

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

December 13, 2021 7:00 PM

Assembly Chambers/Zoom Webinar/FB Livestream

Meeting No. 2021-28 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar
ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

III. ROLL CALL

IV. SPECIAL ORDER OF BUSINESS

A. Report on JPD Accreditation

B. Public Participation Instructions

The Assembly will follow COVID protocols in accordance with CDC guidelines, CBJ ordinances & resolutions, and COVID mitigation strategies at the time of the meeting. Assemblymembers will be meeting in person, to the extent possible. **In-person public participation will be limited on a first come, first served basis in accordance with room capacity protocols. All attendees will be required to wear a mask regardless of vaccination status.** *Attendees in excess of the room capacity protocols may be requested to participate via Zoom webinar.* Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org. Members who are participating via Zoom should raise their virtual hand when wishing to speak on an item open for public testimony. Participants calling into the meeting via Zoom will need to press #9 to raise their virtual hand and then press #6 to unmute their phone when they are called upon to speak.

For up to the minute meeting calendar/details with links to the Zoom webinars, check our online CBJ Meeting Calendar at <https://juneau.org/calendar>.

V. APPROVAL OF MINUTES

A. August 2, 2021 Regular Assembly Meeting #2021-19 DRAFT Minutes

B. September 13, 2021 Regular Assembly Meeting #2021-23 DRAFT Minutes

- C. **December 1, 2021 Special Assembly Meeting #2021-27 DRAFT Minutes**
- D. **December 4, 2021 Special Assembly Meeting Retreat-Worksession DRAFT Minutes**

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VIII. CONSENT AGENDA

- A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
- B. Assembly Requests for Consent Agenda Changes
- C. Assembly Action
 - 1. Ordinances for Introduction

- a. **Ordinance 2021-08(b)(am)(S) An Ordinance Appropriating \$2,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds.**

This ordinance would appropriate \$2,000,000 of general funds for the Capital Civic Center CIP. This project is an expansion of Centennial Hall that will include upgrades to satisfy the goals of the business community, the travel industry, and the arts economy. This appropriation would provide funds for a 30% complete plan set that would be adequate for a more detailed cost estimate of the entire project.

The Committee of the Whole reviewed this request at its November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.

The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

- b. **Ordinance 2021-08(b)(am)(T) An Ordinance Appropriating \$2,500,000 to the Manager for the Augustus Brown Pool Capital Improvement Project; Funding Provided by General Funds.**

Delaying renovation of Augustus Brown Pool has substantially increased costs due to inflation, supply chain issues, and limited competition in the pool specialty trade. This ordinance would provide \$2,500,000 of general funds to satisfy the additional funding needs of completing the project scope of work.

The Public Works and Facilities Committee reviewed this request at the November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.

The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

- c. **Ordinance 2021-08(b)(am)(U) An Ordinance Appropriating \$500,000**

to the Manager for the Centennial Hall Renovation Phase 2 Capital Improvement Project; Funding Provided by General Funds.

The design and bid process for renovations to Centennial Hall are proceeding, but as a result of inflation and supply chain issues, the costs are estimated to be higher than anticipated. Seismic bracing has also been identified as an additional recommended improvement. This ordinance would provide \$500,000 of general funds to satisfy the additional funding needs of completing the project scope of work.

The Public Works and Facilities Committee reviewed this request at the November 29, 2021 meeting. The Assembly Finance Committee will review this request at the January 5, 2022 meeting.

The Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee, and set it for public hearing at the next regular Assembly meeting.

d. **Ordinance 2022-01 An Ordinance Repealing the Temporary Sales Tax Exemption for Sales of Cost of Power Adjustments on Electrical Power.**

In 2008, a massive avalanche damaged the hydroelectric lines. Electrical power costs for CBJ residents and businesses increased dramatically. The Assembly responded and temporarily exempted the cost of power adjustments on electrical power from sales tax. (Em. Ord. 2008-17; Ord. 2008-31). However, the exemption has inadvertently remained in the sales tax code. Because the Assembly in 2008 only intended the exemption for cost of power adjustments to be temporary, this ordinance would repeal that sales tax exemption.

The Manager recommends the Assembly introduce this ordinance, and refer it to the Finance Committee.

e. **Ordinance 2022-03 An Ordinance Authorizing the Municipal Attorney to Update Monetary Values Pursuant to Adjustment Provisions in Previously Adopted Legislation.**

Various CBJ ordinances, resolutions, and regulations have automatic monetary adjustment provisions tied to the Consumer Price Index or other inflation metrics. This ordinance would clarify that the Municipal Attorney is authorized to update those monetary values in the published CBJ Code pursuant to the previously adopted legislation.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Finance Committee.

2. Resolutions

a. **Resolution 2971 A Resolution Supporting New Broad-based Taxation as Part of a Long-term State Fiscal Plan, and Opposing a Statewide Sales Tax.**

Continued reductions to state services threaten the health of Juneau's economy and the well-being of Juneau's residents. To avoid continued reductions to state services, the State of Alaska must adopt and implement a long-term fiscal plan. The adoption and implementation of a long-term fiscal plan that fully funds essential government services

will require new broad-based revenues. The Legislature is currently considering a statewide sales tax, an income tax, and other revenue measures as part of a long-term fiscal plan. Municipalities have long funded local government services by imposing local sales taxes carefully tailored to the needs of their local residents and economies. A statewide sales tax combined with existing local sales taxes will eventually result in communities reducing local sales tax rates and increasing local property tax rates to continue delivering essential municipal services and an income tax would tax workers in Alaska based on income and ability to pay.

The Assembly Finance Committee recommended this resolution at its meeting on December 1, 2021.

The Manager recommends the Assembly adopt this resolution.

3. Bid Award
4. Liquor License

a. **Liquor License Transfer of Location**

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Transfer of Location

License Type: Restaurant/Eating Place, License #5278

Licensee: Abigail May LaForce Barnett d/b/a Zerelda's Bistro

Transfer From Location: 9351 Glacier Hwy, Juneau

Transfer To Location: 9106 Mendenhall Mall Rd Suite B, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development departments have reviewed the above license and recommended the Assembly waive its right to protest the transfer application. Copies of the documents associated with this license 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 license transfer of location.

5. Other Items for consent

a. **CSP 2021-0003 Meadow Lane Improvements**

The Meadow Lane Improvements project will reconstruct the roadway between Stikine Street and the southern end loop. Improvements will include replacement of the road base and asphalt with the addition of a valley gutter along both sides of the roadway. The water main and sanitary sewer main will be replaced, including service laterals up to the property line. The existing deep ditches will be filled in with shallow swales, and drainage will be collected via curb inlets and area drains into an underground system.

The City Manager recommends the Assembly approve this project consistent with the Planning Commission's recommendation.

b. **Marijuana License Renewal**

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal application.

Marijuana Renewal License

License Type: Limited Marijuana Cultivation Facility License: #15209

Licensee: Herb'n Legends LLC d/b/a Herb'n Legends LLC

Location: 2771 Sherwood Lane Unit D, Juneau

(AMCO 60-day comment period ends: 1/8/2022)

The above marijuana license renewal is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed this renewal and found the business to be in compliance with CBJ Code. The assembly packet contains the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's Office upon request.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana license #15209.

IX. PUBLIC HEARING

A. Ordinance 2021-40 An Ordinance Amending Title 40 Regarding the Hospital Board of Directors Authority.

Over the last few years, Bartlett Regional Hospital has seen high demand for certain medical services, especially behavioral health services. The BRH Board has been reviewing its campus plan and determined the increased demand on medical services is best met by buying or leasing property off of the hospital campus. This ordinance is one step to allowing the BRH Board of Directors to buy or lease property away from the hospital. If the BRH Board of Directors wants to buy property, the Board would also need to request a specific appropriation from the Assembly, which would need to be approved by a separate ordinance. (See CBJC 53.04.020). If the BRH Board of Directors wants to provide emergency medical services, like emergency behavioral health services, outside of the City and Borough of Juneau, the Board would also need to request specific authority from the Assembly, which would likely need to be approved by the other municipality. (See CBJ Charter 2.3 and A.S. 29.35.020).

The Systemic Racism Review Committee reviewed this ordinance on October 26, 2021, and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2021-44 An Ordinance Amending the Uniform Sales Tax Code Related to the Sale of Goods and Services Aboard Cruise Ships.

