



**PARKS & RECREATION ADVISORY COMMITTEE
MEETING AGENDA
TUESDAY, JUNE 1, 2021
5:30 P.M.
ZOOM WEBINAR**

This meeting will take place virtually via **Zoom Webinar**. To join the Zoom Webinar, go to <https://juneau.zoom.us/j/94184441385> or call: 1 253-215-8782. **Webinar ID: 941 8444 1385**. Members of the public wishing to provide public comment during the meeting can do so by clicking the “Raise Hand” button (online Zoom Webinar) or press *9 (telephone).

Agenda Item	Presenter	Action Requested
I. Call to Order	C. Mertl	
II. Approval of Agenda Agenda Changes	C. Mertl	<i>If no changes: Motion to approve</i>
III. Approval of Minutes Meeting of May 4, 2021	C. Mertl	<i>If no changes: Motion to approve</i>
IV. Public Participation on Non-Agenda Items	C. Mertl	
V. New Business Chair & Liaison Elections Cope Park Easement Application Auke Bay Beach Access Easement Application Memorial Bench Policy Juneau Capital Fund Grant [Red Folder Item]	C. Mertl M. Elfers G. Schaaf M. Elfers M. Elfers	Motion to elect chair & liaisons Recommendation Recommendation Recommendation Recommendation
VI. Unfinished Business <i>None</i>		
VII. Staff Reports EVC and Amalga Meadows Update	K. West	
VIII. Committee, Liaison, & Board Member Reports Chair Report Liaison to the Assembly Board Member Liaisons Other Board Member Business	C. Mertl Wade Bryson Liaisons All	
IX. Adjournment	C. Mertl	



TO: Parks & Recreation Advisory Committee
FROM: George Schaaf, Parks & Recreation Director
DATE: May 26, 2021
RE: June 1, 2021 Meeting

DIRECTOR'S REPORT

Please find enclosed the information supporting your agenda topics for this meeting. The meeting is anticipated to last 90 minutes and will take place via **Zoom Webinar**. To join the Zoom Webinar, go to <https://juneau.zoom.us/j/94184441385> or call 1-253-215-8782. **Webinar ID:** 941 8444 1385.

NEW BUSINESS

A. Chair & Liaison Elections – Requested by C. Mertl

B. Cope Park Easement Request – *Requested by M. Elfers [page 9-19]*

The owners of 747 Goldbelt Ave. and 101 Goldbelt Ave. have submitted an application to acquire a permanent easement within Cope Park. The purpose of the easement is to allow the owners to stabilize the slope below their property, which has experienced significant erosion for decades. Parks & Recreation staff have worked with CBJ Engineering and the property owners to develop a Memorandum of Agreement containing detailed requirements for the work, as well as measures to protect park resources (attached). The consensus among CBJ staff is that this project is in the public interest because it will stabilize the slope within the park, protect homes and other infrastructure above Cope Park, and reduce the likelihood of damage to park infrastructure in the future. I request that you recommend the Assembly approve this application.

SUGGESTED MOTION:

The Parks & Recreation Advisory Committee recommends that the Assembly approve the request by Helen & Albert Clough to acquire an easement within Cope Park.

C. Auke Bay Beach Access Easement Request – *Requested by G. Schaaf [page 20-40]*

Peak Construction, Inc. has submitted an application to acquire a permanent easement to construct a driveway on a Beach Access parcel in Auke Bay. The attached memo contains additional information on the application, as well as relevant plans and ordinances governing management of this parcel. Based on the information available, the Department has determined that this request is not in the public interest and is inconsistent with adopted plans. I request that you recommend the Assembly deny this application.

SUGGESTED MOTION:

The Parks & Recreation Advisory Committee recommends that the Assembly deny the request by Peak Construction, Inc. to acquire an easement across a public Beach Access in Auke Bay (CBJ Parcel No. 4B2801020070).

D. Memorial Bench Policy – Requested by M. Elfers [page 41-42]

The Parks & Recreation Department frequently receives requests to install memorial benches in public parks. The attached policy is intended to provide a process to consider these requests, clarify responsibility for costs and maintenance, establish consistent design standards, and provide requirements for installation. I request that you recommend the Department adopt this policy.

SUGGESTED MOTION:

The Parks & Recreation Advisory Committee recommends that the Department adopt Policy No. 700-001 (Memorial Benches).

UNFINISHED BUSINESS - None**STAFF REPORTS****A. EVC and Amalga Meadows Update – Presented by K. West [page 46-48]****B. Operations Update – Presented by G. Schaaf**

The following summary of projects, programs, and activities over the last month is provided at the request of the Chair:

- **Summer Camps** – All available space for Parks & Recreation summer camps sold out within 17 minutes. As always, we reserved a number of places for disadvantaged youth. While our summer camps are always popular, demand this year was exceptional. While we would like to accommodate every child who wants to attend summer camp, availability is limited due to existing budgets and staffing levels.
- **Youth Sports** – All available space for Parks & Recreation Smart Start Soccer Camps sold out within 12 minutes. We increased capacity by 50%, which also sold out immediately. Like summer camps, demand for this program is always strong and this year it was exceptional. While we would like to accommodate every child who wants to play soccer, availability is limited due to existing budgets and staffing levels.
Our soccer program registered over 300 kids in one week during early bird registration and continues to fill up.
- **Aquatics** – All available space for Parks & Recreation swimming lessons sold out in minutes. Additional sessions will be offered later this summer, but we expect demand will continue to exceed our ability to offer lessons with existing budgets and staffing levels. Prior to the COVID-19 pandemic, CBJ Aquatics earned a Red Cross Gold Level certification for delivering more than 1,000 swim lessons annually. As we continue

resuming normal operations, we expect to reach this level again, and eventually offer even more lessons in the future.

Like almost every other aquatics program in the country, we are struggling to maintain adequate staffing levels for both facilities. With one lifeguard certification course underway and another planned for June, we expect to add up to 25 new lifeguards to our staffing schedule soon.

The Assembly Finance Committee approved \$3.3 million in funding to move forward with a full renovation of Augustus Brown Pool. Final action by the Assembly is expected as part of the budget process in June. If approved, we expect the project could begin as soon as this winter.

Draft commercial use regulations for Aquatics facilities are still being reviewed by the Law Department. We hope to have them out for public comment soon.

- **Youth Services** – Renovations are continuing at Shéiyi xaat hít (“Spruce Root House”), our new shelter for youth experiencing homelessness. We have hired most of the staff positions and are on track to open the facility in June.

The Youth Center is extremely busy, and we expect this will increase once school is out.

- **Community Recreation Programs** – Registration for “Walk Southeast” has closed and more than 800 people in Juneau, Wrangell, and Petersburg signed up! Alaska Airlines is providing the grand prize by matching every mile walked (up to 25,000 miles) with Alaska Airlines miles. Everyone who walks 150 miles or more will be entered to win the Southeast Alaska drawing. There will also be a local drawing for Juneau which includes merchandise and gear from NAO and Trail Mix, as well as a one night stay at the Amalga Cabin.
- **Treadwell Arena** – Treadwell Arena is exploring the possibility of offering roller skating to the public this summer. More information is coming soon.
- **Dimond Park Field House** – The Dimond Park Field House has been formally transferred to the City & Borough of Juneau. Eaglecrest will continue to operate the facility until July 1, 2021, at which time all operations will move to Parks & Recreation. Existing employees will be offered an opportunity to transfer from Eaglecrest to new positions with Parks & Recreation effective July 5, 2021. We currently have a number of positions advertised.

RED FOLDER AGENDA ITEM

A. Juneau Capitol Fund Grant – Requested by M. Elfers [page 43-45]

The Juneau Park Foundation applied for grant funding from the Juneau Capitol Fund, a fund of the Juneau Community Foundation (JCF). This request would complete key components of the upcoming Capital School Park renovation, including artificial turf, lighting, and park furnishings. In May, the fund’s advisors and the JCF board approved up to \$550,000 in funding for this project. I request that you recommend the Assembly accept these funds for the Capital School Park project.

SUGGESTED MOTION:

The Parks & Recreation Advisory Committee recommends that the Assembly accept up to \$550,000 from the Juneau Capitol Fund, a fund of the Juneau Community Foundation, and appropriate these funds to the Capital School Park Capital Improvement Project.



PARKS & RECREATION ADVISORY COMMITTEE

TUESDAY, MAY 4, 2021 – 5:30 PM

Zoom Webinar

I. Call to Order at 5:30 p.m. – C. Mertl, Chair

Present: Josh Anderson, Alex Beebe-Giudice, Edric Carrillo, Makayla Chappell, Ron Crenshaw, Kirk Duncan, Emily Haynes, Chris Mertl, Will Muldoon

Absent: None

Staff Present: George Schaaf, Director; Michele Elfers, Deputy Director; Jorden Nigro, ZGYC Manager; Ty Shae, Housing Navigator; Ginger Hudson, Arboretum Manager

II. Agenda Changes – C. Mertl adds welcome & introduction under New Business.

III. Approval of Meeting Minutes –

- A.** From March 2, 2021 – J. Anderson moves to approve minutes; no objection. ***Minutes adopted.***

IV. Public Participation on Non-Agenda Items – None

V. New Business –

A. Welcome, Makayla & Emily

E. Haynes: I work for DOT and big supporter of all public lands. I am excited to help diversify Parks & Recreation.

M. Chappell: I wanted to get more involved in our community and be another voice.

VI. Unfinished Business – None

VII. Information Items –

A. Transgender Anti-Discrimination Policy

T. Shae: It was clear we needed to have protections in place for transgender and gender expansive youth at the shelter because they have a disproportionate rate of experiencing things like homelessness. As we started discussing this policy, we thought it would be good to have something that is more of an umbrella that could be used for the department. We have a lot of facilities and activities that are gender specific where issues could potentially arise. We wanted to set a tone that our facilities are open to everyone and everyone should feel safe when participating in those activities. The policy is meant to be a general form of protection for transgender patrons and staff members so they can choose whichever facilities or programs are safest for them to participate in without fear of harassment. Having this policy in place will give staff something to reference if issues do arise and need to be addressed.

J. Nigro: We wanted to bring it to PRAC since you are the ambassadors for Parks & Rec; you can help us get the word out so people know we have a plan and people can feel safe using our facilities.

W. Muldoon: Thank you, this is a great policy. Was this drafted just in house or has it been shared elsewhere?

J. Nigro: It was drafted in house and it will be brought to Leadership this week.

R. Crenshaw: Thank you for this policy, it is incredibly well written. I have not lived in Juneau that long but I am amazed at what an enlightened community it is.

A. Beebe-Giudice: I am curious of the Gender Support Plan.

T. Shae: It is still in progress but it was developed by an organization called Gender Spectrum that established kids could choose which facilities are best for them. Having conversations with the kids from the start, being aware of the youths gender identity, communicating very clearly all of those boundaries from the beginning to protect the youth as best as we can.

C. Mertl: Does the JSD have a policy?

J. Nigro: The JSD does but this is the first of CBJ.

J. Anderson: In regards to the bathrooms and locker rooms, what happens when someone abuses it?

J. Nigro: We worked with Aiden Key who has been doing work with the JSD and runs an organization called Gender Odyssey. When we first looked into it, we could not really find any verbiage. Aiden said to state clearly in the policy's purpose whom this policy applies to. If an individual is going to abuse it, that would not be handled in the policy. This policy is not written for me and it is very clear whom the policy is written for. We will be doing training around gender identity and gender expression for the department so people will feel comfortable saying this policy does not apply to you. If someone is going to cause a big stink, they can use the non-gender bathroom.

C. Mertl: How many facilities do not have non-gender bathrooms?

G. Schaaf: Going forward, new facilities will have gender-neutral restrooms. I do not expect there is going to be capacity to retrofit a lot of facilities and the policy doesn't require that. The policy allows people to use the bathroom where they feel safest.

W. Muldoon: I move the PRAC support the Transgender Anti-Discrimination Policy and ask for unanimous consent.

Motion passes unanimously.

B. Jensen-Olson Arboretum Update

G. Hudson: I recently relocated from Anchorage with my husband, Ken. We are thrilled to be here and take care of this amazing, special place. Prior to this position, I had my own landscape design business, taught about gardening and wrote about the environment. I have practiced gardening, landscape design and teaching both here and in Texas. I worked at the Alaska Botanical Garden where I handled special projects sorting out plant material and helping to build plant collections. Thankfully, Merrill did all the hard work and he really built up the infrastructure here. My goal is to work on the education, outreach and plant preservation. So far, we agreed to participate in a bumblebee study conducted by the State of Alaska. Another project that we have been asked to be part of is a worldwide project on the conservation of wild original food plants. One of the many important aspects of having a public garden is to preserve the spaces and to help educate the public.

C. Mertl: I think it would be great for the PRAC to have a tour of the Arboretum one day.

C. 2021 Trail Mix Projects

R. O'Shaughnessy: I am here to fill you in on the impacts we saw from the COVID-19 Conservation Corps (CCC), as well as talk about what we are planning for 2021. Parks & Rec, Trail Mix and Eaglecrest partnered together to create the CCC where the intent of the program was to employ people who were unemployed or underemployed due to the pandemic and put people to work. At Trail Mix, we employed over 30 people. We worked on around 10 trails, most of them CBJ managed trails which brought our season total hours to almost 20,000 hours in 2020. For scale, Trail Mix normally puts about 9,000 hours a year into our trail system. We worked on the Pt. Bridget Trail, Equestrian Trail, Horse Tram Trail, Amalga Cabin Trail, EVC Challenge Course, Auke Bay Elementary School, Ann Coleman Beach Access, Under Thunder Trail, Granite Creek and Red Mill Trails. The bigger intent of this program was to provide different types of trainings including Sustainable Trail Design Courses, Wilderness Advance First Aid (WAFA) and mechanical and hand tool techniques. Over 60% of the funding that provided to Trail Mix went directly into employees paychecks. 75% of non-payroll expenditures supported local businesses. Trail Mix's 2021 Work Plan include: a new elevated walkway at the Eagle Valley Center, fix up the Lena Point trail, Christopher Trail, Switzer Creek trail, Amalga Cabin access fine tuning, Duck Creek Wetlands mitigation work and some beach access trails.

C. Mertl: Is CCC happening again this year?

R. O'Shaughnessy: CCC was funded by the Cares Act and federal guidance will be released soon for the American Rescue Plan.

