be discussed with the Airport Manager, either in executive or public session as desired by the Airport Manager, who may concur or disagree with the Board's evaluation. The Board's evaluation shall determine whether the Airport Manager is entitled to an increase in salary.

ARTICLE X – AMENDMENTS

These bylaws may be amended or revoked by the affirmative vote of not less than a majority of the Board in any regular meeting, and upon final ratification by the Assembly by Resolution, provided the notice of such Airport Board meeting shall have contained a copy of the proposed amendment or revocation.

Approved and adopted by the Board this _____ day of December 2024.

_____
Dennis Bedford, Acting Chair

Attest:

_____
Jodi Garza, Secretary

Presented by: The Manager
Presented:
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3066

A Resolution Approving Amendments to the Bylaws of the Eaglecrest Ski Area Board of Directors.

WHEREAS, the Eaglecrest Ski Area Board of Directors is responsible for the operation and maintenance of the ski area under the general direction of the Assembly; and

WHEREAS, the Assembly may accept the bylaws recommended by the Eaglecrest Ski Area Board of Directors, may reject such bylaws, or may modify them; and

WHEREAS, at its regular public meeting on November 7, 2024, the Eaglecrest Ski Area Board of Directors approved certain amendments to the bylaws consistent with CBJ ordinances and forwarded the same to the Assembly; and

WHEREAS, the Eaglecrest Ski Area Board of Directors recommends that the Assembly approve the amended bylaws attached as Attachment 1 to this resolution.

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

Section 1. The Assembly hereby approves the City and Borough of Juneau Eaglecrest Ski Area Board Bylaws, dated November 7, 2024, attached as Attachment 1.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____ 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

ATTACHMENT 1

Bylaws of the Eaglecrest Board of Directors

City and Borough of Juneau

Article I. Name

A. Name. The name of this organization shall be the Eaglecrest Ski Area (Ski Area) of the City and Borough of Juneau, Alaska, (CBJ).

B. Board of Directors. The Eaglecrest Ski Area shall be governed by a Board of Directors (Board) consisting of seven (7) directors in accordance with CBJ 67.05 and these bylaws.

Article II. Object

A. Objective. Eaglecrest Ski Area is a community-owned year-round destination for outdoor recreation and education, providing a wide range of affordable winter and summer outdoor recreational activities.

Article III. Members

A. Powers of the Board. The duties and powers of the Board regarding the operation of the municipality owned ski area are established by Charter 3.20 and Chapter 67.05 of the Code of the City and Borough of Juneau and the Board of Directors shall govern Eaglecrest Ski Area under ordinance of CBJ 67.05.020 General Powers:

> Subject to state laws and borough ordinances, the board of directors of the Eaglecrest ski area shall be responsible for the operation of the ski area according to the best interests of the public, shall make and enforce all rules and regulations necessary for the administration of the ski area under their management, shall prescribe the terms under which persons and groups may use the ski area, and shall establish and enforce standards of operation. The board of directors of the Eaglecrest ski area shall, within the ski area appropriation, establish and may amend the pay plan for ski area employees consistent with the City and Borough Personnel Management Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the City Manager's policies relating to personnel. The pay plan and amendments thereto shall be based on wages paid in similar job classifications in private ski areas in other communities, adjusted for cost-of-living differentials. The pay plan and amendments thereto shall become effective upon adoption by the board of directors of the Eaglecrest ski area.

B. Number of Directors/Terms of Office. The Board shall consist of seven (7) members. One liaison from CBJ Assembly shall be considered an ex-officio member without the right to vote. Members of the Board shall be appointed by the CBJ Assembly for a term of (3) years, for a maximum of nine (9) years or three (3) terms.

C. Members. Board member responsibilities include, but are not limited to, attending monthly board meetings; serving on committee(s); setting policy and providing direction for the ski area through the general manager; public relations efforts; overseeing financial accountability; hiring, evaluating and terminating the general manager.

D. Vacancies. Vacancies in the Board will be declared and filled by the CBJ Assembly as established under CBJ Code 67.05.050.

Article IV. Officers

A. President. The president shall preside at all meetings of the Eaglecrest Board of Directors; shall serve as official representative of the board; make committee and Board officer appointments as specified in the bylaws; serve as a non-voting ex officio member of all committees, except the nominating committee; serve as an alternate member of all committees as needed for quorum purposes; prepare the agenda for board meetings; sign documents on behalf of the board; review and sign the operational plan submitted to the Alaska Department of Natural Resources; serve for one year.

B. Vice President. The vice president of the Board of Directors shall act as president in the absence of the president; may not make committee appointments and is not an ex officio member of all committees and does not attend those meetings for the president; serve for one year.

C. Secretary. The secretary shall act as president in the absence of the president and vice president; shall have records kept of the proceedings of the meetings of the Board and shall have notice given as required by law and these bylaws of all such meetings; shall be responsible for ensuring all records and documents are maintained in accordance with CBJ Records Management protocols and Retention Schedule ~~have custody of all the books, records, papers, governing documents, list of current board members and committee membership except such as shall be in the charge of some other person authorized to have custody and possession thereof by direction of the secretary or resolution of the board of directors~~; shall record minutes at board meetings; serve for one year.

D. Election of Officers. Officers shall be elected at the annual Board meeting or at such time as offices become vacant.

Article V. Meetings

A. Place of Meetings. Meetings of the Board shall be held in the City and Borough (CBJ) of Juneau, State of Alaska, at such time and place as may be specified in the notice of the meeting. Meetings may be held by remote participation in accordance with the Assembly Rules of Procedure.

B. Regular and Annual Meetings.
   1. The annual meeting of the Board shall be held in ~~September~~ August of each year unless otherwise scheduled by a majority vote of the Board.
   2. At the annual meeting of the board, a president, vice president, secretary and other officers as the Board shall decide, shall be elected. Nominations from the floor or from a nominating committee appointed by the president may be presented.
   3. The annual meeting may be postponed by the Board to a certain day.
   ~~4.~~ The Board shall meet at least once each month per CBJC 67.05.060.~~September through May, and as needed during the summer.~~

C. Notice of Meetings. The staff shall ~~mail by post or by email~~ provide written notice to each director, the Assembly liaison and the ~~city~~ Municipal Clerk of ~~the regular, annual and committee meetings~~ the date, time, location, and method(s) for remote participation of all meetings with a minimum of 48 hours prior to the meeting. At least twenty-four hours (24) before the meeting copies of the notice shall also be made public along with the agenda and any packet materials. ~~The notice shall contain the time and place of such meetings at least two (2) days 24 hours prior thereto, consistent with CBJ code, the practice of the CBJ clerk ,and other CBJ boards and commissions~~.

D. Special Meetings. Special meetings of the Board may be called any time by the president or any ~~four (4)~~ three (3) directors. The Board shall give notice, as required by law, of such meeting and such notice shall state the time and place of such meetings and the object thereof. Any business may be transacted at a special meeting except the election of the president, vice president and secretary. No less than 24 hours' notice must be provided. No business may be transacted at any special meeting except as stated in the notice of the meeting.

E. Quorum. A majority of the members of the Board shall constitute a quorum for the transacting of business at any regular or special meeting of the Board. A majority of the members of a committee shall constitute a quorum for the transacting of business of the committee.

F. Attendance. Any absence of a board member from a regular or annual meeting of the Board shall be deemed to be unexcused unless the board member is absent from the meeting as a result of attending to official business on behalf of the Board, for extenuating medical reasons, or for other significant cause, in which case the absence shall be deemed to be excused. The secretary will keep an attendance record and provide it to the city clerk. For the purposes of counting attendance, a member participating remotely in accordance with the Assembly Rules of Procedure shall be counted as present.

G. Voting. The minimum vote required to take official action shall be the same as that constituting a quorum, provided that no vote may be taken at a meeting which would lack a quorum ~~but for the presence of non-voting ex-officio members~~, and further provided that the vote requirement shall be reduced by one for each two members who are present but not voting due to a conflict of interest.

H. Number of Votes for Each Director. Each director shall be entitled to one (1) vote and shall vote unless excused due to a conflict of interest.

I. Adjournment of Meetings. If a quorum shall not be present in person at any regular, annual, or special meetings, the president of the Board may adjourn such meeting to such later time and place as the President finds appropriate. No action shall be taken without a quorum, except to seek a quorum or adjourn.

Article VI. Committees

A. Standing Committees.
   1. The president shall appoint members of the Board to serve on standing committees based on the following: ~~with further guidelines outlined in the Eaglecrest Board Administrative Procedures:~~

a. There shall be not more than ~~four (4)~~ three (3) members appointed to each standing committee.
b. Appointments for standing committee assignments and for the position of chair of each such committee shall be made by the President and shall be subject to ratification by the Board. In making nominations for committee appointments, the President shall strive to ensure, to the extent reasonably possible, that there is a balance and diversity of opinion, viewpoints and perspective among the members nominated for committee membership, and that there is at least one member nominated for appointment to each committee who has expertise in the areas assigned to the committee.
c. Any member of the Board may sit with any committee at all times; such member shall have the right to participate in committee discussion except that members of the committee shall have priority in obtaining the floor and only committee members shall vote.
d. Reasonable opportunity for the public to be heard shall be allowed at committee meetings other than those designated as work sessions.
~~e. Three (3) of the committee membership shall constitute a quorum for the transaction of business.~~

~~f~~ c.~~For the Finance Committee, a~~ A majority of the committee membership shall constitute a quorum.

f. The minimum vote required to take official action shall be the same as that constituting a quorum.
g. Public notice of any meeting of ~~more than~~ three (3) members or more ~~must be made through the City Clerk~~ shall be made in accordance with Article V, C above.
h. Any action recommended by a committee must be voted on by the full board before it becomes effective.

2. The standing committees of the Eaglecrest Board of Directors shall be:
   a. Finance Committee: issues related to the finances of Eaglecrest, including overseeing the annual budget process, presentation of the budget to the Assembly.
   b. ~~Policy~~ Planning Committee: issues related to policy, including establishing and writing policies, regulations.
   ~~c. Public Relations Committee: issues related to fund raising, marketing and other public relations issues.~~

   ~~d.~~c. Human Resources Committee: issues related to board development, manager evaluation and other human resources issues.

B. Special Committees. The president may appoint two or more members of the Board to serve on a special committee or task group to facilitate Board business. The president shall appoint a member of the Board to serve as chair of each special committee. A special committee shall not be established for more than one year.

Article VII. Rules of Procedure

A. Agenda. The agenda shall be prepared by the Board President and General Manager. The Board President and General Manager shall include with the agenda such supplemental material or reports as may be necessary to explain each action item on the agenda. Materials, reports and recommendations shall be submitted in writing to each member present and available for public inspection 24 hours prior to the Board meeting.

B. Order of Business. The following order of business shall be observed at all regular, annual or special meetings of the Board insofar as practicable:
   a. Roll call
   b. Approval of agenda
   c. Reading, correction, and approval of minutes of previous meeting
   d. Public participation
   e. ~~General Manager's~~Mountain report
   f. ~~Old~~ Unfinished business.
   g. New business
   h. Reports of committees
   i. Public participation (follow up)
   j. Board of Directors comments and questions
   k. Adjournment

C. Motions. Discussion. Amendments. Voting. Procedures concerning motions, discussions, amendments and voting ~~will be outlined in the Eaglecrest Board of Directors Administrative Procedures document and~~ will be consistent with the City and Borough of Juneau Assembly Rules of Procedure.

Article VIII. General Manager

~~A.~~ Eaglecrest General Manager. The Board of Directors at any regular or special meeting is authorized to employ a General Manager of the ski area, whose duties and powers shall be specified by the Board and consistent with CBJ Code 67.05.090. ~~The Eaglecrest General Manager is responsible for overall supervision of the affairs of the ski area. The general manager's authority and duties shall included the following:~~
   ~~1. Carry out all applicable laws and ordinances;~~
   ~~2. Carry out policies established by the Board;~~
   ~~3. Prepare and submit to the Board for approval a plan of organization and a job classification plan for the personnel employed at the Ski area;~~
   ~~4. Prepare an annual budget as required by City and Borough ordinance;~~
   ~~5. Select, employ and direct all ski area employees consistent with the CBJ Code, Personnel Rules, and other applicable law. Prepare such reports as may be required on any phase of ski area activity.~~
   ~~6. Attend all meetings of the Board and of standing committees, except where otherwise specified; and~~
   ~~7. To perform any other duty that may be necessary in the best interest of the recreation area.~~

Article IX. Indemnification

A. Indemnification of Directors and Officers. Each director and officer of the ski area now or hereafter serving as such acting within the course and scope of their duties, shall be, and by virtue of this bylaw provision hereby is, indemnified by the City and Borough of Juneau against any and all claims and liabilities to which they, their heirs, and personal representatives, have or shall become subject due to serving or having served as such director or officer, or neglected by them as such director or officer; and the City and Borough of Juneau shall reimburse each such person for all legal expenses (including attorney's fees) reasonably incurred by them in connection with any such claim or liability, provided, however, that no such person shall be indemnified against, or be reimbursed for any expense incurred in connection with, any claim or liability arising out of their own willful misconduct or gross negligence. The amount paid to any director

or officer by way of indemnification shall not exceed their actual, reasonable, and necessary expenses incurred concerning the matter involved. The right of indemnification, herein above provided for, shall not be exclusive of any rights to which any director or officer of the ski area may otherwise be entitled by the law.

Article X. Amendments

A. Amendments. Any of these bylaws may be amended by a majority vote (four (4) members) of the Board at any regular or special meeting called for that reason and forwarded to the Assembly for approval by Resolution. The bylaws amendment effective date will be the date they are adopted by the Assembly by Resolution.

Secretary Date

Presented by: The Manager
Presented: 12/16/2024
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3080

A Resolution of the City and Borough of Juneau in Support of Raising the Maximum Available Alaska Department of Transportation Harbor Facility Grant to $7,500,000 for Eligible Projects on an Annual Basis.

WHEREAS, Senate Bill 291 established the Municipal Harbor Facility Grant Program on July 1, 2006, in which the total amount of grant money made available to a municipality was limited to not exceed $5,000,000 in a fiscal year; and

WHEREAS, the Municipal Harbor Facility Grant is the single most significant funding tool available to Alaskan Harbormasters to plan, maintain, and recapitalize port and harbor infrastructure; and

WHEREAS, testimony from a legislator advocate stated "SB 291 would establish the municipal harbor facility grant fund to which the Legislature would make an annual appropriation from the watercraft fuel tax account and from the state portion of the fisheries business tax. Both sources come from the marine industry so harbor users would generate the revenue for the program"; and

WHEREAS, Senate Bill 291 was envisioned to cap the funds that can be used per community per year at $5,000,000 so that a large community could not take all the available funds in any given year, and the expectation is that communities would establish, maintain, and run an enterprise fund in perpetuity; and

WHEREAS, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State-owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

WHEREAS, these harbor facilities continue to require substantial municipal financial investment to maintain and for capital improvement projects; and

WHEREAS, construction, shipping, and mobilization costs to remote portions of Alaska have outpaced the national consumer price index since the pandemic; and

WHEREAS, the United States Bureau of Labor Statistics CPI calculator indicates that $5,000,000 in July 2006 when the Senate Bill 291 was enacted would be inflated to $7,511,000 as of July 2023.

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

Section 1. That the City and Borough of Juneau respectfully urges the Governor and the Alaska Legislature to amend AS 29.60.820 raising the maximum Harbor Facility Grant Fund award to $7,500,000 per eligible project.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth Weldon, Mayor

Attest:

_____
Beth McEwen, Municipal Clerk

Presented by: The Manager
Presented: 12/16/2024
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3081

A Resolution of the City and Borough of Juneau Supporting Full Funding ($5,740,408) for the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2026 State Capital Budget.

WHEREAS, the majority of the public boat harbors in Alaska were constructed by the State in the early years of Statehood in the 1960s and 1970s; and

WHEREAS, Alaska's harbor facilities represent critical transportation links, are vital public infrastructure, and are essential hubs for waterfront commerce that supports beneficial economic activity in Alaskan coastal communities; and

WHEREAS, the harbor facilities in Alaskan coastal communities are ports of refuge for ocean-going vessels, and serve as the gateway for supplies, trade in goods and services, and connections to national and global markets for Alaskan exports and imports; and

WHEREAS, over the course of the past 30 years, the State of Alaska has transferred ownership of formerly State-owned harbors to local governments, allowing local control, but also significantly increasing the operational and maintenance costs that must be borne by local governments; and

WHEREAS, the majority of former State harbor facilities transferred to municipalities were at the time of transfer at or near the end of their serviceable lives; and

WHEREAS, Alaska's municipalities have strived to allocate the resources necessary to maintain and, when possible, improve harbor facilities transferred to them by the State of Alaska, but have faced increasing challenges in managing the significant financial burdens attendant on the harbor facilities formerly owned and maintained by the State; and

WHEREAS, the Governor and the Alaska Legislature recognized the magnitude of the problem with the fiscal burden placed on local governments by the transfer of State harbor facilities to local governments, and created the Harbor Facility Grant Program in 2006 with the passage of Senate Bill 291; and

WHEREAS, the Department of Transportation and Public Facilities utilizes a beneficial administrative process to review, score, and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

WHEREAS, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

WHEREAS, the municipalities of Unalaska, Sitka, and Juneau have committed to contribute half of their project cost in local match funding for FY2026 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, completion of these harbor facility projects is dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program; and

WHEREAS, during the last 15 years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, a survey done by the Alaska Municipal League of Alaska's ports and harbors found that from the respondents, the backlog of projects necessary to repair and replace former State-owned harbors has increased to at least $500,000,000; and

WHEREAS, given that Alaska is a maritime state and that our harbors are foundational to both our way of life and the economy of this great State, it is in the public's best interest to maintain this critical infrastructure by using State, Local, and Federal funds to recapitalize the crucial harbor moorage infrastructure statewide.

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

Section 1. The Governor of Alaska and the Alaska Legislature are respectfully urged to fund the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2026 State Capital Budget in the amount of $5,740,408 to enhance and elevate the safety, well-being, and economic prosperity of Alaskan coastal communities.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth Weldon, Mayor

Attest:

_____
Beth McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 Heritage Way, Juneau, Alaska 99801

TO: Katie Koester
City and Borough Manager

DATE: December 5, 2024
FILE: 1994

THROUGH: Denise Koch
Director, Engineering & Public Works

FROM: Greg Smith
Contract Administrator

SUBJ: BID RESULTS:
Juneau Douglas Vactor Receiving Station – Rebid – Phase I
CBJ Contract No. BE25-108

Bids were opened on the subject project on December 3, 2024. The bid protest period expired at 4:30 p.m. on December 4, 2024. Results of the bid opening are as follows:

Responsive Bidders	Total Amount
Carver Construction, LLC	***$4,619,675.00***
Dawson Construction, LLC	$5,450,800.00
Engineer's Estimate	*$5,357,800.00*

Project Manager: Alan Steffert, P.E.

Project Description: The Work covered in the Contract documents generally includes demolition of the existing grit system, construction of new piping, concrete channels and slabs, new grating, installation of a temporary bypass system for incoming sewage, construction of new vaults, channels, grating and railing, installation of new grit washing and dewatering equipment, lighting upgrades and sprinkler system replacement, partial wall and roof replacement of the headworks building, and upgrades to the non-potable water system.

Funding Source: F215 Sales Tax, F519 Wastewater Fund
Total Project Funds: $8,671,560.00
CIP No. U76-112
Construction Encumbrance: $4,619,675
Construction Contingency: $461,967.00
Design: $530,000.00
Contract Administration/Inspection: $400,000.00
CBJ Administrative costs: $140,000.00

Staff recommends award of this project to Carver Construction, LLC for the total bid amount of $4,619,675.00.

Approved: _____
Katie Koester
City & Borough Manager

Date of Assembly Approval:_____

c: CBJ Purchasing

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 6, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Mac Ventures Llc
DBA: McGivney's Sports Bar and Grill
VIA email: david@mcgivneys.com
Local Government 1: Juneau Borough
Local Government 2: Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov
Community Council: N/A
Via Email: N/A

RE: Beverage Dispensary Tourism License #5430 Combined Renewal Notice

License Number:	5430
License Type:	Beverage Dispensary Tourism
Licensee:	Mac Ventures Llc
Doing Business As:	McGivney's Sports Bar and Grill
Physical Address:	**51 Egan Drive,**
Licensee Contact Tel.	907-723-9187; 907-586-2086

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19, 2024,** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The

board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.
If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.
If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,

Lizzie Kubitz, Acting Director
907-269-0350

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 6, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Rndc Alaska, Llc
DBA: RNDC Alaska
VIA email: suzanne.mccormack@rndc-usa.com
Local Government 1: Juneau Borough
Local Government 2: Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov
Community Council: N/A
Via Email: N/A

RE: Limited Wholesale Brewed Beverage and Wine License #5495 Combined Renewal Notice

License Number:	5495
License Type:	Limited Wholesale Brewed Beverage and Wine
Licensee:	Rndc Alaska, Llc
Doing Business As:	RNDC Alaska
Physical Address:	**8420 Airport Blvd.** **Ste. 201**
Licensee Contact Tel.	404.696.9440

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19, 2024,** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The

board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.
If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.
If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,

Lizzie Kubitz, Acting Director
907-269-0350

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 5, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Alaska Sustainable Seafoods LLC
DBA: Deckhand Dave's
VIA email: davidmccasland907@gmail.com
CC: None
Local Government 1: City and Borough of Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Community Council: n/a
Via Email: n/a

Re: Beverage Dispensary #4349 Combined Renewal Notice

License Number:	#4349
License Type:	Beverage Dispensary
Licensee:	Alaska Sustainable Seafoods LLC
Doing Business As:	Deckhand Dave's
Physical Address:	109 – 117 / 127 / 139 South Franklin Street Juneau, AK 99801
Designated Licensee:	Alaska Sustainable Seafoods LLC
Phone Number:	907-957-2212
Email Address:	davidmccasland907@gmail.com

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19th, 2024** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.
If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.
If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Lizzie Kubitz, Acting Director

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 5, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Alaska Sustainable Seafoods LLC
DBA: Deckhand Dave's
VIA email: davidmccasland907@gmail.com
CC: None
Local Government 1: City and Borough of Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Community Council: n/a
Via Email: n/a

Re: Restaurant / Eating Place #5231 Combined Renewal Notice

License Number:	#5231
License Type:	Restaurant / Eating Place
Licensee:	Alaska Sustainable Seafoods LLC
Doing Business As:	Deckhand Dave's
Physical Address:	127 / 139 South Franklin Street Juneau, AK 99801
Designated Licensee:	Alaska Sustainable Seafoods LLC
Phone Number:	907-957-2212
Email Address:	davidmccasland907@gmail.com

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19th, 2024** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.
If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.
If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Lizzie Kubitz, Acting Director

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 1, 2024

From: Alcohol.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Genuine Vetures Llc
DBA: Tracy's King Crab Shack
VIA email: tracy_labarge@yahoo.com
Local Government 1: Juneau Borough
Local Government 2: Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov
Community Council: N/A
Via Email: N/A

RE: Restaurant Eating Place License #2812 Combined Renewal Notice

License Number:	2812
License Type:	Restaurant Eating Place
Licensee:	Genuine Ventures Llc
Doing Business As:	Tracy's King Crab Shack
Physical Address:	**432 S Franklin Street**
Licensee Contact Tel.	(907) 723-2004

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19, 2024,** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The

board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.
If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.
If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,

Lizzie Kubitz, Acting Director
907-269-0350

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, C
and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 8, 2024

City and Borough of Juneau
VIA Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

License Type:	Package Store	**License Number:**	4742
Licensee:	Thibodeaus Market, Inc.		
Doing Business As:	Thibodeaus Liquor		
Premises Address	8717 Mallard St, Juneau, AK 99801		

☐ **New Application**
☒ **Transfer of Location Application**
☐ **Transfer of Ownership Application**
☐ **Transfer of Controlling Interest Application**

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 305.085(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,
Anna White, Licensing Examiner II
For
Lizzie Kubitz, Acting Director
amco.localgovernmentonly@alaska.gov

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 14, 2024

From: marijuana.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Borealis Mountain, Inc
DBA: Thunder Cloud 9
VIA email: jamie@thundercloud9.buzz
Local Government: Juneau (City and Borough of)
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov; mcb_notice@juneau.org
Community Council:
Via Email:
CC: n/a

Re: Retail Marijuana Store #15246 Combined Renewal Notice

License Number:	#15246
License Type:	Retail Marijuana Store
Licensee:	Borealis Mountain, Inc
Doing Business As:	Thunder Cloud 9
Physical Address:	5310 Commercial Blvd 2B Juneau, AK 99801
Designated Licensee:	Jamie Letterman
Phone Number:	907-723-7234
Email Address:	jamie@thundercloud9.buzz

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the marijuana.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for

this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

Sincerely,

Hunter Carrell

For Lizzie Kubitz, Acting Director
907-269-0350

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 29, 2024

From: marijuana.licensing@alaska.gov ; amco.localgovernmentonly@alaska.gov

Licensee: Taku Horticulture Company, LLC
DBA: Taku Horticulture Company, LLC
VIA email: dturner907@yahoo.com
Local Government: Juneau (City and borough of)
Via Email: di.cathcart@juneau.gov city.clerk@juneau.gov mcb_notice@juneau.org
Community Council:
Via Email:
CC: n/a

Re: Standard Marijuana Cultivation Facility #12176 Combined Renewal Notice

License Number:	#12176
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Taku Horticulture Company, LLC
Doing Business As:	Taku Horticulture Company, LLC
Physical Address:	1758 Anka St. Building B, Suite A1 Juneau, AK 99801
Designated Licensee:	David Turner JR
Phone Number:	907-723-0106
Email Address:	dturner907@yahoo.com

☒ **License Renewal Application** ☐ **Endorsement Renewal Application**

Dear Licensee:

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the marijuana.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for

this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

Sincerely,

Hunter Carrell

For Lizzie Kubitz, Acting Director
907-269-0350

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

TO: Mayor Weldon and CBJ Assembly

DATE: November 13, 2024

FROM: Katie Koester, City Manager

RE: Financing Options for Phase 1 Flood Fighting: Local Improvement District

The purpose of this memo is to outline a process for a Local Improvement District (LID) under CBJ Code Title 15.10 Local Improvements and Special Assessments, and provide a starting point for Assembly debate on essential components of the District.

Manager's Recommendation: Ordinance 2024-40 is summarized below.