This ordinance would require the collection of sales tax on the sales of goods and services on-board cruise vessels while in the Gastineau Channel. Sales that occur inside the borough boundary but outside the Gastineau Channel would remain exempt.

The Assembly or Assembly Finance Committee considered this ordinance and its predecessor (Ord. 2020-48) on September 2, 2020; October 27, 2020; and November 3, 2021.

The Systemic Racism Review Committee reviewed this request at the November 23, 2021, meeting and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2021-45 An Ordinance Authorizing the Docks and Harbors Board to Lease ATS 615 in Tee Harbor to Lisa Haffner-Ritter on behalf of Donohue's Marina LLC.

This ordinance would allow the current lessee to exercise preferential rights to enter into a new 35-year lease with the City & Borough of Juneau. The existing 55-year lease was authorized by the State of Alaska in 1966, transferred to the City & Borough of Juneau in February 2001 and is currently managed by Docks & Harbors. The lessee, Lisa Haffner, is requesting to exercise preferential lease rights for the 3.18 acre parcel which is located in Tee Harbor. 35 years is the maximum lease length authorized under CBJ code. An appraisal was completed by Horan & Company on October 12 with a recommended lease rent of \$5,545.12 annually. The Docks & Harbors Board reviewed the lease request and appraisal at its October 28 regular board meeting. The Systemic Racism Review Committee reviewed this ordinance on November 23, 2021, and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2021-08(b)(am)(P) An Ordinance Appropriating up to \$2,880,000 to the Manager for the Purchase of 2.8 Acres from the University of Alaska Southeast for the Juneau Fisheries Terminal; Funding Provided by General Funds.

This ordinance would appropriate partial funding for the purchase of approximately 35,000 square feet of uplands and two acres of tidelands from the University of Alaska Southeast (UAS). Docks and Harbors is currently leasing this property from UAS to support commercial fisheries and commercial boat repair activity. Continuation of the lease after expiration in May 2022 will result in a significant increase in leasing costs to the Docks and Harbors enterprise, which cannot be recovered through existing subleases. Investment in the purchase of this property will reduce ongoing operating costs and alleviate pressure on Docks and Harbors user fees.

The total cost of the property is \$2,880,000, of which \$2,000,000 would be funded with general funds and appropriated at this time. The remaining \$880,000 would be funded by the Harbors Fund and appropriated once an available fund source has been determined.

The Committee of the Whole reviewed this request at the November 1, 2021 meeting. The Assembly Finance Committee reviewed this request at the December 1, 2021 meeting. The Systemic Racism Review Committee reviewed this ordinance on November 23, 2021, and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

E. Ordinance 2021-08(b)(am)(O) An Ordinance Appropriating \$5,500,000 to the Manager as Funding for the Seawalk and Statter Harbor Phase IIIC Capital Improvement Projects; Funding Provided by General Funds.

This ordinance would appropriate \$5,500,000 of general funds for the Seawalk and Statter Harbor Phase IIIC capital improvement projects, to be appropriated as follows:

Statter Harbor Phase IIIC (H51-108)	\$3,000,000
Seawalk (H51-113)	\$2,500,000

This appropriation provides for CBJ's commitment to the cruise industry of \$3 million of non-passenger fee funding towards the completion of the Statter Harbor Phase IIIC project. Funding appropriated for the Seawalk project provides for a triangular shaped portion of marine walk in front of Marine Park.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the November 23, 2021 meeting and

forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly forward this ordinance to the January 5, 2022 Assembly Finance Committee for further discussion.

F. Ordinance 2021-08(b)(am)(Q) An Ordinance Appropriating \$150,000 to the Manager for a Grant to the Juneau Community Foundation to Support Sheltering Operations at The Glory Hall; Funding Provided by General Funds.

This ordinance would appropriate \$150,000 of general funds for a grant to the Juneau Community Foundation (JCF) to support sheltering operations at The Glory Hall. Future funding for this purpose may be considered upon a request from JCF as part of CBJ's annual budget process.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the November 23, 2021 meeting and forwarded it to the Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

G. Ordinance 2021-08(b)(am)(R) An Ordinance Appropriating \$570,000 to the Manager for Expanded Mobile Integrated Health Services in Fiscal Year 2022; Funding Provided by State Revenue and a Private Grant.

This ordinance would appropriate \$570,000 for expanded Mobile Integrated Health services in fiscal year 2022, to be funded as follows:

Southern Region EMS Council, Inc. (SREMSC)	\$540,000
Juneau Community Foundation Grant	\$ 30,000

The SREMSC is providing ARPA funds from the State of Alaska to contract CBJ to perform mobile integrated health services in the community. The Juneau Community Foundation is providing grant funding from Norwegian Cruise Lines for a community paramedic vehicle in support of the expanded services.

Revenue received from the contracted services will partially offset the use of general funds for CBJ's Mobile Integrated Health Program's fiscal year 2022 budgeted expenditures.

The Systemic Racism Review Committee reviewed this request at its November 23, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

X. UNFINISHED BUSINESS

A. Draft 2022 Assembly Goals

XI. NEW BUSINESS

A. Commercial Use of Municipal Aquatics Facilities Regulation 11 CBJAC 02

The proposed regulations would authorize the Aquatics Manager to issue permits for commercial use of aquatics facilities.

Staff presented the proposed regulations at the Aquatics Board meeting in November, 2019, and they were discussed among the full board at seven meetings over the course of 2020 and 2021.

The Assembly Human Resources Committee reviewed the proposed regulations at its November

22, 2021 meeting and recommended forwarding to the full Assembly for action.

The City Manager recommends that the Assembly approve the regulation.

B. Passenger-For-Hire Fee Regulation Change 05 CBJAC 20.080

This regulation would increase the per charter vessel and per passenger fees by 10%. The newly completed Statter for Hire Floats offer substantial economic benefits for the charter vessel companies. The D&H Board delayed this regulation amendment in 2021 due to COVID uncertainty and has proactively informed charter operators that a modest rate increase would be proposed, which gives the business community ample time to adjust their 2022 rates. The 10% change is expected to raise \$15,000 in revenue to the Harbor Enterprise.

The D&H Board has discussed this topic 11 times in the last year. On December 8, 2021, the D&H Board held the required public hearing.

In addition to the publicly noticed Docks & Harbors meetings, the proposed changes were advertised via Docks & Harbors Facebook, the monthly newsletter THE TIDE LINE and discussed on monthly episodes of Action Line with Pete Carran. The TBMP coordinator also notified the membership of Docks & Harbors' proposed changes.

The City Manager recommends that the Assembly approve the regulation.

XII. STAFF REPORTS

XIII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

A. Collective Bargaining Contract Negotiation Strategy

The Manager recommends the Assembly recess into executive session to discuss matters the immediate knowledge of which could have a detrimental effect on city finances, specifically an update on collective bargaining.

B. Litigation Strategy Discussion

The Municipal Attorney recommends the Assembly recess into executive session to discuss pending CBJ litigation, specifically a candid discussion of the facts and litigation strategies with the Municipal Attorney.

XVI. SUPPLEMENTAL MATERIALS

- A. JPD Accreditation Award 2021-2024

XVII. ADJOURNMENT

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.org

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
DRAFT Meeting Minutes – August 2, 2021

MEETING NO. 2021-19: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom webinar and called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

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!

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Loren Jones, Maria Gladziszewski, Wade Bryson, Michelle Hale, Christine Woll, Alicia Hughes-Skandijs, and Carole Triem (via Zoom).

Assemblymembers Absent: Greg Smith

Staff Present: City Manager Rorie Watt, Deputy City Managers Robert Barr and Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Parks and Recreation Director George Schaaf, Assistant City Attorney Sherri Layne, Community Development Director Jill Maclean.

IV. SPECIAL ORDER OF BUSINESS

A. Special Recognition: Deputy Manager Mila Cosgrove

Each of the Assemblymembers expressed their gratitude for Ms. Cosgrove's service and role in their Assembly journey. They spoke to her steadfast belief in public service, her roles as a mentor and leader and the impact she has made at CBJ and the community as a whole.

Mayor Weldon recounted the wisdom from Ms. Cosgrove when she was employed in the Fire Department to "Be thoughtful, be fair, and be consistent" and she said she hopes she has lived up to that advice. Mayor Weldon thanked Ms. Cosgrove Mila Cosgrove for several years of leadership, mentorship, and friendship.