D. Montana Creek ORV Update

M. Elfers: Working on getting funding for a Master Plan, which is underway. We have learned that the user groups are interested some land and we have made some headway on some. The piece of land that has a lot of interest is at 35 mile, which has a lot of baseline research already. Starting to discuss what a management agreement would look like and going from there. I will be presenting to the Lands Committee on Monday.

W. Muldoon: Who would retain ownership of the land under the code management plan?

M. Elfers: With the collaborative management agreement, the state would retain ownership of the land and the land would need to be managed in alignment with the Juneau State Land Plan from 1993.

VIII. Committee, Liaison, and Board Member Reports

A. Chair Report—We'll discuss new liaison assignments at the next meeting.

B. Liaison to the Assembly Report— We're in the middle of budget season.

C. Liaison Reports—

Aquatics— W. Muldoon: Getting close to finalizing commercial use regulations, primary focus was liability and being able to maintain private lessons.

YAB— J. Anderson: Scored all the YAB applicants. We awarded over \$300K to local youth orgs.

Eaglecrest— VACANT

Jensen-Olson Arboretum— E. Carrillo: Meeting next week. In support of getting out to the JOA.

Lands— C. Mertl: Talking about programs to encourage housing development downtown.

Park Foundation— C. Mertl: Looking at building a second cabin; a proposal coming for a staircase beautification program. Hoping the neighborhood match grant fund stays in the budget.

Treadwell Arena Board – K. Duncan: Reviewed the Annual Report. Treadwell is now closed.

Trail Mix— R. Crenshaw: Ryan covered it in his presentation.

1% for Art— J. Anderson: None.

Other Member Business –

C. Mertl: So many cool things are happening out in our parks and on our trails. My kids are really enjoying all the DIY activities.

Adjournment – 7:24 p.m. *Having no other business before the board.*

Respectfully submitted by Lauren Verrelli, Recreation & Public Services Manager, 5/24/2021



TO: Mr. Chris Mertl, Chair Parks and Recreation Advisory Committee
FROM: Michele Elfers, Parks & Recreation Deputy Director
DATE: May 18, 2021
RE: Cope Park Slope Stabilization Work

In the fall of 2019, a landslide initiated from private property above Cope Park and terminated at the base of the sledding hill in Cope Park. Since that time, the property owners have been working with the City and Borough of Juneau (CBJ) Risk Manager, Law Department and Engineering Division on a path forward to repair the damage and stabilize the slope. The proposed work includes connection of a storm drain pipe from the private property to the storm drainage system in Cope Park as well as an engineered rock pad to stabilize the slope.

As part of the slope is on CBJ property, the property owner has applied for a permanent easement for construction and ongoing maintenance of the slope. When a private entity desires to improve or repair Park property, the department typically requires a memorandum of understanding (MOU) to outline the terms and conditions of approval of the work. The easement and MOU are attached for review.

Staff supports this stabilization work as it will cleanup debris from the slide, minimize stormwater on the slope and reduce the risk of future landslide events at this property. Staff requests the PRAC recommend approval to the Assembly of the Cope Park Slope Stabilization Easement and MOU.

**MEMORANDUM OF AGREEMENT
BETWEEN OWNER AND
THE CITY AND BOROUGH OF JUNEAU**

PARTIES

This Memorandum of Agreement (“MOA”) is between A. Harley Clough, property owner at 101 Goldbelt Avenue (Parcel ID 1C030F010010) & 747 Goldbelt Avenue (Parcel ID 1C030F010020), Juneau, Alaska 99801 (“Property owner”) and the City and Borough of Juneau (“CBJ”).

PURPOSE

Property owner require access to CBJ Property, specifically portions of Cope Park, for the purpose of repairing and stabilizing the slope at and below their property, as well as access to connect to the CBJ stormwater system (“scope of work”).

MEMORANDUM OF AGREEMENT

Property Owner agrees as follows:

1. Property Owner will primarily control the work. Property owner are not considered to be an agent or employee of the CBJ for any purpose, and any contractors retained to perform the work on behalf of property owner are not entitled to any benefits that CBJ provides for CBJ employees. OWNER are not contractors of the CBJ and nothing in this agreement shall be construed as creating a contractual relationship regarding the repair and stabilization of the slope.
2. All work associated with repair and stabilization of the slope and drainage work will be carried out in a professional and prudent manner by licensed and bonded contractors.
3. Property Owner are solely responsible to obtain all federal, state, or local permits required to perform the scope of work subject to this MOA.
4. Property Owner or their designee shall communicate with the Parks and Landscape Maintenance supervisor and provide updates on the project upon request.
5. Provide a project timeline and any updates to that timeline to the CBJ’s designee. Property Owner will provide notice to the CBJ no less than 48 hours before commencing work.
6. Property Owner acknowledge and agree that the CBJ Property is a recreational park open to public use and it is of critical importance that the scope of work be completed in a timely and safe manner. Property Owner represent they have sufficient resources to complete the scope of work prior to commencing construction.
7. Property Owner will secure the construction area on the slope and at the base of the slope with fencing for the entire period of construction. Fencing shall remain until the slope is stabilized with vegetation and the grass is a thick healthy mat with 80% coverage. Property Owner or their contractors may not park vehicles in the emergency turnaround areas.
8. Property Owner will remove accumulated debris at the base of the slope subject to the scope of work, including woody debris, dead vegetation, rock and soil. This material shall be disposed of offsite.

9. Property Owner will revegetate the slope and all disturbed construction areas subject to the scope of work with topsoil and native vegetation including grass. The grass seed mix shall be 50-75% Red Fescue, 25-45% *Deschampsia cespitosa* and 5% annual rye. Other types of native plants shall be approved by CBJ. A thick, healthy mat of grass with 80% coverage is required by the end of the construction season. If this coverage is not obtained, Property owner will be required to revegetate and obtain this standard in the following season. All planting work must be complete between May 15 and August 15 of 2021 or 2022
10. Property Owner will install appropriate BMP's during construction to manage stormwater and prevent drainage or sediment accumulation from entering the park area.
11. Hire an experienced professional to manage execution of the contract documents including construction, site access and control.
12. Complete the construction work within 21 days of the start of construction. The start of construction shall be when any materials or equipment are brought to the site.

The CBJ agrees as follows:

13. The CBJ will support access to the site as reasonably able, including 1-2 spaces in the parking lot as needed for the staging of equipment in locations approved by Parks and Recreation. Minimal construction materials may be stored at the base of the slope and space shall be coordinated with Parks and Recreation for storage. Access may be reasonably limited when approved events are occurring in the park. The CBJ will provide the owner with a schedule of any approved events prior to construction so that will not increase their construction costs by causing delays.
14. The CBJ will maintain communication with Property Owner in a timely and reasonable manner regarding this MOA and scope of work.

Additionally, the Parties agree as follows:

Property Rights: This MOA does not create any new or additional property rights for Property Owner. This MOA does not create an easement for Property Owner. Property Owner will comply with CBJ requirements to obtain an easement for the storm water system.

Notices: The CBJ's primary representative for this agreement shall be the Parks and Landscape Supervisor. The Deputy Director of Parks and Recreation shall be an alternate representative. The Property Owner's primary representative for this agreement shall be Helen Clough. Any reliance on a communication with a person other than that listed below is at the party's own risk.

1. The contact for the CBJ is: Colby Shibler, Parks and Landscape Supervisor, (907) 364-2800, Colby.Shibler@juneau.org. The alternate contact is Michele Elfers, Deputy Director of Parks and Recreation, (907)364-2390, Michele.Elfers@juneau.org.
2. The contact for OWNER is: Helen Clough, hcloughak@gmail.com, 907-321-4004. The alternate contact during construction is Lucas Chambers, lucas@prohns.com, 907-738-7384 or 907-780-4004.

Termination: The CBJ may, by prior written notice, terminate this MOA, in whole or in part, if it deems the Property Owner are in material breach of the MOA or if the scope of work is

performed in a manner that creates an unreasonable hazard.

Property Owner Insurance Requirements: Property Owner, or any contractor Property Owner retains for the scope of work contemplated for this project or for ongoing maintenance of the project area, shall maintain the following insurance coverage:

1. **Commercial General Liability Insurance.** Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the Contractor. This amount must be at least \$1,000,000 per occurrence, and \$2,000,000 aggregate. **This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBJ, its officers, officials, employees, and volunteers.**
2. **Workers Compensation Insurance.** If required by Alaska Statute (*see* Alaska Statute 23.30), Property Owner shall ensure that any Contractor must maintain Workers Compensation Insurance to protect the Contractor from any claims or damages for any bodily or personal injury or death which may arise from services performed under this contract. This requirement applies to the Contractor's firm, the Contractor's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this contract. The Contractor must notify the City as well as the State Division of Workers Compensation immediately when changes in the Contractor's business operation affect the Contractor's insurance status. Statutory limits apply to Workers Compensation Insurance. The policy must include employer's liability coverage of \$100,000 per injury and illness, and \$500,000 policy limits. **If the Contractor is exempt from Alaska Statutory Requirements, the Contractor must provide written confirmation of this status in order for the CBJ to waive this requirement.**
3. **Comprehensive Automobile Liability Insurance.** The coverage shall include all owned, hired, and non-owned vehicles \$1,000,000 combined single limit coverage.

Indemnification: Property Owner agrees to defend, indemnify, and hold harmless CBJ, its employees, volunteers, consultants, and insurers, with respect to any action, claim, or lawsuit arising out of or related to the Property Owner's performance of the scope of work subject to this MOA, without limitation as to the amount of fees, and without limitation as to any damages, cost or expense resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this MOA. The obligations of OWNER arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify OWNER in a timely manner of the need for indemnification, but such notice is not a condition precedent to OWNER's obligations and is waived where OWNER has actual notice.

Choice of Law: The Superior Court for the State of Alaska, First Judicial District at Juneau, Alaska shall be the exclusive jurisdiction for any action of any kind and any nature arising out of or related to this MOA. Venue for trial in any action shall be in Juneau, Alaska. The laws

of the State of Alaska shall govern the rights and obligations of the parties.

Severability: If a court of competent jurisdiction renders any part of this MOA invalid or unenforceable, that part will be severed and the remainder of this MOA will continue in full force and effect.

Waiver: Failure or delay by the CBJ to exercise a right or power under this MOA will not be a waiver of the right or power. For a waiver of a right or power to be effective, it must be in a writing signed by the CBJ. An effective waiver of a right or power will not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power.

Agreement. All parties mutually agree to the terms of this MOA.

This Memorandum of Agreement is entered into as of the date signed by the Director of Parks and Recreation below.

CBJ, Parks & Recreation:

Date: _____

By: _____

Property Owner:

Date: _____

By: _____

Return to: City and Borough of Juneau
 Attn: Division of Lands and Resources
 155 S. Seward St.
 Juneau, AK 99801

Juneau Recording District

Document Type: Construction, Access and Drainage Easement

Grantor: City and Borough of Juneau

Grantee: Current and future owners of Lot 1, Golden Belt Addition and 3, Tract A Gold Belt Addition

CONSTRUCTION, ACCESS AND DRAINAGE EASEMENT

In exchange for \$1.00 and other valuable consideration, the **City and Borough of Juneau, Alaska** (a municipal corporation in the State of Alaska), **hereinafter referred to as "Grantor"** conveys a construction and drainage easement, as shown on the attached exhibit drawing, to the **current and future owners of Lot 1 of the Golden Belt Addition and Lot 3, Tract A of the Gold Belt Addition** (as described by deed) **hereinafter referred to as "Grantees."**

This easement is located on portions of US Mineral Survey 926 (Boston No. 2 Lode), US Survey 2348, and US Mineral Survey 761 (Fraction Lode) adjacent to Lot 1, Golden Belt Addition (Plat# 1913-2, Juneau, AK Recording District) and Tract A more particularly described in the attached Exhibit Drawing.

The purpose of the easement is to repair and stabilize the slope and provide improved drainage. The **Grantees** agree to share equally the expense of construction and general maintenance within the easement on City and Borough of Juneau property. Said easement to benefit the Grantees. The grant of this easement is in perpetuity and shall run with the land and shall be binding and effective on all future owners until such time as said easement is vacated by the Grantees. **The Grantor will not be responsible for any cost associated with the construction and maintenance of the easement.**

All parties shall keep the easement clear of obstructions, i.e., fences, materials, vehicles, equipment. The **Grantees** shall obtain all authorizations and permits required to construct and maintain the improvements within the easement. The **Grantee** will obtain written permission from the Grantor prior to performing any work or maintenance within the easement.

The City and Borough of Juneau is authorized to grant this easement pursuant to CBJ 53.09.300.

GRANTOR: City and Borough of Juneau, Alaska

The City and Borough of Juneau agree and sign below.

Duncan Rorie Watt
City and Borough Manager

Date

NOTARY

On this ____ day of _____, 2021, before me, the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn, personally appeared

to me known to be the persons described in and who executed the above and foregoing instrument, and acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes herein mentioned.