Total Project Cost (Phase 1): $7.83M

Assessment Methodology: Equal assessment per property with the exception of 4 lots that will benefit from bank armoring who will pay more because they are uniquely benefitted.

Estimated Cost per Parcel: $7,972 for 462 parcels and an additional $50,000 for the 4 parcels that will benefit from bank armoring.

Cost to District: $3,915,000

Cost to CBJ Taxpayers at Large: $3,915,000

Boundaries: 16-foot inundation map excluding parcels that will not be protected from phase 1. 466 parcels (Exhibits A and B)

Funding Mechanism: Central Treasury Loan

Terms and Conditions: 4.78% interest for 10 years

Details and Alternatives:

Total Project Cost: This amount will be lowered by any federal funding we are able to secure, after budgeting for the increased projects costs incurred with federal dollars (additional permitting, for example). Tlingit and Haida submitted a grant application that would offset $750,000 of the total project cost. CBJ is also actively lobbying for emergency supplemental disaster assistance federal funding for the total project cost. Any federal funding that is secured would be applied to the total project cost thereby sharing the benefit between CBJ taxpayers at large and benefited properties, unless the Assembly advises differently.

Assessment Methodology: At the October 21, 2024 meeting there was debate about assessing a percentage of actual costs to riverfront properties and splitting the remainder among properties in the inundation map and CBJ taxpayers at large. That methodology would be difficult to execute because of the need to validate the actual costs spent on each parcel in a legally defensible manner. Furthermore, it is unlikely a property owner that needs to remove a deck to fit HESCO barriers, as an example, sees that as an improvement to their property. Therefore, it makes sense for that cost to be borne by the entire district. The same rationale was used for properties that might need reinforcement of their armoring, or do not need armoring because they live on the inside bend of the river and do not experience erosion (but would need armoring to withstand the weight of the HESCO barriers). The exception to this is the 4 riverfront properties that are essentially holes in the armor. At $50,000 a parcel, with favorable financing terms, those property owners are benefiting from the formation of the district. Assessing them at a higher amount attempts to address the equity concern. If those properties were to armor their bank as a stand-alone project, it would cost anywhere between $70,000 and $140,000 per property.

The Assembly can choose a different assessment methodology. For example, you could choose to assess everyone equally (and not single out 4 properties), you could assess each property proportionally based on the size of their

lot or based on assessed value. While possible, staff do not recommend the latter two of these paths challenges associated with accurately and fairly determining up to date lot sizes and/or assessment values.

Cost to District / Cost to CBJ Taxpayers at Large: The ordinance proposes a 50/50 split between the benefited properties and CBJ taxpayers at large. The Assembly can adjust that ratio. If the Assembly chooses to pay the CBJ portion of the loan back with the same term as the benefited properties - over 10 years in equal installments, it adds $373,800 to the operating budget annually. The Assembly could choose to pay it off early, as could any property owner. CBJ owns 6 of the 466 lots and would be assessed $50,000 for those lots in a separate appropriation if the District is formed.

Boundaries: The proposed boundaries include every parcel within the boundary shown in Exhibit A, which are the properties identified to be impacted by the inundation maps at the 16-foot flood stage and expected to be protected by the deployment of Phase 1 HESCO barriers. Properties north of Marion Dr and south of Rivercourt Way are not included because that's the projected limitation on their flood containment effectiveness. There are 466 parcels within the proposed LID boundary (listed in Exhibit B). While some homes were spared in 2024 due to unique topography, all 466 parcels are at risk at a 16 ft or higher flood, which we anticipate will occur in the future.

Funding Mechanism: In the past, CBJ initiated LIDs have been funded through low interest DEC loans or our own CBJ capital projects. The LID is not eligible for funding through a revenue bond, which leaves traditional financing through a lending institution. A central treasury loan allows the Assembly the flexibility to give the most favorable terms and conditions. This is a non-traditional use of a central treasury loan, which means Ordinance 2024-40 exempts this loan from CBJ Code 57.05.045[i] that only allows for short term loans for capital acquisitions at a maximum term of 5 years. Other options include funding from the restricted budget reserve (current balance $15M), fund balance (Finance will have a current update number on Monday), or deappropriating capital projects.

Terms and Conditions: The Manager proposes a 10-year term, which is common for CBJ LIDs. Any longer would be problematic because it would exceed the lifespan of the HESCO barriers (we are aiming to have a long-term fix in place by then). CBJ code dictates central treasury loans to be issued at current CD rate, which is 4.78%.

Timeline for LID

November 18 – introduction of ordinance with assessment roll (includes all the required information)
December 16 – public hearing #1 on ordinance to establish an assessment roll
Week of December 16 – certified mailing goes out to everyone on the assessment roll with information specific to their lot and assessment.
Mid- January – neighborhood meeting (not required by code)
February 3 – public hearing #2 (objections are heard here) on ordinance to establish an assessment roll.
March 3 – Ordinance is effective.
April 3 – last day for a legal challenge to assessment roll (90 days)

What other ways could we fund Phase 1?

Another mechanism to assess properties that are specifically benefited from an improvement is a special tax district. CBJ has a number of those – the roaded service area, for example, pays a higher mill rate than areas outside those boundaries. A special tax district is established by a vote of the district and then the Assembly sets the mill rate.

This mechanism should be considered for ongoing maintenance of the barriers and funding for long term flood prevention. However, it would be challenging to hold a special election and get the voter approval needed before next jökulhlaup season.

Formation of an LID

Ordinance 2024-40 is specific to an Assembly initiated LID and is governed under 15.10.030-060. After introduction of an ordinance, CBJ sends a certified mailing to all property owners with details relevant to their individual assessment and clear instructions on how to protest the LID. Property owners have 30 days to object in writing to the formation of the district. The proposed schedule affords them over 6 weeks to object.

If the property owners who will bear 51% or more of the cost borne by the owners object in wr fails unless a) the cost to those property owners who objected is reduced to under 51% OR b) the Assembly authorizes the LID by an affirmative vote of eight members. No action by a property owner is considered endorsement of the LID.

After the project is complete, the Assembly approves a final assessment roll by resolution. If the costs to be borne by the benefited properties is more than approved in the ordinance initiating the district property owners have an opportunity to object to the LID through a similar process as its formation. Property owners will pay the actual cost of the project distributed among the district per the assessment methodology. Before the assessment roll is finalized the Assembly can, by ordinance, exclude a parcel from the district but it cannot increase the boundaries without going through the objection process again. The Assembly will set the due date of the payment and when they become delinquent by resolution. After the first payment, all payments are included on the annual property tax bill as a separate charge.

Recommendation:

Discuss manager recommendations and amend as desired.

- Assessment Methodology: Equal with exception of 4 properties
- Cost share between CBJ taxpayers and benefited properties: 50/50
- Boundaries: 16-foot inundation map excluding parcels that will not be protected from phase 1.
- Funding Mechanism: Central Treasury Loan
- Terms and Conditions: 4.778% over 10 years

Set Ordinance 2024-40 for public hearing at the December 16th and February 3rd meetings.

Enc: Budget for Phase 1 HESCO Barrier Installation

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[i] *57.05.045* - Central treasury loans.

(a)

The finance director may invest temporary idle money in the *central treasury* in shortterm *loans* to specified funds of the City and Borough for the purpose of capital acquisitions upon approval of the assembly by ordinance. Such *loans* shall be included in the *central treasury* investment portfolio.

(b)

Except as otherwise specifically provided in the ordinance establishing the *loan*, the balance of the *loan* shall bear interest at the rate estimated by the finance director to be the average rate the City and Borough earned or will earn on its certificates of deposit over the applicable period with interest computed on an annual basis; principal and interest on the balance shall be repaid to the *central treasury* from future revenues appropriated by the assembly for the purpose of repayment. The term of the *loan* shall not exceed five years.

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[1]As an example, given the staff recommendation of a 50/50 cost share, the cost borne by the property owners would be $3,915,000. If property owners who represent $1,957,501 of the assessed value in the LID object, the LID would fail without an Assembly override. The 50% of cost that, in the staff recommendation, is to be borne by taxpayers at large does not count in this objection process.

CBJ Phase ONE HESCO Flood Barrier Cost Estimate - 11.14.2024			
Task	***Unit Cost***	***Units***	***Task Total***
Access and Barrier Pad Construction	$350,000 / mile	2 miles	$700,000
Stabilize unsuitable soils (silty yard material incapable of supporting barriers when saturated) - contingency item, unknown until excavation.	$100 contingency	1000 cubic yard	$100,000
Drainage pipe construction for drainage through levees (contingency item to address supersack plugs or culverts with check valves)	$150,000 contingency	Lump sum	$150,000
Trees, stumps, and organic removal from forested areas	$35,000 per 1000ft	2000 ft	$70,000
Bank armoring and bank construction for homes too close to the river to deploy HESCO barriers	$175,000 each	2 properties	$350,000
Bank armoring for properties with unarmored banks and less than adequate armoring to support barriers	$1000 per foot of bank	4650 ft bank	$4,650,000
HESCO Flood Barrier deployment and filling on prepared access pad	$165,000 per mile	5.8 miles	$957,000
Hand filling of barriers for properties lacking space for equipment access	$9,000 per property	10 properties	$90,000
Re-installation of property-owner structures (deck, fences, etc.) post barrier removal	$500,000 contingency	Lump sum	$500,000
Permitting Costs	$250,000	Lump sum	$250,000
		Total:	$7,826,000

**Cost estimates are based on CBJ engineering investigations and USACE flood fighting guidance and expertise. Estimates may be refined with additional information gathered via updated hydraulic & inundation mapping.*

Presented by: The Manager
Introduced: 11/18/2024
Drafted by: E. Wright

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-40

An Ordinance Creating a Local Improvement District No. 210 HESCO Barrier Project Phase 1 and Appropriating the Sum of up to $7,830,000.

WHEREAS, due to the unique geographic topography of the Mendenhall Valley and the ongoing recession of the Mendenhall Glacier, the Juneau valley is threatened by annual glacial outburst floods (also known as jökulhlaups) from a side basin (Suicide Basin or K'óox Ḵaadí Basin) of the Mendenhall Glacier above Juneau, Alaska; and

WHEREAS, jökulhlaups have taken place since at least 2011 on an annual basis, with the last two years resulting in significant damage to homes and infrastructure in the Mendenhall Valley; and

WHEREAS, the Assembly declared a Local Emergency in August 2024 due to the glacier outburst flood in which hundreds of homes were severely impacted by flooding, including homes outside anticipated flood areas; hundreds of vehicles were flooded; there were countless hazardous material spills causing portions of the Mendenhall River and floodwaters to smell like petroleum; 43 people sought refuge in an emergency shelter and countless others evacuated to other locations; public utilities and infrastructure were severely damaged; and emergency response costs were significant; and

WHEREAS, the flooding in 2024 reached a peak flood stage of 15.99 feet, a record for the largest flood in the river's tracked history; and

WHEREAS, local, state, and federal emergency declarations were issued following the 2024 jökulhlaup; and

WHEREAS, the City and Borough has appropriated funds for expanded inundation maps and hydrological modeling of the Mendenhall River and local matching funds for the US Army Corps of Engineers (USACE) glacier outburst flooding investigation study, and has executed an agreement with the USACE for advance measure assistance in the form of sandbags and HESCO barriers; and

WHEREAS, the Assembly intends to make a local improvement at the expense of the owners of the property specially benefitted; and

WHEREAS, the Assembly finds that each lot in the proposed local improvement district shall be equally benefitted by the assessment; and

WHEREAS, the Assembly finds that the completion of bank stabilization improvements and the placement of HESCO barriers along the riverbank properties will provide advanced flood fighting which will benefit the entire local improvement district; and

WHEREAS, the Assembly finds that absent this work, the homes in the Juneau valley may suffer irreparable damage due to the jökulhlaups; and

WHEREAS, the Assembly finds that while the USACE has committed to studying mitigation options which may be placed on federal land, the sole immediate protection available to homes in the Mendenhall Valley are the HESCO barriers.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Public Interest Finding. The Assembly of the City and Borough of Juneau, having considered all material factors, including the deterrence to property development, maintenance of property values, health, safety, and welfare of the property owners in the proposed local improvement district, finds that the formation of a local improvement district covering property described in Exhibit "A" attached to this ordinance, is in the public interest.

Section 3. Creation and Boundaries. Pursuant to CBJC 15.10.100, there is created Local Improvement District No. 210 (hereinafter "LID No. 210"). The boundaries of LID No. 210 are shown in Exhibit "A" attached to this ordinance and made a part hereof.

Section 4. Improvements to Be Constructed. The improvements to be constructed consist of Phase 1 riverbank improvements, shoreline protection, and the placement of HESCO barriers along the Mendenhall River for the benefiting properties included in the LID.

The riverbank armoring will include supplementing existing or installing new armoring to fortify the riverbank for the installation of the HESCO Barriers. Armoring will be undertaken upon consultation with the USACE and City and Borough Engineering department. Due to the unpredictable hydrological forces at play during jökulhlaups, the bank stability may remain variable and unknown despite best efforts.

The riverbank preparation will involve any necessary preparation and clearing of the land adjacent to the river for placement of the HESCO barriers. This preparation may include the removal of earthen and non-earthen materials and the removal of any barriers or obstructions.

Section 5. Estimated Cost. The estimated cost of Phase 1 is up to $7,830,000, which includes the costs to be borne by the City and Borough. The estimated cost of Phase 1 to be funded by the City and Borough is up to $3,915,000 and the estimated cost to the owners of

property specially benefitted is up to $3,915,000. Any costs over the $7,830,000 will be borne by the City and Borough, subject to Assembly appropriation.

Section 6. Method of Apportioning Costs. Costs to be borne will be divided equally between the properties specially benefitted within the LID boundaries and the City and Borough. The properties specially benefitted within the LID boundaries shall be assessed up to $3,915,000 equally apportioned between all homes. The City and Borough is responsible for up to $3,915,000. The total project cost for Phase 1 is up to $7,830,000. Because the City and Borough will be absorbing a large portion of the costs, and as the property owners' contribution is capped at a value that is lower than could properly be assessed against the properties otherwise, equal apportionment among each homeowner is warranted. Exhibit "B" setting forth the assessment of each property specially benefitted is attached to this ordinance and made a part hereof.

Section 7. Method of Apportioning Costs, Riverbank Homes. In addition to any cost apportioned under Section 6 above, riverbank property owners identified in Exhibit "C," attached to this ordinance and made a part hereof, may be individually assessed an amount up to $50,000 for armoring necessary for the placement of the HESCO barriers. Property owners will be notified of the additional assessment prior to any work taking place; property owners may elect to complete work on their own, subject to required project completion dates.

Section 8. Reserve funds. $500,000 in reserve funds will be placed in an account to be used upon the removal of the HESCO barrier to rebuild any appurtenance removed by the City and Borough on riverbank properties. Riverbank property owners may apply for reimbursement of up to $25,000 for necessary rebuilds. Applications must be approved by the Manager's office prior to the expenditure of funds.

Section 9. Appropriation. There is appropriated to the Manager the sum of $7,580,000 for Phase 1 Riverbank Stabilization and HESCO Barrier Project along the Mendenhall River.

Section 10. Source of Funds. The Phase 1 project costs to be met from the assessments against the properties specially benefitted is up to $3,915,000. The Phase 1 project costs to be met by the City and Borough is up to $3,915,000. The funding source is a Central Treasury Loan. The funds appropriated are exempt from the requirement that loans be for "the purpose of capital acquisition" under CBJC 57.05.045(a). The funds appropriated are exempt from the requirement that the loan term "shall not exceed five years" under CBJC 57.05.054(b). A repayment plan will be established by the City and Borough. The properties specially benefitted will have up to 10 years for repayment of funds at a 4.78 percent interest rate.

Section 11. Direction That Work Be Done. The Manager is hereby ordered to do or cause to be done all things necessary and useful to plan, acquire, construct, and install the improvements described in Section 4.

Section 12. Authorization to Enter Land. The Assembly is empowered to enact all reasonable and necessary emergency orders to protect the health, safety, or welfare of the

residents of the City and Borough. The Manager is authorized under the City and Borough Charter 03.25, Alaska Statute 26.23.190, and Resolution 3073, to enter private property to complete the riverbank stabilization and HESCO barrier project in order to alleviate or prevent disaster and safeguard the property and occupants of all benefited homes in the Mendenhall Valley.

Section 13. Authorization to Acquire Land. The Manager is hereby authorized to acquire, in the name of the City and Borough, any lands or rights in land necessary or useful for the project.

Section 14. Finding of Special Benefit. The Assembly of the City and Borough of Juneau hereby finds that the property within LID No. 210 described in Exhibits "A", "B", and "C" will be specially benefitted by the improvement and each lot or tract within such district will be specially benefitted.

Section 15. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

_____
Beth Weldon, Mayor

Attest:

_____
Beth McEwen, Municipal Clerk

Ordinance 2024-40 Exhibit A - 16ft flood inundation

Ordinance 2024-40 Exhibit B

The following parcels are subject to an assessment under Section 6.

Parcel #	Owners	Est. Proposed Assessment	Street Address	Legal Description
5B2501440030	Rodney A Wilson	$7,972	4211 Riverside Dr; 4215 Riverside Dr	TIM LT 1
5B2501100010	Mark E Thompson; Gwyn E Thompson	$7,972	9331 Betty Ct	SMITH PARK IV BL 6 LT 1
5B2501090010	Kimberly B Custer; Letitia M Custer	$7,972	9211 Gee St	SMITH PARK BL 1 LT 1
5B2501080110	Marvin Manlulu; Marlyn R Manlulu	$7,972	9031 Gee St	MOUNTAIN VIEW BL B LT 18
5B2501450120	George I Carpenter; Darlene M Carpenter	$7,972	4273 Marion Dr	QUAYS EDGE LT 12
5B2501450110	Jacob Olmstead; Cailey Neary	$7,972	4269 Marion Dr	QUAYS EDGE LT 11
5B2501450100	Joan A Brown	$7,972	4265 Marion Dr	QUAYS EDGE LT 10
5B2501450090	David C Mckenna; Colleen J Mckenna	$7,972	4261 Marion Dr	QUAYS EDGE LT 9
5B2501450080	Bangs and Rodgveller Living Trust Peter Daniel Bangs; Cara Joy Rodgveller Trustees; Peter Daniel Bangs; Cara Joy Rodgveller Trustees	$7,972	4257 Marion Dr	QUAYS EDGE LT 8
5B2501450070	Lori Stedman Revocable Trust James Michael Stedman & Lori Marie Steadman As Trustees; James Michael Stedman & Lori Marie Steadman As Trustees	$7,972	4253 Marion Dr	QUAYS EDGE LT 7
5B2501450060	William J Palmer	$7,972	4249 Marion Dr	QUAYS EDGE LT 6

5B2501450050	Carefree LLC	$7,972	4245 Marion Dr	QUAYS EDGE LT 5
5B2501450040	Donald R Nowlin	$7,972	4241 Marion Dr	QUAYS EDGE LT 4
5B2501450030	David D Athearn; Cynthia C Athearn	$7,972	4237 Marion Dr	QUAYS EDGE LT 3
5B2501450020	Gary S Leder; Juli L Leder	$7,972	4233 Marion Dr	QUAYS EDGE LT 2
5B2501450010	John B Bishop; Anita M Bishop	$7,972	4229 Marion Dr	QUAYS EDGE LT 1
5B2501440020	Brian J Dallas; Sara E Dallas	$7,972	4101 Riverside Dr; 4103 Riverside Dr	TIM LT 2
5B2501150150	Leslie C Houston	$7,972	9253 Sharon St	SMITH PARK IV BL 4 LT 14B
5B2501150140	David F Berry III; Mary E Rehfield	$7,972	9251 Sharon St	SMITH PARK IV BL 4 LT 14A
5B2501150130	Alphonso N Barril; Annette L Barril	$7,972	9249 Sharon St	SMITH PARK III BL 4 LT 13
5B2501150070	Jeremy K Norbryhn; Cynthia R Norbryhn	$7,972	9221 Sharon St	SMITH PARK III BL 4 LT 7
5B2501150060	Marc T Ormsby; Jesie L Ormsby	$7,972	9217 Sharon St	SMITH PARK III BL 4 LT 6
5B2501150050	Richard Halvorsen; Brandi Tolsma	$7,972	9215 Sharon St	SMITH PARK III BL 4 LT 5
5B2501150040	Patrick J Vaughan; Devita M Vaughan	$7,972	9213 Sharon St	SMITH PARK III BL 4 LT 4
5B2501150030	Neil Atkinson Living Trust Neil L Atkinson As Trustee; Neil L Atkinson As Trustee; Cari Atkinson Living Trust Cari L Atkinson As Trustee; Cari L Atkinson As Trustee	$7,972	9209 Sharon St; 9211 Sharon St	SMITH PARK III BL 4 LT 3
5B2501150020	Christopher N Hay-Jahans; Allegra M Pratt	$7,972	9207 Sharon St	SMITH PARK III BL 4 LT 2
5B2501110020	Maile Toetuu; Leslieli Toetuu	$7,972	9246 Gee St	SMITH PARK II BL 3 LT 7
5B2501110030	Jacki I Mallinger	$7,972	9244 Gee St	SMITH PARK II BL 3 LT 6
5B2501110090	Donald S Thomas; Christine Thomas	$7,972	9220 Gee St	SMITH PARK BL 2 LT 7
5B2501110100	Ak Rei Group LLC	$7,972	9216 Gee St	SMITH PARK BL 2 LT 6

5B2501110110	James F Ecklund; Elizabeth Ecklund	$7,972	9214 Gee St	SMITH PARK BL 2 LT 5
5B2501110120	Lori C Scott; Joseph A Rice	$7,972	9212 Gee St	SMITH PARK BL 2 LT 4
5B2501110130	Daniel C Corson; Becky L Corson	$7,972	9210 Gee St	SMITH PARK BL 2 LT 3
5B2501110140	Martha L Penrose; Alyssa L Fischer; Deborah Sue Penrose-Fischer; Brent Laurel Fischer	$7,972	9208 Gee St	SMITH PARK BL 2 LT 2
5B2601010010	Scott Haywood; Britteny A Cioni-Hayward	$7,972	9343 Betty Ct	SMITH PARK IV BL 6 LT 4
5B2501100030	Ammon Bailey; Sarah S Bailey	$7,972	9339 Betty Ct	SMITH PARK IV BL 6 LT 3
5B2501100020	Micki Sumaylo Minsch; Christian Alan Gould	$7,972	9335 Betty Ct	SMITH PARK IV BL 6 LT 2
5B2501080100	Robert V Landi; Terriann Landi	$7,972	9027 Gee St	MOUNTAIN VIEW BL B LT 17
5B2501080090	Lester A Hunt; Margaret Hunt	$7,972	9023 Gee St	MOUNTAIN VIEW BL B LT 16
5B2501040062	Michael R Boone; Rayisa M Boone	$7,972	3621 Killewich Dr	LENGTHY ACRES BL 4 LT P2
5B2501190180	Kenneth P Loken	$7,972	9228 Emily Way	MARION BL B LT 15
5B2501190170	Tesla D Cox	$7,972	9226 Emily Way	MARION BL B LT 14B
5B2501190160	Lisa J Wallace Living Trust Lisa Wallace As Trustee; Lisa Wallace As Trustee	$7,972	9224 Emily Way	MARION BL B LT 14A
5B2501190130	Kathleen M Rado; Renee T Culp	$7,972	9218 Emily Way	MARION BL B LT 12
5B2501190150	Judith Hamann	$7,972	9222 Emily Way	MARION BL B LT 13B
5B2501190140	Levi M Mckinley	$7,972	9220 Emily Way	MARION BL B LT 13A
5B2501190230	John K Lohrey; Diane Lohrey	$7,972	9240 Emily Way	MARION BL B LT 20
5B2501190240	Anavera C Morato	$7,972	9242 Emily Way	MARION BL B LT 21
5B2501190220	Glenn S Ray; Judith A Macnak	$7,972	9238 Emily Way	MARION BL B LT 19
5B2501190200	Barnes David and Edith Living Trust David Bryan Barnes; Edith Dorothy Barnes	$7,972	9232 Emily Way	MARION BL B LT 17

	Trustees; David Bryan Barnes; Edith Dorothy Barnes Trustees			
5B2501190210	Jeffery V Galterio; Lisa M Galterio	$7,972	9236 Emily Way	MARION BL B LT 18
5B2501190190	Neil D Stichert; Samia L Savell	$7,972	9230 Emily Way	MARION BL B LT 16
5B2501190100	Paul E Converse	$7,972	9212 Emily Way	MARION BL B LT 10
5B2501190090	James Dean Ward; Kelsey Elizabeth Ward	$7,972	9210 Emily Way	MARION BL B LT 9
5B2501190060	Jason Nardi; Jessica Gundelfinger	$7,972	9204 Emily Way	MARION BL B LT 6
5B2501190050	John M Gerrish; Debra Keller Gerrish	$7,972	9202 Emily Way	MARION BL B LT 5
5B2501190040	Thomas E Weske; Judith A Weske	$7,972	9200 Emily Way	MARION BL B LT 4
5B2501190080	Warren Bolin	$7,972	9208 Emily Way	MARION BL B LT 8
5B2501180100	Gary Allen Diekmann	$7,972	9211 Emily Way	MARION BL A LT 2
5B2501180090	Corinne A Conlon	$7,972	9213 Emily Way	MARION BL A LT 3A
5B2501180080	Shane D Walker; Erin Tolles-Walker	$7,972	9215 Emily Way	MARION BL A LT 3B
5B2501180070	Ashlynn Michelle Kay	$7,972	9217 Emily Way	MARION BL A LT 4A
5B2501180060	Judy Israelson	$7,972	9219 Emily Way	MARION BL A LT 4B
5B2501180051	Abigale Spofford; Julia Schostak	$7,972	9221 Emily Way	MARION BL A LT 5A
5B2501180052	Angela Doroff	$7,972	9223 Emily Way	MARION BL A LT 5B
5B2501190010	Michael Mccusker; Toni Mccusker	$7,972	9207 Emily Way; 9207 Emily Way Apt B	MARION BL B LT 1
5B2501190020	John B Morrell; Doy Michelle Morrell	$7,972	9205 Emily Way	MARION BL B LT 2
5B2501190030	Neil P Doogan; Alma Y Doogan	$7,972	9201 Emily Way	MARION BL B LT 3
5B2501190250	Kenneth Woodbury	$7,972	9241 Emily Way; 9243 Emily Way	MARION BL B LT 22
5B2501190270	Alexandria Roehl; Torrey Roehl	$7,972	9235 Emily Way	MARION BL B LT 24
5B2501190260	Carrie L Burke; Barry L Coffee	$7,972	9237 Emily Way	MARION BL B LT 23