Deputy Manager Robert Barr spoke to Ms. Cosgrove's exceptional efforts in leading the Emergency Operations Center as the Incident Commander (IC), and her genuine consideration of community wellbeing in her decision-making.

Ms. Gladziszewski thanked Ms. Cosgrove for her service and dedication to the City and Borough of Juneau.

Mr. Jones shared that he learned a lot from Ms. Cosgrove, especially from her attitude, her approach and appreciated everything she has done for the City. He wished her a happy retirement.

Mr. Bryson said that Ms. Cosgrove retirement was a significant loss for CBJ, speaking to the wisdom and thoughtfulness present in her approach to problem-solving. He added that she has been a wonderful person to work with, and she will be dearly missed.

Ms. Hughes-Skandijs thanked Ms. Cosgrove for her leadership and support, and recounted how welcoming Ms. Cosgrove was to her as a newly elected Assemblymember inviting her in for tea and chocolate for a calm and grounding tutorial filled with nuggets of wisdom with all things city related. Ms. Hughes-Skandijs commended Ms. Cosgrove for her everything she has done for the community, that calm demeanor and wise approach has been something she carried through in all she has accomplished at CBJ.

Mayor Weldon noted that while they are all public servants, Ms. Cosgrove's family members are also public servants in all that they have done to support Ms. Cosgrove's work on behalf of the community.

Ms. Woll said that while she hasn't had the opportunity to know Ms. Cosgrove as long as some of the other members, she appreciated getting to know her through their work with the Assembly Retreat during the Racial Equity trainings as well as her work with the Systemic Racism Review Committee. She lightheartedly joked that Ms. Cosgrove was indeed "woke" when it comes to racial equity.

Ms. Triem extended gratitude and appreciation towards Mila for her thoughtfulness and her dedication to public service, especially after this past year. She wished Ms. Cosgrove a relaxing, wonderful retirement.

Ms. Hale said she first met Ms. Cosgrove during mediation sessions and that Ms. Cosgrove needs more of that calm and relaxation as she enters retirement. Ms. Hale spoke to the gratitude and appreciation the Assembly felt towards Ms. Cosgrove, and presented her with a handmade quilt as a gift from the Assembly.

Mr. Watt recounted Ms. Cosgrove's tenure with the City, beginning in February 2006 when she filled out a job application as Personnel Director. She later became the Department Director of CBJ Human Resources and Risk Management and was so good that she also became the HR Director for both CBJ and Bartlett Regional Hospital at the same time. She has spent the past five and a half years as Deputy City Manager. Mr. Watt described Ms. Cosgrove as a star performer, not just by CBJ but nationwide. She has been credentialed and nationally recognized as an expert in her field. He said she has spent 15 years doing more than her share of the work and getting less than her share of the credit. During her time at CBJ, she modernized HR procedures, developed new tools to recruit, train, develop, and retain new employees. She developed a supervisory academy which has translated to much better supervisors, she

jointly developed a leadership development program and out of that program, there are several department directors who have graduated out of that program and are serving in leadership roles at CBJ. He said the backbone of any organization is its people and Ms. Cosgrove has been dedicated to its people and CBJ is a much stronger organization because of her. He commended her for her role as the Incident Commander since March 2020 and though that was not what she would have wanted her last year and half of CBJ employment to have been, she put her heart and soul into being an incredible IC.

Mr. Watt thanked Tom Cosgrove and their children Natalie and Coleman for sharing their wife and mother with the city and the community.

Ms. Cosgrove said she has been in public service for 30 years and it is what she really loves to do. She said she really fell in love with it when she began her work with CBJ due to the great culture and people of CBJ. She said that she hopes she left it a little bit better than when she started but it was already pretty darned good when she began. She said we all do what we do because we love the place in which we live and she said it is satisfying to serve our friends and our neighbors. It is important to leave it better than how we found it and to hold that future vision in mind, even when the waters are murky. She said that Ms. Watt was right in that she loves the organizational structure of things and she has felt honored to serve. She extended her gratitude to the employees of CBJ and told the community if they don't know what a treasure the community has in CBJ staff, they need to know how amazing the staff is and how hard they work on behalf of the community. She said the same thing about our Leadership Team and that Robert Barr may have big shoes to fill but he has big feet and is already doing a great job in filling those shoes. She extended her thanks and appreciation to Mr. Watt and to all the Assemblymembers.

B. Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform.

V. APPROVAL OF MINUTES

A. July 12, 2021 Special Assembly Meeting DRAFT Minutes

B. July 12, 2021 Regular Assembly Meeting #2021-17 DRAFT Minutes

MOTION by Ms. Hale for the Assembly to approve of the above meeting minutes, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested that Consent Agenda Item 4(A) – Marijuana Licenses be corrected from “Renewal” to “New Business”, as it is not a license renewal. *Hearing no objections, that request was granted by unanimous consent.*

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes.

None.

C. Assembly Action

MOTION by Mr. Jones for the Assembly to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objections, the Consent Agenda was adopted by unanimous consent.*

1. Ordinances for Introduction

a. Ordinance 2021-28 An Ordinance Amending Title 49, the Land Use Code, Related to Minimum Lot Depth.

This ordinance would remove the minimum lot depth requirement from Title 49. The minimum lot depth requirement has created unnecessary prohibitions on properties, especially infill subdivisions that otherwise need a variance. The community will continue to benefit by maintaining the minimum lot width and minimum lot size requirements for future subdivisions.

On July 13, 2021, the Planning Commission recommended the Assembly adopt this ordinance.

The City Manager recommends the Assembly introduce this ordinance; refer it to the Lands, Housing, and Economic Development Committee; and set it for public hearing at the next regular Assembly meeting.

b. Ordinance 2021-30 An Ordinance Amending the Sales Tax Code Regarding the Taxability of Services.

Recently adopted changes to the Uniform Alaska Remote Sellers Sales Tax Code (the Uniform Code) require CBJ to align the tax treatment of services performed locally but delivered outside of the borough. This ordinance achieves that alignment by exempting those services from the imposition of CBJ's local sales tax.

The Assembly Finance Committee reviewed and discussed this concept on June 2, 2021, and the ordinance is scheduled for review by the Assembly Finance Committee on August 18, 2021.

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

c. Ordinance 2021-34 An Ordinance Amending the Land Use Code to Extend the Sunset Dates for the Alternative Development Overlay Districts.

This ordinance would extend the sunset date for the downtown Juneau alternative overlay district from August 1, 2021, to August 1, 2022.

The purpose of the alternative development overlay district is to provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This extension provides necessary time for the final review and adoption of new zoning for the downtown neighborhoods.

On July 27, 2021, the Planning Commission recommended this extension as it continues to work through substantive code amendments to the alternative development overlay district.

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

d. Ordinance 2021-08(b)(am)(C) An Ordinance Appropriating \$150,000 to the Manager as Funding for a Tourism Manager; Funding Provided by Marine Passenger Fees.

The Visitor Industry Task Force has recommended that CBJ should establish a centralized tourism management function to guide implementation of the Tourism Management Plan. This ordinance would appropriate \$150,000 of passenger fees for a tourism manager position for the remainder of FY22. This position would coordinate diverse activities and entities involved in public outreach, cruise scheduling, planning, permitting, infrastructure development, operations and maintenance, monitoring and reporting, and enforcement. Creating this position ensures that CBJ will take a more central role in managing outcomes and collaborating with the various active players in the community.

The Committee of the Whole reviewed this request at the July 19, 2021 meeting and recommended CBJ staff draft an appropriating ordinance for introduction.

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

2. Bid Award

a. Bid Award - BE21-264 Gruening Park Lift Station Stand Alone Lift Station

This project includes installing approximately 50 linear feet of pressure sewer; installing approximately 70 linear feet of gravity sewer and new sewer manhole; demolition of an existing sewage lift station; installation of a new sewage pump station; and installation of a new portable generator, pump controls, pump controls rack, along with associated electrical work; and site development. Additive Alternate No. 1 includes installation of 2" water service.