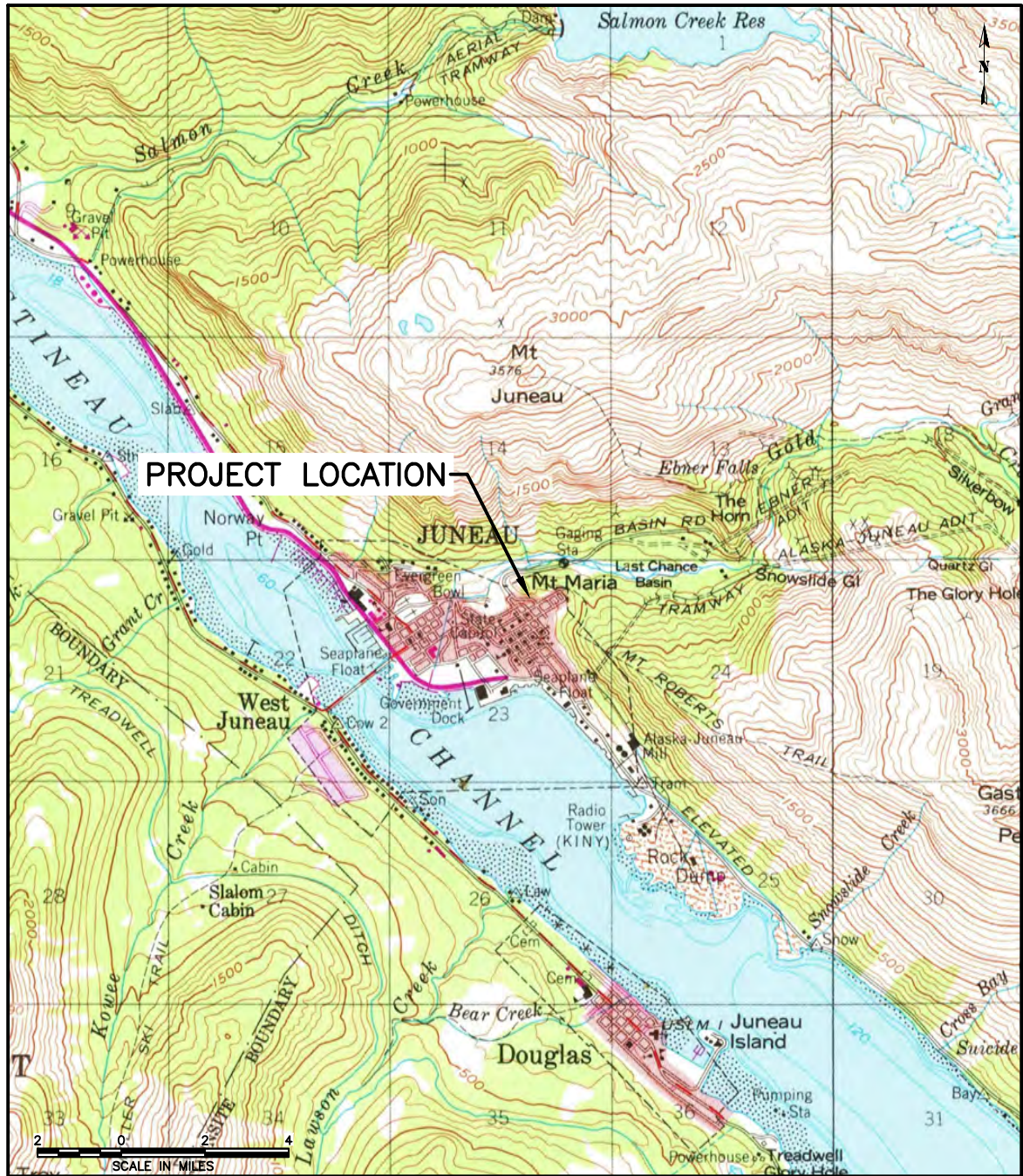
In witness whereof, I hereunto set my hand and official seal.

Notary Public for Alaska

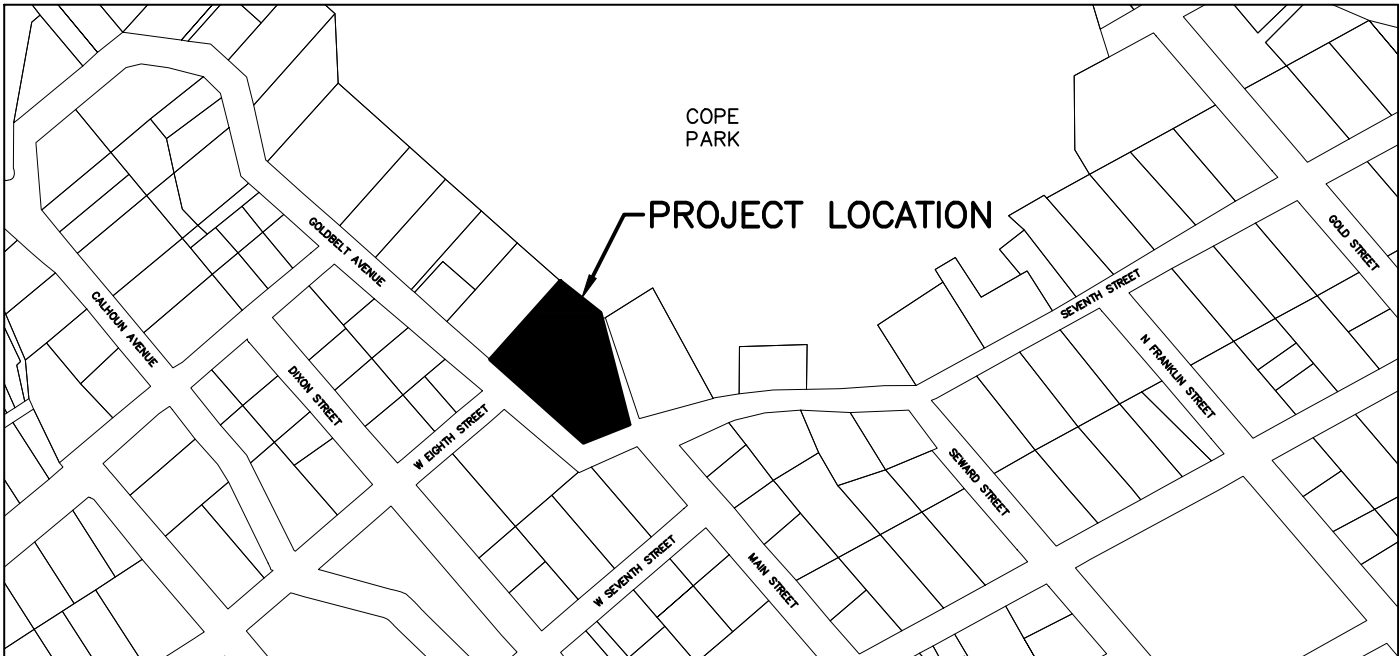
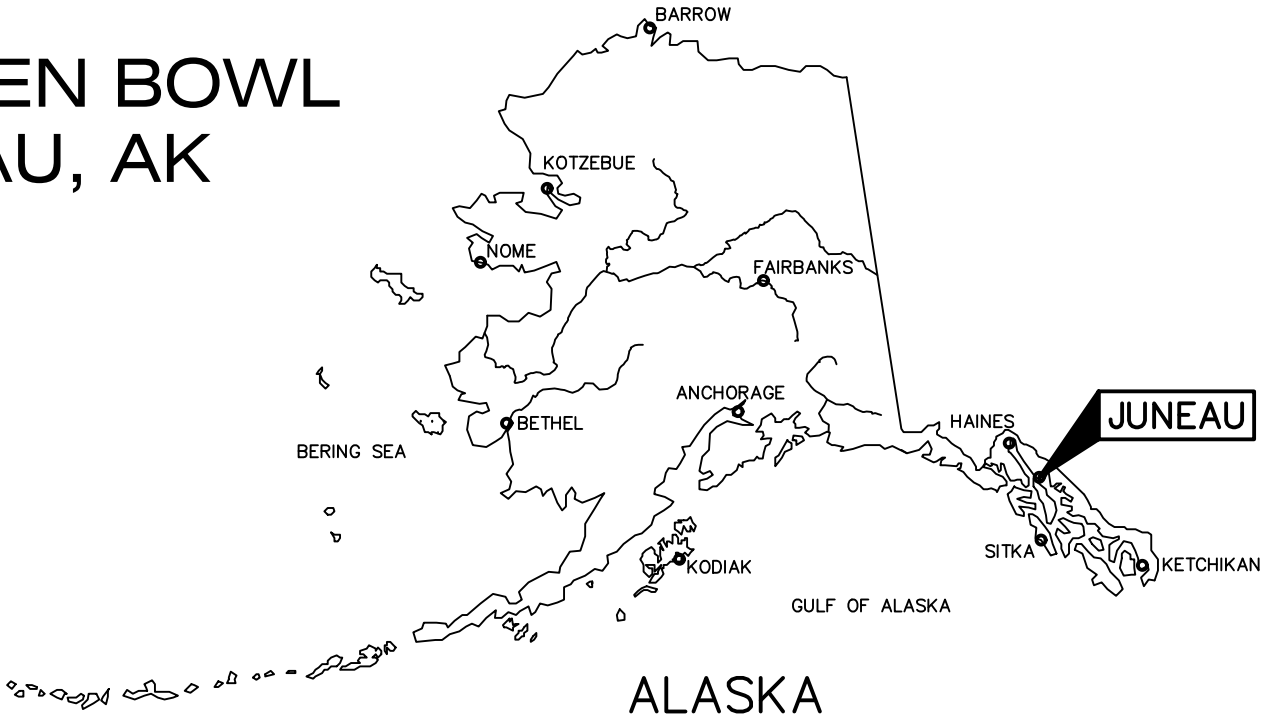
My commission Expires: _____

101 & 747 GOLDBELT AVE SLOPE SURFACE STABILIZATION

EVERGREEN BOWL JUNEAU, AK



PROJECT LOCATION: USGS QUAD: NW 1/4, SW 1/4 SECTION: 23 TOWNSHIP: 41S RANGE: 67E MERIDIAN: CRM
LATITUDE: N 58.303664° LONGITUDE: W -134.413752°



VICINITY MAP



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



DRAWN BY:	E. ROEMELING
DESIGNED BY:	E. ROEMELING
CHECKED BY:	L. CHAMBERS
DATE:	FEBRUARY 2021

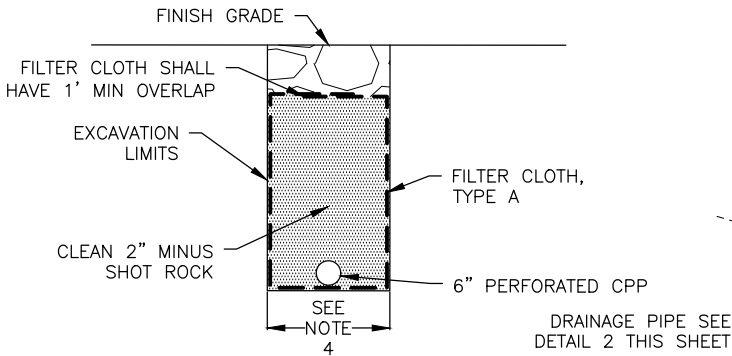
1945 ALEX HOLDEN WAY #101
JUNEAU, AK 99801
solutions@proHNS.com
www.proHNS.com

101 & 747 GOLDBELT AVE SLOPE
SURFACE STABILIZATION

OWNER: HELEN CLOUGH
747 GOLDBELT AVENUE
JUNEAU, AK 99801

PLAT: LOT 1 BLOCK 1
AND TRACT A
GOLDEN BELT ADDITION

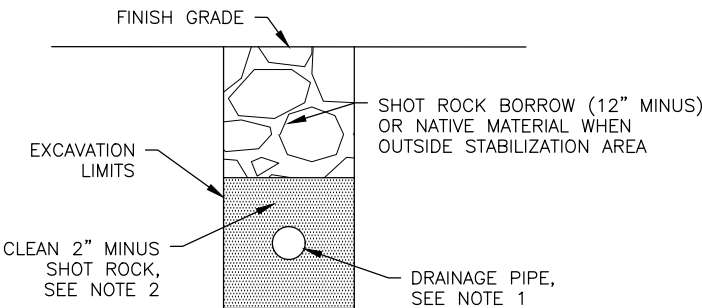
COVER		SHEET NUMBER	
		1	OF
		4	



1 UNDERDRAIN
2 SCALE: NOT TO SCALE

DETAIL 1/2 NOTES:

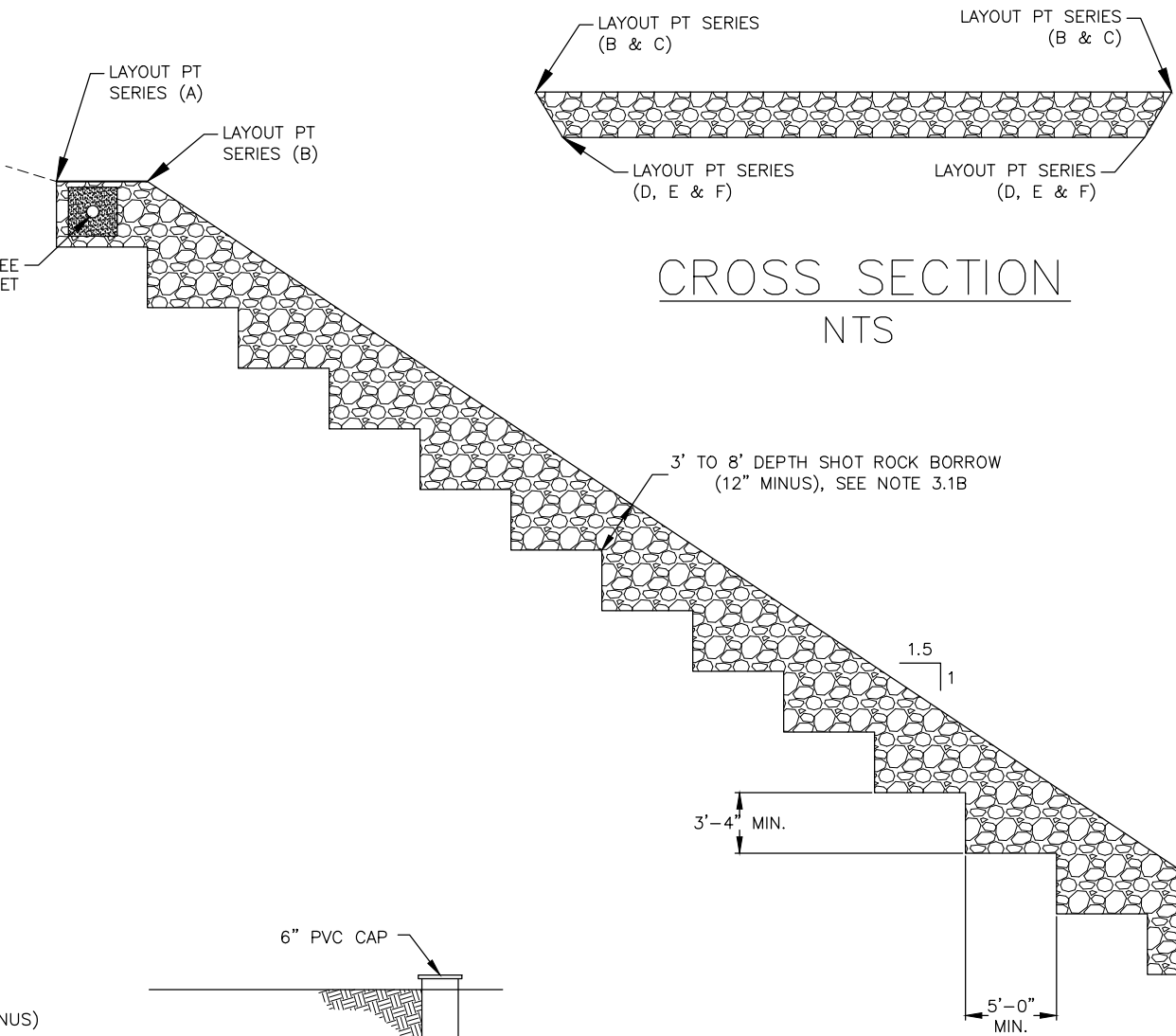
1. UNDERDRAINS SHALL BE CONNECTED INTO A STORMWATER SYSTEM OR OPEN DRAINWAY AS APPROVED BY THE ENGINEER.
2. THE UPSTREAM END OF THE UNDERDRAIN SHALL COMMENCE WITH A CLEANOUT.
3. MINIMUM PIPE SLOPE SHALL BE 0.5%.
4. TRENCH WIDTH SHALL BE MINIMUM 20".