5B2501170060	Kelly A Niemann	$7,972	9244 Sharon St	SMITH PARK III BL 5 LT 1
5B2501170050	Nicole M Dusenberry; Matthew M Dusenberry	$7,972	9250 Sharon St	SMITH PARK IV BL 5 LT 2
5B2501180040	John C Garrett; Tara A Garrett	$7,972	9225 Emily Way	MARION BL A LT 6
5B2501180030	Carolina A Sekona	$7,972	9227 Emily Way	MARION BL A LT 7
5B2501180020	Linda Sue Perry; Charlotte Nicole Perry	$7,972	9229 Emily Way	MARION BL A LT 8
5B2501180010	Bernardo Untalasco; Annette Untalasco	$7,972	9233 Emily Way	MARION BL A LT 9
5B2501180110	Abner A Miller	$7,972	9209 Emily Way	MARION BL A LT 1
5B2501110150	Bernard B Roguska; Linda R Roguska	$7,972	9200 Gee St	SMITH PARK BL 2 LT 1
5B2501150010	Frank H Rich	$7,972	9203 Sharon St	SMITH PARK III BL 4 LT 1
5B2501190070	John L Castillo	$7,972	9206 Emily Way	MARION BL B LT 7
5B2101240170	Steffen L Frazier	$7,972	9361 Turn St	LAKEWOOD II BL E LT 17
5B2101240140	Benjamin J Benson	$7,972	9370 Northland St	LAKEWOOD III BL E LT 14
5B2101240160	Richard J Catrett	$7,972	3446 Meander Way	LAKEWOOD III BL E LT 16
5B2101240150	Deborah L Johnston	$7,972	3450 Meander Way	LAKEWOOD III BL E LT 15
5B2101210030	Mark S Buness; Rhonda L Buness	$7,972	3437 Meander Way	LAKEWOOD II BL B LT 19
5B2101210010	Dennis L Mathers; Kimberly Anne Mathers	$7,972	3429 Meander Way	LAKEWOOD II BL B LT 17A
5B2101210020	Nicolaas Wilhelmus Bus; Susan Miller Bus	$7,972	3433 Meander Way	LAKEWOOD II BL B LT 18A
5B2101250140	Karen Plant-Christensen; Michael Christensen	$7,972	9360 Turn St	LAKEWOOD II BL F LT 14
5B2101250130	Toribido A Carandang; Demy J Carandang	$7,972	3428 Meander Way	LAKEWOOD II BL F LT 13
5B2101250270	Lorraine Jule Boyden; John Licholat	$7,972	9308 Turn St	LAKEWOOD II BL F LT 27

5B2101250280	Enoch Fifita; Asinate Fifita	$7,972	9304 Turn St	LAKEWOOD II BL F LT 28
5B2101250290	Carl Perkins; Deborah Perkins; Richard Perkins	$7,972	9300 Turn St; 9302 Turn St	LAKEWOOD III BL F LT 29
5B2101240010	Rhys M Mateo; Susil M Mateo	$7,972	9303 Turn St; 9318 Northland St	LAKEWOOD III BL E LT 1
5B2101240020	David E Garrison; Jodi L Garrison	$7,972	9322 Northland St	LAKEWOOD III BL E LT 2
5B2101240280	Jonathan M Weaver; Michelle L Weaver	$7,972	9317 Turn St	LAKEWOOD II BL E LT 28
5B2101240030	Timothy A Geib	$7,972	9326 Northland St	LAKEWOOD III BL E LT 3
5B2101240270	Jason K Cochran	$7,972	9321 Turn St	LAKEWOOD II BL E LT 27
5B2101240240	Larry Michael Snyder	$7,972	9331 Turn St; 9333 Turn St	LAKEWOOD II BL E LT 24
5B2101240060	Mark G Peterson; Andrea C Peterson	$7,972	9338 Northland St	LAKEWOOD III BL E LT 6
5B2101240120	Alexis Hills; Andrew Hills	$7,972	9360 Northland St; 9362 Northland St	LAKEWOOD III BL E LT 12
5B2101240110	Jessica Alexis Sanchez; Kirsten Leanna Sanchez	$7,972	9358 Northland St	LAKEWOOD III BL E LT 11
5B2101250260	Brandon M Godkin; Alicia D Maus	$7,972	9312 Turn St	LAKEWOOD II BL F LT 26
5B2101250120	John B Wade	$7,972	9353 Stephen Richards Memorial Dr; 9355 Stephen Richards Memorial Dr	LAKEWOOD II BL F LT 12
5B2101250110	Dominador C Villanueva; Victoria L Villanueva	$7,972	9351 Stephen Richards Memorial Dr	LAKEWOOD II BL F LT 11A
5B2101250150	Michael J Satre; Sarah J Satre	$7,972	9356 Turn St	LAKEWOOD II BL F LT 15
5B2101250160	Brielle M Heflin; Joshua D Smith	$7,972	9350 Turn St	LAKEWOOD II BL F LT 16
5B2101250170	Jay T Menze; Wendolyn A Menze	$7,972	9348 Turn St	LAKEWOOD II BL F LT 17
5B2101250180	Krista L Kissner	$7,972	9344 Turn St	LAKEWOOD II BL F LT 18
5B2101250210	Kelvin G Schubert; Ruth F Schubert	$7,972	9332 Turn St	LAKEWOOD II BL F LT 21
5B2101250230	Willow Netishen-Cabe; Chelsea Anna Flint	$7,972	9324 Turn St	LAKEWOOD II BL F LT 23

5B2101240090	Michael J Notar; Rebecca A Thomas	$7,972	9350 Northland St	LAKEWOOD III BL E LT 9
5B2101240210	James Lee Farley; Jenny Marie Farley	$7,972	9345 Turn St	LAKEWOOD II BL E LT 21
5B2101240080	Jason C Burke	$7,972	9346 Northland St	LAKEWOOD III BL E LT 8
5B2101240070	Dominic C Walsh	$7,972	9342 Northland St	LAKEWOOD III BL E LT 7
5B2101240220	Tennie Bentz; Robert Traul Jones	$7,972	9341 Turn St	LAKEWOOD II BL E LT 22
5B2101240230	Kayann V Stone; Dennis A Haubrick	$7,972	9337 Turn St	LAKEWOOD II BL E LT 23
5B2101240050	Mary M Ryan	$7,972	9334 Northland St	LAKEWOOD III BL E LT 5
5B2101240250	Marshall Residence Trust Amber Dawn Marshall As Trustee; Amber Dawn Marshall As Trustee	$7,972	9329 Turn St	LAKEWOOD II BL E LT 25
5B2101240260	Philip P Hetle; Joy J Hetle	$7,972	9325 Turn St	LAKEWOOD II BL E LT 26
5B2101240040	Jason R Custer; Margaret M Custer	$7,972	9330 Northland St	LAKEWOOD III BL E LT 4
5B2101250190	Justin Wayne Jarvis; Amanda Rene Cody Babin	$7,972	9338 Turn St	LAKEWOOD II BL F LT 19
5B2101250200	Linnea M Powers; Jordan Serdynski	$7,972	9336 Turn St	LAKEWOOD II BL F LT 20
5B2101240130	Loni D Van Kirk; Jodi L Van Kirk	$7,972	9366 Northland St	LAKEWOOD III BL E LT 13
5B2501050150	James D Brackett	$7,972	9202 Long Run Dr	LENGTHY ACRES BL 6 LT A
5B2101160010	Roger Bunton; Merry Bunton	$7,972	9183 Parkwood Dr	RIVERWOOD BL A LT 55
5B2101160020	Carr David and Gloria Living Trust David Ernest Carr; Gloria Jeanne Carr Trustees; David Ernest Carr; Gloria Jeanne Carr Trustees	$7,972	9179 Parkwood Dr	RIVERWOOD BL A LT 54
5B2101160030	Stephen Ray Eshnaur	$7,972	9175 Parkwood Dr	RIVERWOOD BL A LT 53

5B2101160040	Kevin M Dugan	$7,972	9171 Parkwood Dr	RIVERWOOD BL A LT 52
5B2101160050	Elizabeth File	$7,972	9167 Parkwood Dr	RIVERWOOD BL A LT 51
5B2101250220	Carl W Mielke; Mari E Mielke	$7,972	9328 Turn St	LAKEWOOD II BL F LT 22
5B2101250090	Joseph Lawrence Ver	$7,972	9343 Stephen Richards Memorial Dr	LAKEWOOD II BL F LT 9
5B2101250100	Brett A Allio; Heather L Allio	$7,972	9347 Stephen Richards Memorial Dr	LAKEWOOD II BL F LT 10A
5B2101250250	Michael J Swanson; Jacqueline R Swanson	$7,972	9318 Turn St	LAKEWOOD II BL F LT 25
5B2101250240	Corry A Isabell	$7,972	9322 Turn St	LAKEWOOD II BL F LT 24
5B2501410180	Wade Daniel Chappell	$7,972	4110 Riverside Dr; 4112 Riverside Dr	NORTH RIVERSIDE DRIVE 3 BL D L
5B2501110070	James R Plosay; Melissa L Plosay	$7,972	9230 Gee St	SMITH PARK II BL 3 LT 2
5B2501150090	Clark Mcdermaid; Margarita B Mcdermaid	$7,972	9231 Sharon St	SMITH PARK III BL 4 LT 9
5B2501110060	Elizabeth E Graham	$7,972	9234 Gee St	SMITH PARK II BL 3 LT 3
5B2501150100	Peter Boyd	$7,972	9233 Sharon St	SMITH PARK III BL 4 LT 10
5B2501110040	Leif Short-Forrer; Staci L Forrer	$7,972	9242 Gee St	SMITH PARK II BL 3 LT 5
5B2501110050	Gary E Kostenko; Karen S Kostenko	$7,972	9238 Gee St	SMITH PARK II BL 3 LT 4
5B2501150120	Ichirow Sawa	$7,972	9245 Sharon St	SMITH PARK III BL 4 LT 12
5B2501150110	Elzbieta Sokolowska	$7,972	9239 Sharon St; 9241 Sharon St	SMITH PARK III BL 4 LT 11
5B2501150081	Kristin N Garot	$7,972	9227 Sharon St	SMITH PARK III BL 4 LT 8B
5B2501150082	Juan R Orozco; Holly H Orozco	$7,972	9229 Sharon St	SMITH PARK III BL 4 LT 8A
5B2501110080	Ashley B L Johnston; Lawrence R Johnston	$7,972	9224 Gee St; 9226 Gee St	SMITH PARK II BL 3 LT 1
5B2501030092	Elias Duran Jr; Toni M Duran	$7,972	9227 Long Run Dr; 9227 Long Run Dr Unit B	LENGTHY ACRES BL 1 LT 1
5B2101230130	Remigio Catli Maiquis Jr;	$7,972	9341 Northland St	LAKEWOOD III BL D LT 13

	Christina Teninty Maiquis			
5B2501030050	Carol B Gamez	$7,972	9219 Long Run Dr	LENGTHY ACRES BL 1 LT E
5B2101230140	Jeffrey L Hartman; Debbie D Quinn	$7,972	9337 Northland St	LAKEWOOD III BL D LT 14
5B2101230150	Luke Aaron Lemieux; Carly Lemieux	$7,972	9333 Northland St	LAKEWOOD III BL D LT 15
5B2501030040	Dwan W Hall; Cathy L Hall	$7,972	9217 Long Run Dr	LENGTHY ACRES BL 1 LT D
5B2101230160	Patrick Allen Taylor; Christina M Taylor	$7,972	9329 Northland St	LAKEWOOD III BL D LT 16
5B2101230170	Matthew Bischoff; Uliana Bischoff	$7,972	9325 Northland St	LAKEWOOD III BL D LT 17
5B2501030030	Dwan Hall; Cathy Hall	$7,972	9215 Long Run Dr	LENGTHY ACRES BL 1 LT C
5B2101230180	Charles R Richter; Heather A Richter	$7,972	9321 Northland St	LAKEWOOD III BL D LT 18
5B2101230190	Maria Heidi O Sipin; James M Driggers	$7,972	9317 Northland St	LAKEWOOD III BL D LT 19
5B2501030012	Dan Miller	$7,972	3561 Riverside Dr; 3563 Riverside Dr	LENGTHY ACRES BL 1 LT A2
5B2501030011	Jennifer M Krick; William K Krick	$7,972	9209 Long Run Dr; 9209 Long Run Dr Unit B	LENGTHY ACRES BL 1 LT A1
5B2501030020	Robert James Murphy Jr	$7,972	9213 Long Run Dr	LENGTHY ACRES BL 1 LT B
5B2501030013	Jacob Dean Miller; Taylyn Kristine Miller	$7,972	3557 Riverside Dr	LENGTHY ACRES BL 1 LT A3
5B2101230200	Tracy I Ward	$7,972	9315 Northland St	LAKEWOOD III BL D LT 20
5B2101230210	Beatrice J Walker	$7,972	9309 Northland St	LAKEWOOD III BL D LT 21
5B2501030060	Kristopher Patrick Hill	$7,972	9221 Long Run Dr	LENGTHY ACRES BL 1 LT F
5B2101230100	Nadine Haken	$7,972	9353 Northland St	LAKEWOOD III BL D LT 10
5B2101230110	William Michael Columbus III	$7,972	9349 Northland St	LAKEWOOD III BL D LT 11
5B2501030070	Susanne Coleman	$7,972	9223 Long Run Dr	LENGTHY ACRES BL 1 LT G
5B2501030080	Gwendolyn D Place; Joshua A Benevides	$7,972	9225 Long Run Dr	LENGTHY ACRES BL 1 LT H
5B2101230090	Deborah Ann Gebert	$7,972	9357 Northland St	LAKEWOOD III BL D LT 9

5B2501030091	Elias Duran Jr; Toni M Duran	$7,972	Long Run Dr	LENGTHY ACRES BL 1 LT 2
5B2101230120	Allan G Schlicht	$7,972	9345 Northland St	LAKEWOOD III BL D LT 12
5B2501200110	James A Hoff; Charm M Hoff	$7,972	3833 Melrose St	MOUNTAIN VIEW 2 BL B LT 11
5B2501200050	David F Ahrens; Erin T Ahrens	$7,972	3809 Melrose St	MOUNTAIN VIEW 2 BL B LT 5
5B2501200010	Louisa R Hayes	$7,972	3737 Julep St	MOUNTAIN VIEW 2 BL B LT 1
5B2501200040	Ronald Lee Bressette Jr; Catherine Anne Bressette	$7,972	3805 Melrose St	MOUNTAIN VIEW 2 BL B LT 4
5B2501200020	Robert E Henricksen	$7,972	3739 Julep St	MOUNTAIN VIEW 2 BL B LT 2
5B2501200030	Douglas M Rather; Vandi J Rather	$7,972	3801 Melrose St	MOUNTAIN VIEW 2 BL B LT 3
5B2501210130	James S Swingle; Lavair E Swingle	$7,972	3779 Julep St	MOUNTAIN VIEW 2 BL C LT 1
5B2501210110	Michael E Crabb and Elizabeth A Hoffman Living Trust Michael Eugene Crabb and Elizabeth Anne Hoffman As Trustees; Michael Eugene Crabb and Elizabeth Anne Hoffman As Trustees	$7,972	3771 Julep St	MOUNTAIN VIEW 2 BL C LT 3
5B2501210100	Wesley S Walker; Rhoda L Walker	$7,972	3800 Melrose St	MOUNTAIN VIEW 2 BL C LT 4
5B2501210080	Patrick T Monagle; Kari Monagle	$7,972	3808 Melrose St	MOUNTAIN VIEW 2 BL C LT 7
5B2501210090	James M Mcknight; Conchita L Mcknight	$7,972	3804 Melrose St	MOUNTAIN VIEW 2 BL C LT 5
5B2501210120	Nerio D Bernaldo	$7,972	3775 Julep St	MOUNTAIN VIEW 2 BL C LT 2
5B2501210140	Koreti Taunuu; Nephi Taunuu	$7,972	3805 Autumn Ct	MOUNTAIN VIEW 2 BL C LT 6
5B2501210070	Kevin B Casperson	$7,972	3812 Melrose St	MOUNTAIN VIEW 2 BL C LT 8
5B2501210150	Elyssa G Pfaff; Trevor J Pfaff	$7,972	3809 Autumn Ct	MOUNTAIN VIEW 2 BL C LT 9
5B2501210060	Jessie A Ashton; Stuart A Ashton	$7,972	3816 Melrose St	MOUNTAIN VIEW 2 BL C LT 10
5B2501210040	Andra C Martin	$7,972	3828 Melrose St	MOUNTAIN VIEW 2 BL C LT 13

5B2501210050	Leroy D Struble	$7,972	3820 Melrose St	MOUNTAIN VIEW 2 BL C LT 11
5B2501210160	Agnes B Uddipa	$7,972	3813 Autumn Ct	MOUNTAIN VIEW 2 BL C LT 12
5B2501210030	James A Daris; Tina M Daris	$7,972	3844 Melrose St	MOUNTAIN VIEW 2 BL C LT 14
5B2501210170	Ivan A Miramontes Rosales	$7,972	3817 Autumn Ct	MOUNTAIN VIEW 2 BL C LT 15
5B2501210020	Zachary Phillip Warmbrodt; Jessica Rae Warmbrodt	$7,972	3848 Melrose St; 3848 Melrose St Unit B	MOUNTAIN VIEW 2 BL C LT 16
5B2501140130	Arthur J Stephens; Ruby C Stephens	$7,972	3744 Julep St	MOUNTAIN VIEW 2 BL A LT 3
5B2501140110	Glenn A Stephens; Gina A Stephens	$7,972	3752 Julep St	MOUNTAIN VIEW 2 BL A LT 5
5B2501200120	Zackary Ziegenfuss; Mary Ziegenfuss	$7,972	3837 Melrose St	MOUNTAIN VIEW 2 BL B LT 12
5B2501200230	Heidi L Haffner	$7,972	9034 Division St	MOUNTAIN VIEW 2 BL B LT 23
5B2501200130	William C Byford; Caroline E Byford	$7,972	3841 Melrose St	MOUNTAIN VIEW 2 BL B LT 13
5B2501200140	Kathleen I Galau; Robert Galau	$7,972	3845 Melrose St	MOUNTAIN VIEW 2 BL B LT 14
5B2501200150	Dwan W Hall; Cathy L Hall	$7,972	3849 Melrose St	MOUNTAIN VIEW 2 BL B LT 15
5B2501200160	Michael A Laudert; Amber M Laudert	$7,972	3853 Melrose St	MOUNTAIN VIEW 2 BL B LT 16
5B2501200180	Jerry Nankervis; Lisa Nankervis	$7,972	9014 Division St	MOUNTAIN VIEW 2 BL B LT 18
5B2501200190	Cody Key Strahm	$7,972	9018 Division St	MOUNTAIN VIEW 2 BL B LT 19
5B2501200220	Barbara Bartoo	$7,972	9030 Division St	MOUNTAIN VIEW 2 BL B LT 22
5B2501200210	Brett J Coblentz; Debra K Coblentz	$7,972	9026 Division St	MOUNTAIN VIEW 2 BL B LT 21
5B2501200200	Nove C Barril, Et Al; Rachel C Barril; Hannah C Barril; Malcolm C Barril; Krista C Barril	$7,972	9022 Division St	MOUNTAIN VIEW 2 BL B LT 20
5B2501200090	Fred M Tolbert Jr	$7,972	3825 Melrose St	MOUNTAIN VIEW 2 BL B LT 9
5B2501200070	Tracey J Reinwand Muir	$7,972	3817 Melrose St	MOUNTAIN VIEW 2 BL B LT 7

5B2501200100	Andrew C Hann; Alexandra Anne Lewis	$7,972	3829 Melrose St	MOUNTAIN VIEW 2 BL B LT 10
5B2501200080	Barbara L Duncan; Gerald Duncan	$7,972	3821 Melrose St	MOUNTAIN VIEW 2 BL B LT 8
5B2501200060	Justin Papenbrock	$7,972	3813 Melrose St	MOUNTAIN VIEW 2 BL B LT 6
5B2501120030	David L Turner Jr; Amber Averette	$7,972	9026 Gee St	MOUNTAIN VIEW BL C LT 3
5B2501140120	Dominique Johnson; Christine Johnson	$7,972	3748 Julep St	MOUNTAIN VIEW 2 BL A LT 4
5B2501120040	Eric Brewer; Amber Brewer	$7,972	9022 Gee St	MOUNTAIN VIEW BL C LT 4
5B2501140140	Kaia Henrickson	$7,972	3740 Julep St	MOUNTAIN VIEW 2 BL A LT 2
5B2501140150	Romeo L Del Rosario; Gina Del Rosario	$7,972	3736 Julep St	MOUNTAIN VIEW 2 BL A LT 1
5B2501120020	Yanitza Muir; Mark Mitchell	$7,972	9030 Gee St	MOUNTAIN VIEW BL C LT 2
5B2501120010	Bernaldo & Estigoy	$7,972	9034 Gee St	MOUNTAIN VIEW BL C LT 1
5B2501200170	Daniel M Bleidorn; Ryia N Waldern	$7,972	3857 Melrose St	MOUNTAIN VIEW 2 BL B LT 17
5B2501190120	Vincent P Yadao Jr; Mary M Raster	$7,972	9214 Emily Way	MARION BL B LT 11B
5B2501190110	Richard D Sweeney	$7,972	9216 Emily Way	MARION BL B LT 11A
5B2501100080	Daniel C Wayne; Kathleen A Wayne	$7,972	3795 Killewich Dr	SMITH PARK IV BL 6 LT 11
5B2501160050	James L Wright	$7,972	3823 Killewich Dr	SMITH PARK IV BL 7 LT 4B1
5B2501100060	Anselm C Staack; Carol A Staack	$7,972	9330 Betty Ct	SMITH PARK IV BL 6 LT 9
5B2501100040	Blake Galvin	$7,972	9338 Betty Ct	SMITH PARK IV BL 6 LT 7
5B2501100051	Lawrence J Sullivan	$7,972	9336 Betty Ct	SMITH PARK IV BL 6 LT 8A
5B2501100052	Anneka Knotts Morgan	$7,972	9334 Betty Ct	SMITH PARK IV BL 6 LT 8B
5B2601010030	William and Audrey Diebels Living Trust C/O William Louis Diebels Jr & Audrey Ann Diebels Trustees; C/O William Louis Diebels Jr &	$7,972	9342 Betty Ct	SMITH PARK IV BL 6 LT 6

	Audrey Ann Diebels Trustees			
5B2501160040	Drew and Michelle Norman Living Trust	$7,972	3819 Killewich Dr	SMITH PARK IV BL 7 LT 4A1
5B2501160021	Killehuck LLC	$7,972	3811 Killewich Dr	SMITH PARK IV BL 7 LT 2A
5B2501160032	Timothy K Smith; Carrie E Smith	$7,972	3815 Killewich Dr	SMITH PARK IV BL 7 LT 3A1
5B2501160061	Charity Lynn Platt	$7,972	3827 Killewich Dr	SMITH PARK IV BL 7 LT 5A1
5B2501170030	Birger Baastrup	$7,972	3810 Killewich Dr	SMITH PARK IV BL 5 LT 4
5B2501170020	Jerry Lee White Jr; Brooke White	$7,972	3814 Killewich Dr	SMITH PARK IV BL 5 LT 5
5B2501170040	Melissa Lynn Dumas; Elton Scott Dumas	$7,972	3804 Killewich Dr	SMITH PARK IV BL 5 LT 3
5B2501100093	Mark Ryder; Amanda Ryder	$7,972	Killewich Dr	SMITH PARK VII LT 3
5B2501100092	Daniel Wayne; Kathleen Wayne	$7,972	Killewich Dr	SMITH PARK VII LT 2
5B2501100071	Stephen E Ball; Heather A Ball	$7,972	3785 Killewich Dr	SMITH PARK VII LT 1
5B2501150160	Hilary V Martin	$7,972	9257 Sharon St	SMITH PARK IV BL 4 LT 15
5B2501110010	Logan Roper	$7,972	9250 Gee St	SMITH PARK II BL 3 LT 8
5B2501170010	Nancy M Free-Sloan	$7,972	3818 Killewich Dr	SMITH PARK IV BL 5 LT 6
5B2501430280	Eugene A Coffin III; Janet E Coffin	$7,972	3878 Killewich Dr	SMITH PARK VI BL B LT 14
5B2501430260	Benjamin R Gilbert; April Gilbert	$7,972	3870 Killewich Dr	SMITH PARK VI BL B LT 12
5B2501430270	Richard W Perkins	$7,972	3874 Killewich Dr	SMITH PARK VI BL B LT 13
5B2501430250	Travis Mead; Amy Gurton Mead	$7,972	3866 Killewich Dr	SMITH PARK VI BL B LT 11
5B2501430240	Ferral D Huntsman; Karen S Huntsman	$7,972	3862 Killewich Dr	SMITH PARK VI BL B LT 10
5B2501430230	Lynn Kirkham; Phyllis Kirkham	$7,972	3858 Killewich Dr; 3860 Killewich Dr	SMITH PARK VI BL B LT 9
5B2501430220	David M Mesdag	$7,972	3854 Killewich Dr	SMITH PARK VI BL B LT 8
5B2501430200	Troy G Whitlock Jr	$7,972	3846 Killewich Dr	SMITH PARK VI BL B LT 6
5B2501430170	Kevin A Puustinen;	$7,972	3834 Killewich Dr	SMITH PARK VI BL B LT 3