Bids were opened on this project on July 15, 2021. The bid protest period expired at 4:30p.m. on July 16, 2021. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	ADDITIVE ALTERNATE NO. 1	TOTAL BID
ENCO Alaska, Inc.	\$1,135,275	\$35,000	\$1,170,275
Admiralty Construction, Inc.	\$1,194,150	\$50,000	\$1,244,150
Architect's Estimate	\$884,050	\$18,000	\$902,050

The City Manager recommends award of this project, base bid and Alternate No. 1, to ENCO Alaska, Inc. for the total amount bid of \$1,170,275.

3. Liquor License

a. Liquor License Renewal - License #5747

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Renewal

License Type: Club, License #5747

Licensee: Juneau Yacht Club, Inc. d/b/a Juneau Yacht Club

Location: 1301 Harbor Way, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development Departments have reviewed the above license and recommend the Assembly waive its right to protest the renewal application. Copies of the documents associated with this license 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 license renewal.

4. Other Items for consent

a. New Marijuana Licenses: #27471 & 27532

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) new marijuana license applications.

New Marijuana Licenses

License Type: Limited Marijuana Cultivation Facility License: #27471

Licensee: Alaska Vibes LLC d/b/a Alaska Vibes

Location: 10011 Glacier Hwy., Juneau

(AMCO 60-day comment period ends: 8/5/2021)

License Type: Retail Marijuana Store License: #27532

Licensee: Alaska Vibes LLC d/b/a Alaska Vibes

Location: 10011 Glacier Hwy., Juneau

(AMCO 60-day comment period ends: 8/5/2021)

The above marijuana licenses are before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed these renewals and found the business to be in compliance with CBJ Code. Additional license application documents are available through the Clerk's office upon request.

The City Manager recommends the Assembly waive its right to protest the issuance of AMCO marijuana license #27471 and AMCO marijuana license #27532.

IX. PUBLIC HEARING

A. Ordinance 2021-08(b)(am)(A) An Ordinance Appropriating \$34,240 to the Manager as Funding for Multiple Training Events for the Juneau Police Department; Grant Funding Provided by the United States Department of Justice, Office of Justice Program, FY18 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The Juneau Police Department has been awarded \$34,240 in grant funding from the U.S. Department of Justice for various training opportunities.

The JPD Leadership Team has identified the following training opportunities to apply this funding to in FY22: employee wellness, school threat assessment, National Incident-Based Reporting System (NIBRS), and a digital evidence workshop.

No local match is required for this grant.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2021-08 (b)(am)(A) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(A) was adopted by unanimous consent.*

B. Ordinance 2021-08(b)(am)(B) An Ordinance Appropriating \$42,300 to the Manager as - Funding for Tourism-Related Services in the Summer of 2021; Funding Provided by Marine Passenger Fees.

The FY22 budget anticipated no large cruise ship visitation this summer; however, with pandemic-related restrictions lifting and the economy normalizing, Juneau is now expected to receive some cruise ship traffic in the last half of the summer. This ordinance would appropriate \$42,300 of marine passenger fees for tourism-related services this summer, allocating \$27,300 to Travel Juneau for

crossing guards and \$15,000 to the Downtown Business Association for the Ambassador Services program.

Both Travel Juneau and the Downtown Business Association have already been appropriated funds for these services for the April through June, 2022 period.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

Paul Kelly, a Juneau resident, addressed the growing concerns surrounding post-pandemic tourism in his neighborhood. He suggested ways in which Juneau could attract independent travelers to visit in “off season” months, such as late Winter and early Spring. Mr. Kelly found that tourism can often lead to congestion in Downtown areas, and hoped that the Tourism Coordinator position could help resolve this problem.

Kirby Day, a valley resident, urged the Assembly to support this ordinance. Mr. Day said that Travel Juneau had put together a conservative budget that focused on safety. He noted the importance of crossing guards, as some crossing sections have not been fully painted yet.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2021-08(b)(am)(B) and asked for unanimous consent.

Objection by Mr. Jones. Mr. Jones spoke to his objection, saying that Travel Juneau had kept almost \$130,000 in funds that were meant for the 2020 Tourism season. The Downtown Business Association’s additional \$26,000 in funding was held back by the city. He questioned the purpose of allocating additional funding to Travel Juneau when they already have \$130,000 in funds. Mr. Jones shared that he spoke with Mr. Rogers about this, to which Mr. Rogers explained that the funding numbers were estimates from Goldbelt International.

Mr. Rogers explained that funding was held aside for Travel Juneau and other organizations that were appropriated via grants, adding that these funds were appropriated in FY20. Mr. Rogers clarified that half of those funds were spent during part of summer 2019, and the remaining half of these funds were not spent in 2020. He said that this decision depends on Assembly choices; the Assembly has already agreed to carry over the funds to Summer 2023. He added that this summer was expected to have a nonexistent tourism season when this budget was developed.

Mr. Jones thanked Mr. Roger’s for his explanation, and asked if the remaining amount of unused funding from FY20 could be found within a passenger fee fund balance. Mr. Rogers explained legislature appropriating allocations of American Rescue Plan Act funds accumulated State Marine Passenger Funds (CPV) in a “hold harmless” position. CBJ has confirmed that these funds will be received through \$5.9M in State Marine Passenger Fees for FY21 and FY22. Mr. Rogers confirmed that

funding is available for allocation, and he will provide an update at the next Assembly Finance Committee meeting.

Further discussion took place on funding from FY20 and FY23.

Mr. Jones felt that the State funding was good news, and felt that there might be a better idea of what the budget will allow in the Spring of 2022. Mr. Jones withdrew his objection.

Hearing no objections, Ordinance 2021-08(b)(am)(B) passed by unanimous consent.

C. Ordinance 2021-13 An Ordinance Amending the Land Use Code Related to the Coastal Management and the Habitat Provisions of Title 49.

The Title 49 amendments in this ordinance are necessary to keep Title 49 consistent with state law, remove duplicative regulations, and provide greater certainty for regulating development near shoreline habitat. This ordinance would repeal the CBJ Coastal Zone Management provisions because the associated and dependent state law was repealed. This ordinance would also clarify the CBJ shoreline habitat provisions with the ordinary high water mark standard and exempt water-dependent uses.

The Lands Committee generally discussed shoreline habitat regulations at its meetings on April 12 and May 10, 2021. The Planning Commission discussed this ordinance on June 22, 2021, and recommended the Assembly adopt this ordinance.

The City Manager recommends that the Assembly adopt this ordinance.

Public Comment:

Katherine Cohen, a West Juneau resident shared that this ordinance deals with environmentally sensitive areas, and felt that this item called for more public participation and testimony. She referenced needless destruction of stream habitats in the past, and said that this could have been avoided through more public participation and awareness. Ms. Cohen urged the Assembly to postpone this ordinance to allow for further discussion.

Assembly Action:

MOTION by Mr. Jones for the Assembly to postpone Ordinance 2021-13 until the September Assembly meeting and to refer it to the August 30 Committee of the Whole (COW) joint meeting with the Planning Commission.

Mr. Jones spoke to his motion, saying that the Assembly does not have a thorough enough understanding of this ordinance to act upon it. He added that the Department of Law recommended deleting this section entirely. He recommended referring this ordinance to the COW to allow for more time for the Assembly to work on it thoroughly.

Ms. Gladziszewski supported this motion, and felt that it was appropriate to refer it to the COW for further discussion.

Objection by Mr. Bryson. Mr. Bryson spoke to his objection, saying that postponing the ordinance for further discussion would be redundant, as it had been discussed at length at Planning Commission public testimony. He questioned the reasoning of referring this item back to the COW, noting the lack of streamlined efficiency he felt by putting this item backwards for even further discussion.

Ms. Hale shared that the Coastal Management Zone is very complex, and she believes that more discussion would benefit the Assembly and the public. She supported referring this to the COW, and then bringing it back to the Assembly for action.

Ms. Hughes-Skandijs spoke in support of sending this back to committee, and would appreciate a better understanding of this ordinance.

Roll Call Vote on referring Ordinance 2021-13 to August 30 COW Meeting:

Ayes: Jones, Triem, Hughes-Skandijs, Woll, Gladziszewski, Hale, Mayor Weldon.

Nays: Bryson.

Motion passed. Seven (7) Ayes, One (1) Nay.