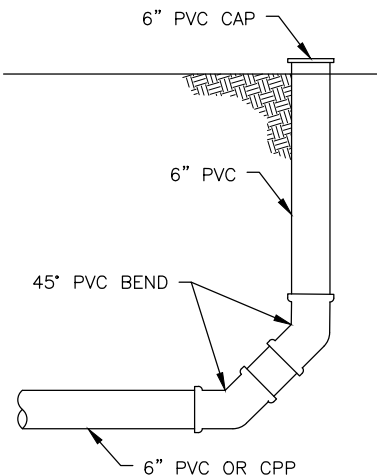
2 PIPE TRENCH DETAIL
2 SCALE: NOT TO SCALE

DETAIL 2/2 NOTES:

1. FOR PIPE SIZE AND MATERIAL SEE CONSTRUCTION PLAN, SHEET 4.
2. PIPE TO HAVE MINIMUM 1' BEDDING IN EACH DIRECTION.

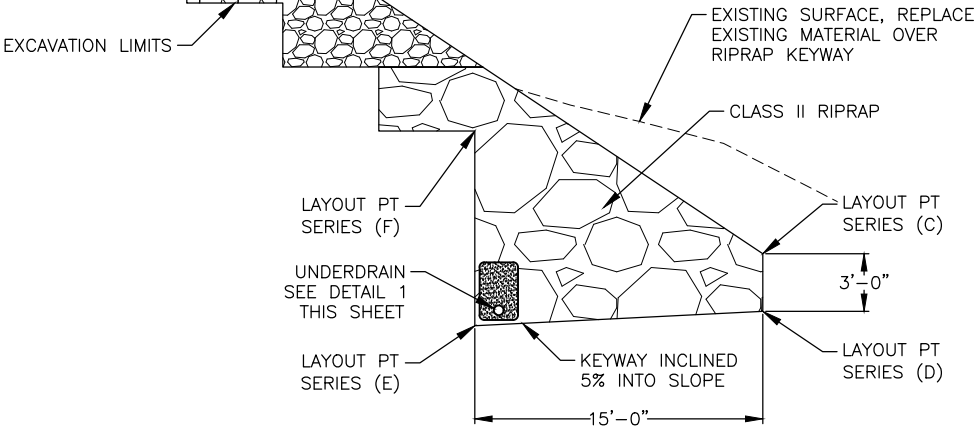


CROSS SECTION
NTS



3 STORM DRAIN CLEANOUT
2 SCALE: NOT TO SCALE

TYPICAL SECTION A
NTS



1.1 DESCRIPTION

A. THE WORK UNDER THIS SECTION INCLUDES PROVIDING ALL LABOR, MATERIALS, TOOLS AND EQUIPMENT NECESSARY FOR FURNISHING AND PLACING A PROTECTIVE COVERING OF STONE, AS SHOWN ON THE DRAWINGS, OR AS DIRECTED BY THE ENGINEER.

2.1 MATERIALS

A. STONE FOR THIS WORK SHALL BE HARD ANGULAR QUARRY STONES AND HAVE A PERCENTAGE OF WEAR OF NOT MORE THAN 50 AT 500 REVOLUTIONS AS DETERMINED BY ASTM C 535. THE LEAST DIMENSION OF ANY PIECE OF STONE SHALL BE NOT LESS THAN 1/4 ITS GREATEST DIMENSION. STONES SHALL MEET THE FOLLOWING GRADATION REQUIREMENT FOR THE CLASS SPECIFIED:

SHOT ROCK BORROW:
SHOT ROCK BORROW SHALL CONSIST OF 12-INCH MINUS SHOT ROCK AND SHALL CONTAIN NO MULCH, FROZEN MATERIAL, ROOTS, SOD OR OTHER DELETERIOUS MATTER. THE SHOT ROCK BORROW SHALL BE EVENLY GRADED, WITH AT LEAST 10% BY WEIGHT RETAINED ON THE 8-INCH SCREEN. SHOT ROCK WILL BE OBTAINED FROM QUARRY ROCK, UNLESS OTHERWISE APPROVED BY THE ENGINEER.

CLASS II:
NO MORE THAN TEN PERCENT OF THE STONES BY TOTAL WEIGHT SHALL WEIGH MORE THAN 400 POUNDS PER PIECE, AND NO MORE THAN 15% OF THE STONES BY TOTAL WEIGHT SHALL WEIGH LESS THAN 25 POUNDS PER PIECE. THE STONES SHALL BE EVENLY GRADED AND A MINIMUM OF 50% BY WEIGHT OF THE STONES SHALL WEIGH 200 POUNDS OR MORE PER PIECE.

3.1 CONSTRUCTION

- A. SLOPES TO BE PROTECTED WITH RIPRAP/SHOTROCK SHALL BE FREE OF BRUSH, TREES, STUMPS AND OTHER OBJECTIONABLE MATERIAL AND SHALL BE BENCHED AS SHOWN.
- B. THE STONES SHALL BE HANDLED OR PLACED TO THE THICKNESS, HEIGHT AND LENGTH SHOWN ON THE DRAWINGS, OR AS STAKED, WITH A MINIMUM OF VOIDS. KEY STEPS TO BE CUT INTO EXISTING NATIVE GROUND AND FILLED WITH SHOT ROCK BORROW (12" MINUS), MINIMUM STEP DIMENSIONS PROVIDED, SECTION THICKNESS WILL VARY.
- C. UNDESIRABLE VOIDS SHALL BE FILLED WITH SMALL STONES OR SPALLS. THE ROCK SHALL BE MANIPULATED SUFFICIENTLY BY MEANS OF A BULLDOZER, EXCAVATOR, ROCK TONGS, OR OTHER SUITABLE EQUIPMENT TO SECURE A REASONABLY REGULAR SURFACE AND MASS STABILITY.
- D. ALL RIPRAP SHALL BE SO PLACED AND DISTRIBUTED SUCH THAT THERE WILL BE NO LARGE ACCUMULATION OR AREA COMPOSED MAINLY OF EITHER THE LARGER OR SMALL SIZES OF STONE.



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



DRAWN BY:	E. ROEMELING
DESIGNED BY:	E. ROEMELING
CHECKED BY:	L. CHAMBERS
DATE:	FEBRUARY 2021
1945 ALEX HOLDEN WAY #101 JUNEAU, AK 99801	
solutions@proHNS.com www.proHNS.com	

101 & 747 GOLDBELT AVE SLOPE SURFACE STABILIZATION		TYPICAL SECTION	SHEET NUMBER
			2
			OF
			4
OWNER: HELEN CLOUGH 747 GOLDBELT AVENUE JUNEAU, AK 99801	PLAT: LOT 1 BLOCK 1 AND TRACT A GOLDEN BELT ADDITION		

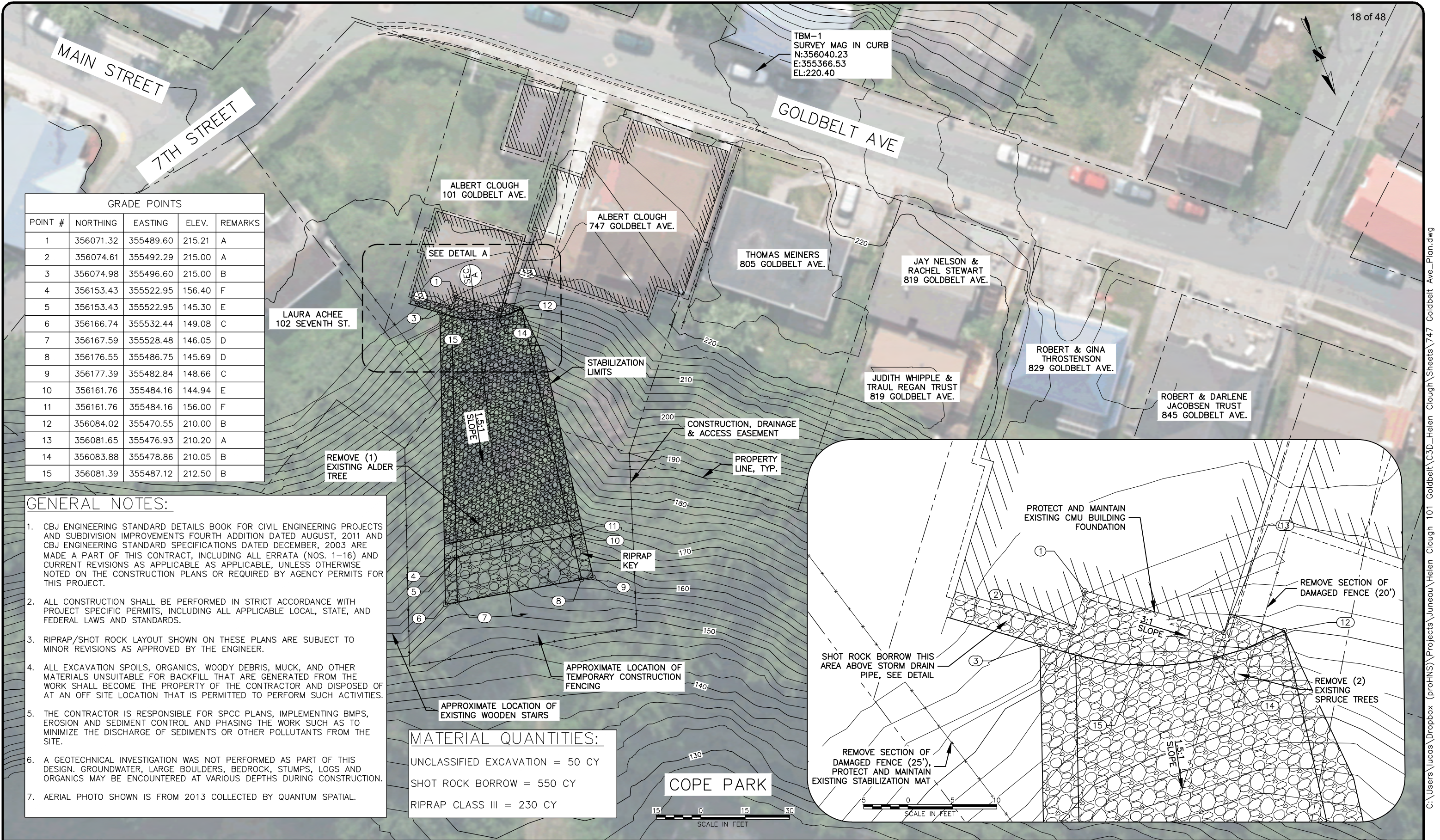
GRADE POINTS				
POINT #	NORTHING	EASTING	ELEV.	REMARKS
1	356071.32	355489.60	215.21	A
2	356074.61	355492.29	215.00	A
3	356074.98	355496.60	215.00	B
4	356153.43	355522.95	156.40	F
5	356153.43	355522.95	145.30	E
6	356166.74	355532.44	149.08	C
7	356167.59	355528.48	146.05	D
8	356176.55	355486.75	145.69	D
9	356177.39	355482.84	148.66	C
10	356161.76	355484.16	144.94	E
11	356161.76	355484.16	156.00	F
12	356084.02	355470.55	210.00	B
13	356081.65	355476.93	210.20	A
14	356083.88	355478.86	210.05	B
15	356081.39	355487.12	212.50	B

GENERAL NOTES:

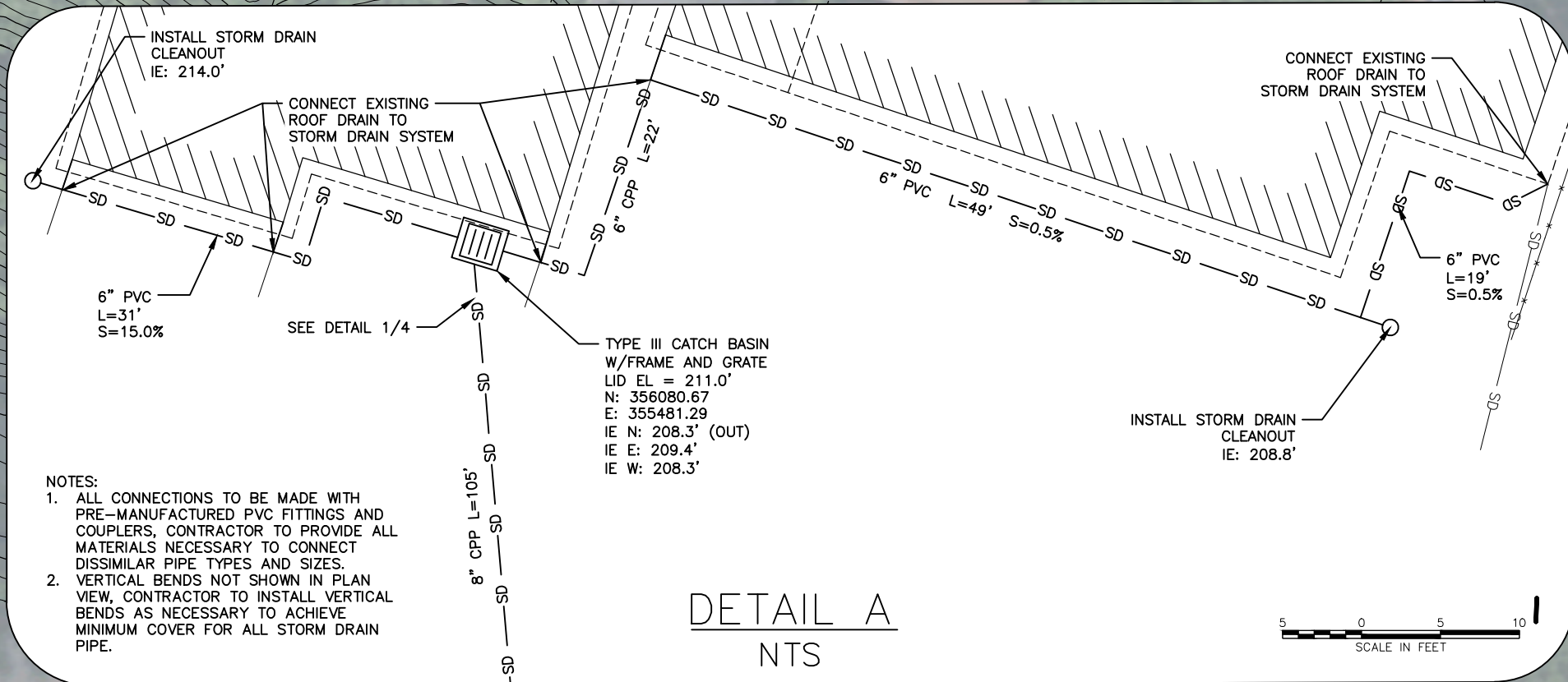
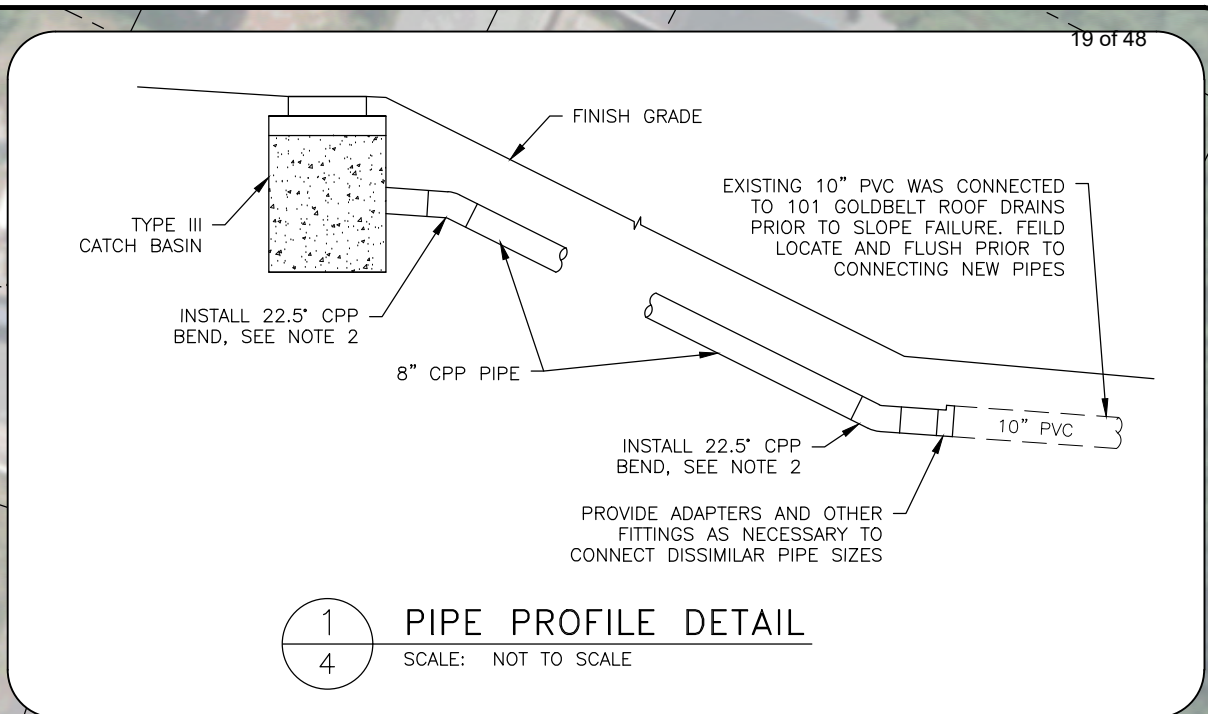
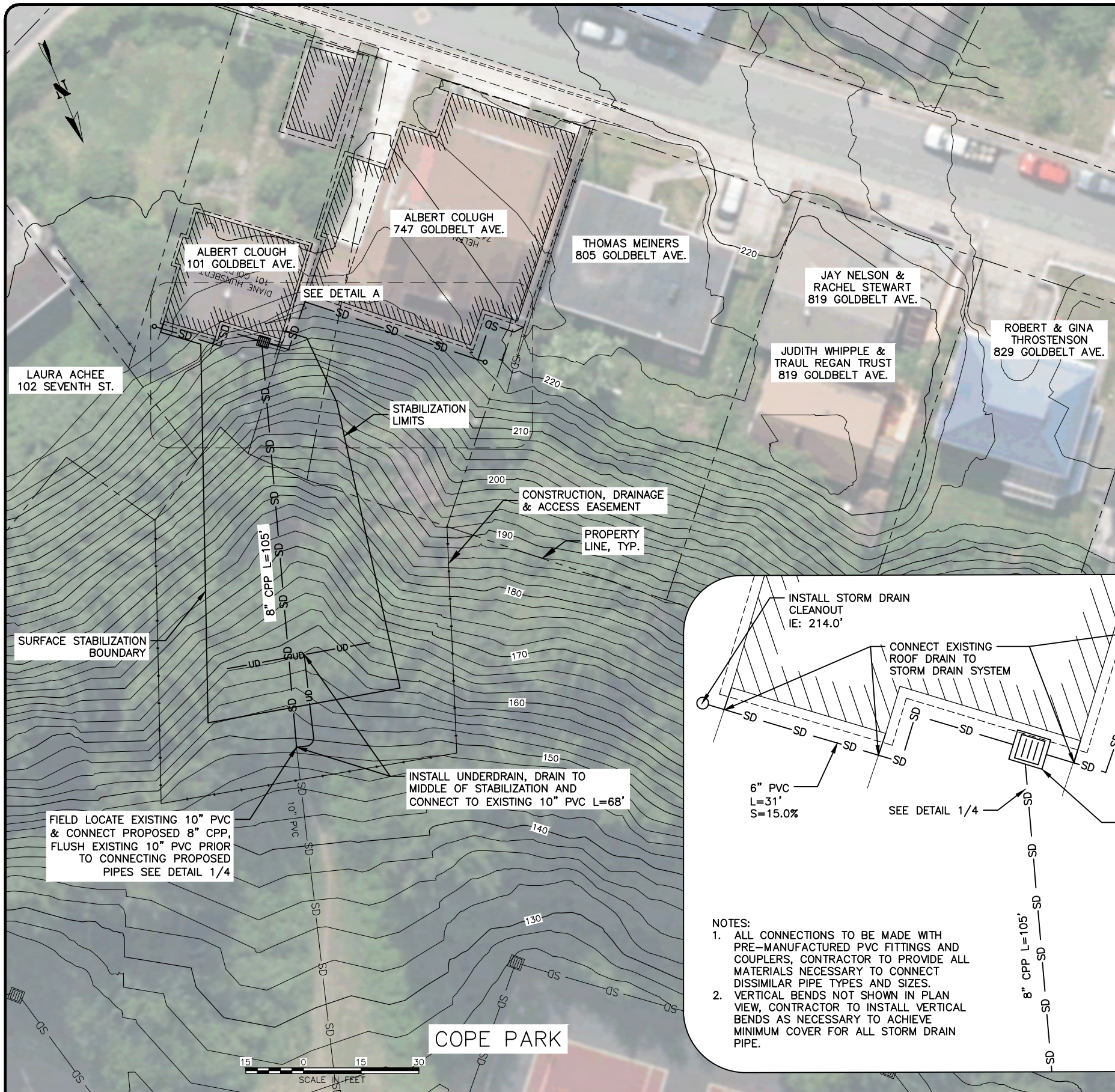
1. CBJ ENGINEERING STANDARD DETAILS BOOK FOR CIVIL ENGINEERING PROJECTS AND SUBDIVISION IMPROVEMENTS FOURTH ADDITION DATED AUGUST, 2011 AND CBJ ENGINEERING STANDARD SPECIFICATIONS DATED DECEMBER, 2003 ARE MADE A PART OF THIS CONTRACT, INCLUDING ALL ERRATA (NOS. 1-16) AND CURRENT REVISIONS AS APPLICABLE AS APPLICABLE, UNLESS OTHERWISE NOTED ON THE CONSTRUCTION PLANS OR REQUIRED BY AGENCY PERMITS FOR THIS PROJECT.
2. ALL CONSTRUCTION SHALL BE PERFORMED IN STRICT ACCORDANCE WITH PROJECT SPECIFIC PERMITS, INCLUDING ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS AND STANDARDS.
3. RIPRAP/SHOT ROCK LAYOUT SHOWN ON THESE PLANS ARE SUBJECT TO MINOR REVISIONS AS APPROVED BY THE ENGINEER.
4. ALL EXCAVATION SPOILS, ORGANICS, WOODY DEBRIS, MUCK, AND OTHER MATERIALS UNSUITABLE FOR BACKFILL THAT ARE GENERATED FROM THE WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND DISPOSED OF AT AN OFF SITE LOCATION THAT IS PERMITTED TO PERFORM SUCH ACTIVITIES.
5. THE CONTRACTOR IS RESPONSIBLE FOR SPCC PLANS, IMPLEMENTING BMPs, EROSION AND SEDIMENT CONTROL AND PHASING THE WORK SUCH AS TO MINIMIZE THE DISCHARGE OF SEDIMENTS OR OTHER POLLUTANTS FROM THE SITE.
6. A GEOTECHNICAL INVESTIGATION WAS NOT PERFORMED AS PART OF THIS DESIGN. GROUNDWATER, LARGE BOULDERS, BEDROCK, STUMPS, LOGS AND ORGANICS MAY BE ENCOUNTERED AT VARIOUS DEPTHS DURING CONSTRUCTION.
7. AERIAL PHOTO SHOWN IS FROM 2013 COLLECTED BY QUANTUM SPATIAL.

MATERIAL QUANTITIES:

UNCLASSIFIED EXCAVATION = 50 CY
SHOT ROCK BORROW = 550 CY
RIPRAP CLASS III = 230 CY



	RECORD OF REVISIONS				101 & 747 GOLDBELT AVE SLOPE SURFACE STABILIZATION	OWNER: HELEN CLOUGH 747 GOLDBELT AVENUE JUNEAU, AK 99801	PLAT: LOT 1 BLOCK 1 AND TRACT A GOLDEN BELT ADDITION	SHEET NUMBER
	No.	DATE	DESCRIPTION					BY
	1	3/19/2021	ADDED EASEMENT LINEWORK	LC				



- NOTES:
1. ALL CONNECTIONS TO BE MADE WITH PRE-MANUFACTURED PVC FITTINGS AND COUPLERS, CONTRACTOR TO PROVIDE ALL MATERIALS NECESSARY TO CONNECT DISSIMILAR PIPE TYPES AND SIZES.
 2. VERTICAL BENDS NOT SHOWN IN PLAN VIEW, CONTRACTOR TO INSTALL VERTICAL BENDS AS NECESSARY TO ACHIEVE MINIMUM COVER FOR ALL STORM DRAIN PIPE.



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY
1	3/19/2021	CONNECTED PROPOSED 8" CPP INTO EXISTING 10" PVC AT TOE OF SLOPE. ADDED EASEMENT LINWORK	LC



1945 ALEX HOLDEN WAY #101
JUNEAU, AK 99801

OWNER: HELEN CLOUGH
747 GOLDBELT AVENUE
JUNEAU, AK 99801

PLAT: LOT 1 BLOCK 1
AND TRACT A
GOLDEN BELT ADDITION

DRAWN BY: E. ROEMELING
DESIGNED BY: E. ROEMELING
CHECKED BY: L. CHAMBERS
DATE: FEBRUARY 2021

CERTIFICATE OF AUTHORIZATION
#100662

solutions@proHNS.com
www.proHNS.com

SHEET NUMBER	
4	OF
4	

CONSTRUCTION PLAN

C:\Users\Lucas\Dropbox (proHNS)\Projects\Juneau\Helen Clough\101 Goldbelt\C3D_Helen Clough\Sheets\747 Goldbelt Ave_Plan.dwg

April 5, 2021



TO: Parks & Recreation Advisory Committee
FROM: George Schaaf, Parks & Recreation Director
DATE: May 22, 2021
RE: Easement Request – Auke Bay Shoreline Access

Peak Construction, Inc. has applied for a permanent easement across CBJ park lands to construct a driveway that would provide access to a private home. The application, parcel map, and proposed design are attached to this memorandum. Based on the information provided, the Parks & Recreation Department recommends the application be denied because granting the easement is not in the public interest, is not consistent with the CBJ Comprehensive Plan, and is not consistent with the Juneau Parks & Recreation Master Plan.

BACKGROUND

The applicant has applied for an easement across CBJ Parcel No. 4B2801020070. This parcel was originally designated by the Assembly as a Beach Access in 1985 and is managed by the Parks & Recreation Department as a Conservation Area. At 0.14 acre, it is the smallest of three CBJ-owned Beach Accesses in Auke Bay. Pursuant to CBJ 53.09.300, the City Manager may grant an easement upon approval by the Assembly. A number of laws and adopted plans affect management of this property:

Ordinance Serial No. 85-76am

This property is one of the original parcels preserved by the Assembly in 1985 when it established the Juneau Open Space and Park System (Ordinance No. 85-76am). These properties were “preserved from all other uses for the purpose of inclusion in the Juneau Open Space and Park System; provided, however, waterlines, utilities, access, roads, easements and similar incidental uses may be allowed....”

City & Borough of Juneau Comprehensive Plan

The CBJ Comprehensive Plan is adopted by the Assembly and sets forth a number of policies for the Parks & Recreation Department. The plan states that, “Natural, undeveloped areas are an essential component of the CBJ’s community form and identity. They should be maintained and enhanced. Shoreline areas are a major coastal fish and wildlife habitat, offer a valued view corridor, and can function as valuable natural recreational resources ... The quality of residential developments is enhanced by standards and policies to preserve natural areas” (p.128).