	Shawna J Puustinen			
5B2501430160	Ricardo Urrutia Reyna	$7,972	3828 Killewich Dr; 3830 Killewich Dr	SMITH PARK VI BL B LT 2
5B2501430080	Gretchen A Pence; William T Pence	$7,972	3859 Killewich Dr	SMITH PARK VI BL A LT 7
5B2501430090	Richard N Janelle; Kim M Janelle	$7,972	3855 Killewich Dr	SMITH PARK VI BL A LT 6
5B2501430100	Michael Tibbles; Kristy Tibbles	$7,972	3851 Killewich Dr	SMITH PARK VI BL A LT 5
5B2501430110	Frank F Mesdag; Mimi D Mesdag	$7,972	3847 Killewich Dr; 3849 Killewich Dr	SMITH PARK VI BL A LT 4
5B2501430070	Eric S Holst; Sandra K Holst	$7,972	3863 Killewich Dr	SMITH PARK VI BL A LT 8
5B2501430060	Christie Bentz	$7,972	3867 Killewich Dr; 3867 Killewich Dr Unit B	SMITH PARK VI BL A LT 9
5B2501430050	Laureen Marie Dicarlo; Paul N Dicarlo	$7,972	3871 Killewich Dr	SMITH PARK VI BL A LT 10
5B2501430040	Brian Nielsen; Kaili Nielsen	$7,972	3875 Killewich Dr	SMITH PARK VI BL A LT 11
5B2501430030	Donna M Schultz	$7,972	3879 Killewich Dr	SMITH PARK VI BL A LT 12
5B2501430020	Jane R Huckstorf; David L Cline	$7,972	3883 Killewich Dr	SMITH PARK VI BL A LT 13
5B2501430130	Jonathan K Gunstrom; Brooke S Gunstrom	$7,972	3839 Killewich Dr	SMITH PARK VI BL A LT 2
5B2501430120	Scott M Gende; Amy Lynn Reifenstein	$7,972	3843 Killewich Dr	SMITH PARK VI BL A LT 3
5B2501430140	Mike J Erickson; Bonnie Erickson	$7,972	3835 Killewich Dr	SMITH PARK VI BL A LT 1
5B2501160071	Christopher M Gianotti; Joan E Gianotti	$7,972	3831 Killewich Dr	SMITH PARK IV BL 7 LT 6A1
5B2501430150	Loren E Beebe Jr	$7,972	3826 Killewich Dr	SMITH PARK VI BL B LT 1
5B2501430190	Edwardson Living Trust C/O Sandra L Edwardson and Robert H Edwardson; C/O Sandra L Edwardson and Robert H Edwardson	$7,972	3842 Killewich Dr	SMITH PARK VI BL B LT 5
5B2501430180	Taube Trust Thomas T Taube & Elizabeth G Taube As Trustees; Thomas	$7,972	3838 Killewich Dr	SMITH PARK VI BL B LT 4

	T Taube & Elizabeth G Taube As Trustees			
5B2501430210	Craig Randal Long; Christi Lee Long	$7,972	3850 Killewich Dr	SMITH PARK VI BL B LT 7
5B2501420010	Dyemond LLC	$7,972	3839 Riverside Dr	SMITH PARK IV LT 1
5B2501090160	Erik A Mccormick; Melissa L Mccormick	$7,972	9253 Gee St	SMITH PARK II BL 1 LT 16
5B2501050011	Stephen M Treston; Nila N Treston	$7,972	3620 Killewich Dr	LENGTHY ACRES BL 5 LT OB
5B2501050010	Susan Christine Thompson	$7,972	9406 Long Run Dr	LENGTHY ACRES BL 5 LT OA
5B2501050020	Mark Miller; Elaine Miller	$7,972	9404 Long Run Dr	LENGTHY ACRES BL 5 LT N
5B2501090150	Thomas L Bearden; Vivian L Bearden	$7,972	9249 Gee St	SMITH PARK II BL 1 LT 15
5B2501090120	Thomas Digiovanni	$7,972	9241 Gee St	SMITH PARK II BL 1 LT 12
5B2501090110	Gary E Kostenko; Karen S Kostenko	$7,972	9237 Gee St; 9237 Gee St Unit B	SMITH PARK II BL 1 LT 11
5B2501090100	Geoffrey Bullock; Ruth Bullock	$7,972	9233 Gee St	SMITH PARK BL 1 LT 10
5B2501090130	Jody L Levernier; Mark I Ibias	$7,972	9243 Gee St	SMITH PARK II BL 1 LT 13
5B2501050030	James R Startz; Elizabeth L Startz	$7,972	9402 Long Run Dr	LENGTHY ACRES BL 5 LT M
5B2501050040	Stanley Fields; Sarah Fields	$7,972	9232 Long Run Dr; 9234 Long Run Dr	LENGTHY ACRES BL 6 LT L
5B2501050050	Stephani J Griffin	$7,972	9230 Long Run Dr	LENGTHY ACRES BL 6 LT K
5B2501050060	Genevieve R Wojtusik; William Jared Pigue	$7,972	9228 Long Run Dr	LENGTHY ACRES BL 6 LT J
5B2501090140	Richard W Welling; Karlynn B Welling	$7,972	9245 Gee St; 9247 Gee St	SMITH PARK II BL 1 LT 14
5B2501090050	Laurent D Chantry; Donna L Chantry	$7,972	9219 Gee St	SMITH PARK BL 1 LT 5
5B2501090040	Zachary Justin Morris; Randi Taylyn Jane Morris	$7,972	9217 Gee St	SMITH PARK BL 1 LT 4
5B2501090090	David M Byrne	$7,972	9229 Gee St	SMITH PARK BL 1 LT 9

5B2501090060	Todd B Jennings; Lavina H Jennings	$7,972	9221 Gee St	SMITH PARK BL 1 LT 6
5B2501090080	Kathleen Ann Dilley	$7,972	9225 Gee St	SMITH PARK BL 1 LT 8
5B2501090070	Boyce J Bingham; Venietia M Bingham	$7,972	9223 Gee St	SMITH PARK BL 1 LT 7
5B2501050070	Raymond S Howard Jr; Emily C Howard	$7,972	9226 Long Run Dr	LENGTHY ACRES BL 6 LT I
5B2501050090	Josephine Mcmurray Williams	$7,972	9220 Long Run Dr	LENGTHY ACRES BL 6 LT G1
5B2501050100	Josephine Mcmurray Williams	$7,972		LENGTHY ACRES BL 6 LT F
5B2501050110	David A Brown; Carol A Brown	$7,972	9216 Long Run Dr; 9216 Long Run Dr Unit B	LENGTHY ACRES BL 6 LT E
5B2501050120	Steven R Jaynes	$7,972	9212 Long Run Dr	LENGTHY ACRES BL 6 LT D
5B2501090030	Thomas Greinier; Katrina Leota Blackwell	$7,972	9215 Gee St	SMITH PARK BL 1 LT 3
5B2501050132	Martha J Quinn	$7,972	9210 Long Run Dr	LENGTHY ACRES BL 6 LT CB
5B2501050131	Jacob B Carte; Cindy Carte	$7,972	9208 Long Run Dr	LENGTHY ACRES BL 6 LT CA
5B2501090020	Brent L Fischer; Deborah Fischer	$7,972	9213 Gee St	SMITH PARK BL 1 LT 2
5B2501050140	Ryder Living Trust	$7,972	9206 Long Run Dr	LENGTHY ACRES BL 6 LT B
5B2501040061	Christian C Gadaire	$7,972	9408 Long Run Dr	LENGTHY ACRES BL 4 LT P1
5B2501040040	Martha Louise Yurko	$7,972	9412 Long Run Dr	LENGTHY ACRES BL 4 LT C
5B2501040050	Joshua W Schaefer; Lyndsey Y Schaefer	$7,972	9410 Long Run Dr	LENGTHY ACRES BL 4 LT Q
5B2601000050	Kerry G Lear; Stephanie L Allison	$7,972	9414 Long Run Dr	LENGTHY ACRES BL 4 LT B
5B2601000042	Bonnie B Chaney; Gregory P Chaney	$7,972		LENGTHY ACRES BL 4 LT A2
5B2601000043	Stephen M Bower; Patricia J Bower	$7,972	9416 Long Run Dr	LENGTHY ACRES BL 4 LT A1A
5B2601010020	Darrin Stephen Crapo; Lindsay Rae Crapo	$7,972	9347 Betty Ct	SMITH PARK IV BL 6 LT 5
5B2501040030	Delfin Cesar; Marlene M Cesar	$7,972	9411 Long Run Dr	LENGTHY ACRES BL 3 LT C

5B2101220080	Thomas Edward Mattice Revocable Trust Uta Thomas Edward Mattice As Trustee; Thomas Edward Mattice As Trustee	$7,972	3474 Stream Ct	LAKEWOOD III BL C LT 7
5B2101220070	Bryan S Jackson; Alicia Jackson	$7,972	3478 Meander Way	LAKEWOOD III BL C LT 6
5B2101220060	Amy M Miller	$7,972	3488 Meander Way	LAKEWOOD III BL C LT 5
5B2101210170	John H Cooper; Alyson H Cooper	$7,972	3495 Meander Way	LAKEWOOD III BL B LT 33
5B2101210180	Kevin W Tillotson; Gabriella E Tillotson	$7,972	3499 Meander Way	LAKEWOOD III BL B LT 34
5B2601000030	Elizabeth Barr Cayce	$7,972	9419 Long Run Dr	LENGTHY ACRES BL 3 LT E TR W
5B2101220010	Scott J Griffith; Sarah L Griffith	$7,972	3503 Meander Way	LAKEWOOD III BL C LT 1
5B2601000020	Carlson Keith & Marie Trust Keith Conrad Carlson; Marie Carol Carlson; Trustees; Keith Conrad Carlson; Marie Carol Carlson; Trustees	$7,972	9417 Long Run Dr	LENGTHY ACRES BL 3 LT E TR E
5B2101220020	James P Arnoldt	$7,972	3500 Meander Way	LAKEWOOD III BL C LT 2
5B2101220050	Sterling J Salisbury; Lindsay Salisbury	$7,972	3492 Meander Way	LAKEWOOD III BL C LT 4
5B2101220040	Tim A Kissner	$7,972	3494 Meander Way	LAKEWOOD III BL C LT 3B
5B2101220030	Jegger T Arsua; Megan J Lockridge	$7,972	3496 Meander Way	LAKEWOOD III BL C LT 3A
5B2101220130	Ronald L Shriver III	$7,972	3470 Stream Ct; 3470 Stream Ct Apt B	LAKEWOOD III BL C LT 11
5B2101220100	Joshua Warren Pritts; Stacy Lynn Pritts	$7,972	3500 Stream Ct	LAKEWOOD III BL C LT 9
5B2101220090	Jason P Brooks; Kristen M Brooks	$7,972	3480 Stream Ct; 3482 Stream Ct	LAKEWOOD III BL C LT 8
5B2501040010	Otto Whitfield; Verma D Whitfield	$7,972	9407 Long Run Dr	LENGTHY ACRES BL 3 LT A
5B2101220140	Charles L Gordon; Tina M Maryott-Gordon	$7,972	3471 Richards Dr; 3473 Richards Dr	LAKEWOOD III BL C LT 12

5B2101210040	Jordan Ashley Mcnatt; Chase Robert Mcnatt	$7,972	3441 Meander Way	LAKEWOOD III BL B LT 20
5B2101210100	Kamal D Lindoff; Danielle M Lindoff	$7,972	3467 Meander Way	LAKEWOOD III BL B LT 26
5B2101210110	Melissa Brown; Locke O Brown	$7,972	3471 Meander Way	LAKEWOOD III BL B LT 27
5B2101210120	Samuel E Hatch	$7,972	3475 Meander Way	LAKEWOOD III BL B LT 28
5B2101210130	Sean Smack; Ashley Smack	$7,972	3479 Meander Way	LAKEWOOD III BL B LT 29
5B2101210140	Jeffrey Garmon; Nicolle Garmon	$7,972	3483 Meander Way	LAKEWOOD III BL B LT 30
5B2101210150	John G Schoenmann	$7,972	3487 Meander Way	LAKEWOOD III BL B LT 31
5B2101210160	John G Schoenmann; Suzanne M Schoenmann	$7,972	3491 Meander Way	LAKEWOOD III BL B LT 32
5B2101230020	Carl M Ferlauto	$7,972	3466 Richards Dr	LAKEWOOD III BL D LT 2
5B2101210050	Norman E Staton; Donna M Staton	$7,972	3445 Meander Way	LAKEWOOD III BL B LT 21
5B2101210090	Russell and Thyes Shaub Living Trust	$7,972	3463 Meander Way	LAKEWOOD III BL B LT 25
5B2101210080	Jeffrey M Rud; Lori L Rud	$7,972	3459 Meander Way	LAKEWOOD III BL B LT 24
5B2101210070	Jessica Wright; Andre Khmelev	$7,972	3455 Meander Way	LAKEWOOD III BL B LT 23
5B2101210060	Howard R Jaeger; Roberta J Jaeger	$7,972	3451 Meander Way	LAKEWOOD III BL B LT 22
5B2101230030	Marilyn Ann Fox Zaleski; Adam Zaleski	$7,972	3456 Meander Way	LAKEWOOD III BL D LT 3
5B2501030130	Howard Living Trust	$7,972	9401 Long Run Dr; 9401 Long Run Dr Unit A	LENGTHY ACRES BL 2 LT BB
5B2501030120	Jennifer June Nebert	$7,972	9395 Long Run Dr	LENGTHY ACRES BL 2 LT AB
5B2501030140	Kerry Anne Thomas	$7,972	9403 Long Run Dr	LENGTHY ACRES BL 2 LT C
5B2101230010	Susan K Bell; Robert S Koenitzer	$7,972	3470 Richards Dr	LAKEWOOD III BL D LT 1
5B2101230040	Reach Inc	$7,972	9377 Northland St	LAKEWOOD III BL D LT 4
5B2501030110	Michael J Norton; Nancy J Norton	$7,972	9391 Long Run Dr	LENGTHY ACRES BL 2 LT AA
5B2101230050	Noah Teshner; Heidi Teshner	$7,972	9373 Northland St; 9375 Northland St	LAKEWOOD III BL D LT 5
5B2101230060	Karen E Elliott	$7,972	9369 Northland St	LAKEWOOD III BL D LT 6

5B2101230070	Richard C Isaak; Michele N Isaak	$7,972	9365 Northland St	LAKEWOOD III BL D LT 7
5B2101230080	William Reed Hayes	$7,972	9361 Northland St	LAKEWOOD III BL D LT 8
5B2101270150	Caracciolo Trust	$7,972	9346 Parkview Ct	LAKEWOOD I BL G LT 39A
5B2101270110	Allison Holtkamp Waid; Jacob Orin Waid	$7,972	9353 Center Ct	LAKEWOOD I BL G LT 35
5B2101270100	Garrison Field; Brooke Field	$7,972	9349 Center Ct	LAKEWOOD I BL G LT 34
5B2101270060	Michael A Grieser; Diana R Grieser	$7,972	9348 Center Ct	LAKEWOOD I BL G LT 30
5B2101270120	Douglas M Eggers; Cecilia A Eggers	$7,972	9357 Center Ct	LAKEWOOD I BL G LT 36
5B2101270140	Philip P Loseby; Katherine Loseby	$7,972	9350 Parkview Ct	LAKEWOOD I BL G LT 38
5B2101270130	Joemer Gonzales; Grace Gonzales	$7,972	9354 Parkview Ct	LAKEWOOD I BL G LT 37
5B2101270240	James N Helfinstine; Laurie Jo Helfinstine	$7,972	3402 Meander Way	LAKEWOOD I BL G LT 48
5B2101270230	Jeshua D R Mcmaster; Kayla L Mcmaster	$7,972	9351 Parkview Ct	LAKEWOOD I BL G LT 47
5B2101270160	Dawn Marie Cavanaugh; Timothy Allen Lombard	$7,972	9342 Parkview Ct	LAKEWOOD I BL G LT 40A
5B2101270090	The Teshner Family Trust	$7,972	9345 Center Ct; 9347 Center Ct	LAKEWOOD I BL G LT 33
5B2101270170	Ava Masser Daugherty	$7,972	9338 Parkview Ct; 9340 Parkview Ct	LAKEWOOD I BL G LT 41
5B2101270080	Mitchell P Schumacher; Krista K Garrett	$7,972	9341 Center Ct	LAKEWOOD I BL G LT 32
5B2101270190	Rebecca Ann Monagle Living Trust	$7,972	9337 Parkview Ct	LAKEWOOD I BL G LT 43
5B2101270180	Justin Ambrose Taber; Kimberly Sue Taber	$7,972	9332 Parkview Ct; 9334 Parkview Ct; 9334 Parkview Ct Unit B	LAKEWOOD I BL G LT 42
5B2101270220	Karsun G Newport; Joelle N Newport	$7,972	9349 Parkview Ct	LAKEWOOD I BL G LT 46
5B2101270210	Winston N Arnold; Rhodina L Arnold	$7,972	9343 Parkview Ct	LAKEWOOD I BL G LT 45
5B2101270200	Brian T Botts; Whitney Short	$7,972	9341 Parkview Ct	LAKEWOOD I BL G LT 44

5B2101280010	Dane R Schmick; Jenna C Schmidt	$7,972	3424 Meander Way	LAKEWOOD I BL G LT 49 FR
5B2101280040	Susan I Reishus	$7,972	9332 Stephen Richards Memorial Dr	LAKEWOOD I BL G LT 52
5B2101280030	Tyson J Lee; Karla Serna Romero	$7,972	9342 Stephen Richards Memorial Dr	LAKEWOOD I BL G LT 51
5B2101280020	Sione O Vakauta; Naomi Vakauta	$7,972	9352 Stephen Richards Memorial Dr	LAKEWOOD I BL G LT 50
5B2101190010	Eugenia Gina Del Rosario; Romeo Del Rosario Jr	$7,972	9342 Rivercourt Way	LAKEWOOD I BL A LT 1
5B2101190130	Victor R Perez; Linda J Perez	$7,972	9390 Rivercourt Way	LAKEWOOD I BL A LT 13
5B2101190120	Christi D Grussendorf; Timothy J Grussendorf	$7,972	9386 Rivercourt Way	LAKEWOOD I BL A LT 12
5B2101190110	Gregory M Tingey; Jacqueline L Tingey	$7,972	9382 Rivercourt Way	LAKEWOOD I BL A LT 11
5B2101190100	Brady A Fink; Kelley M Fink	$7,972	9378 Rivercourt Way	LAKEWOOD I BL A LT 10
5B2101190090	Danielle Marrie Miller	$7,972	9374 Rivercourt Way	LAKEWOOD I BL A LT 9
5B2101190080	Kenneth J Brainard	$7,972	9370 Rivercourt Way	LAKEWOOD I BL A LT 8
5B2101190070	Tristan Fluharty; Lisa Fluharty	$7,972	9366 Rivercourt Way	LAKEWOOD I BL A LT 7
5B2101190060	Ida Eliason	$7,972	9362 Rivercourt Way	LAKEWOOD I BL A LT 6
5B2101190050	Jacob W Pegoda; Elizabeth J Pegoda	$7,972	9358 Rivercourt Way	LAKEWOOD I BL A LT 5
5B2101190040	Joseph Deats; Rebekah Deats; Luann Dorothy Schetky	$7,972	9354 Rivercourt Way	LAKEWOOD I BL A LT 4
5B2101190030	Temsco Helicopters Inc	$7,972	9350 Rivercourt Way	LAKEWOOD I BL A LT 3
5B2101190020	Jennifer Ellen Coale; Erik Michael Pearson	$7,972	9346 Rivercourt Way	LAKEWOOD I BL A LT 2
5B2101190140	Jessica Leeah	$7,972	9394 Rivercourt Way	LAKEWOOD I BL A LT 14
5B2101190160	Taber Living Trust John R Taber, Sharon Anne Taber,; John R Taber, Sharon Anne Taber,	$7,972	9399 Rivercourt Way	LAKEWOOD I BL A LT 16

5B2101190150	Christopher Wallace; Christy Wallace	$7,972	9398 Rivercourt Way	LAKEWOOD I BL A LT 15
5B2101260090	Stacey Lee Lacey; Joshua Aaron Lacey	$7,972	9375 Rivercourt Way	LAKEWOOD I BL G LT 9
5B2101260060	Matthew A Haynes	$7,972	9363 Rivercourt Way	LAKEWOOD I BL G LT 6
5B2101260050	Kohl Thomas Jaeger; Kyelisa Noel Graham; Howard R Jaeger; Roberta Jaeger	$7,972	9359 Rivercourt Way	LAKEWOOD I BL G LT 5
5B2101260040	Kenneth P Arnoldt	$7,972	9355 Rivercourt Way	LAKEWOOD I BL G LT 4
5B2101260030	Joseph B Liddle; Melinda Liddle	$7,972	9351 Rivercourt Way	LAKEWOOD I BL G LT 3
5B2101260150	Heidi A Teshner; Noah E Teshner	$7,972	9352 Lakeview Ct	LAKEWOOD I BL G LT 15
5B2101260140	Erik Clark; Jacquelyn Clark	$7,972	9356 Lakeview Ct	LAKEWOOD I BL G LT 14
5B2101260130	Amanda Swanson; Derik Swanson	$7,972	9360 Lakeview Ct	LAKEWOOD I BL G LT 13
5B2101260120	Thi Thu Mai Nguyen	$7,972	9362 Lakeview Ct; 9364 Lakeview Ct	LAKEWOOD I BL G LT 12
5B2101260190	Daniel L Randall	$7,972	9345 Lakeview Ct	LAKEWOOD I BL G LT 19
5B2101260230	Marques Dumaop; Letecia Dumaop	$7,972	9361 Lakeview Ct	LAKEWOOD I BL G LT 23
5B2101260240	Christopher Joseph Toupin; Wendy M Germain Toupin	$7,972	9365 Lakeview Ct	LAKEWOOD I BL G LT 24
5B2101270050	Clinton D Singletary; Michelle R Singletary	$7,972	9352 Center Ct	LAKEWOOD I BL G LT 29
5B2101260200	Christena A Leamer; Kelly O Leamer	$7,972	9349 Lakeview Ct	LAKEWOOD I BL G LT 20
5B2101260210	Aaron J Katzeek; Jennifer L Katzeek	$7,972	9351 Lakeview Ct; 9353 Lakeview Ct	LAKEWOOD I BL G LT 21
5B2101260220	Carl Gordon Weimer; Sharilee A Weimer	$7,972	9357 Lakeview Ct	LAKEWOOD I BL G LT 22
5B2101270010	David J Landes; Robin K Landes	$7,972	3332 Meander Way	LAKEWOOD I BL G LT 25
5B2101270020	Michael T Matthews; Samantha A Blankenship	$7,972	3336 Meander Way	LAKEWOOD I BL G LT 26

5B2101270030	Maureen Lare; Daniel Michrowski	$7,972	3340 Meander Way	LAKEWOOD I BL G LT 27
5B2101270040	Laurel G Mendivil	$7,972	9356 Center Ct	LAKEWOOD I BL G LT 28
5B2101260100	John Andrew Grant	$7,972	3314 Meander Way	LAKEWOOD I BL G LT 10
5B2101260110	Cer Harley Scott; Margarete Ruth Katzeek	$7,972	9368 Lakeview Ct	LAKEWOOD I BL G LT 11
5B2101200080	Dee Pearson; Robert Pearson	$7,972	3331 Meander Way; 3333 Meander Way	LAKEWOOD I BL B LT 8
5B2101200070	Garrett Schoenberger; Florentina V Schoenberger	$7,972	3327 Meander Way	LAKEWOOD I BL B LT 7
5B2101200060	Brian J Goettler; Kimberly D Goettler	$7,972	3323 Meander Way	LAKEWOOD I BL B LT 6
5B2101200050	Harvey E Hergett; Pamela K Hergett	$7,972	3319 Meander Way	LAKEWOOD I BL B LT 5
5B2101200040	Christine R Shaw; Adam J Shaw	$7,972	3315 Meander Way	LAKEWOOD I BL B LT 4
5B2101200030	Benjamin Miller	$7,972	3311 Meander Way	LAKEWOOD I BL B LT 3
5B2101200020	Loretta Bessie Neal	$7,972	9387 Rivercourt Way	LAKEWOOD I BL B LT 2
5B2101200010	Scott W Heaton; Traci S Heaton	$7,972	9391 Rivercourt Way	LAKEWOOD I BL B LT 1
5B2101200090	Bjorn and Stefane Wolter Living Trust C/O Bjorn Hugo Karl & Stefanie Ruth Wolter Trustees; C/O Bjorn Hugo Karl & Stefanie Ruth Wolter Trustees	$7,972	3335 Meander Way	LAKEWOOD I BL B LT 9
5B2101200130	Robert Michael Atadero; Adrienne Kent Atadero	$7,972	3377 Meander Way	LAKEWOOD I BL B LT 13
5B2101200120	Lisa Bryant	$7,972	3361 Meander Way	LAKEWOOD I BL B LT 12
5B2101200110	Alan and Joann Steininger Living Trust Alan John Steininger & Joann Steininger As Trustees; Alan John Steininger & Joann Steininger As Trustees	$7,972	3343 Meander Way	LAKEWOOD I BL B LT 11

5B2101200100	William F Race; Sara M Race	$7,972	3339 Meander Way	LAKEWOOD I BL B LT 10
5B2101200140	Morgan Cruz Erisman; Vladimir Cruz	$7,972	3379 Meander Way	LAKEWOOD I BL B LT 14
5B2101200150	Timothy Brueggeman; Tina Brueggeman	$7,972	3401 Meander Way	LAKEWOOD I BL B LT 15
5B2101200160	Joshua A Hamilton; Andrea L Hamilton	$7,972	3425 Meander Way	LAKEWOOD I BL B LT 16
5B2101270070	Michael T Stevenson; Janice S Stevenson	$7,972	9344 Center Ct	LAKEWOOD I BL G LT 31
5B2101260180	Julius K Wery; Regina A Wery	$7,972	9341 Lakeview Ct	LAKEWOOD I BL G LT 18
5B2101260170	Timothy A Wagner	$7,972	9344 Lakeview Ct	LAKEWOOD I BL G LT 17
5B2101260010	Scott Gilmour; Traci K Gilmour	$7,972	9343 Rivercourt Way	LAKEWOOD I BL G LT 1
5B2101260020	Debra Dianne James Revocable Trust	$7,972	9347 Rivercourt Way	LAKEWOOD I BL G LT 2
5B2101260160	Karen Fern Capp Living Trust Karen F Capp As Trustee; Karen F Capp As Trustee	$7,972	9348 Lakeview Ct	LAKEWOOD I BL G LT 16
5B2101260080	Nina Ann D'Andrade; Bernadine Althea Deasis	$7,972	9371 Rivercourt Way	LAKEWOOD I BL G LT 8
5B2101260070	Benjamin J Beck; Josephine A Beck	$7,972	9367 Rivercourt Way	LAKEWOOD I BL G LT 7
5B2501480050	Damon Clemans Living Trust Damon Nathan Clemans As Trustee; Damon Nathan Clemans As Trustee	$7,972	4248 Marion Dr	NORTH RIVERSIDE BL C LT 7
5B2501480060	Anna Hoke; Ronan Tagsip	$7,972	4242 Marion Dr; 4244 Marion Dr	NORTH RIVERSIDE BL C LT 9
5B2501480090	Elenoa F Lehauli; Sosaia H Lehauli	$7,972	4239 Riverside Dr	NORTH RIVERSIDE BL C LT 10
5B2501480120	Shelby Mccormick	$7,972	4243 Riverside Dr Unit B	NORTH RIVERSIDE BL C LT 6B
5B2501480080	Amberly R Jeffers	$7,972	4237 Riverside Dr	NORTH RIVERSIDE BL C LT 12

5B2501480100	Mel J Personett II	$7,972	4241 Riverside Dr	NORTH RIVERSIDE BL C LT 8
5B2501480110	Geraldine L Stoll; Michael Stoll	$7,972	4243 Riverside Dr Unit A	NORTH RIVERSIDE BL C LT 6A
5B2501480070	A Lee Liberte Revocable Trust A Lee Liberte As Trustee; A Lee Liberte As Trustee	$7,972	4238 Marion Dr	NORTH RIVERSIDE BL C LT 11
5B2501480130	Bradford J Dybdahl; Aja T Dybdahl	$7,972	4245 Riverside Dr	NORTH RIVERSIDE BL C LT 4A
5B2501480030	Desiree J Duncan	$7,972	4449 Taku Blvd	NORTH RIVERSIDE BL C LT 3
5B2501480040	Samuel A Russell; Erin N Russell	$7,972	4250 Marion Dr	NORTH RIVERSIDE BL C LT 5
5B2501480020	Lucinda Brown Mills; Michael Mills	$7,972	4447 Taku Blvd	NORTH RIVERSIDE BL C LT 2
5B2501030100	Eddie E Carte; Christine E Carte	$7,972	9229 Long Run Dr	LENGTHY ACRES BL 1 LT J
5B2101220110	John E Taylor; Carol D Taylor	$7,972	3483 Stream Ct	LAKEWOOD III BL C LT 10A
5B2101220120	Marc Lofgren; Carolyn Lofgren	$7,972	3481 Stream Ct	LAKEWOOD III BL C LT 10B
5B2501040020	Jessica Marie Coullard; Louis Phillip Coullard	$7,972	9409 Long Run Dr	LENGTHY ACRES BL 3 LT B
5B2501460012	Gregory A Thomas; Anita A Thomas	$7,972	4293 Marion Dr	VAN VLEITS LANDING LT 1
5B2501460014	Jeffry L Lind; Ann M Lind	$7,972	4299 Marion Dr	LINDS OASIS LT 2
5B2101240100	Isaac Benson; Selina Finley	$7,972	9354 Northland St; 9354 Northland St Unit B	LAKEWOOD III BL E LT 10
5B2101240190	Tisha Yates	$7,972	9353 Turn St	LAKEWOOD II BL E LT 19
5B2101240200	Douglas H Ward; Lisa E Ward	$7,972	9349 Turn St	LAKEWOOD II BL E LT 20
5B2101240180	Kayla Renee Vaughn; Jesse De Witt Vaughn	$7,972	9359 Turn St	LAKEWOOD II BL E LT 18
5B2601000010	Erlinda E Agahona	$7,972	9413 Long Run Dr	LENGTHY ACRES BL 3 LT D

5B2501440010	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972		TIM LT 3
5B2101320051	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972	3300 Riverside Dr	USS 4598 LT 6 TR A
5B2501410190	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972	4000 Riverside Dr	USS 3872 TR D
5B2601010040	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972		SMITH PARK IV OPEN SPACE
5B2501430010	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972		SMITH PARK VI OPEN SPACE
5B2501430290	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972		SMITH PARK VI OPEN SPACE
5B2101210190	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972		LAKEWOOD III PUBLIC RIVER ACCE
5B2101190170	City and Borough of Juneau Lands and Resources; Lands and Resources	$7,972	Rivercourt Way	LAKEWOOD I BL A RIVER ACCESS

Ordinance 2024-40 Exhibit C

The following parcels are subject to an additional assessment under Section 7.