D. Ordinance 2021-19 An Ordinance Establishing the Planning Commission as the Board of Adjustment.

This is a housekeeping ordinance to eliminate confusion by renaming the Board of Adjustment to the Planning Commission. Currently, for example, when a variance application is ready for public hearing, the Planning Commission convenes, temporarily adjourns as the Planning Commission, reconvenes as the Board of Adjustment, considers the variance application, and then adjourns as the Board of Adjustment to reconvene as the Planning Commission. This ordinance would eliminate those unnecessary procedural steps and give the public certainty that the variance will be considered by the Planning Commission.

The Planning Commission reviewed this ordinance on June 22, 2021, and recommended the Assembly adopt this ordinance.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2021-19 and asked for unanimous consent.

Objection by Ms. Gladziszewski for purposes of a question. She asked Mr. Palmer to clarify how eliminating procedural steps would ensure public certainty.

Mr. Palmer explained that the public does not understand that the Board of Adjustment is the Planning Commission, and this ordinance would clear up any confusion.

Ms. Gladziszewski removed her objection.

Hearing no objections, Ordinance 2021-19 was adopted by unanimous consent.

E. Ordinance 2021-31 An Ordinance Authorizing the Manager to Convey Approximately 380 Square Feet of City Property, Three Permanent Easements, and Ten Temporary Construction Easements to the Alaska Department of Transportation and Public Facilities for a Douglas Highway Reconstruction Project.

The Department of Transportation and Public Facilities (DOT&PF) is reconstructing Douglas Highway and submitted an application to acquire a small portion of CBJ property and multiple small easements. This ordinance would authorize the Manager to sell 380 square feet of CBJ property, which is located outside the fence at 750 St. Ann's Avenue at the Mayflower Building.

This ordinance would also authorize the Manager to convey four permanent easements totaling approximately 1,000 square feet and ten temporary construction easements totaling approximately 8,750 square feet. The CBJ property is necessary for the Douglas Highway reconstruction project.

The Lands, Housing and Economic Development Committee reviewed this proposed CBJ land disposal and easement request at its meeting on April 12, 2021, and passed a motion of support for disposing of City property through negotiated sale to the DOT&PF for fair market value.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2021-31 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-31 was adopted by unanimous consent.*

The Assembly took a break at 8:01p.m. The meeting resumed at 8:16p.m.

F. Ordinance 2021-27 An Ordinance Amending the Comprehensive Plan Land Use Designation Map near 4650 North Douglas Highway from Medium Density Residential to High Density Residential.

This ordinance would amend the Comprehensive Plan for a 15-acre parcel near 4650 North Douglas Highway.

The applicant requested a rezone from D15 to General Commercial. General Commercial allows 50 dwelling units per acre, which exceeds the maximum density permitted by the Comprehensive Plan MDR designation of 5-20 dwelling units per acre. Instead of General Commercial, the Planning Commission recommends the Assembly rezone the property to Light Commercial, which allows for 30 dwelling units per acre. The Planning Commission also recommended the Assembly amend the Comprehensive Plan land use designation from MDR to HDR, which accommodates higher densities of 18-60 units per acre. The Community Development Department agrees that a Comprehensive Plan amendment from MDR to HDR is necessary before the Light Commercial rezone can be appropriate.

The Committee of the Whole discussed this topic at its meeting on July 19, 2021.

The City Manager recommends that the Assembly not adopt this ordinance.

Public Comment:

Travis Arndt, a valley resident (and a member of the Planning Commission), spoke in support of this ordinance, and said that he was surprised that the City Manager recommended the Assembly to not adopt this ordinance. He noted that there had been no negative public comment or objections against this ordinance whenever the Planning Commission asked for public comment.

Mr. Bryson asked if Mr. Arndt was directly involved with Items F and G.

Mr. Arndt confirmed that was correct, as it is a map amendment in the area where he is asking for a rezone.

Mr. Bryson asked Mr. Arndt that if the Assembly were able to make the zoning correction without making a change in the Comprehensive Map, would that avoid impacting his project. Mr. Arndt said that was correct.

Mayor Weldon asked Mr. Arndt if he was speaking on behalf of the Planning Commission. Mr. Arndt said that he was not, rather he was speaking on behalf of himself as an applicant for the rezone.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to table Ordinance 2021-27 and asked for unanimous consent.

Mr. Bryson said that it was not necessary to change the Comprehensive Plan at this time. Assembly and Planning Commission charge to use “owner’s manual” i.e. the Comprehensive Plan. He added that it was the Planning Commission’s responsibility to designate between commercial and residential areas.

Objection by Ms. Hale for purposes of a question. She asked for Mr. Palmer to clarify that the Assembly did not need to pass Item F in order to adopt a rezone.

Mr. Palmer confirmed that was correct.

Objection by Ms. Woll for purposes of a question. She asked what would happen if the Assembly were to table this ordinance.

Mr. Palmer explained that tabling this item would indefinitely kill this ordinance.

Hearing no further objections, Ordinance 2021-27 was tabled indefinitely by unanimous consent.

G. Ordinance 2021-26 An Ordinance Amending the Official Zoning Map by Rezoning Channel View, Lot 1, Located near 4650 North Douglas Highway from D-15 to Light Commercial.

The ordinance would rezone a 15-acre parcel near 4650 North Douglas Highway.

The applicant requested a rezone from D15 to General Commercial. The Community Development Department recommended a transition rezone from D15 to Light Commercial with conditions to comply with the Comprehensive Plan. The Planning Commission, instead, recommended a rezone from D15 to Light Commercial without conditions because it concluded Light Commercial conforms to the Comprehensive Plan, yet the Planning Commission also recommended the Assembly amend the Comprehensive Plan to allow the requested higher residential densities allowed in commercial districts.

The Committee of the Whole discussed this topic at its meeting on July 19, 2021.

The City Manager recommends that the Assembly adopt the staff recommendation, as heard at the Planning Commission on May 11, 2021, to change the zoning from D-15 to D-15/Transition to Light Commercial.

Public Comment:

Mandy Cole, a valley resident, shared that she is a member of the Planning Commission, but was not testifying on behalf of the Planning Commission. She spoke to the difficulty CDD experienced in regards to this project developer. She strongly felt that the developer has no way to meet the conditions recommended by staff, and that it would be appropriate for the Assembly to adopt the recommendations made by CDD staff.

Ms. Gladziszewski asked Ms. Cole if she recalled the vote made by the Planning Commission on this matter. Ms. Cole reminded the Assembly that she could not speak on behalf of the Planning Commission, and could not confirm if the vote was unanimous.

Mr. Bryson asked if the unanimous vote was for Light Commercial or General Commercial. Ms. Cole explained that the unanimous vote was for Light Commercial.

Travis Arndt, a valley resident, spoke to the transitions and conditions related to this project. He clarified that he was not asking to increase residential density (such as boat condos), but rather a combination of buildings, both with and without residences.

Mr. Bryson asked Mr. Arndt asked if the transition to Light Commercial would be adequate for his project. Mr. Arndt explained that General Commercial would be preferred, but Light Commercial would also be sufficient.

Assembly Action:

MOTION by Ms. Gladziszewski for the Assembly to adopt Ordinance 2021-26 and asked for unanimous consent.

Objection by Ms. Hughes-Skandijs. She said that this was discussed at the July 12 COW, and she watched the Planning Commission meeting. She said it is on the Assembly to look at the Comprehensive Plan, entirety of uses and to look long range rather than a single project proposed by an applicant. She also expressed concern regarding North Douglas traffic infrastructure. Ms. Hughes-Skandijs shared that in looking at the land use maps and the area overall, she did not think Light Commercial would be in agreement with Comprehensive Plan and land use maps for this area.

Objection by Mr. Jones.

Ord 2021-26 Amendment #1 (via Assemblymember Jones)

Motion by Mr. Jones to amend Ordinance 2021-26 as follows (three parts):

1. *Amend the last Whereas clause, page 2 lines 8-9:*

~~*"WHEREAS, the Planning Commission separately recommended the Assembly amend the Comprehensive Land Use Map from MDR to HDR for the subject property, which is the purpose of Ordinance 2021-31;"*~~

2. *Add an additional Whereas clause, page 2:*

"WHEREAS, the Manager recommended following the Community Development Department's recommendation to rezone of the subject property from D-15 Transition to Light Commercial once additional public transportation infrastructure is constructed to ensure any allowed higher density development would not aggravate existing issues with traffic flow and pedestrian safety."