Conservation areas and Beach Access properties are managed consistent with policies and actions identified in the Comprehensive Plan, including:

Policy 7.2 *To preserve and protect fish and wildlife habitat, scenic corridors, and public access to the water, as well as water-dependent uses in planning for use of coastal areas.*

Policy 7.3 *To protect riparian habitat, including stream corridors and lake shorelines, from adverse effects of development and to provide a higher level of protection for non-urban shorelines in public ownership.*

Implementing Action 9: *The CBJ government should designate publicly owned shoreline areas along the roaded areas of the borough for public access recreation.*

Policy 9.1 *To provide quality dispersed outdoor recreational opportunities and to acquire and develop sufficient local parks and recreational facilities in locations convenient to all areas of the CBJ.*

Implementing Action 7: *Identify traditional and high quality waterfront access areas, recreational anchorages and beaches, beach trail opportunities, boat launch areas, and waterfront park sites. Coordinate with the CBJ Docks and Harbors, Lands & Resources, CDD, and State of Alaska to assure that public access to water is provided.*

Policy 9.3 *To preserve as public natural areas those publicly owned lands and shoreline areas that possess important recreational, scenic, fish and wildlife, and other environmental qualities, or are subject to natural hazards.*

Standard Operating Procedure 1: *Designate public areas and sites ... for permanent public access and use. Work toward acquiring privately owned land through dedication, donation, or purchase.*

Policy 17.2 *To hold certain lands in the public trust, and to dispose of certain lands for private use when disposal serves the public interest.*

Standard Operating Procedure 4: *Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage.*

Development Guideline 1: *To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access*

to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches.

The Comprehensive Plan includes specific guidelines and considerations for management of CBJ Land in Subarea 3, which includes Auke Bay:

4. *Preserve valuable public tidelands, shorelines, creek and stream corridors as fish and wildlife habitat and public open space / natural areas.*

13(t). *Retain trail access to ... beaches*

Juneau Parks & Recreation Master Plan 2019-2029

The Juneau Parks & Recreation Master Plan is adopted by the Assembly and provides specific guidance for the management and development of park lands. This plan classifies Beach Access parcels as “Conservation Areas,” which are “natural areas with recognized environmental qualities of high value, set aside for the protection and management of the natural environment with recreation as a secondary objective” (p. 36). The Master Plan further identifies beach accesses as “trails maintained by CBJ that provide public access to shoreline areas” (p. 90).

PROPOSED EASEMENT

The applicant states that they are remodeling a home located at 12005 Glacier Hwy., next door to the CBJ Beach Access parcel. The permanent easement across CBJ property is requested “to get material and equipment closer to the site than the existing circumstance allows.” The proposed easement totals approximately 1,175 square feet, and would occupy more than 20% of the CBJ parcel. A permanent driveway would be constructed within the easement, which would include all of the CBJ parcel’s frontage on Glacier Hwy. The home currently has a detached garage that provides direct access to Glacier Hwy.

The application further states that “ADOT/CBJ constructed a retaining wall that runs the length of the property line in front of 12005 Glacier Hwy.” This is incorrect: CBJ was not involved in the construction of this retaining wall, which was built by the Alaska Department of Transportation & Public Facilities as part of the Glacier Highway Reconstruction Project (Fritz Cove Rd. to Seaview Ave.). Neither the retaining wall nor the highway encroach on 12005 Glacier Hwy. While the property has a detached garage providing direct access to Glacier Hwy., it has never had a driveway. The DOT&PF project did not alter access to the property.

During the construction project, DOT&PF paid the owners of 12005 Glacier Hwy. \$2,350 for a temporary construction easement. Right-of-Way staff confirmed that the final grade of the highway required a new ramp to access the detached garage. According to DOT&PF, the state designed a ramp and provided an additional cash payment to the homeowners for construction.

DISCUSSION & RECOMMENDATION

This property was preserved by the Assembly in 1985 from all other uses in order to provide permanent public access to the shoreline of Auke Bay. Ordinance 85-76am allows “incidental uses” of park lands, including easements; however, the proposed driveway is not incidental to the public’s use of the property. The sole purpose of the easement is to provide access to private property to facilitate a remodeling project.

The CBJ Comprehensive Plan requires that disposals of land held in the public trust (i.e. parks) be in the public interest. Granting a permanent easement across public land to remodel a private home does not meet this test. The public would not benefit from this easement and, in fact, it is likely that public access would be restricted or impeded if the easement is granted. Ensuring public access to the shoreline is the essential purpose for which this property was added to the Juneau Open Space and Park System by the Assembly in 1985. Even a non-exclusive easement allowing public access would be very difficult due to the small size of the parcel and steep terrain. The applicant has not demonstrated how public access to the shoreline would be maintained considering that the proposed easement and driveway would occupy more than 20% of the CBJ parcel and all of its road frontage.

Disposing of this property by granting a permanent easement is not consistent with the CBJ Comprehensive Plan. It is the explicit policy of the CBJ to prioritize the acquisition and retention of properties that provide public access to the shoreline. The Comprehensive Plan does not support disposing of these properties by sale, lease, easement, or any other manner.

While other Beach Access parcels exist in Auke Bay, they were all preserved by the Assembly in order to provide the public with convenient access to the shoreline. While many Beach Access parcels (including this one) have yet to be fully developed with formal trails, they are still extraordinarily valuable as the community develops additional land for residential or commercial use.

Based on the information provided by the applicant, the Parks & Recreation Department recommends that this application be denied because it is not consistent with adopted plans and would not serve the public’s interest.



Photo 1

Glacier Highway looking east. The CBJ Beach Access is on the right; the trees are the approximate location of 12005 Glacier Highway. This is the location of the proposed driveway.



Photo 2

Glacier Highway looking west. This is the detached garage that provides existing direct access from 12005 Glacier Hwy.



Photo 3 (facing west)

View of existing detached garage and dwelling at 12005 Glacier Hwy. The metal railing and retaining wall were constructed in 2016 and are located within DOT right-of-way. The CBJ Beach Access is beyond the grove of spruce trees.

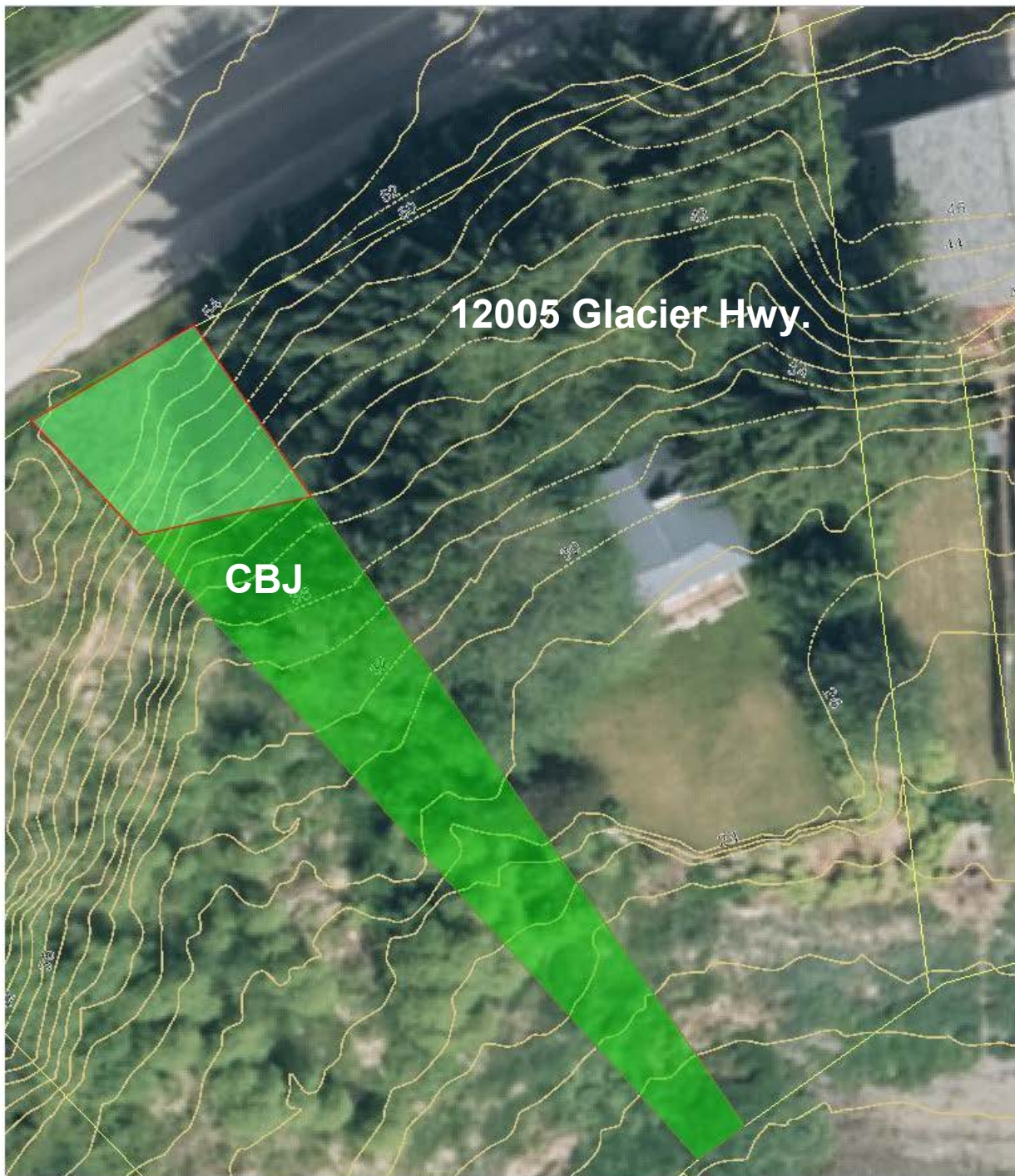


Figure 1

The CBJ Beach Access is shown in green, west of 12005 Glacier Hwy. The lighter green area is the approximate location of the proposed 1,175-square-foot easement. Yellow lines indicate two-foot contour intervals.



Figure 2

Aerial photo showing vicinity of 12005 Glacier Highway. Green parcels are park lands managed by CBJ Parks & Recreation.



Applicants for an Easement on CBJ Lands

Edit Entry

Applicant Information

Business / Individual *

Peak Construction Inc.

Address *

5719 Concrete Way

Street Address

Juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone *

(480) 560-6856

Email

design@peakconstruction-inc.com

☐ Add Another Business/Individual

CBJ Land Information

The [CBJ Assessor's Database](#) will provide information regarding site address and legal description. The [CBJ Parcel Viewer](#) tool can provide necessary maps needed to complete this application.

Site Address *

12005 Glacier HWY. Juneau, AK. 99801

Legal Description *

USS 2909 LT 5A

Provide Brief Description of Your Proposal *

ADOT/CBJ constructed a retaining wall that runs the length of the property line in front of 12005 Glacier HWY. Proposed added driveway will need an easement to go around wall. We are trying to perform remodel work on the home. In order to do this work practically, will need to be able to get material and equipment closer to the site than the existing circumstance allows.

Provide a Map of CBJ Land you wish to have an Easement across *

[Parise-Site-Map.pdf](#)  

Provide plans, reports, a narrative, and other material sufficient to permit the CBJ to evaluate the need for and the use to be made of the requested easement.

Drop files here or

SELECT FILES

[Survey-Monument.pdf](#)  

[Patent.pdf](#)  

[Concept-FS-ROW-Driveway-Design.pdf](#)  

Have you mailed the \$100.00 filing fee? *

☐ Yes

☒ **Not Yet**

Applications can only be processed when the \$100 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:

*The City and Borough of Juneau
Attn:Lands and Resources Division
155 S. Seward St.
Juneau, AK 99081*

In addition to the \$100 fee, applicants are also responsible for all associated costs, including appraisal services rendered.

Additional Comments for CBJ Staff to Consider

Please process payment using Peak Construction Inc. card on file.

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request for an Easement on City property will be made by the City Assembly."