Parcel #	**Owners**	**Proposed Additional Assessment**	**Street Address**	**Legal Description**
5B2101200060	Brian J Goettler; Kimberly D Goettler	$50,000	3323 Meander Way	LAKEWOOD I BL B LT 6
5B2101200050	Harvey E Hergett; Pamela K Hergett	$50,000	3319 Meander Way	LAKEWOOD I BL B LT 5
5B2101200040	Christine R Shaw; Adam J Shaw	$50,000	3315 Meander Way	LAKEWOOD I BL B LT 4
5B2101200020	Loretta Bessie Neal	$50,000	9387 Rivercourt Way	LAKEWOOD I BL B LT 2

Presented by: The Manager
Introduced: November 18, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(T)

An Ordinance Appropriating $2,500,000 to the Municipal Compost Facility Capital Improvement Project; Grant Funding Provided by the United States Environmental Protection Agency.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $2,500,000 for the Municipal Compost Facility Capital Improvement Project (D77-002).

Section 3. Source of Funds

U.S. Environmental Protection Agency	$2,500,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 18, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(U)

An Ordinance Appropriating $125,000 to the Manager for the Parks and Playground Major Maintenance Capital Improvement Project; Grant Funding Provided by the Alaska Department of Natural Resources.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $125,000 for the Parks and Playground Major Maintenance Capital Improvement Project (P41-108).

Section 3. Source of Funds

Alaska Department of Natural Resources	$125,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 18, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(V)

An Ordinance Appropriating $653,520 to the Manager for the Lemon Creek Multimodal Path Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $653,520 for the Lemon Creek Multimodal Capital Improvement Project (D12-100).

Section 3. Source of Funds

U.S. Department of Transportation	$653,520

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(W)

An Ordinance Appropriating up to $3,000,000 to the Manager for a Loan to Tower Legacy II, LLC for Creekside Apartments; Funding Provided by the Affordable Housing Fund.

WHEREAS, during the 2023 Juneau Affordable Housing Fund solicitation, the City and Borough of Juneau ("CBJ") received a proposal from a private development group for a construction loan of $3,000,000 for 60 apartments (48 efficiency and 12 two-bedroom), of which 21 are affordable as described in section (b)(3) of this ordinance to be developed at USS 381, Tract C Fraction, in Juneau, Alaska; and

WHEREAS, the Juneau Affordable Housing Fund Review Committee recommends the Assembly approve a loan of $3,000,000 to Tower Legacy II, LLC, for the Creekside Apartment Project; and

WHEREAS, CBJ and Tower Legacy II, LLC agree that since a bank loan will be used for the development project that a loan from CBJ must be secured in a manner that places CBJ's interests after those of the bank, otherwise a bank will not loan on a development project; and

WHEREAS, given the high demand for housing and the potential benefits for the community if the Creekside apartment project is fully developed, the following appropriation terms and conditions are in the best interest of the community.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $3,000,000 for a loan to the Creekside apartment project.

Section 3. Source of Funds.

Juneau Affordable Housing Fund $3,000,000

Section 4. Loan Purpose and Terms. The Manager is authorized to negotiate a loan contract with Tower Legacy II, LLC, with the following essential terms, in addition to other reasonable contractual and financing provisions deemed necessary by the Manager to protect the City and Borough:

(a) Intent. Housing is in high demand. The purpose of this loan is to provide capital in the form of a construction loan, secured by a mortgage lien, to encourage and facilitate the development of 48 efficiency apartments to be developed at USS 381, Tract C FR, in Juneau, Alaska. The 60 units must be constructed as one phase consisting of two separate buildings, one building after the other.

(b) Restrictions. The Manager must include, and the Borrower must agree to, the following restrictions which are necessary to protect the public's interest with this loan:

(1) Rentable Apartments. During the term of this loan, the housing units must remain apartments and available to rent. The apartments may be converted to other forms of housing (i.e. condos) upon complete satisfaction of the CBJ loan.

(2) Short-Term Rental. During the term of this loan, no apartment may be used as a short-term rental. The short-term rental restriction expires upon complete satisfaction of the $3,000,000 CBJ loan.

(3) Affordability. A minimum of 18 efficiency units must be rented or available for rent for $1,150 per month and three, two-bedroom units must be rented or available for $1,600 per month adjusted for inflation annually for the term of the loan as outlined in the application submitted for the JAHF.

(c) Borrower. The Developer/Borrower is Tower Legacy II, LLC, represented by Paul Simpson, who is a 34.85 % owner of the Limited Liability Company and Tower IV, LLC (owned 100% by Joseph Loconti) who is 65.15% of the Limited Liability Company.

(d) Real Property ("Property"). This appropriation is for a 60-unit development on a portion of the following real property:

USS 381, TR C Fraction, Plat 1984-52, according to Plat 1984-52, Juneau Recording District, First Judicial District, State of Alaska.

(e) Loan Amount. A construction loan of $3,000,000 shall be made to Tower legacy II, LLC, in a single disbursement.

(f) Payment Term. Tower Legacy II, LLC shall pay CBJ monthly once repayment of the loan commences. Monthly payments shall begin the first business day of the first month that occurs six months after a final certificate of occupancy is obtained from the CBJ Building Official. The loan payments shall be calculated on a 25-year amortization schedule and the full amount of the loan shall be due after 10 years of payments (120 monthly payments).

(g) Interest Rate and Calculation. The loan authorized by the ordinance will be at zero percent (0%) per annum from disbursement and for the first five years of the loan repayment and two percent (2%) per annum for the remaining five years of the loan repayment. After ten years of payments, the loan shall be repaid in full.

(h) Security. Tower Legacy II, LLC must agree and grant authority to the City and Borough of Juneau to secure and record a lien for the full loan amount plus interest, costs, and reasonable attorney's fees related to or arising from the mortgage contract against the real property and all personal property owned by the Borrower on or near the real property. Tower Legacy II, LLC and the City and Borough may renegotiate the terms of the property which provides security for the loan over the life of the loan, but the security must match or exceed the value of the outstanding loan. Tower Legacy II, LLC must further agree to authorize the City and Borough to secure the loan with liens on any materials purchased with the loaned money; the City and Borough will release the materials liens either upon Tower Legacy II, LLC completing repayment or upon permanently installing the materials onto or into the property.

(i) Subrogation. The Manager may subrogate the CBJ's interests to those of the commercial banking lender.

(j) Additional Loan Terms. The Manager may add additional terms consistent with the intent of this ordinance.

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

Adopted this day of December 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(X)

An Ordinance Appropriating up to $1,000,000 to the Manager for a Loan to BroKo Holdings, LLC for 220 Front Street; Funding Provided by the Affordable Housing Fund.

WHEREAS, during the 2024 Juneau Affordable Housing Fund solicitation, the City and Borough of Juneau ("CBJ") received a proposal from a private development group for a construction loan of $1,000,000 for 22 apartments (16 one-bedroom and 6 two-bedroom) to be developed at Juneau Townsite BL 3 G LT 2 in Juneau, Alaska; and

WHEREAS, the Juneau Affordable Housing Fund Review Committee recommends the Assembly approve a loan $1,000,000 to BroKo Holdings, LLC, for the 220 Front Street project; and

WHEREAS, CBJ and BroKo Holdings, LLC agree that since a bank loan will be used for the development project that a loan from CBJ must be secured in a manner that places CBJ's interests after those of the bank, otherwise a bank will not loan on a development project; and

WHEREAS, given the high demand for housing and the potential benefits for the community if the 220 Front Street project is fully developed, the following appropriation terms and conditions are in the best interest of the community.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of $1,000,000 for a loan to the 220 Front Street apartment project.

Section 3. Source of Funds.

Juneau Affordable Housing Fund $1,000,000

Section 4. Loan Purpose and Terms. The Manager is authorized to negotiate a loan contract with BroKo Holdings, LLC, with the following essential terms, in addition to other reasonable contractual and financing provisions deemed necessary by the Manager to protect the City and Borough:

(a) Intent. Housing is in high demand. The purpose of this loan is to provide capital in the form of a construction loan, secured by a mortgage lien, to encourage and facilitate the development of 16 one-bedroom and 6 two-bedroom apartments to be developed at Juneau Townsite BL 3 G LT 2 & 3 in Juneau, Alaska.

(b) Restrictions. The Manager must include, and the Borrower must agree to, the following restrictions which are necessary to protect the public's interest with this loan:

(1) Rentable Apartments. During the term of this loan, the housing units must remain apartments and available to rent. The apartments may be converted to other forms of housing (i.e. condos) upon complete satisfaction of the CBJ loan.

(2) Short-term rental. During the term of this loan, no apartment may be used as a short-term rental. The short-term rental restriction expires upon complete satisfaction of the CBJ loan.

(3) Affordability. 20 of the resulting 22 units must be rented or available for rent to people who make 80% or less than the Juneau Area Median Income ($1,932 or less for a one-bedroom and $2,174 or less for a two-bedroom per month) adjusted for inflation annually for 30 years.

(c) Borrower. The Developer/Borrower is BroKo Holdings, LLC, entity # 10254978, represented by Zachary Kohan and Adam Brown who are 50% each owner of the Limited Liability Company.

(d) Real Property ("Property"). This appropriation is for a 22-unit development on a portion of the following real property:

Juneau Townsite BL 3 G LT 2 & 3 according to Plat 1914-2, Juneau Recording District, First Judicial District, State of Alaska.

(e) Loan Amount. A construction loan of $1,000,000 shall be made to BroKo Holdings, LLC, in a single disbursement.

(f) Payment Term. BroKo Holdings, LLC shall pay CBJ monthly once repayment of the loan commences. Monthly payments shall begin the first business day of the first month that occurs six months after a final certificate of occupancy is obtained from the CBJ Building Official. The loan payments shall be calculated on a 25-year amortization schedule and the full amount of the loan shall be due after 10 years of payments (120 monthly payments).

(g) Interest Rate and Calculation. The loan authorized by the ordinance will be at zero percent (0%) per annum from disbursement and for the first five years of the loan repayment and two percent (2%) per annum for the remaining five years of the loan repayment. After ten years of payments, the loan shall be repaid in full.

(h) Security. BroKo Holdings, LLC must agree and grant authority to the City and Borough to secure and record a lien for the full loan amount plus interest, costs, and reasonable attorney's fees related to or arising from the mortgage contract against the real property and all personal property owned by the Borrower on or near the real property. BroKo Holdings, LLC and the City and Borough may renegotiate the terms of the property which provides security for the loan over the life of the loan, but the security must match or exceed the value of the outstanding loan. BroKo Holdings, LLC must further agree to authorize the City and Borough to secure the loan with liens on any materials purchased with the loaned money; the City and Borough will release the materials liens either upon BroKo Holdings, LLC completing repayment or upon permanently installing the materials onto or into the property.

(i) Subrogation. The Manager may subrogate the CBJ's interests to those of the commercial banking lender.

(j) Additional Loan Terms. The Manager may add additional terms consistent with the intent of this ordinance.

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

Adopted this of December 2024.

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Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-36

An Ordinance Amending the Uniform Alaska Remote Sellers Sales Tax Code.

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

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

Section 2. Amendment of Chapter. Chapter 69.06 Uniform Alaska Remote Seller Sales Tax, is amended to read:

69.06.010 Interpretation.

(a) In order to prevent evasion of the sales taxes and to aid in its administration, it is presumed that all sales and services by a person or entity engaging in business are subject to the sales tax.

(b) The application of the tax to be collected under this chapter shall be broadly construed and shall favor inclusion rather than exclusion.

(c) Exemptions from the tax to be collected under this chapter shall be narrowly construed against the claimant and allowed only when such exemption clearly falls within an exemption in the member jurisdiction's code.

(d) The scope of this chapter shall apply to remote sellers or marketplace facilitators, delivering products or services into member municipalities adopting this Code, within the State of Alaska.

69.06.020 Title to collected sales tax.

Upon collection by the remote seller or marketplace facilitator, title to collected sales tax vests in the commission for remittance to the member jurisdiction. The remote seller or marketplace facilitator remits collected sales tax to the commission on behalf of the taxing

jurisdiction, from whom that power is delegated, in trust for the member jurisdiction and is accountable to the commission and member jurisdiction.

69.06.030 Collection; rate.

(a) To the fullest extent permitted by law, the sales tax levied and assessed by the member jurisdiction shall be collected on all remote sales where delivery is made within the member jurisdiction, within the state of Alaska.

(b) The applicable tax shall be added to the sales price as provided in the member jurisdiction's sales tax code, based on point of delivery, and based on the date the property or product was sold or the date the service rendered was received.

~~(c) The tax rate added to the sale price shall be the tax rate for the member jurisdiction(s) where the property or product is sold or service that was rendered is received, and based on the date the property or product was sold or the date the service rendered was received.~~

~~(d)~~(c) An address and tax rate database will be made available to remote sellers and marketplace facilitators, indicating the appropriate tax rate to be applied.

~~(e)~~(d) The tax assessed shall be consistent with relevant jurisdictional tax caps, single unit sales, and exemptions.

~~(f)~~(e) When a sale is made on an installment basis, the applicable sales tax shall be collected at each payment, calculated at the sales tax rate in effect, and with the cap applied, at the time of the original sale or the date the service is rendered, based on the member jurisdictions' code(s).

~~(g)~~(f) When a sales transaction involves placement of a single order with multiple deliveries made at different points in time that are separately invoiced, the applicable sales tax shall be collected on each separately invoiced delivery, calculated at the sales tax rate in effect, and with the cap applied, at the time of the original sale or the date the service is rendered.

(g) The sales tax levied and assessed by the member jurisdiction may be included in the sales price on taxable sales where buyer and seller convenience would be substantially enhanced, provided the seller clearly communicates to the buyer that sales tax is being imposed.

69.06.040 Obligation to collect tax; threshold criteria.

(a) Any remote seller or marketplace facilitator must collect and remit sales tax in compliance with all applicable procedures and requirements of law, provided the remote seller or marketplace facilitator has met ~~one of~~ the following threshold criteria ("threshold criteria") in the current or previous calendar year:

~~(1)~~ The remote seller's statewide gross sales, including the seller's marketplace facilitator's statewide gross sales, from the sale(s) of property, products or services delivered into the state meets or exceeds $100,000~~.00;~~. ~~or~~

~~(2) The remote seller, including the seller's marketplace facilitator, sold property, products, or services delivered into the state in 200 or more separate transactions.~~

(b) For purposes of determining whether the threshold criteria are met, remote sellers or marketplace facilitators shall include all gross sales, from all sales of goods, property, products, or services rendered within the state of Alaska.

(c) The following marketplace facilitators are excluded from the obligation to collect tax outlined in this section:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facilities, homes, apartments, cabins, or other residential dwelling units, and

(3) Marketplaces that facilitate or perform travel agency services.

69.06.050 Reporting and remittance requirements for local and remote sales.

(a) Sellers with a physical presence in a member jurisdiction conducting only local sales shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction.

(b) Sellers with a physical presence in a member jurisdiction that also have remote or internet-based sales where the point of delivery is in a different member jurisdiction shall:

(1) Report and remit the remote or internet sales to the commission; and

(2) Report and remit the local sales to the member jurisdiction.

(c) Sellers with a physical presence in a member jurisdiction that also have remote or internet-based sales where the point of delivery is in the same member jurisdiction shall report and remit those remote sales to the member jurisdiction.

(d) Sellers and marketplace facilitators that do not have a physical presence in a member jurisdiction must report and remit to the commission all remote sales

where the point of delivery is in a member jurisdiction.

(e) A marketplace facilitator is considered the remote seller for each sale facilitated through its marketplace and shall collect, report, and remit sales tax to the commission. ~~A marketplace facilitator is not considered to be the remote seller for each sale or rental of lodging facilitated through its marketplace, wherein the seller is considered to have a physical presence in the member jurisdiction.~~

(f) The following marketplace facilitators shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units, and

(3) Marketplaces that facilitate or perform travel agency services.

69.06.060 Bundled transactions.

(a) If the sales price of a bundled transaction is attributable to products or services that are taxable and products or services that are nontaxable, the portion of the sales price attributable to the nontaxable products may be subject to tax unless the seller can identify the nontaxable portion by reasonable and verifiable standards using its books or records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes.

(b) A bundled transaction as defined in CBJ 69.06.270 does not qualify for exemption under a member jurisdiction's single item cap or single service cap exemption.

(1) A seller may separate the respective portions of a bundle for purposes of applying a member jurisdiction's single item or single service tax cap to each respective portion.

(2) The seller should identify the sales price attributed to each portion by reasonable and verifiable standards using its books or records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes.

69.06.07~~6~~0 No retroactive application.

The obligations to collect and remit sales tax required by this chapter are applicable at the effective date of the member jurisdiction's ordinance adopting the Alaska Remote Seller Sales Tax Code.

69.06.08~~70~~ Payment and collection.

Pursuant to this chapter, taxes imposed shall be due and paid by the buyer to the remote seller or marketplace facilitator at the time of the sale of property or product or date service is rendered, or with respect to credit transactions, at the time of collection. It shall be the duty of each remote seller or marketplace facilitator to collect the taxes from the buyer and to hold those taxes in trust for the taxing authority of the member jurisdiction. Failure by the remote seller or marketplace facilitator to collect the tax shall not affect the remote seller's, or marketplace facilitator's, responsibility for payment to the commission.

69.06.09~~80~~ Remote seller and marketplace facilitator registration requirement.

(a) If a remote seller's gross statewide sales meets or exceeds the threshold criteria under CBJ 69.06.040, the remote seller shall register with the commission. If the remote seller is a marketplace seller and only makes sales in Alaska through a marketplace, the marketplace seller is not required to register with the commission. The marketplace seller must submit an affidavit attesting to these facts on a form provided by the commission.

(b) If a marketplace facilitator's gross statewide sales meets or exceeds the threshold criteria under CBJ 69.06.040, the marketplace facilitator shall register with the commission. This requirement does not apply to the following marketplace facilitators:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units, and

(3) Marketplaces that facilitate or perform travel agency services.

(c) A remote seller or marketplace facilitator meeting the threshold criteria shall apply for a certificate of sales tax registration within 30 calendar days of the effective date of this chapter or within 30 calendar days of meeting the threshold criteria, whichever occurs second. Registration shall be to the commission on forms prescribed by the commission.

(d) An extension may be applied for and granted based on criteria established by the commission, based on evidence produced to describe time necessary to update software or other technical needs, not to exceed 90 days.

(e) Upon receipt of a properly executed application, the commission shall confirm

registration, stating the legal name of the remote seller or marketplace facilitator, the primary address, and the primary sales tax contact name and corresponding title. The failure of the commission to confirm registration does not relieve the remote seller or marketplace facilitator of its duty to collect and remit sales tax.

(f) Each business entity shall have a sales tax registration under the advertised name.

(g) The sales tax certificate is non-assignable and non-transferable.

(h) The sales tax certificate satisfies a member jurisdiction's requirement to obtain a municipal business license, provided the remote seller does not have a physical presence in that member jurisdiction.

69.06.~~090~~100 Tax filing schedule.

(a) All remote sellers or marketplace facilitators subject to this chapter shall file a return on a form or in a format prescribed by the commission and shall pay the tax due.

(b) Filing of sales tax returns are due monthly; quarterly or less frequent filing is optional upon application and approval by the commission, consistent with the code of the member jurisdiction.

(c) A remote seller or marketplace facilitator who has filed a sales tax return will be presumed to be making sales in successive periods unless the remote seller or marketplace facilitator files a return showing a termination or sale of the business in accordance with this chapter.

(d) The completed and executed return, together with the remittance in full for the tax due, shall be transmitted to and must be received by the commission on or before midnight Alaska Standard Time on the due date. Monthly returns are due the last day of the immediate subsequent month. Quarterly returns are due as follows:

Quarter 1 (January – March): April 30.
Quarter 2 (April – June): July 31.
Quarter 3 (July – September): October 31.
Quarter 4 (October – December): January 31.

~~(e) If the last day of the month following the end of the filing period falls on a Saturday, Sunday, federal holiday, or Alaska state holiday, the due date will be extended until the next business day immediately following.~~

(e)~~(f)~~ Any remote seller or marketplace facilitator holding a remote seller registration shall file a sales tax return even though no tax may be due. This return shall show why no tax is due. If the remote seller or marketplace facilitator intends to continue doing business a return shall be filed reflecting no sales and a confirmation of the

intent to continue doing business and shall continue to do so each filing period until the entity ceases doing business or sells the business. If the remote seller or marketplace facilitator intends to cease doing business, a final return shall be filed along with a statement of business closure.

(f)~~(g)~~ The remote seller or marketplace facilitator shall prepare the return and remit sales tax to the commission on the same basis, cash or accrual, which the remote seller or marketplace facilitator uses in preparing its federal income tax return. The remote seller or marketplace facilitator shall sign the return, and transmit the return, with the amount of sales tax and any applicable penalty, interest, or fees that it shows to be due, to the commission.

(g)~~(h)~~ Remote sellers and marketplace facilitators failing to comply with the provisions of this chapter shall, if required by the commission and if quarterly filing has been chosen, file and transmit collected sales taxes more frequently until such time as they have demonstrated to the commission that they are or will be able to comply with the provisions of this chapter. Six consecutive on-time sales tax filings, with full remittance of the sales taxes collected, shall establish the presumption of compliance and return to quarterly filing.

(h)~~(i)~~ The preparer of the sales tax return shall keep and maintain all documentation supporting any and all claims of exempted sales and purchases. Documentation for exempted sales should include the number of the exemption authorization card presented by the buyer at the time of the purchase, the date of the purchase, the name of the person making the purchase, the organization making the purchase, the total amount of the purchase, and the amount of sales tax exempted. This documentation shall be made available to the commission upon request. Failure to provide such documentation may invalidate that portion of the claim of exemption for which no documentation is provided.

69.06.11~~0~~0 Estimated tax.

(a) In the event the commission is unable to ascertain the tax due from a remote seller or marketplace facilitator by reason of the failure of the remote seller or marketplace facilitator to keep accurate books, allow inspection, or file a return, or by reason of the remote seller or marketplace facilitator filing a false or inaccurate return, the commission may make an estimate of the tax due based on any evidence in their possession.

(b) Sales taxes may also be estimated, based on any information available, whenever the commission has reasonable cause to believe that any information on a sales tax return is not accurate.

(c) A remote seller's or marketplace facilitator's tax liability under this chapter may be determined and assessed for a period of three years after the date the return was filed or due to be filed with the commission. No civil action for the collection of such

tax may be commenced after the expiration of the three-year period except an action for taxes, penalties, and interest due from those filing periods that are the subject of a written demand or assessment made within the three-year period, unless the remote seller or marketplace facilitator waives the protection of this section.