3. *Amend Section 2, page 2 lines 13-15:*

"Section 2. Amendment to the Official Zoning Map. *The Official Zoning Map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of Channel View Lot 1 (Parcel # 6D0601150011) from D-15 transition to Light Commercial when the following condition is satisfied: there are infrastructure improvements to allow higher density development and to allow for protecting public safety along North Douglas Highway."*

He said this ordinance is trying to "shoehorn" in commercial development in residential area. He spoke to the reversal of Planning Commission recommendation, not their decision. He added that the decision lies with the Assembly.

Objection by Ms. Gladziszewski. She explained that TPU 49.25.300 (CUPs) would fail traffic at the bridge. She discussed at length the inherent requirements and permissions that come with General Commercial projects and CUPs. Light Commercial versus General Commercial by Right under General Commercial versus CUP. She felt that it was appropriate to be Light Commercial for North Douglas Hwy. She said that she supported the rezone, and for this reason she objected the amendment.

Ms. Triem asked if Amendment #1 would fulfill the Manager's recommendation.

Mr. Watt said that this is fundamentally the issue in his recommendation.

Mr. Bryson said that this would stop development on North and West Douglas. There are people who are trying to build. The conditions would stop the project, and described this amendment as splitting hairs with Comprehensive Plan. He added that CDD has a playbook and they must follow the rules.

Further discussion about the Light Commercial and General Commercial Conditional Use Permits.

Objection by Ms. Hale. She felt that this amendment would reverse the Planning Commission's decision, and does not believe the Assembly should negate the work they put into their decision.

Mr. Jones agreed with Ms. Gladziszewski's comments regarding the Light Commercial designation. He felt that "shoehorning" would be an appropriate term, as they were not fully aware of the project's intended results with the developed area. He confirmed that this was a reversal of the Planning Commission's recommendation; however, he clarified that this was not the PC's decision, it is the Assembly's decision.

Roll Call Vote on Amendment #1:

Ayes: Jones, Triem, Hughes-Skandijs, Woll, Mayor Weldon.

Nays: Gladziszewski, Hale, Bryson.

Amendment passed. Five (5) Ayes, Three (3) Nays.

Ms. Gladziszewski said that she would support the ordinance as amended, but believed that the Assembly in doing so had done a great disservice to the community; effectively turning neighborhoods into deserts that are increasingly difficult to develop.

Mayor Weldon shared that she had issues with the ordinance. She noted that Mr. Arndt could come back to the Assembly with a parcel smaller than the current fifteen acres of land. She added that one of the Assembly Goals was to address Housing, and wiping out fifteen acres of residential land for commercial was concerning. She also expressed concern with the project and with the Planning Commission recommendations. She said that she would object to this ordinance.

Ms. Gladziszewski asked Mr. Palmer to explain what the consequences were for the Assembly if they were to deny this ordinance.

Mr. Palmer referred to 49.75.120, which would permit the applicant to return to the Planning Commission with a substantially different rezone request after twelve months had passed.

Roll Call Vote on Ordinance 2021-26 as amended:

Ayes: Gladziszewski, Jones, Triem, Hughes-Skandijs, Bryson, Woll.

Nays: Hale, Mayor Weldon.

Motion passed. Six (6) Ayes, Two (2) Nays.

Ms. Gladziszewski gave Notice of Reconsideration. Mayor Weldon noted the Reconsideration.

The Assembly took a break at 9:13p.m. The meeting resumed at 9:25p.m.

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

A. NCL Request to Lease Municipal Tidelands

In June 2021, the City received an application from Norwegian Cruise Lines (NCL) to lease City owned tidelands. NCL acquired an upland parcel that is adjacent to the requested tideland lease in 2019 from the Alaska Mental Health Trust Land Office. In January 2021, the City Manager provided the Assembly Committee of the Whole with the attached Subport Development Memo on the topic of Assembly consideration process, discussion and draft approach.

Because an application has been received, the Assembly must 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. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land” (53.09.260).

If the Assembly provides a motion of support to work with the original proposer, staff will direct NCL to apply for City permits, outline the public process, and negotiate terms and conditions of a lease. Staff will provide regular reports to the Lands, Housing and Economic Development (LHED) Committee on progress of this lease. If the Assembly fails to provide a motion to work with the original proposer and determines a lease should not be considered, then the application process will be concluded. If the Assembly provides a motion to seek further proposals then a request for proposals will be advertised and the results will be brought forward to the LHED for review.

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

Public Comment:

Karla Hart, a Juneau resident, urged the Assembly to vote against this motion under no conditions. She said that any other response at this time would not benefit the community at this time. She referenced

the City Manager's January 2021 memo regarding the Long Range Waterfront Plan. She felt that this motion did not respect public process, and noted that Juneau was still recovering from the pandemic.

Bob Jones, a valley resident, asked the Assembly to support this motion as he felt it supported the community. He described this as an unprecedented opportunity, and spoke to the community's support of the tourism industry. He urged the Assembly listen to the Visitor Industry Task Force (VITF) recommendations, and to listen to public comment on this issue.

Assembly Action:

MOTION by Ms. Triem for the Assembly to pass a motion of support for the Manager to work with Norwegian Cruise Lines as the original proposer in accordance with 53.09.260 and asked for unanimous consent.

Objection by Mr. Jones. He appreciated the new map, but was concerned about the boundaries of current leases with federal agencies such as the United States Coast Guard, the National Oceanic and Atmospheric Administration, and Goldbelt International.

Mr. Watt explained that the new map was accurate. There is no lease for federal agencies: Goldbelt lease with the Merchant's Wharf owners. The issue is that NCL has not put forward an exact footprint of their proposal. Mr. Jones asked if there was a streamlined process for State tidelands to be leased to the city for this project. Mr. Watt clarified that there is a statute for a municipality to acquire tidelands for economic development purposes. He identified two benefits to this: 1) this permittee would only have one entity to work with, and 2) this would direct income to the city from lease payments.

Objection by Ms. Hale. She noted that Ms. Hart raised an important piece about the project. She said that we are still in a pandemic and we need time; putting the horse before the cart.

Mr. Watt agreed that the lease was complicated, and recommended the Assembly to move to support the beginning of negotiations with NCL. These negotiations would then trigger the public process through the Planning Commission.

Mr. Bryson spoke to the importance of keeping the process moving forward so that the City Manager and NCL can coordinate the logistics of this plan. He referenced the VITF recommendation of removing hot berthing and restricting the ship limit amount from seven to five. He added that building the NCL dock would reduce congestion, and benefits the community and Docks & Harbors. Mr. Bryson also felt that this issue has received a lot of public input via VITF, and saying no once more would send a negative message to the community and the tourism industry.

Ms. Gladziszewski commented that this motion would support the beginning of a process.

Mr. Jones removed his objection.

Ms. Hale felt that it was important that they allow for public process, and choosing to work on this process slowly would not send a negative message to the community – but rather would show that the Assembly is willing to work with the public. Ms. Hale removed her objection.

Hearing no objections, the motion passed by unanimous consent.

B. A&S Rentals LLC v. CDD - Assembly Appeal #2021-03 (Enforcement Action Appeal)

This appeal relates to a code enforcement action for three properties near downtown Douglas. The Community Development Department determined the three properties were noncompliant with CBJ code and initiated enforcement action. The property owner, A&S Rentals LLC managed by Adam Brown, timely appealed to the Planning Commission. After conducting a hearing, the Planning Commission affirmed the CDD compliance orders. A&S Rentals LLC has filed a timely appeal to the Assembly.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

The City Attorney recommends the Assembly accept this appeal and assign it to a presiding officer.

Mr. Jones shared that he once lived in these apartments from 1975 to 1982. He sat through the Planning Commission meetings on this topic. He believed he was able to act on this tonight without a conflict of interest or impartiality, and wanted to state these things for the record. Mr. Palmer felt that Mr. Jones would be able to participate in tonight's questions objectively.

Assembly Action:

MOTION by Mr. Jones for the Assembly to accept this appeal and assign to a hearing officer.

Mayor Weldon asked Mr. Jones why he chose a hearing officer rather than a presiding officer. Mr. Jones notes that the Assembly has two more Regular Assembly meetings before the 2021 Municipal Election, with at least one new Assemblymember. He felt that it would be a disservice to the new Assembly, as well as CDD, to choose a presiding officer over a hearing officer.