Legal Representative of Business / Individual *

Seth

First

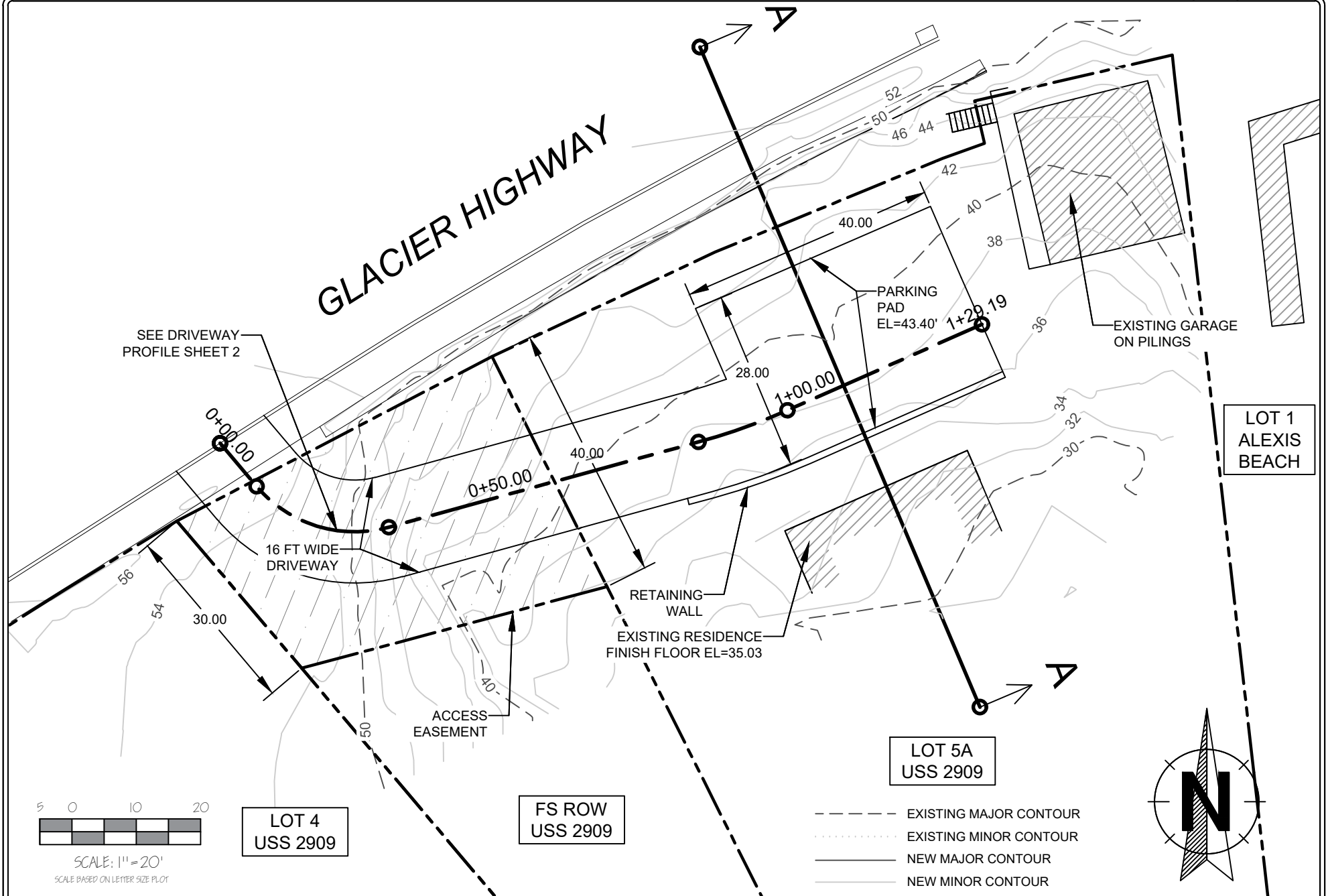
Koch

Last

UPDATE

CANCEL

DELETE



FOR CONCEPT
REVIEW ONLY



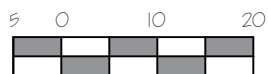
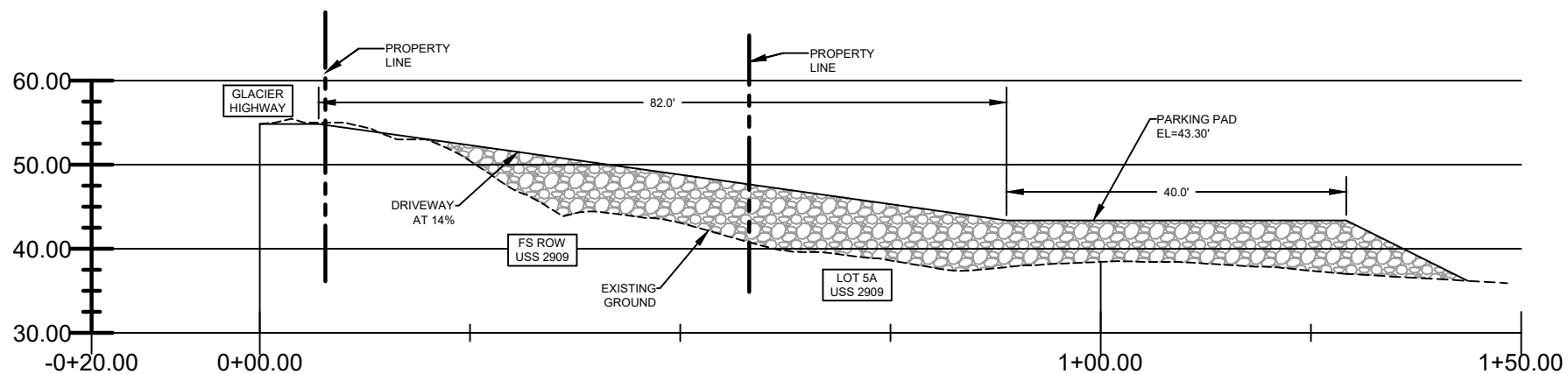
Gabriel Hayden, P.E.
hayden@katabaticeng.com
(503) 866-5579

Driveway Conceptual Design

Lot 5 A, USS 2909
12005 Glacier Highway
Juneau, AK 99801

Site Plan

DRAWN:
3/6/2021
SHEET #
1/3



SCALE: 1" = 20'

SCALE BASED ON LETTER SIZE PLOT

FOR CONCEPT
REVIEW ONLY



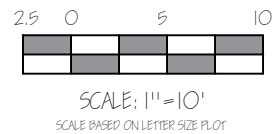
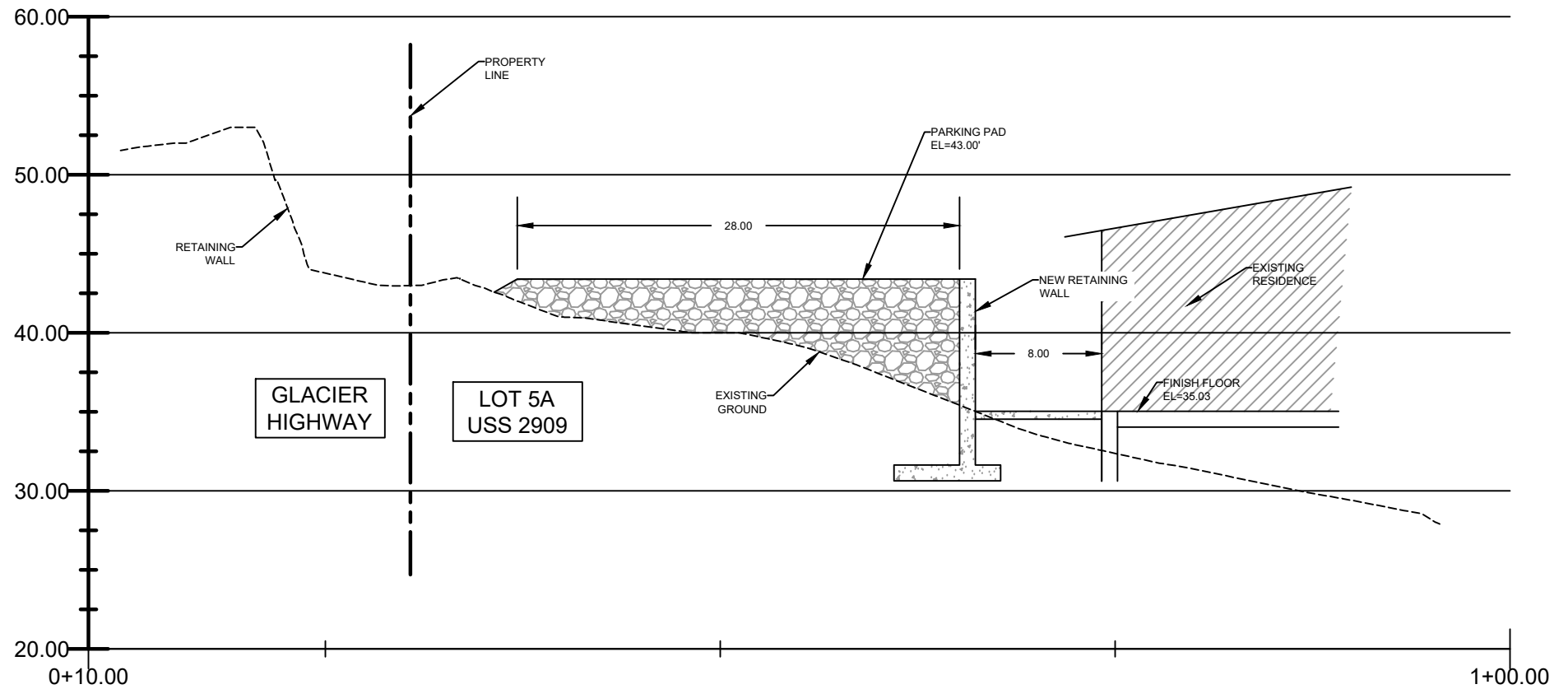
Gabriel Hayden, P.E.
hayden@katabaticeng.com
(503) 866-5579

Driveway Conceptual Design

Lot 5 A, USS 2909
12005 Glacier Highway
Juneau, AK 99801

Driveway Profile

DRAWN:
3/6/2021
SHEET #
2/3



FOR CONCEPT
REVIEW ONLY



Gabriel Hayden, P.E.
hayden@katabaticeng.com
(503) 866-5579

Driveway Conceptual Design

Lot 5 A, USS 2909
12005 Glacier Highway
Juneau, AK 99801

Section A-A

DRAWN:
3/6/2021
SHEET #
3/3

To: Parks & Recreation Advisory Committee

From: James and Kelly Parise
12005 Glacier Hwy, Juneau, AK 99801

Date: June 1, 2021

RE: Easement Request through ROW

My wife and I, through PEAK Construction applied for a permanent easement across an existing Right of Way to construct a driveway to our property adjacent to the ROW. We purchased the home in January and hired PEAK construction to complete a major renovation of the current home including the entire interior/exterior of the structure. One major improvement we would like to complete is a driveway/parking pad on our property to alleviate street parking and give us access to our house that is not safely available currently. We have an existing street level “garage” on stilts that is unsafe to park in and dilapidated. With the addition of the new retaining wall installed by the Alaska DOT in 2016, pulling out of the existing parking structure (the wooden ramp where we currently park) is hazardous because the line sight for us and oncoming traffic is compromised and unsafe. Also, when we park on the existing small wooden ramp, the car blocks the sidewalk to pedestrians and forces them into the oncoming traffic that is also subject to the limited and unsafe sight line along Glacier Hwy.

The Parks Department has recommended that our application be denied. We respectfully disagree with their recommendation and will address each of their concerns below (The highlights are Parks & Rec’s):

Policy 7.2 *To preserve and protect fish and wildlife habitat, scenic corridors, and public access to the water, as well as water-dependent uses in planning for use of coastal areas.*

- The current ROW is steep, dangerous terrain with very limited access to the beach. The driveway, as designed will improve access by leveling the steep entrance to the land. The driveway will be built to preserve and protect the scenic corridor and public access.

Policy 7.3 *To protect riparian habitat, including stream corridors and lake shorelines, from adverse effects of development and to provide a higher level of protection for non-urban shorelines in public ownership.*

- The driveway, as designed, will not adversely affect any of the above.

Implementing Action 9: The CBJ government should designate publicly owned shoreline areas along the roaded areas of the borough for public access recreation.

- The driveway only improves access to the shoreline

Policy 9.1 *To provide quality dispersed outdoor recreational opportunities and to acquire and develop sufficient local parks and recreational facilities in locations convenient to all areas of the CBJ.*

Implementing Action 7: Identify traditional and high quality waterfront access areas, recreational anchorages and beaches, beach trail opportunities, boat launch areas, and waterfront park sites. Coordinate with the CBJ Docks and Harbors, Lands & Resources, CDD, and State of Alaska to assure that public access to water is provided.

- I'm not sure what the definition of "high quality waterfront access area" is but I don't think this ROW would currently fall under that category. It is steep, dangerous terrain that is essentially inaccessible. The driveway will provide greater access because it will level and improve entrance to the land from Glacier Hwy. Public access will only improve with the proposed driveway.
- There are currently two other access points within 300 yards of the ROW, both with parking and better access to the beach. The ROW in question does not have any parking and is much steeper and unsafe than the other two ROWs. By installing a driveway on the ROW, we will improve access to the public.

Policy 9.3 *To preserve as public natural areas those publicly owned lands and shoreline areas that possess important recreational, scenic, fish and wildlife, and other environmental qualities, or are subject to natural hazards.*

Standard Operating Procedure 1: *Designate public areas and sites ... for permanent public access and use. Work toward acquiring privately owned land through dedication, donation, or purchase.*

- Since the AK DOT installed the retaining wall along our property and half-way through the ROW, it could be argued that the natural area has not been preserved. The remaining access to the ROW from Glacier Hwy is steep and dangerous terrain, which will be made more accessible through the driveway.

Policy 17.2 *To hold certain lands in the public trust, and to dispose of certain lands for private use when disposal serves the public interest.*

Standard Operating Procedure 4: *Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and,*

particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage.

Development Guideline 1: *To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches*

- The CBJ will not be disposing of the land, only granting permanent easement. CBJ will still retain the land and I believe will serve in the public interest by improving access to the ROW over the driveway by leveling the steep and dangerous terrain.

The following are the concerns of the Parks & Recs department and I will address each below:

PROPOSED EASEMENT

The applicant states that they are remodeling a home located at 12005 Glacier Hwy., next door to the CBJ Beach Access parcel. The permanent easement across CBJ property is requested “to get material and equipment closer to the site than the existing circumstance allows.” The proposed easement totals approximately 1,175 square feet, and would occupy more than 20% of the CBJ parcel. A permanent driveway would be constructed within the easement, which would include all of the CBJ parcel’s frontage on Glacier Hwy. The home currently has a detached garage that provides direct access to Glacier Hwy.

The application further states that “ADOT/CBJ constructed a retaining wall that runs the length of the property line in front of 12005 Glacier Hwy.” This is incorrect: CBJ was not involved in the construction of this retaining wall, which was built by the Alaska Department of Transportation & Public Facilities as part of the Glacier Highway Reconstruction Project (Fritz Cove Rd. to Seaview Ave.). Neither the retaining wall nor the highway encroach on 12005 Glacier Hwy. While the property has a detached garage providing direct access to Glacier Hwy., it has never had a driveway. The DOT&PF project did not alter access to the property.

During the construction project, DOT&PF paid the owners of 12005 Glacier Hwy. \$2,350 for a temporary construction easement. Right-of-Way staff confirmed that the final grade of the highway required a new ramp to access the detached garage. According to DOT&PF, the state designed a ramp and provided an additional cash payment to the homeowners for construction.

- Technically, the proposed driveway takes is less than 20% of the CBJ parcel, not more as stated above.
- The permanent easement is requested to install a permanent driveway to the property, not to “get materials and equipment closer to the site...”. We are completely renovating the current house on the property and one major improvement is safe, off-street parking for us, our children and our guests.
- While we do have a detached “garage” with access to Glacier Hwy via a wooden ramp built on stilts, it is unusable as a parking garage. The pilings and support beams hold the garage approximately 30ft off the ground and do not appear able to support a vehicle. The structure is old and dilapidated. We currently park on the wooden ramp but only half of the vehicle fits while the other half blocks the sidewalk along Glacier Hwy.

- Pulling out of onto Glacier Hwy from the wooden ramp can be dangerous to us and oncoming traffic because the newly installed AK DOT retaining wall can make it difficult to see oncoming traffic, pedestrians and cyclists. No one has used the home as a primary residence since the retaining wall was built so the hazardous line of sight was much less of a factor than it is for my family.
- It's true that technically the retaining wall does not encroach on our property (there is a ROW between the wall and our property), in reality, the wall spans the length of our property and half-way through the CBJ ROW.