(d) The commission shall notify the remote seller or marketplace facilitator, in writing, that the commission has estimated the amount of sales tax that is due from the remote seller or marketplace facilitator. The commission shall serve the notice on the remote seller or marketplace facilitator by delivering the notice to the remote seller's or marketplace facilitator's place of business, or by mailing the notice by certified mail, return receipt requested, to the remote seller's or marketplace facilitator's last known mailing address. A remote seller or marketplace facilitator who refuses the certified mail will be considered to have accepted the certified mail for purposes of service.

(e) The commission's estimate of the amount of sales tax that is due from a remote seller or marketplace facilitator shall become a final determination of the amount that is due unless the remote seller or marketplace facilitator, within 30 calendar days after service of notice of the estimated tax:

(1) Files a complete and accurate sales tax return for the delinquent periods supported by satisfactory records and accompanied by a full remittance of all taxes, interest, penalties, costs, and other charges due; or

(2) Files a written notice with the commission appealing the estimated tax amount in accordance with the appeal procedures under the provisions of CBJ 69.06.160.

(3) Arguments or reasons for failure to timely file a return and remit taxes collected shall not be considered a valid basis or grounds for granting an appeal. The basis and grounds for granting an appeal of an assessment are:

(A) The identity of the remote seller or marketplace facilitator is in error;

(B) The amount of the debt is erroneous due to a clerical error (and the nature and extent of the error is specified in the request for appeal); or

(C) The remote seller or marketplace facilitator disputes the denial of exemption(s) for certain sales.

(f) The amount of sales tax finally determined to be due under this section shall bear interest and penalty from the date that the sales tax originally was due, plus an additional civil penalty of $50~~.00~~ for each calendar month or partial month for which the amount of sales tax that is due has been determined.

69.06.12~~1~~0 Returns; filing contents.

(a) Every remote seller or marketplace facilitator required by this chapter to collect sales tax shall file with the commission upon forms furnished by the commission a return setting forth the following information:

(1) Gross sales ~~rounded to the nearest dollar~~;

(2) The nontaxable portions separately stating the amount of sales revenue attributable to each class of exemption ~~rounded to the nearest dollar~~;

(3) Computation of taxes to be remitted;

(4) Calculated discount (if applicable) based on member jurisdiction's code; and

(5) Such other information as may be required by the commission.

(b) Each tax return remitted by a remote seller or marketplace facilitator shall be signed (digital or otherwise) by a responsible individual who shall attest to the completeness and accuracy of the information on the tax return.

(c) The commission reserves the right to reject a filed return for failure to comply with the requirements of this Code for up to three months from the date of filing. The commission shall give written notice to a remote seller or marketplace facilitator that a return has been rejected, including the reason for the rejection.

69.06.13~~2~~0 Refunds.

(a) Upon request from a buyer or remote seller or marketplace facilitator, the commission shall provide a determination of correct tax rate and amount applicable to the transaction. In the case of an overpayment of taxes, the remote seller or marketplace facilitator shall process the refund and amend any returns accordingly.

(b) A claim for a refund of sales taxes collected in error shall be denied unless:

(1) The claimant files a claim for refund with the Commission within one year of the date of sale, on the form prescribed by the Commission; and

(2) If the claimant is a remote seller or marketplace facilitator, and the tax refund is owed to any buyer, the remote seller or marketplace facilitator submits, and the commission approves, a refund plan to all affected buyers.

(c) Interest will not be paid on tax refund requests filed with the commission.

~~(d) The member jurisdictions may allow a buyer to request a refund directly from the member jurisdiction.~~

69.06.14~~3~~0 Amended returns.

(a) A remote seller or marketplace facilitator may file an amended sales tax return, with supporting documentation, and the commission may accept the amended return, but only in the following circumstances:

(1) The amended return is filed within one year of the original due date for the return for amended returns reducing the originally reported tax due; and

(2) The remote seller or marketplace facilitator provides a written justification for requesting approval of the amended return; and

(3) The remote seller or marketplace facilitator agrees to submit to an audit upon request of the commission.

(4) An amended return that increases the tax due from the amount originally reported can be submitted by a remote seller or marketplace facilitator at any time.

(b) The commission shall notify the remote seller or marketplace facilitator in writing (by email or otherwise) whether the commission accepts or rejects an amended return, including the reasons for any rejection.

(c) The commission may adjust a return for a remote seller or marketplace facilitator if, after investigation, the commission determines the figure included in the original returns are incorrect; and the commission adjusts the return within three years of the original due date for the return.

(d) A remote seller or marketplace facilitator may file a supplemental sales tax return, with supporting documentation, and the commission may accept the supplemental return, but only in the following circumstances:

(1) The remote seller or marketplace facilitator provides a written justification for requesting approval of the supplemental return; and

(2) The remote seller or marketplace facilitator agrees to submit to an audit upon request of the commission.

69.06.15~~4~~0 Extension of time to file tax return.

Upon written application of a remote seller or marketplace facilitator, stating the reasons therefor, the commission may extend the time to file a sales tax return but only if the commission finds each of the following:

(1) For reasons beyond the remote seller's or marketplace facilitator's control, the remote seller or marketplace facilitator has been unable to maintain in a current condition the books and records that contain the information required to complete the return;

(2) Such extension is a dire necessity for bookkeeping reasons and would avert undue hardship upon the remote seller or marketplace facilitator;

(3) The remote seller or marketplace facilitator has a plan to cure the problem that caused the remote seller or marketplace facilitator to apply for an extension and the remote seller or marketplace facilitator agrees to proceed with diligence to cure the problem;

(4) At the time of the application, the remote seller or marketplace facilitator is not delinquent in filing any other sales tax return, in remitting sales tax to the commission or otherwise in violation of this chapter;

(5) No such extension shall be made retroactively to cover existing delinquencies.

69.06.16~~50~~ Audits.

(a) Any remote seller or marketplace facilitator who has registered with the commission, who is required to collect and remit sales tax, or who is required to submit a sales tax return is subject to a discretionary sales tax audit at any time. The purpose of such an audit is to examine the business records of the remote seller or marketplace facilitator in order to determine whether appropriate amounts of sales tax revenue have been collected by the remote seller or marketplace facilitator and remitted to the commission.

(b) The commission is not bound to accept a sales tax return as correct. The commission may make an independent investigation of all retail sales or transactions conducted within the State or member jurisdiction.

(c) The records that a remote seller or marketplace facilitator is required to maintain under this chapter shall be subject to inspection and copying by authorized employees or agents of the commission for the purpose of auditing any return filed under this chapter, or to determine the remote seller's or marketplace facilitator's liability for sales tax where no return has been filed.

(d) In addition to the information required on returns, the commission may request, and the remote seller or marketplace facilitator must furnish, any reasonable information deemed necessary for a correct computation of the tax.

(e) The commission may adjust a return for a remote seller or marketplace facilitator if, after investigation or audit, the commission determines that the figures included in the original return are incorrect, and that additional sales taxes are due; and the commission adjusts the return within three of the original due date for the return.

(f) If after investigation or audit, the commission determines that he remote seller or marketplace facilitator over-collected sales taxes, the remote seller or marketplace facilitator may request a refund with the submission of a detailed refund plan outlining the process by which the impacted customer will be refunded; the refund plan must be approved by the commission before the refund will be issued to the remote seller or marketplace facilitator.

(g)~~(f)~~ For the purpose of ascertaining the correctness of a return or the amount of taxes owed when a return has not been filed, the commission may conduct investigations, hearings, and audits, and may examine any relevant books, papers, statements, memoranda, records, accounts, or other writings of any remote seller or marketplace facilitator at any reasonable hour on the premises of the remote seller or marketplace facilitator, and may require the attendance of any officer or employee of the remote seller or marketplace facilitator. Upon written demand by the commission, the remote seller or marketplace facilitator shall present for examination, in the office of the commission, such books, papers, statements, memoranda, records, accounts, and other written material as may be set out in the demand unless the commission and the person upon whom the demand is made agree to presentation of such materials at a different place.

(h)~~(g)~~ The commission may issue subpoenas to compel attendance or to require production of relevant books, papers, records, or memoranda. If any remote seller or marketplace facilitator refuses to obey any such subpoena, the commissioner may refer the matter to the commission's attorney for an application to the superior court for an order requiring the remote seller or marketplace facilitator to comply there with.

(i)~~(h)~~ Any remote seller, marketplace facilitator, or person engaged in business who is unable or unwilling to submit their records to the commission shall be required to pay the commission for all necessary expenses incurred for the examination and inspection of their records maintained outside the commission.

(j)~~(i)~~ After the completion of a sales tax audit, the results of the audit will be sent to the business owner's address of record.

(k)~~(j)~~ In the event the commission, upon completion of an audit, discovers more than $500~~.00~~ in additional sales tax due from a remote seller or marketplace facilitator resulting from a remote seller's or marketplace facilitator's failure to accurately report sales and taxes due thereupon, the remote seller or marketplace facilitator shall bear responsibility for the full cost of the audit. The audit fee assessment will be in addition to interest and penalties applicable to amounts deemed to be

delinquent by the commission at the time of the conclusion of the audit.

69.06.17~~60~~ ~~Audit or estimated tax protest~~ Protests.

(a) If the remote seller or marketplace facilitator wishes to dispute a finding of the commission involving taxable sales, sales taxes, or penalties and interest ~~the amount of the estimate, or the results of an examination or audit~~, the remote seller or marketplace facilitator must file a written protest with the ~~commission~~ protest review committee, within 30 calendar days of the date of the written notice of the commission's findings ~~estimated tax or results of an audit or examination~~. The protest must set forth:

(1) The remote seller's or marketplace facilitator's justification for reducing or increasing the taxes, penalties, or interest due from the commission's findings ~~estimated tax amount, including any missing sales tax returns for the periods estimated~~; or

(2) The remote seller's or marketplace facilitator's reasons for challenging the commission's findings ~~examination or audit results~~.

(b) In processing the protest, the ~~commission~~ protest review committee may hold an informal meeting or hearing with the remote seller or marketplace facilitator, either on its own or upon request of the remote seller or marketplace facilitator, and may also require that the remote seller or marketplace facilitator submit to an audit, if one was not previously conducted or a more formal audit, if an estimation audit was previously performed.

(c) The ~~commission~~ protest review committee shall make a final written determination on the remote seller's or marketplace facilitator's protest and mail a copy of the determination to the remote seller or marketplace facilitator.

(d) If a written protest is not filed within 30 days of the date of the written notice of ~~estimated tax or the result of a review, audit, or examination~~ the commission's findings, then the ~~estimated tax, review, audit, or examination result~~ findings shall be final, due and payable to the commission.

69.06.18~~70~~ Penalties and interest for late filing.

(a) A late filing fee of $25~~.00~~ per month, or fraction thereof, shall be added to all late-filed sales tax reports, until a total of $100~~.00~~ has been reached. An incomplete return shall be treated as the filing of no return.

(b) Delinquent sales tax bear interest at the rate of 15 percent per annum until paid.

(c) In addition, delinquent sales tax shall be subject to an additional penalty of five percent per month, or fraction thereof, until a total of 20 percent of delinquent tax

has been reached. The penalty does not bear interest.

(d) Penalties and interest shall be assessed and collected in the same manner as the tax is assessed and collected, and applied first to penalties and interest, second to past due sales tax.

(e) The filing of an incomplete return, or the failure to remit all tax, shall be treated as the filing of no return.

(f) A penalty assessed under this section for the delinquent remittance of sales tax or failure to file a sales tax return may be waived by the commission, upon written application of the remote seller or marketplace facilitator accompanied by a payment of all delinquent sales tax, interest, and penalty otherwise owed by the remote seller or marketplace facilitator, within 45 calendar days after the date of delinquency. A remote seller or marketplace facilitator may not be granted more than one waiver of penalty under this subsection in any one calendar year, in accordance with the commission's penalty waiver policy. The commission shall report such waivers of penalty to the member jurisdiction, in writing.

69.06.1~~9~~80 Remote reseller certificate of exemption.

(a) A remote seller with no physical presence in a member jurisdiction purchasing goods or services for the express purpose of resale to buyer(s) located in that member jurisdiction shall apply for a resale certificate through the commission.

(b) The Remote Reseller Certificate of Exemption will expire at the end of the calendar year it is issued.

69.06.~~19~~200 Repayment plans.

(a) The commission may agree to enter into a repayment plan with a delinquent remote seller or marketplace facilitator. No repayment plan shall be valid unless agreed to by both parties in writing.

(b) A remote seller or marketplace facilitator shall not be eligible to enter into a repayment plan with the commission if the remote seller or marketplace facilitator has defaulted on a repayment plan in the previous two calendar years.

(c) The repayment plan shall include a secured promissory note that substantially complies with the following terms:

(1) The remote seller or marketplace facilitator agrees to pay a minimum of 10 ~~ten~~ percent down payment on the tax, interest, and penalty amount due. The down payment shall be applied first to penalty, then to accumulated interest, and then to the tax owed.

(2) The remote seller or marketplace facilitator agrees to pay the balance of the tax, penalty and interest owed in monthly installments over a period not to exceed two years.

(3) Interest at a rate of 15 percent per annum shall accrue on the principal sum due. Interest shall not apply to penalties owed or to interest accrued at the time the repayment plan is executed or accruing during the term of the repayment plan.

(4) If the remote seller or marketplace facilitator is a corporation or a limited liability entity the remote seller or marketplace facilitator agrees to provide a personal guarantee of the obligations under the repayment plan.

(5) The remote seller or marketplace facilitator agrees to pay all future tax bills in accordance with the provisions of this chapter.

(6) The remote seller or marketplace facilitator agrees to provide a security interest in the form of a sales tax lien for the entire unpaid balance of the promissory note to be recorded by the commission at the time the repayment plan is signed. The remote seller or marketplace facilitator shall be responsible for the cost of recording the tax lien.

(d) If a remote seller or marketplace facilitator fails to pay two or more payments in accordance with the terms of the repayment plan agreement, the remote seller or marketplace facilitator shall be in default and the entire amount owed at the time of default shall become immediately due. The commission will send the remote seller or marketplace facilitator a notice of default. The commission may immediately foreclose on the sales tax lien or take any other remedy available under the law.

69.06.21~~00~~ Remote seller or marketplace facilitator record retention.

Remote sellers or marketplace facilitators shall keep and preserve suitable records of all sales made and such other books or accounts as may be necessary to determine the amount of tax that the remote seller or marketplace facilitator is obliged to collect. Remote sellers or marketplace facilitators shall preserve suitable records of sales for a period of three years from the date of the return reporting such sales, and shall preserve for a period of three years all documentation supporting exempted sales of goods or services, and all such other books, invoices, and records as may be necessary to accurately determine the amount of taxes which the remote seller or marketplace facilitator was obliged to collect under this chapter.

69.06.22~~10~~ Cessation or transfer of business.

(a) A remote seller or marketplace facilitator who sells, leases, conveys, forfeits, assigns, gifts, or otherwise transfers (collectively, a “transfer”) the majority of their

business interest, including to a creditor or secured party, shall make a final sales tax return within 30 days after the date of such conveyance.

(b) At least ~~ten~~ 10 business days before any such transfer is completed, the remote seller or marketplace facilitator shall send to the commission, by approved communication (email confirmation, certified first-class mail, postage prepaid) a notice that the remote seller's or marketplace facilitator's interest is to be conveyed and shall include the name, address, and telephone number of the person or entity to whom the interest is to be conveyed.

(c) Upon notice of transfer and disclosure of buyer, the commission shall be authorized to disclose the status of the remote seller's or marketplace facilitator's sales tax account to the named buyer or assignee.

(d) Upon receipt of notice of a transfer, the commission shall send the transferee a copy of the Uniform Alaska Remote Seller Sales Tax Code with this section highlighted.

(e) Neither the commission's failure to give the notice nor the transferee's failure to receive the notice shall relieve the transferee of any obligations under this section.

(f) Following receipt of the notice, the commission shall have 60 days in which to perform a final sales tax audit and assess sales tax liability against the remote seller or marketplace facilitator. If the notice is not mailed at least ~~ten~~ 10 business days before the transfer is completed, the commission shall have 12 months from the date of the completion of the transfer or the commission's knowledge of the completion of the transfer within which to begin a final sales tax audit and assess sales tax liability against the remote seller or marketplace facilitator. The commission may also initiate an estimated assessment if the requirements for such an assessment exist.

(g) A person acquiring any interest of a remote seller or marketplace facilitator in a business required to collect the tax under this chapter assumes the liability of the remote seller or marketplace facilitator for all taxes due the commission, whether current or delinquent, whether known to the commission or discovered later, and for all interest, penalties, costs, and charges on such taxes.

(h) Before the effective date of the transfer, the transferee of a business shall obtain from the commission an estimate of the delinquent sales tax, penalty, and interest, if any, owed by the remote seller or marketplace facilitator as of the date of the transfer, and shall withhold that amount from the consideration payable for the transfer, until the remote seller or marketplace facilitator has produced a receipt from the commission showing that all tax obligations imposed by this chapter have been paid. A transferee that fails to withhold the amount required under this subsection shall be liable to the commission and taxing jurisdiction for the lesser of the amount of delinquent sales tax, penalty, and interest due from the remote seller or marketplace facilitator as of the date of transfer, and the amount that the

transferee was required to withhold.

(i) In this section, the term "transfer" includes the following:

(1) A change in voting control, or in more than 50 percent of the ownership interest in a remote seller or marketplace facilitator that is a corporation, limited liability company, or partnership; or

(2) A sale of all or substantially all the assets used in the business of the remote seller or marketplace facilitator; or

(3) The initiation of a lease, management agreement, or other arrangement under which another person becomes entitled to the remote seller's or marketplace facilitator's gross receipts from sales, rentals, or services.

(j) Subsection (h) of this section shall not apply to any person who acquires their ownership interest in the ongoing business as a result of the foreclosure of a lien that has priority over the commission's sales tax lien.

(k) Upon termination, dissolution, or abandonment of a business entity, any officer having control or supervision of sales tax funds collected, or who is charged with responsibility for the filing of returns or the payment of sales tax funds collected, shall be personally liable for any unpaid taxes, interest, administrative costs, and penalties on those taxes if such person willfully fails to pay or cause to be paid any taxes due from the entity. In addition, regardless of willfulness, each director, member, or general partner of the entity shall be jointly and severally liable for unpaid amounts. The person shall be liable only for taxes collected which became due during the period he or she had the control, supervision, responsibility, or duty to act for the entity. This section does not relieve the entity of other tax liabilities or otherwise impair other tax collection remedies afforded by law.

(l) A remote seller or marketplace facilitator who terminates the business without the benefit of a purchaser, successor, or assign shall make a final tax return and settlement of tax obligations within 30 days after such termination. If a final return and settlement are not received within 30 days of the termination, the remote seller or marketplace facilitator shall pay a penalty of $100~~.00~~, plus an additional penalty of $25~~.00~~ for each additional thirty-day period, or part of such a period, during which the final return and settlement have not been made, for a maximum of six additional periods.

69.06.23~~2~~0 Use of information on tax returns.

(a) Except as otherwise provided in this chapter, all returns, reports, and information required to be filed with the commission under this chapter, and all information contained therein, shall be kept confidential and shall be subject to inspection only by:

(1) Employees and agents of the commission and member jurisdiction whose job responsibilities are directly related to such returns, reports, and information;

(2) The person supplying such returns, reports, and information; and

(3) Persons authorized in writing by the person supplying such returns, reports, and information.

(b) The commission will release information described in subsection (a) of this section pursuant to subpoena, order of a court or administrative agency of competent jurisdiction, and where otherwise required by law to do so.

(c) Notwithstanding subsection (a) of this section, the following information is available for public inspection:

(1) The name and address of sellers and marketplace facilitators;

(2) Whether a business is registered to collect taxes under this chapter;

(3) The name and address of businesses that are 60 days or more delinquent in filing returns or in remitting sales tax, or both filing returns and remitting sales tax, and if so delinquent, the amount of estimated sales tax due and the number of returns not filed.

(d) The commission may provide the public statistical information related to sales tax collections, provided that no information identifiable to a particular remote seller or marketplace facilitator is disclosed.

(e) Nothing contained in this section shall be construed to prohibit the delivery to a person, or their duly authorized representative, of a copy of any return or report filed by them, nor to prohibit the publication of statistics so classified as to prevent the identification of particular buyers, remote sellers, or marketplace facilitators, nor to prohibit the furnishing of information on a reciprocal basis to other agencies or political subdivisions of the state or the United States concerned with the enforcement of tax laws.

(f) Nothing contained in this section shall be construed to prohibit the disclosure through enforcement action proceedings or by public inspection or publication of the name, estimated balance due, and current status of payments, and filings of any remote seller or marketplace facilitator or agent of any remote seller or marketplace facilitator required to collect sales taxes or file returns under this chapter, who fails to file any return and/or remit in full all sales taxes due within 30 days after the required date for that business. Entry into any agreement whether pursuant to the provisions of this chapter or otherwise shall not act as any prohibition to disclosure of the records of that remote seller or marketplace facilitator as otherwise provided

in this chapter.

(g) A prospective lessee or purchaser of any business or business interest may inquire as to the obligation or tax status of any business upon presenting to the commission a release of tax information request signed by the authorized agent of the business.

(h) Except as otherwise provided herein, all returns referred to in this chapter, and all data taken therefrom, shall be kept secure from public inspection, and from all private inspection.

69.06.24~~30~~ Violations.

(a) A remote seller or marketplace facilitator that fails to file a sales tax return or remit sales tax when due, in addition to any other liability imposed by this chapter, shall pay to the commission all costs incurred by the commission to determine the amount of the remote seller's or marketplace facilitator's liability or to collect the sales tax, including, without limitation, reviewing and auditing the remote seller's or marketplace facilitator's business records, collection agency fees, and actual reasonable attorney's fees.

(b) A person who causes or permits a corporation of which the person is an officer or director, a limited liability company of which the person is a member or manager, or a partnership of which the person is a partner, to fail to collect sales tax or to remit sales tax to the commission as required by this chapter shall be liable to the commission for the amount that should have been collected or remitted, plus any applicable interest and penalty.

(c) Notwithstanding any other provision of law, and whether or not the commission initiates an audit or other tax collection procedure, the commission may bring a declaratory judgment action against a remote seller or marketplace facilitator believed to meet the criteria to establish that the obligation to remit sales tax is applicable and valid under local, state, and federal law. The action shall be brought in the judicial district of the member jurisdiction.

(d) The commission may cause a sales tax lien to be filed and recorded against all real and personal property of a remote seller or marketplace facilitator where the remote seller or marketplace facilitator has:

(1) Failed to file sales tax returns for two consecutive filing periods as required by the chapter; or

(2) Failed within 60 days of the end of the filing period from which taxes were due to either (a) remit all amounts due or (b) to enter into a secured payment agreement as provided in this chapter.

(3) Prior to filing a sales tax lien, the commission shall cause a written notice

of intent to file to be mailed to the last known address of the delinquent remote seller or marketplace facilitator.

(e) In addition to other remedies discussed in this chapter, the commission may bring a civil action to:

(1) Enjoin a violation of this chapter. On application for injunctive relief and a finding of a violation or threatened violation, the superior court shall enjoin the violation.

(2) Collect delinquent sales tax, penalty, interest and costs of collection, either before or after estimating the amount of sales tax due.

(3) Foreclose a recorded sales tax lien as provided by law.

(f) All remedies hereunder are cumulative and are in addition to those existing at law or equity.

69.06.2<u>5</u>40. Penalties for violations.

(a) In the event that a penalty provided below is different from the same penalty in a member jurisdiction's sale tax code, the penalty prescribed in the member jurisdiction's sales tax code will apply.

(b) A buyer, remote seller, or marketplace facilitator who knowingly or negligently submits false information in a document filed with the commission pursuant to this chapter is subject to a penalty of $500~~.00~~.

(c) A remote seller or marketplace facilitator who knowingly or negligently falsifies or conceals information related to its business activities with the commission or taxing jurisdiction is subject to a penalty of $500~~.00~~.

(d) A person who knowingly or negligently provides false information when applying for a certificate of exemption is subject to a penalty of $500~~.00~~.

(e) A remote seller or marketplace facilitator who fails or refuses to produce requested records or to allow inspection of their books and records shall pay to the commission a penalty equal to three times any deficiency found or estimated by the commission with a minimum penalty of $500~~.00~~.

(f) A remote seller or marketplace facilitator who falsifies or misrepresents any record filed with the commission is guilty of an infraction and subject to a penalty of $500~~.00~~ per record.

(g) Misuse of an exemption card is a violation and subject to a penalty of $50~~.00~~ per incident of misuse.

(h) Nothing in this chapter shall be construed as preventing the commission from filing and maintaining an action at law to recover any taxes, penalties, interest and/or fees due from a remote seller or marketplace facilitator. The commission may also recover attorney's fees in any action against a delinquent remote seller or marketplace facilitator.

69.06.26~~50~~ Remittance of tax; remote seller held harmless.

(a) Any remote seller or marketplace facilitator that collects and remits sales tax to the commission as provided by law may use an electronic database of state addresses that is certified by the commission pursuant to subsection (c) of this section to determine the member jurisdictions to which tax is owed.

(b) Any remote seller or marketplace facilitator that uses the data contained in an electronic database certified by the commission pursuant to subsection (c) of this section to determine the jurisdictions to which tax is owed shall be held harmless for any tax, charge, or fee liability to any member jurisdiction that otherwise would be due solely as a result of an error or omission in the database.

(c) Any electronic database provider may apply to the commission to be certified for use by remote sellers or marketplace facilitators pursuant to this section. Such certification shall be valid for three years. In order to be certified, an electronic database provider shall have a database that satisfies the following criteria:

(1) The database shall designate each address in the state, including, to the extent practicable, any multiple postal address applicable to one location and the taxing jurisdictions that have the authority to impose a tax on purchases made by purchasers at each address in the state.

(2) The information contained in the electronic database shall be updated as necessary and maintained in an accurate condition. In order to keep the database accurate, the database provider shall provide a convenient method for member jurisdictions that may be affected by the use of the database to inform the provider of apparent errors in the database. The provider shall have a process in place to promptly correct any errors brought to the provider's attention.

69.06.27~~60~~ Savings Clause.

If any provision of CBJ 69.06, Uniform Alaska Remote Seller Sales Tax, and CBJ 69.05, Uniform Sales Tax, is determined by the commission or an adjudicatory body of competent jurisdiction to discriminate against a remote seller in favor of a local seller with a physical presence in the member jurisdiction, the discriminatory provision shall continue in effect only to the extent such provision does not discriminate against a remote seller~~, and the comparable~~

~~code provision applicable to a local seller will apply to a remote seller,~~ and the remainder of CBJ 69.06 and CBJ 69.05 shall continue in full force and effect.