Objection by Ms. Gladziszewski for purposes of a question. She asked Mr. Palmer to clarify how much this would cost, and how much the Assembly has to spend towards funding this. Mr. Palmer clarified that the amount could be somewhere within \$3,000 to \$12,000.

Ms. Hale added that she did not wish to add to their workload at this time.

Ms. Woll asked Mr. Palmer to explain the timing of the appeal. Ms. Palmer said that the process typically takes about three months.

Ms. Gladziszewski removed her objection.

Hearing no further objections, the motion passed by unanimous consent.

C. Hardship and Senior Citizen/Disabled Veteran/Non-Profit Late-Filed Real Property Tax Exemption Applications

There are nine property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

Assembly Action:

MOTION by Ms. Gladziszewski that the Assembly, considering each of the applications on an individual basis, and refer them to the Assessor for consideration. *Hearing no objections, the motion passed by unanimous consent.*

XII. STAFF REPORTS

None.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon attended the 20th anniversary of Shore Power at the Franklin dock. She also had a teleconference with Governor Dunleavy regarding the Special Session. Mayor Weldon attended the Raven Stamp unveiling by Rico Worl. She also participated in Alaska Municipal League (AML) meetings this week.

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Committee of the Whole Chair Jones shared the Committee of the Whole last met on July 19 and discussed tourism and zoning. The next scheduled COW meeting is on August 9. The next meeting will feature a presentation from the Reapportionment Board, a Vote By Mail Election update, and a PWFC Artworks Presentation. The COW will also meet with the Systemic Racism Review Committee on August 30 to discuss the finalization the legislative review process. There will also be a joint meeting with Planning Commission.

Assembly Finance Committee Chair Triem reported that the AFC cancelled their last meeting. The meeting has been rescheduled to August 19.

Lands Housing and Economic Development Committee Chair Gladziszewski shared that the LHEDC met on July 19 to discuss the NCL lease. They also referred the Franklin Street Pocket Park to PRAC. They also discussed scheduling a meeting with the Title 49 Land Use Committee, although the exact meeting date has not be specified yet.

Public Works and Facilities Committee Chair Hale shared that PWFC met on July 19 to talk about solid waste issues. The next meeting is scheduled to be held on August 9. The current agenda consists of short term odor solutions, composting, ArtWorks, and Vote by Mail Election update.

Human Resources Committee Chair Bryson explained that the HRC meeting was cancelled tonight. The next scheduled HRC meeting will be held on August 11 for Airport Board interviews.

Ms. Woll shared that the Juneau Commission on Aging has started to work with AARP. There is a Downtown Business Association meeting on August 3.

Ms. Hughes-Skandijs reported that the UAS Campus Council met earlier this afternoon to discuss lower student enrollment and concerns regarding the retention rate of Native Alaskan faculty. They are also preparing for New Student Orientation later this month. Ms. Hughes-Skandijs also shared that she recently became the new Southeast State Fair axe-throwing champion.

Ms. Triem shared that the Aquatics Board was in need of new officers for their upcoming meeting as they prepare to send their annual report to the HRC. She acknowledged Lydia Jacoby from Seward who recently won the Gold Medal at the 2021 Summer Olympics. She noted that Juneau will be hosting the Alaska High School State Championships this year. Ms. Triem also attended the Raven Stamp unveiling, and enjoyed it. She shared that she was excited to facilitate the Fairbanks Conference of Young Alaskans to assist forty young adults (16 to 25) who will be reporting to Conference of Mayors on Wednesday, August 4.

Ms. Hale shared that she missed the Housing and Homelessness meeting. She toured the new Glory Hall facility on July 26, she spoke to the amount of space and privacy available in the building. She missed the BRH Board meeting on July 27.

Ms. Woll said that she missed all of her meetings but she caught up by reviewing the recordings. SRRC met twice since the last Assembly meeting to review several kinds of legislation. She is also doing more training regarding budgets and departments. Travel Juneau met to discuss independent travelers. She is anticipating the Iron Man announcement, which will be made on Monday, August 9.

Ms. Gladziszewski shared that there will be a Juneau School District meeting next week to review appeals. She explained that there are very few things that the Assembly can do, they are only permitted to accept or deny the appeals. Ms. Gladziszewski would like to work with the City Attorney to look at the Appeals Code.

Mr. Jones reported that the Planning Commission had three meetings since the last Assembly meeting. They held a COW meeting on July 13 to discuss off-road vehicles. They had a special meeting regarding Lot Depth. The PC meeting on July 27 to discuss the Accessory Apartments Ordinance. The next Planning Commission meetings will be held on August 10 and August 24. He attended the SRRC meeting and the BRH Board meeting on July 27. He attended the CLIAA Update, which had approximately 30-35 attendees. The new Glory Hall facility had approximately 20-25 attendees.

Mr. Jones thanked everyone who filed for public office, He believes that it is important for people to participate in the Assembly process, and said that running for office is one way to do that. He encouraged the listening public to review the open positions for Boards and Commissions. He wished all who are running for office to have interesting campaigns.

XIV. CONTINUATION ON PARTICIPATION FOR NON-AGENDA ITEMS

None.

XIV. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 10:21p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

**THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING**

DRAFT Meeting Minutes – September 13, 2021

MEETING NO. 2021-23: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom webinar and called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

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!

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Loren Jones, Greg Smith, Wade Bryson, Michelle Hale, Christine Woll, and Carole Triem (via Zoom).

Assemblymembers Absent: Maria Gladziszewski, Alicia Hughes-Skandijs.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Assistant City Attorney Sherri Layne, Community Development Director Jill Maclean.

IV. SPECIAL ORDER OF BUSINESS

A. Proclamation – Good Neighbor Day

Mayor Weldon proclaimed September 28, 2021 as Good Neighbor Day in Juneau, Alaska. She noted that the City and Borough of Juneau recognizes the importance of fostering compassion and respect for our neighbors. National Good Neighbor Day was established throughout the United States during the month of September via a proclamation by former President Jimmy Carter in 1978. Mayor Weldon called upon the residents of Juneau to recognize this day by demonstrating the qualities of a good neighbor through acts of kindness and making others feel welcomed.

B. Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom Webinar platform.

V. APPROVAL OF MINUTES

A. July 28, 2021 Special Assembly Meeting DRAFT Minutes

MOTION by Ms. Hale for the Assembly to approve of the above meeting minutes, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

VI. MANAGER’S REQUEST FOR AGENDA CHANGES

None.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mary Alice McKeen, a downtown Juneau resident, said that on February 12, 2018 the CBJ Assembly unanimously passed a resolution adopting the Juneau Renewable Energy Strategy. This resolution had the intention of having Juneau retain 80% of its energy from renewable sources by 2045. Ms. McKeen asked the Assembly to provide an update on the progress towards this resolution, as Juneau currently retains 20% of its energy from renewable sources as of 2010. She thanked the Assembly for their efforts and for their time.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes.

None.

C. Assembly Action

MOTION by Mr. Jones for the Assembly to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objections, the Consent Agenda was adopted by unanimous consent.*

1. Ordinances for Introduction

a. Ordinance 2021-38 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Honsinger Pond Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11; Located Near 7900 Honsinger Drive.

The developer of the Honsinger Pond Subdivision requested to rezone nine lots (2, 3, 4, 5, 6, 10, 11, 12 and 13) from Industrial to General Commercial. The Planning Commission, on August 10, 2021, found the proposal was for more than two acres, expanded an existing zoning district, and substantially conformed to the Resource Development designation of the Comprehensive Plan maps. However, the Planning Commission recommended the Assembly rezone different lots (2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13) because of the noise concerns from the airport, height compatibility with the airport, wildlife conflicts at the airport, visibility from Egan, and align with nearby existing land uses.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Lands, Housing, and Economic Development Committee.

b. Ordinance 2021-42 An Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

The existing COVID-19 Community Mitigation Strategies (Ord. 2021-33am) are set to expire on October 31, 2021. Due to a surge of COVID-19 case activity, increased community spread, and significantly restricted medevac capacity, the Emergency Operations Center believes it is in the best interest of the community to extend the current COVID mitigation measures until June 1, 2022. The Community Mitigation Measures are the same as adopted in Ordinance 2021-33 except the penalty section has been reinserted. The lack of a penalty provision has decreased the effectiveness of the mitigation measures and confused community messaging.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next special or regular Assembly meeting. A tentative Special Assembly meeting can be scheduled for September 29, 2021.

c. Ordinance 2020-09(BC) An Ordinance Appropriating to the Manager the Sum of \$7,260,772 to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2021 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$7,260,772 for the State of Alaska's FY2021 8.85% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau	\$3,576,682
Bartlett Regional Hospital	\$3,684,090

Funding is provided by the Alaska Department of Administration, authorized by passage of HB205 during the 2020 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

The Assembly Finance Committee will review this request at the September 29, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

d. Ordinance 2020-10(C) An Ordinance Appropriating \$700,000 for a Portion of the Juneau School District's Fiscal Year 2021 Public Employees' Retirement System (PERS) and Teacher Retirement System (TRS) Contribution; Funding Provided by State Revenue.