DISCUSSION & RECOMMENDATION

This property was preserved by the Assembly in 1985 from all other uses in order to provide permanent public access to the shoreline of Auke Bay. Ordinance 85-76am allows "incidental uses" of park lands, including easements; however, the proposed driveway is not incidental to the public's use of the property. The sole purpose of the easement is to provide access to private property to facilitate a remodeling project.

- It is not correct that the sole purpose of the easement is to provide access to facilitate a remodeling project. The sole purpose is to provide safe, off-street parking for us, our children and our guests.

The CBJ Comprehensive Plan requires that disposals of land held in the public trust (i.e. parks) be in the public interest. Granting a permanent easement across public land to remodel a private home does not meet this test. The public would not benefit from this easement and, in fact, it is likely that public access would be restricted or impeded if the easement is granted.

- Again, this easement is not to remodel a private home. It is to provide safe, off-street parking for us, our children and our guests.
- It is incorrect to say it would restrict or impede public access to the already inaccessible ROW. In fact, the driveway would improve access by leveling the steep and dangerous terrain.

Ensuring public access to the shoreline is the essential purpose for which this property was added to the Juneau Open Space and Park System by the Assembly in 1985. Even a non-exclusive easement allowing public access would be very difficult due to the small size of the parcel and steep terrain. The applicant has not demonstrated how public access to the shoreline would be maintained considering that the proposed easement and driveway would occupy more than 20% of the CBJ parcel and all of its road frontage.

- Technically, the proposed driveway takes is less than 20% of the CBJ parcel, not more as stated above.
- By having a permanent easement, the CBJ is assured improved access to the beach because in order to have access to our home, we have to maintain the driveway. We will have to plow in the winter and maintain during the summer. This only improved access to the public.

Disposing of this property by granting a permanent easement is not consistent with the CBJ Comprehensive Plan. It is the explicit policy of the CBJ to prioritize the acquisition and retention of properties that provide public access to the shoreline. The Comprehensive Plan does not support disposing of these properties by sale, lease, easement, or any other manner.

While other Beach Access parcels exist in Auke Bay, they were all preserved by the Assembly in order to provide the public with convenient access to the shoreline. While many Beach Access parcels (including this one) have yet to be fully developed with formal trails, they are still extraordinarily valuable as the community develops additional land for residential or commercial use.

Based on the information provided by the applicant, the Parks & Recreation Department recommends that this application be denied because it is not consistent with adopted plans and would not serve the public's interest.

- The ROW does not currently serve the public's interest because it is not convenient (no parking) or accessible. While the driveway will not solve the parking problem, it will allow better access to the parcel, which is in the public's interest.
- Kelly and I are 20yr residents of Juneau and have raised our four children in the same house since moving to town. We are blessed and excited to be able to purchase and renovate the house at 12005 Glacier Hwy. It will be our new home that we plan to live in for the next 20 years. We chose this house for the location and the Auke Bay revitalization plan that the CBJ has set forth. The "new" house will be a vast improvement over the old one and can be seen as evidence that Auke Bay is being revitalized and people actually believe in the plan. I believe that granting this easement is in the spirit of this revitalization plan and will improve access to the beach over the steep and dangerous terrain that currently exists.
- We request that you approve our request for permanent easement over the CBJ ROW and have included supporting documentation to this packet.



Policy No. 700-001	Title: Memorial Benches	
Date Reviewed by PRAC: June 1, 2021 Date Approved: April 29, 2021		Last Reviewed: April 29, 2021
CBJ Code / Regulation:		Other Reference:
Purpose & Need: To establish standards and procedures for the donation, installation, and maintenance of memorial benches and similar furnishings in municipal parks and trails.		

Policy Statement

It is the policy of the CBJ Parks and Recreation Department to:

1. Accommodate reasonable requests by the public to donate and install benches and similar furnishings that benefit the public's use and enjoyment of municipal parks and trails;
2. Deny requests that include obscenity, political or religious themes, violations of intellectual property laws, advertising, incitement of illegal acts, or such other terms as the Director, in their sole discretion, determines to be inappropriate.

Applicability

This policy applies to Recreation Service Parks and trails managed by the City & Borough of Juneau. It does not apply to municipal buildings or the Jensen-Olson Arboretum.

Procedures

A. Locations

Memorial benches may be placed in Recreation Service Parks and along trails maintained by the City. The City reserves the right to limit the number of memorial benches in a particular area. The exact location of all memorial benches must be approved in advance by the Director or Deputy Director. Location requests will be reviewed and considered under the following criteria: design and intent of the recreational facility, need for bench seating, and available space. Final location may be subject to change depending on installation conditions. Benches not approved pursuant to this policy will be removed.

B. Bench Styles

Donated benches shall be "Sterling Memorial Bench" (SKU # BN-64) available from Barco Products (<https://www.barcoproducts.com/sterling-memorial-bench>). Color shall be "Desert

Tan,” “Cedar,” or “Brown.” In some locations, an alternate bench style that complements the existing site furnishings may be specified and required by the Department.

If custom engraving is ordered, all engraved lettering shall be black. Inlaid plaques may not be used. The donor is responsible for purchasing the bench, as well as all freight charges FOB Juneau, Alaska.

A custom message may be engraved on the bench back by the manufacturer. Engraving is limited to the top two boards of the bench back. The donor shall pay all costs for engraving. The message may not contain obscenities, and must conform to one of the following options:

1. In Memory of _____
2. In Honor of _____
3. In Recognition of _____
4. In Celebration of _____

C. Installation & Maintenance

Memorial benches shall be purchased, delivered, and installed at the donor’s expense by a licensed, insured contractor according to manufacturer’s specifications. Most installations will require a surface mount to an existing concrete sidewalk. Where no sidewalk exists, a steel-reinforced concrete pad may be required. CBJ will provide specifications and requirements for the concrete pad, if required. The Director may require additional conditions for maintenance, care, and public safety.

The City & Borough of Juneau shall provide normal maintenance of the bench during its useful life, as determined solely by the City. The City is not responsible for replacement of damaged or stolen benches. The City reserves the sole right to determine if a bench is no longer usable or has reached the end of its useful life. A memorial bench that has reached the end of its useful life, or is damaged or destroyed for any reason, may be replaced at the donor’s expense upon Department approval.

D. Application Process

Applications must be submitted on a form provided by the Department. There is no application fee. The application must be approved by the Director or Deputy Director prior to installation.



TO: Parks & Recreation Advisory Committee
FROM: George Schaaf, Parks & Recreation Director
DATE: June 1, 2021
RE: Red Folder Agenda Item for June 1, 2021 Meeting

RED FOLDER AGENDA ITEM

NEW BUSINESS

A. Juneau Capitol Fund Grant – Requested by M. Elfers [page 44-45]

The Juneau Park Foundation applied for grant funding from the Juneau Capitol Fund, a fund of the Juneau Community Foundation (JCF). This request would complete key components of the upcoming Capital School Park renovation, including artificial turf, lighting, and park furnishings. In May, the fund's advisors and the JCF board approved up to \$550,000 in funding for this project. I request that you recommend the Assembly accept these funds for the Capital School Park project.

SUGGESTED MOTION:

The Parks & Recreation Advisory Committee recommends that the Assembly accept up to \$550,000 from the Juneau Capitol Fund, a fund of the Juneau Community Foundation, and appropriate these funds to the Capital School Park Capital Improvement Project.



TO: Chris Mertl, Chair Parks and Recreation Advisory Committee
FROM: Michele Elfers, Parks & Recreation Deputy Director
DATE: June 1, 2021
RE: Capitol Park Donation

The Juneau Community Foundation's Capitol Fund has offered a donation of up to \$550,000 to the City and Borough of Juneau to pay for improvements to Capitol Park. The Juneau Park Foundation worked with the Juneau Community Foundation to recognize that the park is an important outdoor facility within the Capitol Complex and requested the donation. The proposed donation will complement sales tax and bond funds to install safety lighting, fencing, entry porticos, a picnic area, and an artificial turf field. Funding was first allocated for this project in 2021 with voter approval of a portion of the temporary sales tax. More recently, in the fall of 2020, voters approved bond funding for this project.

In addition to the improvements funded by the donation, the reconstruction project will include new ADA accessible playground equipment, poured in place safety surfacing, concrete paths through the park, art, landscaping, and an upper paved walkway with views over Juneau. Additionally, two failing retaining walls and the drainage system will be replaced. Many of the popular features will remain with some clean up and improvements such as the basketball court, upper orchard area and the sledding hill.

Staff requests that the PRAC recommend the appropriation of the Juneau Community Foundation's Capitol Fund donation to the Assembly for the reconstruction of Capitol Park.

Capitol Complex



Park Design



Playground Design



EAGLE VALLEY CENTER



Dear EVC Amalga Meadows Neighbors and Enthusiasts,

I hope this newsletter finds you hopeful and healthy. Over the past few months I have run into many of you at the Lodge, cabin, beaches and trails. I am so grateful for the opportunity to be partners with you all in the stewardship of this area and to have the chance to work with such a great department, community, and supportive neighborhood to boot.

Happy Trails!

Kristi West

Eagle Valley Center Coordinator

Rentals

A number of families and close friends gathered for holiday and birthday celebrations over the winter months. We had good guidance from the CBJ/EOC and were able to offer a clear Mitigation Plan that felt comfortable and safe working under. Guests expressed appreciation for the opportunity.

Upcoming rentals for May include a small graduation celebration, a wedding and three family gatherings.

June, July and August weekends are booked, with a weekday available here and there. It seems that folks are truly ready to gather and we are pleased to accommodate them with a venue for small gatherings.



Partnering Agencies & Businesses

Above & Beyond Alaska is renewing their permit and will be offering guided kayak trips this summer and personal kayak rentals out of Kayak Beach.

JIRP will resume their international educational program this summer. The year 2020, was the first ever since 1946 that they have had to cancel this program. JIRP will have staff on site at the Eagle Valley Center. However, upon their arrival the students will house at the University for their training and a 14-day quarantine. Once the training and quarantine are complete, staff and students will head directly up to the Juneau Ice Field.

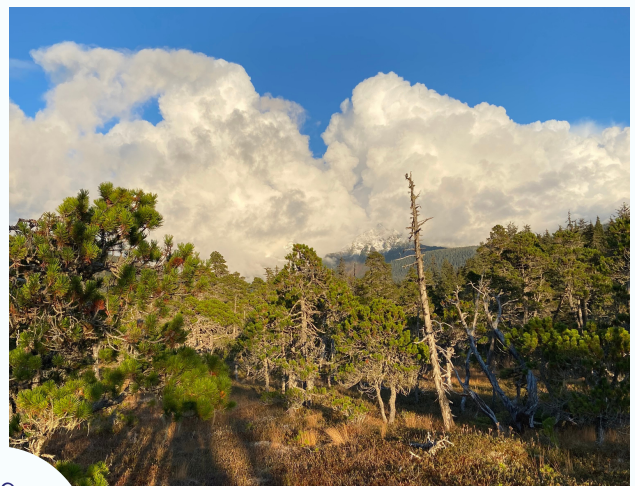


An intern will base out of EVC in June, July and August to handle all Ice Field Logistics. Once the program finishes up at Camp 18 (the camp nearest to the Canadian Border), they will fly back to Juneau and finish their last week at the Eagle Valley Center. While at EVC, students will complete their studies and prepare their final presentation about their research and experience on the Ice Field.



SAIL/ORCA brought Synergo Challenge/Ropes Course Technicians to EVC September 10 – 14 to bring the course back up to industry safety standards. Trail Mix commenced with work the same day to make accessibility improvements to the trail leading to and at the course. Trail Mix worked diligently through November out at EVC, until snow buried their equipment and no longer allowed access to the ground.

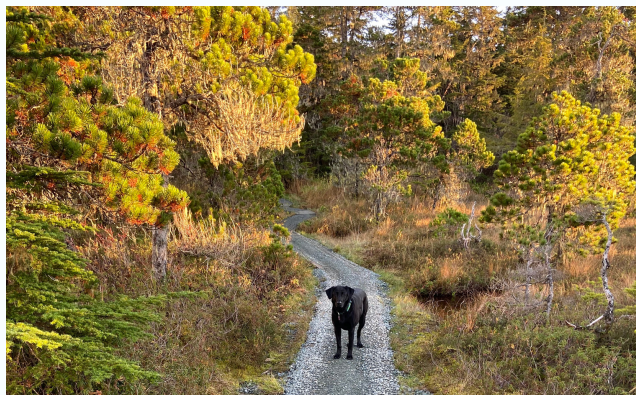
A Synergo trainer came to the Eagle Valley Center for a week in April to train SAIL/ORCA staff how to manage and operate the Challenge Course. A soft opening of the Challenge Course will occur this spring or early summer.





Completed Projects

The **Amalga Cabin** opened for rentals in January 2021. Locals and visitors now have access to a cabin with a spectacular view of Amalga Harbor and the outreaching views of Southern Lynn Canal. Juneau folks are passionate about cabin visits and this demographic has demonstrated thoughtful respect of the cabin and environment.



The **Horse Tram Trail** construction is complete, and has brought and introduced many additional visitors to the area. The linked trail to the Boy Scout Trail creates an opportunity for longer hikes and the trail itself through the forest is lovely.

On introduction, people are awe struck by the beauty of the place. Yes, the

secret is out and folks adore the Amalga area meadows, beaches and forest like we all do.

As more citizens are out enjoying nature, it will benefit our community as they learn and/or demonstrate regard for our great land.

Upcoming Projects

The raised walkway that crosses the slough and accesses the Amalga Meadows Trail System is failing. Installation of a new raised walkway approximately 300 feet down the creek adjacent to the soon to be improved small parking lot will commence this spring. Trail Mix will be installing the raised walkway.

The city has received funds through a voter passed proposition to upgrade site and energy efficiency at the Eagle Valley Center. The funds will allow us to improve parking and accessibility to the Lodge, upgrade our heating system, and replace windows and other energy efficiency upgrades.

We will also host a Jesuit Volunteer Flower Planting Weekend this month. This same group planted our annuals last year and brought a lot of color to the yard.

Ongoing Projects

The Parks & Recreation Department is installing a new series of consistent signs at all parks. The Eagle Valley Center will have new signs installed this summer.