69.06.28~~70~~ Definitions.

Adoption of definitions does not compel an individual municipality to exempt certain defined items. Each municipality should specifically adopt definitions necessary for consistency to implement both brick-and-mortar sales tax code and provisions related to remote sellers or marketplace facilitators. For definitions that have no applicability to brick-and-mortar sales tax code, municipality may choose to either include definitions in the definitional section of general sales tax ordinance or adopt the common definitions by reference.

Bundled transaction means the retail sale of two or more products, except real property and services to real property, where (1) the products are otherwise distinct and identifiable, and (2) the products are sold for one non-itemized price. A bundled transaction does not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction.

(a) Distinct and identifiable products do not include:

(1) Packaging – such as containers, boxes, sacks, bags, and bottles – or other materials – such as wrapping, labels, tags, and instruction guides – that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof.

(2) A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge.

(b) The term "one non-itemized price" does not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form including, but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list.

(c) A transaction that otherwise meets the definition of a bundled transaction as defined above, is not a bundled transaction if it is:

(1) The retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(2) The retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(3) A transaction that includes taxable products and nontaxable products and the purchase price or sales price of the taxable products is de minimis.

Buyer or purchaser means a person to whom a sale of property or product is made or to whom a service is furnished.

Commission means the Alaska Remote Seller Sales Tax Commission established by agreement between local government taxing jurisdictions within Alaska, and the delegated tax collection authority.

Delivered electronically means delivered to the purchaser by means other than tangible storage media.

Delivery charges means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing.

Delivery network company means a business that facilitates, through the use of an Internet website or mobile application, the delivery of products or services.

Digital good means any product delivered electronically whether downloaded, streamed or subscribed to. A digital good generally takes the form of a license to use or store in a digital or electronic format. Digital goods are generally intangible property for purposes of this chapter.

Digital service means any service delivered electronically that uses one or more software applications. Digital service includes any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service, provided the service is delivered electronically.

Entity-based exemption means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

Goods for resale means:

(1) The sale of goods by a manufacturer, wholesaler, or distributor to a retail vendor, and sales to a wholesale or retail dealer who deals in the property sold for the purpose of resale by the dealer.

(2) The sale of personal property as raw material to a person engaged in manufacturing components for sale, where the property sold is consumed in the manufacturing process of, or becomes an ingredient or component part of, a product manufactured for sale by the manufacturer.

(3) The sale of personal property as construction material to a licensed building contractor where the property sold becomes part of the permanent structure.

Lease or rental means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

Local sale means a sale by a seller with a physical presence in a taxing jurisdiction, where the point of delivery is a location within the same taxing jurisdiction.

Marketplace means a physical or electronic place, platform or forum, including a store, booth, internet website, catalog, or dedicated sales software application, where products or services are offered for sale.

Marketplace facilitator means a person that contracts with ~~remote~~ marketplace sellers to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale of the ~~remote~~ marketplace seller's property, product, or services through a physical or electronic marketplace operated by the person, and engages:

(a) Directly or indirectly, through one or more affiliated persons, in any of the following:

(1) Transmitting or otherwise communicating the offer or acceptance between the buyer and ~~remote~~ marketplace seller;

(2) Owning or operating the infrastructure, electronic or physical, or technology that brings buyers and ~~remote~~ marketplace sellers together;

(3) Providing a virtual currency that buyers are allowed or required to use to purchase products from the ~~remote~~ marketplace seller; or

(4) Software development or research and development activities related to any of the activities described in (b) of this subsection ~~(3)~~, if such activities are directly related to a physical or electronic marketplace operated by the person or an affiliated person; and

(b) In any of the following activities with respect to the seller's products:

(1) Payment processing services;

(2) Fulfillment or storage services;

(3) Listing products for sale;

(4) Setting prices;

(5) Branding sales as those of the marketplace facilitator;

(6) Order taking;

(7) Advertising or promotion; or

(8) Providing customer service or accepting or assisting with returns or exchanges.

Marketplace seller means a person that makes retail sales through any physical or electronic marketplace that is operated by a marketplace facilitator.

Member jurisdiction means a taxing jurisdiction that is a signatory of the Alaska Remote Seller Sales Tax Agreement, thereby members of the commission, and who have adopted the Uniform Alaska Remote Seller Sales Tax Code.

Monthly means occurring once per calendar month.

Nonprofit organization means a business that has been granted tax-exempt status by the Internal Revenue Service.

Person means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

Physical presence for the purposes of CBJ 69.06.050 means a seller who establishes any one or more of the following within a member jurisdiction:

(1) Has any office, distribution or sales house, warehouse, storefront, or any other place of business within the boundaries of the member jurisdiction;

(2) Solicits business or receiving orders through any employee, agent, salesman, or other representative within the boundaries of the member jurisdiction <u>or engages in activities in this state that are significantly associated with the seller's ability to establish or maintain a market for its products in this state;</u>

(3) Provides services <u>through any employee, agent, salesman, or other representative</u> or holds inventory within the boundaries of the member jurisdiction;

(4) Rents or Leases property located within the boundaries of the member jurisdiction.

A seller that establishes a physical presence within the member jurisdiction in any calendar year will be deemed to have a physical presence within the local taxing jurisdiction for the following calendar year.

Point of delivery means the location at which property or a product is delivered or service rendered.

(1) When the product is not received or paid for by the purchaser at a business location of a remote seller in a member jurisdiction, the sale is considered delivered to the location where receipt by the purchaser (or the purchaser's recipient, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery as supplied by the purchaser (or recipient) and as known to the seller;

(2) When the product is received or paid for by a purchaser who is physically present at a business location of a remote seller in a taxing jurisdiction the sale is considered to have been made in the member jurisdiction where the purchaser is present even if delivery of the product takes place in another member jurisdiction. Such sales are reported and tax remitted directly to the member jurisdiction and not to the commission;

(3) When the service is not received by the purchaser at a business location of a remote seller, the service is considered delivered to the location where the purchaser receives the service;

(4) For products or services transferred electronically, or other sales where the remote seller or marketplace facilitator lacks a delivery address for the purchaser, the remote seller or marketplace facilitator shall consider the point of delivery of the sale to be the billing address of the buyer.

Product-based exemptions means an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product.

Professional services means services performed by architects, attorneys-at-law, certified public accountants, dentists, engineers, land surveyors, surgeons, veterinarians, and practitioners of the healing arts (the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities) and such occupations that require a professional license under Alaska Statute.

Property and *product* and *good* means both tangible property, an item that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses;

and intangible property, anything that is not physical in nature (i.e.; intellectual property, brand recognition, goodwill, trade, copyright and patents).

Quarter means trimonthly periods of a calendar year; January-March, April-June, July-September, and October-December.

Receive or *receipt* for the purposes of CBJ 69.06.030 and the definition of *Point of Delivery* means

(1) Taking possession of property or product;

(2) Making first use of services;

(3) Taking possession or making first use of digital goods, whichever comes first.

The terms "receive" and "receipt" do not include temporary possession by a shipping company on behalf of the purchaser.

Remote sales means sales of goods, ~~or~~ services, or bundled transactions by a remote seller or marketplace facilitator.

Remote seller means a seller or marketplace facilitator making sales of goods, ~~goods~~ services, ~~or services~~ or bundled transactions delivered within the State of Alaska, without having a physical presence in the member jurisdiction in which delivery is being made.

Resale of services means sales of intermediate services to a business the charge for which will be passed directly by that business to a specific buyer.

Sale or *retail sale* means any transfer of property for consideration for any purpose other than for resale.

Sales price or *purchase price* means the total amount of consideration, including cash, credit, property, products, and services, for which property, products, services, ~~or~~ ~~services~~ or bundled transactions are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(1) The seller's cost of the property or product sold;

(2) The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

(3) Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(4) Delivery charges;

(5) Installation charges; and

(6) Credit for any trade-in, as determined by state law.

Seller means a person making sales of property, products, or services, or a marketplace facilitator facilitating sales on behalf of a seller.

Services means all services of every manner and description, which are performed or furnished for compensation, and delivered electronically or otherwise into a member jurisdiction, including but not limited to:

(1) Professional services;

(2) Services in which a sale of property or product may be involved, including property or products made to order;

(3) Utilities and utility services not constituting a sale of property or products, including but not limited to sewer, water, solid waste collection or disposal, electrical, telephone services and repair, natural gas, cable or satellite television, and Internet services;

(4) The sale of transportation services;

(5) Services rendered for compensation by any person who furnishes any such services in the course of his trade, business, or occupation, including all services rendered for commission;

(6) Advertising, maintenance, recreation, amusement, and craftsman services;

(7) Digital Services.

Tax cap means a maximum taxable transaction.

Taxing jurisdiction means a local government in Alaska that has a sales tax.

Transferred electronically means obtained by the purchaser by means other than tangible storage media.

Travel Agency Services means arranging or booking for a commission, fee or other consideration, vacation or travel packages, rental car, tours or other travel reservations or accommodations, tickets for domestic or foreign travel by air, ship, rail, bus or other medium of transportation, or hotel or other lodging accommodations.

69.06.280 Supplemental definitions.

For purposes of CBJ 69.06, the commission may promulgate supplemental definitions that are incorporated into this Remote Seller Sales Tax Code, provided they are not in conflict with or contrary to the definitions set forth in CBJ 69.05. Supplemental definitions are available at www.arsstc.org/code. Provisions of the supplemental definitions that are amended, deleted, or added prior to or after the effective date of the latest amendment to this chapter shall be applicable for purposes of this chapter on the effective date provided for such amendments, deletions, or additions, including retroactive provisions.

Section 3. Effective Date. This ordinance shall be effective January 1, 2025.

Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-37

An Ordinance Amending the Uniform Sales Tax Code Related to Definitions, a Temporary Sales Tax Registration, and Deposits by Nonresidents.

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

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

Section 2. Amendment of Section. CBJC 69.05.010 Definitions, is amended to read:

69.05.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

…

Digital good means any product delivered electronically whether downloaded, streamed, or subscribed to. A digital good generally takes the form of a license to use or store in a digital or electronic format. Digital goods are generally intangible property for purposes of this chapter.

Donation means any voluntary consideration, whether money, credit, rights, other property, or services provided to an exempt organization, as defined in 69.05.040(11), for which

the provider neither expects nor receives anything more than goods or services of insubstantial value relative to the provided consideration.

…

Itinerant business means a person, corporation, or other association engaging in sales, services, or rentals within the City and Borough for no more than fifteen consecutive days who is not a resident of the City and Borough.

…

Membership fees or dues means the price members pay to be in an association, chamber, nonprofit, or organization. Such payment can be made one time or recurrently, may include a benefit or service, and is reportable.

…

Retail sale means any sale of real or tangible personal property or digital goods, including barter, credit, installment and conditional sales, for any purpose other than resale in the regular course of business. ~~The delivery of property in the City and Borough by a seller whose principal place of business is outside the City and Borough to a buyer or consumer is a retail sale made within the City and Borough if such retailer maintains any office, distribution, or sales house, warehouse or any other place of business, or solicits business or receives orders through any agent, salesman, or other type of representation within the City and Borough~~.

Section 3. Amendment of Chapter. Chapter 69.05 Uniform Sales Tax, is amended by adding a new section to read:

69.05.075 Filings by itinerant businesses.

A person doing business within the city and borough of Juneau on less than an annual basis shall file a sales tax return and remit in full the tax shown as due within forty-eight hours

following the expiration of the registration, or prior to leaving the city and borough of Juneau, whichever occurs first. Sales tax not remitted or if the return is not timely filed such tax is delinquent and the penalties prescribed in 69.05.070(b) shall apply.

Section 4. Amendment of Section. CBJC 69.05.112 Deposit by nonresidents, is repealed and reserved.

69.05.112 ~~Deposit by nonresidents~~ Reserved.

~~(a) A person, corporation or other association that is about to make sales, perform services or make rentals shall first register with the manager and shall make the deposit required by this section unless the person has been a resident of the City and Borough for six months prior to registering or the corporation or association is composed of such residents or has been regularly engaged in business within the City and Borough for nine of the 12 months preceding registration.~~

~~(b) The deposit required under subsection (a) of this section must be an amount that the manager determines is not less than the maximum amount of sales tax that the person, corporation or other association is likely to be required to collect during any filing period within a year of the date of registration.~~

~~(c) The deposit must be refunded upon written request and a determination by the manager that:~~

~~(1) The seller has filed sales tax returns and made full remittance of sales tax owing for the preceding year; or~~

~~(2) The seller has filed a statement that the seller has ceased engaging in transactions within the City and Borough and has remitted all sales taxes due.~~

~~The deposit must be refunded within 30 days of the receipt of the refund request unless the manager has initiated an audit of the seller or has otherwise questioned a return made during the period under consideration.~~

~~(d) The manager may order the withdrawal from the deposit of the seller so much as the manager determines is required to make up for any deficiency or late payment of taxes. No seller may engage in transactions within the City and Borough after receipt of written notice that the manager has withdrawn all or a portion of the seller's deposit for application to a delinquent or insufficient payment of sales taxes. Upon the deposit with the City and Borough of funds restoring the deposit to its original amount or such higher amount as the manager determines is appropriate in light of the actual sales experience of the seller, the seller may again engage in transactions. A seller may not deduct the deposit amount from the seller's last or any other sales tax return.~~

Section 5. Amendment of Section. CBJC 69.05.170 Registration, is amended to read:

69.05.170 Registration.

A person, firm, copartnership, corporation, <u>itinerant business,</u> or other business entity, including a transportation network company driver, shall register with the manager before making retail sales, rendering services, or making rentals within the City and Borough. A transportation network company that collects and remits sales tax on behalf of a transportation network company driver shall notify such transportation network company driver of the registration requirement under this section. Nothing in this section shall be construed to require a transportation network company to register with the manager.

Section 6. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2024.

Attest:

_____
Beth A. Weldon, Mayor

_____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/18/2024
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-41

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Mendota Park Parcel 1B, Located on Davis Avenue, from D10 to D15.

WHEREAS, the area of the proposed rezone consists of 2.3 acres, located at 1925 Davis Avenue, identified as Mendota Park Parcel B, is currently zoned as D10; and

WHEREAS, the land use maps of the 2013 Comprehensive Plan identify the subject lots as Medium Density Residential (MDR); and

WHEREAS, MDR is described as urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and D15 is considered a low-density multifamily district; and

WHEREAS, the parcels to the North and West are zoned D5, D10, and D15; and

WHEREAS, currently 23 apartment units are constructed on the property and, if rezoned, an additional 11 units could be constructed on the lot; and

WHEREAS, in 2005 the lot was downzoned from D15 to D10 due to concerns about the performance of the Davis Avenue intersection with Glacier Highway; and

WHEREAS, a 2022 project by the Alaska Department of Transportation and Public Facilities installed a light at the intersection; and

WHEREAS, housing is the Assembly's top priority; and

WHEREAS, the Planning Commission concluded that the change from D10 to D15 zoning district does not substantially change the land use and will substantially conform to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommends approval of the proposed rezone.

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

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

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJC 49.25.110, is amended to change the zoning of Mendota Park Lot 1B, located on Davis Avenue, from D10 to D15. The described rezone is shown on the attached Exhibit "A" illustrating the area of the proposed zone change.

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

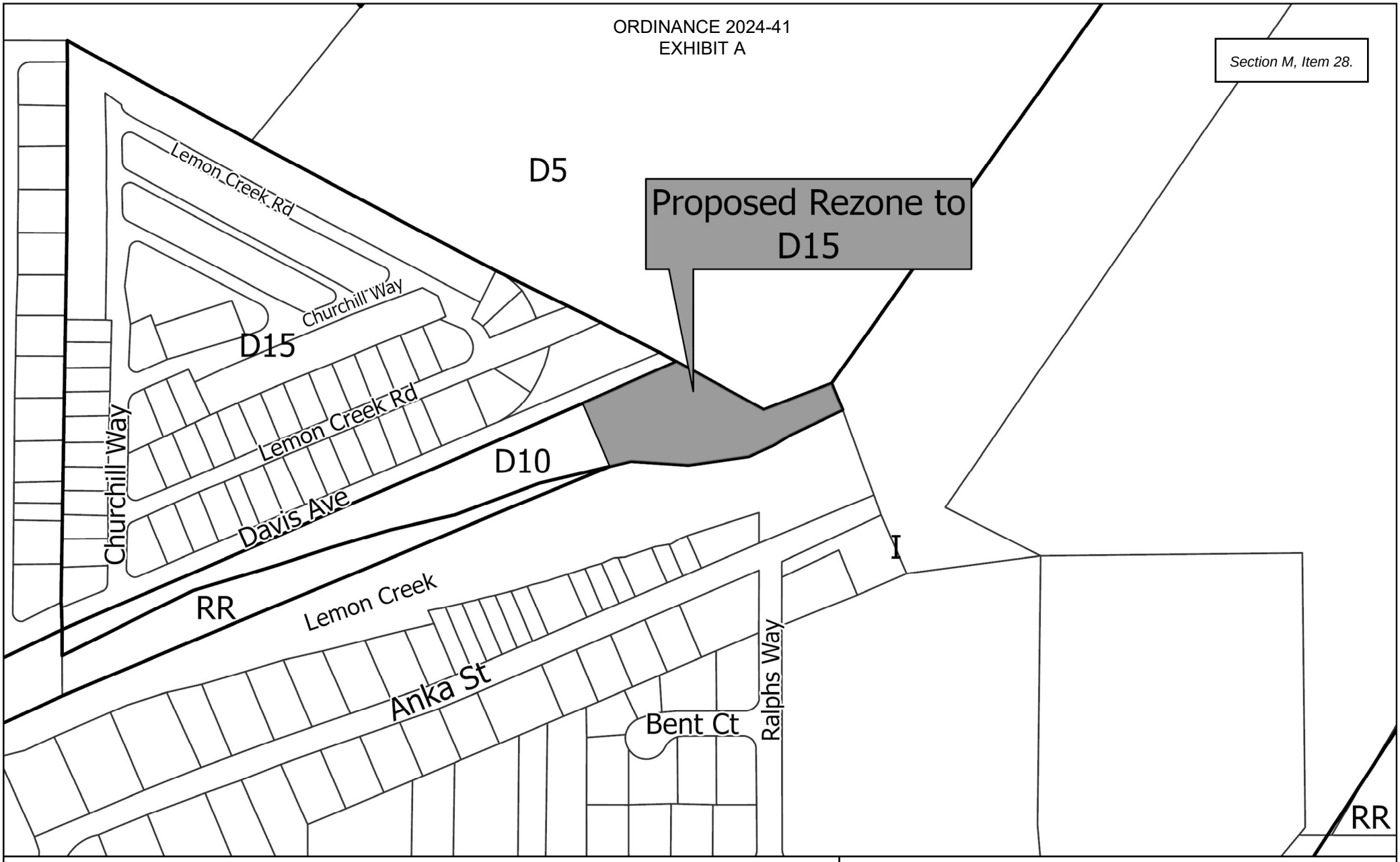
Adopted this _____ day of _____, 2024.

_____
Beth A. Weldon, Mayor

Attest:

_____
Elizabeth J. McEwen, Municipal Clerk

ORDINANCE 2024-41
EXHIBIT A



Zone changes to Mendota Park Parcel 1B from D10 to D15

N

CDD Case: AME 2024 0003

0 200 400 80

Planning Commission
(907) 586-0715
PC_Comments@juneau.gov
www.juneau.org/community-development/planning-commission
155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION

Date: October 25, 2024
Case No.: AME2024 0003

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal:	Planning Commission Recommendation to the City and Borough Assembly regarding a rezone of 2.3 acres at the end of Davis Avenue from D10 to D15.
Property Address:	1925 Davis Avenue
Legal Description:	MENDOTA PARK PARCEL 1B
Parcel Code Number:	5B1201070043
Hearing Date:	October 22, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 9, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a rezone of 2.3 acres at the end of Davis Avenue from D10 to D15.

LINK TO: October 9, 2024, memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2024 0003.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

acting chair for

Mandy Cole, Chair
Planning Commission

11/5/24
Date

Filed With City Clerk

11/6/2024
Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

REFUNDING BONDS

Serial No. 2024-42

AN ORDINANCE APPROVING THE CITY AND BOROUGH'S PARTICIPATION IN PROPOSED REFINANCINGS BY THE ALASKA MUNICIPAL BOND BANK OF THE BOND BANK'S VARIOUS GENERAL OBLIGATION BONDS THAT PROVIDED FUNDS TO PURCHASE VARIOUS REVENUE BONDS OF THE CITY AND BOROUGH, UNDER LOAN AGREEMENTS BETWEEN THE CITY AND BOROUGH AND THE BOND BANK; AND AUTHORIZING REVISED SCHEDULES OF PRINCIPAL AND INTEREST PAYMENTS ON THE CITY AND BOROUGH'S BONDS, IN ACCORDANCE WITH THE LOAN AGREEMENTS, IF THE BOND BANK SUCCESSFULLY REFINANCES ITS BONDS.

Approved: December 16, 2024

Prepared by:

K&L GATES LLP
Seattle, Washington

City and Borough of Juneau, Alaska
Ordinance Serial No. 2024-42
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* This Table of Contents and the cover page are provided for convenience only and are not a part of this ordinance.

Presented by: The Manager
Introduced: 11/18/24
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-42

An Ordinance approving the City and Borough's participation in proposed refinancings by the Alaska Municipal Bond Bank of the Bond Bank's various General Obligation Bonds that provided funds to purchase various revenue bonds of the City and Borough, under loan agreements between the City and Borough and the Bond Bank; and authorizing revised schedules of principal and interest payments on the City and Borough's bonds, in accordance with the loan agreements, if the Bond Bank successfully refinances its bonds.

WHEREAS, the City and Borough of Juneau, Alaska (the "City and Borough"), in order to finance a portion of the cost of completion of the City and Borough's seawalk, issued and sold its Port Revenue Bond, 2014A (Non-AMT), in the original principal amount of $6,055,000 (the "2014A Port Bond") to the Alaska Municipal Bond Bank (the "Bond Bank") as authorized by Ordinance Serial No. 2014-01 of the City and Borough adopted January 6, 2014, and Resolution No. 2676 adopted on January 27, 2014 (together, the "2014A Port Bond Ordinance"), on the terms and conditions set forth in the 2014A Port Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of February 1, 2014 (the "2014A Port Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2014A Series One (Tax-Exempt) (the "2014A Series One Bond Bank Bonds") to provide funds to purchase the 2014A Port Bond, as provided in the 2014A Port Loan Agreement; and

WHEREAS, Section 6 of the 2014A Port Loan Agreement provides that payments of principal of and interest on the 2014A Port Bond may be adjusted to reduce debt service on the 2014A Port Bond if the Bond Bank is able to achieve debt service savings by refunding the 2014A Series One Bond Bank Bonds; and

WHEREAS, the City and Borough, in order to finance a portion of the cost of certain harbor improvements, issued and sold its Harbor Revenue Bond, 2007, in the original principal amount of $10,620,000 (the "2007 Harbor Bond") to the Bond Bank, as authorized by Ordinance Serial No. 2007-32(b) of the City and Borough adopted May 14, 2007, and Resolution No. 2414 adopted on June 25, 2007 (together, the "2007 Harbor Bond Ordinance"), on the terms and conditions set forth in the 2007 Harbor Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of July 1, 2007 (the "2007 Harbor Loan Agreement"); and

WHEREAS, the City and Borough, in order to refinance the 2007 Harbor Bond, issued and sold its Harbor Revenue Refunding Bond, 2015, in the original principal amount of $8,910,000

(the "2015 Harbor Bond") to the Bond Bank, as authorized by Ordinance Serial No. 2015-15 of the City and Borough adopted on March 16, 2015, and Resolution No. 2720 adopted on April 27, 2015 (together, the 2015 Harbor Bond Ordinance"), on the terms and conditions set forth in the 2015 Harbor Bond Ordinance and in an amendatory loan agreement between the City and Borough and the Bond Bank dated as of June 1, 2015 (the "2015 Harbor Amendatory Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation and Refunding Bonds, 2015A Series Two (Non-AMT) (the "2015A Series Two Bond Bank Bonds") to provide funds to purchase the 2015 Harbor Bond, as provided in the 2015 Harbor Amendatory Loan Agreement; and

WHEREAS, Section 6 of the 2007 Harbor Loan Agreement provides that payments of principal of and interest on the 2015 Harbor Bond may be adjusted to reduce debt service on the 2015 Harbor Bond if the Bond Bank is able to achieve debt service savings by refunding the 2015A Series Two Bond Bank Bonds; and

WHEREAS, the City and Borough, in order to finance a portion of the cost of completion of the City and Borough's cruise ship berth enhancement project and related uplands, issued and sold its Port Revenue Bond, 2015 (AMT), in the original principal amount of $20,595,000 (the "2015 Port Bond") to the Bond Bank as authorized by Ordinance Serial No. 2014-01 of the City and Borough adopted January 6, 2014, as amended by Ordinance Serial No. 2015-11 adopted on March 16, 2015 and Resolution No. 2709 adopted on April 27, 2015 (together, the "2015 Port Bond Ordinance"), on the terms and conditions set forth in the 2015 Port Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of June 1, 2015 (the "2015 Port Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2015B Series Two (AMT) (the "2015B Series Two Bond Bank Bonds," and together with the 2014A Series One Bond Bank Bonds, and the 2015A Series Two Bond Bank Bonds, the "Bond Bank Bonds") to provide funds to purchase the 2015 Port Bond, as provided in the 2015 Port Loan Agreement; and

WHEREAS, Section 6 of the 2015 Port Loan Agreement provides that payments of principal of and interest on the 2015 Port Bond may be adjusted to reduce debt service on the 2015 Port Bond if the Bond Bank is able to achieve debt service savings by refunding the 2015B Series Two Bond Bank Bonds; and

WHEREAS, a portion of the 2015 Port Bond was refinanced by the City and Borough's Port Revenue Refunding Bond, 2021 (AMT Forward Delivery) (the "2021 Port Bond") issued pursuant to Ordinance Serial No. 2020-21 of the City and Borough adopted on May 18, 2020, as amended by Ordinance Serial No. 2021-15 adopted on April 26, 2021, and Resolution No. 2952 adopted on May 24, 2021 (together, the "2021 Port Bond Ordinance"), on the terms and conditions set forth in the 2021 Port Bond Ordinance and in an amendatory loan agreement between the City and Borough and the Bond Bank dated as of December 2, 2021 (the "2021 Port Amendatory Loan Agreement"); and

WHEREAS, the 2014A Port Bond, the 2015 Harbor Bond and the 2021 Port Bond are herein referred to as the "Juneau Refunding Candidates"; and

WHEREAS, the Bond Bank now intends to issue one or more series of its general obligation refunding bonds (the "Bond Bank Refunding Bonds") for the purpose, among others, of refunding all or a portion of one or more series of the Bond Bank Bonds and achieving debt service savings for or more series of the Juneau Refunding Candidates; and

WHEREAS, the Assembly wishes to approve the City and Borough's participation in these refinancings and to authorize the City and Borough's city manager or his/her designee to accept revised debt service schedules for all or a portion of the 2014A Port Bond, the 2015 Harbor Bond and the 2021 Port Bond, if the Bond Bank successfully refinances all or a portion of one or more series of the Bond Bank Bonds;

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. **Approval of Refinancing**. The Assembly hereby approves the City and Borough's participation in the Bond Bank's refinancing(s) of all or a portion of one or more series of the Bond Bank Bonds. If there is debt service savings for any of the Juneau Refunding Candidates, the respective series shall have modified debt service schedules in accordance with the following parameters.

(a) *2014A Port Bond*. The revised schedule of debt service on the 2014A Port Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2014A Port Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2025	$ 195,000
2026	190,000
2027	200,000
2028	215,000
2029	225,000
2030	235,000
2031	245,000
2032	260,000
2033	270,000
2034	285,000
2035	300,000
2036	315,000
2037	330,000
2038	345,000
2039	365,000

The foregoing schedule is based on the assumption that the entire 2014A Port Bond is going to be refunded. To the extent that only a portion of the 2014A Port Bond is refunded, the foregoing principal maturity schedule shall be proportionately reduced. In addition, the adjusted principal maturities may be increased or decreased by the City Manager or his/her designee for any year by 25%.

(b) *2015 Harbor Bond*. The revised schedule of debt service on the 2015 Harbor Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2015 Harbor Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2026	$ 475,000
2027	495,000
2028	520,000
2029	545,000
2030	575,000
2031	605,000
2032	625,000
2033	660,000

The foregoing schedule is based on the assumption that the entire 2015 Harbor Bond is going to be refunded. To the extent that only a portion of the 2015 Harbor Bond is refunded, the foregoing principal maturity schedule shall be proportionately reduced. In addition, the adjusted principal maturities may be increased or decreased by the City Manager or his/her designee for any year by 25%.

(c) *2021 Port Bond*. The revised schedule of debt service on the 2021 Port Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2021 Port Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2026	$1,065,000
2027	1,120,000
2028	1,175,000
2029	1,240,000

The foregoing schedule is based on the assumption that the 2026 through 2029 maturities of the 2021 Port Bond are going to be refunded. To the extent that only a portion of those maturities of the 2021 Port Bond are refunded, the foregoing principal maturity schedule shall be proportionately reduced. In addition, the adjusted principal maturities may be increased or decreased by the City Manager or his/her designee for any year by 25%.

The City Manager or Finance Director is authorized to execute and deliver the amendatory loan agreements for each bond issue on behalf of the City and Borough and to deliver the refunding bonds for each bond issue, executed in accordance with the provisions of the respective bond ordinance and this ordinance, to the Bond Bank in exchange for the 2014A Port Bond, the 2015 Harbor Bond and the 2021 Port Bond, respectively, all subject to the Assembly's approval by one or more resolutions, which resolution(s) may, at the option of the Assembly, provide for delegation within parameters approved by the Assembly. The City Manager, Finance Director and other appropriate officers and employees of the City and Borough are also hereby authorized to provide financial information about the City and Borough that the Bond Bank may require for the official statement for the Bond Bank Refunding Bonds. In furtherance of the plan of refinancing, the City Manager or his/her designee is hereby further authorized to determine whether or not the establishment of a reserve fund or account is necessary or desirable to secure the repayment of any of the refunding bonds and if a reserve is to be established, the terms and conditions of the reserve, including the execution and delivery of a reserve depositary agreement.

Section 3. **Tax Covenants**. The City and Borough covenants to undertake all actions required to maintain the tax-exempt status of interest on the 2014A Port Bond, the 2015 Harbor Bond and the 2021 Port Bond, as applicable, under Section 103 of the Code.

Section 4. **General Authorization**. The Mayor, City Manager, Finance Director, Clerk, City and Borough Attorney, and any other appropriate officers, agents, attorneys and employees of the City and Borough are each hereby authorized and directed to cooperate with the Bond Bank and to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and

complete the transactions contemplated by, this ordinance, including any amendments to the 2021 Amendatory Loan Agreement to clarify prepayment terms.

Section 5. **Prior Acts**. Any and all acts heretofore taken by officers, agents, attorneys and employees of the City and Borough in connection with refinancing the 2014A Port Bond, the 2015 Harbor Bond and the 2021 Port Bond are hereby ratified and confirmed.

Section 6. **Effective Date.** This ordinance shall become effective thirty days after adoption.

ADOPTED this 16th day of December, 2024.

_____
Mayor

ATTEST:

_____
Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the "City and Borough"), Do HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance Serial No. 2024-42 (the "Ordinance") of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the "Assembly") held on the 16th day of December, 2024, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of December, 2024.

_____
Clerk
City and Borough of Juneau

Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement
Frequently Asked Questions 12.16.24

IMPORTANT NOTE: This is a draft FAQ reflective of the proposed Ordinance 2024-04. It will be updated to reflect amendments made by the Assembly on December 16th and be posted on the website and send with the certified mailing to the preliminary assessment roll.

Why are we focusing on a short-term solution?

Any long-term solution will require design and engineering to ensure we don't do more harm than good. CBJ is concerned that without temporary flood fighting, the devastation to valley homes would be overwhelming while we work together on a long-term solution. CBJ's highest federal priority has been to secure federal funding for the United States Army Core of Engineers (USACE) to being a General Investigation study to do that work. In the meantime, CBJ is working with United States Forest Service on an agreement to spend USFS federal dollars on data collection and studies in advance of the General Investigation to keep things moving.

What is the Total Project Cost for Phase 1 HESCO Barrier Installation: $7.83M

This includes removing obstructions on riverfront property, stabilizing soils, installing drainage pipe and check valves in barriers, removing organics, bank armoring, permitting, accessing and filling HESCO bags and restoring property after HESCO barriers are removed for 2-mile of riverfront.

Under the current proposal (12.16.24) as introduced by the manager, CBJ taxpayers at large would pay for half of the project ($3.9M) and properties included in the LID would be responsible for the other half.

How did CBJ decide what would be included in "Phase 1" of the HESCO barrier project and why is/isn't my property included?

Emergency mitigation and immediate flood resilience action is needed to protect the most vulnerable in our community before the 2025 GLOF season. With extensive consultation and involvement from United States Army Corps of Engineers (USACE) flood fighting experts, CBJ is planning to install USACE provided HESCO barriers as a near-term solution to mitigate potential widespread damage from future releases. Based upon several factors, including the locations of major inundation that occurred during the 2024 GLOF, a survey of high-water marks along the length of the river from the 2024 GLOF, the availability of time and materials to install barriers before a 2025 GLOF, and the number of properties that can be protected by such barriers, a 2-mile stretch of riverbank from north Marion Dr. to Rivercourt Way was identified as the most viable alternative to provide the most protection to the highest number of flood-vulnerable residents and homeowners."

Where can I find more information on the Phase 1 HESCO barrier installation project?

See the HESCO Barrier Installation Alignment and Installation Considerations at the end of this document.

What is a Local Improvement District?

A Local Improvement District, or LID, is a mechanism in CBJ code for a benefited property to pay for an infrastructure improvement (in this case, the installation of the infrastructure to protect homes from flooding). LIDs are governed under Title 15.10 Local Improvements and Special Assessments.

What is the process for this LID?

The Mendenhall GLOF LID has been proposed by the Assembly in Ordinance 2024-40. However, there is a lot of public process before any final decisions are made and project begins.

During the week of December 16, CBJ will send a certified mailing to all property owners with details relevant to their individual assessment and clear instructions on how to protest the LID. Property owners have 6 weeks to object. If the property owners who will bear 51% or more of the cost of the project object in writing, the LID fails. No action by a property owner is considered endorsement of the LID.

Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement
Frequently Asked Questions 12.16.24

Timeline for LID

November 18 – introduction of Ordinance 2024-40 creating a local improvement district
December 16 – public hearing #1 on Ordinance 2024-40
Week of December 16 – certified mailing goes out to everyone on the assessment roll with information specific their assessment and clear instructions on how to object in writing.
January – neighborhood meeting
February 3 – public hearing #2 on Ordinance 2024-40 (objections are heard here). Objection is due in writing by the close of the public hearing on February 3rd, 2024.
March 3 – Ordinance is effective.

I am NOT in favor of the LID – how do I object.

You must object in writing by the close of the public hearing which will be held at the regular Assembly meeting at 7PM on February 3, 2024.

Please include information with your objection that identifies your property (e.g. parcel number, physical address) If a property is owned by more than one individual, any owner can sign the objection. If a property is owned by a trust or business, the authorized signatory must sign the objection.

How do I learn more about the project and/or the LID?

CBJ will hold a neighborhood meeting in January. In addition, you can visit the CBJ Flood Response website: https://juneau.org/manager/flood-response or email floodresponse@juneau.gov

What if the LID fails?

The Assembly can authorize the LID by an affirmative vote of eight members. However, it is unlikely there would be the political will to override the neighborhood. The body has given every indication that if the property owners do not want the HESCO barriers installed, the project will cease.

If the LID fails, will CBJ complete another mitigation project by Spring/Summer 2025?

No. It will not be possible for CBJ to complete an alternative project in that time frame. At the direction of the Assembly, CBJ will shift to working on the multi-year long term solution.

What if the LID is approved?

If the project is approved, work will begin on site preparation soon after February 3rd. The bulk of the project will be after March 3 when the reminder of the funds become available. The goal is to complete the project by July 2025 based on historical GLOF releases.

After the project is complete, the Assembly approves a final assessment roll by resolution.

How much will my assessment cost?

Property owners will pay the actual cost of the project, not to exceed $7,972 per parcel. If federal funding is secured, the savings will be shared equally between the property owners and CBJ taxpayers at large after accounting for increases in total project cost to meet federal requirements.

The Assembly has set the terms of the LID at 10 years 4.78% interest. A property owner can pay the LID off at any time in full without penalty.

DRAFT

Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement
Frequently Asked Questions 12.16.24

TValue Amortization Schedule - U.S. Rule, 365 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	01/01/2026				7,972.00
1	09/30/2026	1,081.05	283.85	797.20	7,174.80
2	09/30/2027	1,140.01	342.81	797.20	6,377.60
3	09/30/2028	1,102.76	305.56	797.20	5,580.40
4	09/30/2029	1,063.83	266.63	797.20	4,783.20
5	09/30/2030	1,025.74	228.54	797.20	3,986.00
6	09/30/2031	987.65	190.45	797.20	3,188.80
7	09/30/2032	949.98	152.78	797.20	2,391.60
8	09/30/2033	911.47	114.27	797.20	1,594.40
9	09/30/2034	873.38	76.18	797.20	797.20
10	09/30/2035	835.29	38.09	797.20	0.00
Grand Totals		**9,971.16**	**1,999.16**	**7,972.00**	

Four homes, identified in Exhibit C, require additional armoring due to their location on the river and their failure to undertake armoring. These homes have been included in the LID with a $50,000 assessment, in addition to the assessment shared by all homeowners. This $50,000 represents a shared cost with the CBJ, as the amount is significantly below the anticipated cost for armoring. This $50,000 assessment will be included in the four homeowners' repayment plan.

How do I pay my assessment?

After the project is finalized and the assessment roll is finalized, the first and all subsequent payments will be included as part of the property tax bill set July 1 and due September 30.

What if I don't pay my assessment?

CBJ puts a lien on your property until the assessment is paid. The assessment travels with the property, so if the property transfers, the lien and required payments also transfer. The Assembly will set the delinquency schedule for non-payment in the same resolution establishing the first payment date.

Who is included in the LID?

The LID includes properties in the 16-foot inundation map excluding parcels that will not be protected from phase 1. (Exhibits A and B). Properties north of Marion Dr and south of Rivercourt Way are not included because that's the projected limitation on their flood containment effectiveness.

I live on the Mendenhall River and can't agree or disagree with this project until I know specific details about how it will affect my property/viewshed/bank.

It is unlikely that CBJ will have answers to all of homeowners' specific questions about the placement of HESCO barriers on their property before the February 3rd objection date. However, as we work on design and engineering for the project, staff will work with each property owner on a Memorandum of Understanding specific to their property.

What Will Happen Once a Long-term Flood Mitigation Solution is in Place?

CBJ is responsible for removing the HESCO barriers at the end of the project. The total project cost includes a $500,000 reserve fund that will be used to establish a grant program to help homeowners restore their property.

Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement
Frequently Asked Questions 12.16.24

HESCO Barrier Installation

Phase 1

Alignment and Installation Considerations

Summary: The Mendenhall River Valley in Juneau, Alaska is under imminent threat of unusual flooding from what scientific experts expect will be recurring and likely record-breaking glacier lake outburst flood (GLOF) events. The impact and inundation area of these events have increased each of the last three years; a pattern that puts hundreds of homes and thousands of vulnerable residents, as well as critical infrastructure, public facilities, and community and medical services at risk.

CBJ is working tirelessly with Federal, State, Tribal and local partners to gather the additional information and resources needed to identify and implement a long-term solution. However, a long-term solution will take years before it can be implemented.

Therefore, emergency mitigation and immediate flood resilience action is needed to protect the most vulnerable in our community before the 2025 GLOF season.
With extensive consultation and involvement from United States Army Corps of Engineers (USACE) flood fighting experts, CBJ plans to install USACE provided HESCO barriers as a near-term solution to mitigate potential widespread damage from future releases. Based upon factors such as the high-water marks obtained after the 2024 GLOF and the resources available to implement a solution before July 2025, a 2 mile stretch of riverbank was identified which would provide the most protection to the highest number of flood-vulnerable residents and homeowners. This is considered "Phase One" of CBJ's formal flood mitigation efforts. This interim solution is intended to protect against GLOFs that are up to 4 feet higher than the 2024 GLOF. CBJ will integrate the work of the hydrological and hydraulic analysis to implement Phase One in a manner to avoid downstream impacts. Site investigation by CBJ and the USACE of the 79 predominantly private properties along this "Phase One" route have led to the identification of a preliminary installation path.
Several factors were considered when developing the preliminary installation path to ensure that the HESCO barrier will function as intended, including technical and practical factors associated with the barriers and site conditions, and considerations of the nature of flooding, inundation and bank erosion at different points along the river. Those factors are outlined below:

1. **Hydrologic and Hydraulic Analysis:** Hydrological and hydraulic (H&H) analysis and modeling is currently underway. This initiative will deliver additional insight into the probable effects of more severe GLOF events. It will also provide information regarding the impact the HESCO barrier will have on the river and proximate properties during a GLOF event, including upstream and downstream impacts. The results of the H&H analysis and modeling will guide the final placement of the barriers.

2. **Armoring**: During the last several GLOF events, the river has displaced portions of the riverbank that were unarmored or insufficiently armored. Significant armoring along the river occurred after the 2023 GLOF. Armoring the banks of a few additional properties will prevent the continued loss of riverbank, provide the first line of defense against flooding, and protect the needed base/foundation for the HESCO barrier.

3. **Overtopping and Inundation Characteristics**: Properties along the riverfront were impacted in different ways during recent GLOF events. Some properties are located on segments of the river that saw direct and forceful overtopping. Other properties were natural drainage areas for floodwater to return to the river. And still other properties saw a

slow but steady rise and fall of floodwater or were not flooded. These localized characteristics require different armoring, configuration and alignment, and drainage considerations.

4. **Configuration (Height/Depth)**: The HESCO barrier project is intended to provide approximately four feet of added protection above the inundation levels seen during the 2024 flood event. Because certain areas along the riverfront experienced forceful overtopping of the riverbank or were more likely to be impacted by debris, different configurations will be needed to provide adequate load resistance and accommodate the varying topography along the riverfront, to protect from future overtopping. This may include stacking barriers to achieve the height needed, and buttressing barrier segments for additional strength.

5. **Base/Foundation (Scour, Erosion, and Settlement)**: Where possible, HESCO barriers will be placed on suitable soil that has adequate bearing capacity and can resist scouring and erosion. In areas with soil that is not suitable for barrier placement, soil improvement techniques, including compaction with shot rock, will be used to prevent scour, erosion, and settlement. Lastly, some areas will need to be "built up" to ensure adequate barrier height or to properly incorporate drainage features of the existing site conditions.

6. **Continuity of Barrier**: Although site/property specific considerations will influence the placement and configuration of individual HESCO cells, the cells must form a continuous barrier along the full, 2-mile length. Accommodation must be made to ensure that the barrier will perform as intended along its entire length. In some cases, the prevailing conditions on adjacent properties will constrain placement of individual cells.

7. **Drainage**: Manufactured drainage components will be incorporated at regular intervals along the barrier in accordance with manufacturers' recommendations to prevent water from accumulating on the dry side. Additionally, the barrier will be located and installed to take advantage of existing natural or constructed drainage elements.

8. **Slope and Cross Slope**: To the extent possible, HESCO barriers will be placed on a flat, level surface. Therefore, variations of the slope (ground surface along the length of the barrier) or cross-slope (ground surface from front to back of the barrier) will be avoided. These factors will influence placement and alignment.

9. **Constructability and Access (Installation, Maintenance, and Removal)**: The HESCO barrier project will involve the placement and assembly of HESCO cells along a 2-mile stretch of riverfront crossing 79 individual properties. To the maximum extent possible, construction equipment will be used to assist in the placement and fill of cells to facilitate the timely completion of the barrier before the next GLOF event. Constructing the barrier in a manner that will facilitate access for construction, maintenance, and eventual removal will influence the barrier's placement and alignment.

10. **Setbacks:** To avoid narrowing the river channel and the potential unintended consequences of elevating flood levels along the river, the HESCO barrier will be placed outside the riverbank and on the upland side of armored banks. To the extent possible, the barrier will be placed as far from constructed facilities (homes, attached structures, outbuildings, etc.) while still providing a suitable, continuous base along the barrier's length.

Mendenhall River Glacier Lake Outburst Flooding (GLOF) Local Improvement
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11. **Utilities**: The HESCO barrier will be placed on the river-side of existing utilities to protect public infrastructure and provide access for maintenance (e.g. installed electrical distribution equipment and transmission structures).

12. **Obstructions**: The HESCO barrier will be located to avoid obstructions on individual properties where possible. These obstructions include natural features (large trees/stumps, brush, etc.) and constructed features (fences, decks, outbuildings, etc.). In some cases, obstructions will be incorporated into the barrier or will relocated or removed to facilitate the construction of the barrier.

13. **Maintenance Access Points**: Three locations have been identified as barrier access points to facilitate road maintenance and snow removal activities. These segments of the barrier can be quickly removed to create openings as needed and immediately replaced to maintain the barrier's integrity.

14. **Manufacturer's Recommendations and USACE Technical Guidance**: Manufacturers' recommendations, technical advice and installation oversight provided by USACE will be relied upon to ensure that the placement and construction best serves the intended function of the barrier.

DRAFT

Assemblymember Kelly Amendment to 2024-40

Amendment 1 . - withdrawn

Section 5. Estimated Cost. The estimated cost of Phase 1 is up to $7,830,000, which includes the costs to be borne by the City and Borough. The estimated cost of Phase 1 to be funded by the City and Borough is up to $3,915,000 and the estimated cost to the owners of property specially benefitted is up to $3,915,000. Any costs over the $7,830,000 will be borne by the City and Borough, subject to Assembly appropriation. Should the CBJ receive federal or other grant funding for Phase 1, the amount will first be applied to any costs over the $7,830,000, if funds remain, those funds will be divided equally between properties specially benefited and the CBJ to reduce the total amount owed.

Assemblymember Mayor Weldon Amendment to 2024-40

Amendment _2_. Passed

Section 10. Source of Funds. The Phase 1 project costs to be met from the assessments against the properties specially benefitted is up to $3,915,000. The Phase 1 project costs to be met by the City and Borough is up to $3,915,000. The funding source for the costs to be borne by benefited properties is a Central Treasury Loan. The funding source for costs to be met by the City and Borough are $2,000,000, which has already been appropriated from the Restricted Budget Reserve, with the remainder to be appropriated from the general fund; The funds appropriated are exempt from the requirement that loans be for "the purpose of capital acquisition" under CBJC 57.05.045(a). The funds appropriated are exempt from the requirement that the loan term "shall not exceed five years" under CBJC 57.05.054(b). A repayment plan will be established by the City and Borough. The properties specially benefitted will have up to 10 years for repayment of funds at a 4.78 percent interest rate.

Assemblymember Mayor Weldon Amendment to 2024-40

Amendment _3_. Passed

Section 10. Source of Funds. The Phase 1 project costs to be met from the assessments against the properties specially benefitted is up to $3,915,000. The Phase 1 project costs to be met by the City and Borough is up to $3,915,000. The funding source is a Central Treasury Loan. The funds appropriated are exempt from the requirement that loans be for "the purpose of capital acquisition" under CBJC 57.05.045(a). The funds appropriated are exempt from the requirement that the loan term "shall not exceed five years" under CBJC 57.05.054(b). A repayment plan will be established by the City and Borough. The properties specially benefitted will have up to 10 years for repayment of funds at a 4.78 percent interest rate. Homes bearing the additional assessment under Section 7 will have up to 30 years for repayment of the additional assessment at a 4.78 percent interest rate.

Assemblymember Kelly Amendment to 2024-40

Amendment __4_. Withdrawn

The costs set forth in Sections 5, 6, and 10 shall be apportioned as follows: the CBJ will be responsible for 75% of the costs and the specially benefited properties will be responsible for 25% of the costs.

To ensure that CBJ has funds to repay its portion of the LID costs, in FY26 the CBJ will not appropriate general funds, except hotel bed tax and sales tax, to the Juneau Affordable Housing Fund program.

Ordinance 2024-40 Amendment _4_ by Paul Kelly – Backup (Motion withdrawn)

	Current	Steininger Amendment A	Change	Kelly Amendment B	
City Share %	50%	60%		75%	
City Share $	3,915,000	4,698,000	783,000	5,872,500	1,957,500
Base Cost					
Properties	466	466		466	
Per Property	7,972.10	6,291.85	(1,680.26)	3,771.46	(4,200.64)
Subtotal	*3,715,000*	*2,932,000*	*(783,000)*	*1,757,500*	*(1,957,500)*
Bank Reinforcement					
Properties	4	4		4	
Per Property	50,000	50,000		50,000	-
Subtotal	*200,000*	*200,000*	-	*200,000*	-
Subtotal Property Owners	3,915,000	3,132,000	(783,000)	1,957,500	(1,957,500)
Grand Total	**7,830,000**	**7,830,000**	**-**	**7,830,000**	**-**

Assemblymember Steininger Amendment to 2024-40

Amendment _5_. *Passed 5 Yeas : 3 Nays*

Section 5. Estimated Cost. The estimated cost of Phase 1 is up to $7,830,000, which includes the costs to be borne by the City and Borough. The estimated cost of Phase 1 to be funded by the City and Borough is up to $~~3,915,000~~ $4,698,000 and the estimated cost to the owners of property specially benefitted is up to $~~3,915,000~~ $3,132,000. Any costs over the $7,830,000 will be borne by the City and Borough, subject to Assembly appropriation.

Section 6. Method of Apportioning Costs. Costs to be borne will be divided ~~equally~~ 40%/60% between the properties specially benefitted within the LID boundaries and the City and Borough. The properties specially benefitted within the LID boundaries shall be assessed up to $~~3,915,000~~ $3,132,000 equally apportioned between all homes. The City and Borough is responsible for up to $~~3,915,000~~ $4,698,000. The total project cost for Phase 1 is up to $7,830,000. Because the City and Borough will be absorbing a large portion of the costs, and as the property owners' contribution is capped at a value that is lower than could properly be assessed against the properties otherwise, equal apportionment among each homeowner is warranted. Exhibit "B" setting forth the assessment of each property specially benefitted is attached to this ordinance and made a part hereof.

Section 10. Source of Funds. The Phase 1 project costs to be met from the assessments against the properties specially benefitted is up to $~~3,915,000~~ $3,132,000. The Phase 1 project costs to be met by the City and Borough is up to $~~3,915,000~~ $4,698,000. The funding source is a Central Treasury Loan. The funds appropriated are exempt from the requirement that loans be for "the purpose of capital acquisition" under CBJC 57.05.045(a). The funds appropriated are exempt from the requirement that the loan term "shall not exceed five years" under CBJC 57.05.054(b). A repayment plan will be established by the City and Borough. The properties specially benefitted will have up to 10 years for repayment of funds at a 4.78 percent interest rate.

Amendment _5_. Passed via Roll Call Vote 5Y:3N

5 Yeas: Steininger, Woll, Kelly, Hall, Smith

3 Nays: Hughes-Skandijs, Adkison, Weldon

Steininger Amendment _5_ Backup to Ordinance 2024-40 - passed

	Current	Amendment	Change
City Share %	50%	60%	
City Share $	3,915,000	4,698,000	783,000
Base Cost			
Properties	466	466	
Per Property	7,972.10	6,291.85	(1,680)
Subtotal	*3,715,000*	*2,932,000*	*(783,000)*
Bank Reinforcement			
Properties	4	4	
Per Property	50,000	50,000	
Subtotal	*200,000*	*200,000*	-
Subtotal Property Owners	3,915,000	3,132,000	(783,000)
Grand Total	**7,830,000**	**7,830,000**	**-**

Committee and Liaison Report - Motion by Assemblymember Smith

The Airport Manger Patty Wahto has announced her retirement in 2025.

Under CBJ Charter 3.22, the Airport Board derives its authority from the Assembly. CBJC 05.01.010(f) and CBJC 05.01.070(c) govern personnel actions.

I move to suspend the rules, by a vote of 6, to immediately appoint a hiring committee to update the position description, recruit, select, and hire the airport manager. The hiring committee shall consist of:

(1) the airport liaison;
(2) the city manager;
(3) the deputy city manager; and
(4) two members of the airport board, selected by the airport board, only one of whom may be a tenant as defined in CBJC 05.01.010.

VOTE HERE