This ordinance would appropriate \$700,000 for a portion of the State of Alaska's FY2021 8.85% PERS and 17.91% TRS benefit rate paid on-behalf of the Juneau School District.

Funding is provided by the Alaska Department of Administration, authorized by the passage of HB205 during the 2020 legislative session. The Juneau School District is required to budget these on-behalf contributions in their annual request. However, the FY21 budget was inadvertently based on prior-year

rates. This ordinance reconciles the differences between the appropriated FY21 budget and the actual on-behalf contributions made by the state. This is a housekeeping ordinance to properly account for these on-behalf contributions, and has no impact on JSD or CBJ finances.

The Juneau School District Board will review this request at the September 14, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting. The Assembly Finance Committee will review this request at the September 29, 2021 meeting.

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

e. Ordinance 2020-09(BD) An Ordinance Transferring \$350,964 from the Marine Passenger Fee Fund to the Port Development Fee Fund for Port Management and Customs Operations.

In FY2021 the City and Borough of Juneau was awarded a \$2.4 million designated legislative grant from state marine passenger fees to support the marine enterprise in responding to and mitigating the risk of COVID-19. Of this amount, \$2.1 million was used to offset lost passenger fee revenue by paying the debt obligation on the 16B dock bond. The remaining amount paid a portion of the Dock Department's port management and customs operational costs, which typically would have been supported by marine passenger fees.

This housekeeping ordinance would transfer \$350,964 of budget authority from the Marine Passenger Fee Fund to the Port Development Fee Fund to fund a portion of the Dock Department's operational costs from state marine passenger fees.

The Assembly Finance Committee will review this request at the September 29, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

f. Ordinance 2020-09(BE) An Ordinance Appropriating to the Manager the Sum of \$20,900,000 as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2021 Operating Budget; Funding Provided by Various Sources.

This ordinance would appropriate \$20,900,000 as partial funding for Bartlett Regional Hospital's (BRH) FY21 operations. BRH's operating costs increased substantially in FY21 due to the addition of a mental and behavioral health program, retention of staff for COVID-19 screening and triage, and elevated costs for personal protective equipment, oxygen, and medication. Additional unanticipated expenses included an upgrade to the hospital's HVAC system and the setup of a molecular lab.

This supplemental appropriation will be funded as follows:

Federal Revenue - CARES Act Provider Relief Funds & Misc. Grants	\$7,100,000
State Revenue - COVID-19 Response Funding	\$4,000,000
Private Grant – Premera (for Behavioral Health Facility)	\$1,000,000

Private Grant – Alaska Community Foundation	\$900,000
Additional Outpatient Revenue	\$5,000,000
Draw on Hospital Fund Balance	\$2,900,000

The Bartlett Regional Hospital Finance Committee reviewed this request at the September 10, 2021 meeting.

The Bartlett Regional Hospital Board will review this request at the September 28, 2021 meeting.
The Assembly Finance Committee will review this request at the September 29, 2021 meeting.

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

g. Ordinance 2020-09(BF) An Ordinance Appropriating to the Manager the Sum of \$24,750,000 as Funding for the City and Borough of Juneau's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by State and Federal Revenue.

This ordinance would appropriate \$24,750,000 for the City and Borough of Juneau's FY2021 COVID 19 related costs. State revenue from the Department of Health and Social Services (DHSS) is provided for COVID-19 screening costs at the Juneau International Airport and community testing and vaccination. Federal revenue is provided for public safety salaries, emergency hires, and commodities and services related to the pandemic. Federal revenue is comprised of funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Federal Emergency Management Agency (FEMA), American Rescue Plan Act (ARPA), and the U.S. Department of Justice (DOJ). Funding for this appropriation is estimated as follows:

State Revenue:	
DHSS COVID-19 Community Grant	\$423,600
DHSS Airport Screening	\$1,100,000
Total State Revenue:	\$1,523,600
Federal Revenue:	
CARES/FEMA Funding	\$20,267,500
ARPA Funding	\$2,858,900
DOJ Coronavirus Emergency Grant	\$100,000
Total Federal Revenue:	\$23,226,400
Total Revenue:	\$24,750,000

Any expenditures ineligible for reimbursement from the funding sources listed above will be covered by general funds.

The Assembly Finance Committee will review this request at the September 29, 2021 meeting.
The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

h. Ordinance 2021-08(b)(am)(E) An Ordinance Appropriating \$24,000 to the Manager as Funding for a Building Survey and Inventory of the Juneau Townsite Historic Neighborhood; Grant Funding Provided by the Alaska Department of Natural Resources.

The Juneau Townsite Historic Neighborhood is a mixed-use commercial and residential neighborhood, located between the Downtown and Chicken Ridge historic districts. This ordinance would appropriate \$24,000 of grant funding to survey and inventory approximately 87 structures in the area and document their historical significance. This survey will determine whether the Juneau Townsite Historic Neighborhood is eligible to be listed on the National Register of Historic Places. The benefits of becoming a listed district include access to Historic Tax credits and Historic Preservation Fund grants. These benefits would be available for property owners for rehabilitation and maintenance work. CBJ's Community Development Department, City Museum, and Historic Resources Advisory Committee will partner with a historic architecture consultant to perform the scope of work for this project. Total project costs are estimated to be \$41,659. The 40% local match requirement will be met with CBJ personnel service costs, for which expenditure authority has already been appropriated in the FY22 operating budget.

The Historic Resources Advisory Committee recommended CBJ staff apply for this grant at the February 3, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

i. Ordinance 2021-08(b)(am)(F) An Ordinance Appropriating \$24,730 to the Manager as Funding for Facility Security Enhancements for Docks and Harbors; Grant Funding Provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY21 Port Security Grant Program.

This ordinance would appropriate \$24,730 for the purchase and installation of security camera equipment for Docks and Harbors' Auke Bay Loading Facility. Grant funding in the amount of \$24,730 is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency. There is no local match requirement for this grant. The Docks and Harbors Board will review this request at its September 30, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

j. Ordinance 2021-08(b)(am)(G) An Ordinance Appropriating \$1,000,000 to the Manager for COVID-19 Emergency Response Management; Funding Provided by General Funds.

This ordinance would provide \$1,000,000 of general funds for expenditures necessary to respond to the COVID-19 pandemic that are not otherwise reimbursed by the Federal Emergency Management Agency (FEMA) or the State of Alaska Department of Health and Social Services (DHSS). Anticipated response

costs include COVID-19 testing, vaccination, public communications, personal protective equipment, sheltering of vulnerable populations, and quarantine and isolation.

The Assembly Finance Committee will review this request at the September 29, 2021 meeting.
The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

k. Ordinance 2021-08(b)(am)(H) An Ordinance Appropriating \$120,000 to the Manager as Funding for a Grant Writer; Funding Provided by General Funds.

In response to the economic downturn resulting from the COVID-19 pandemic, the federal government is infusing the economy with an unprecedented amount of federal stimulus. A significant amount of funding will be made available in grants to municipal governments and agencies. CBJ should make every effort to apply for grant opportunities that would bring funding to Juneau in support of established community priorities. To that end, this ordinance would appropriate \$120,000 of general funds for a centralized grant writer position to identify, prioritize, and pursue funding opportunities available to the city.

The Assembly Finance Committee reviewed this request at the September 1, 2021 meeting and directed CBJ staff to draft an appropriating ordinance for introduction.

The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

2. Resolutions

a. Resolution 2964 A Resolution Authorizing the City and Borough of Juneau to Participate in Alaska Opioid Settlements.

The State of Alaska independently sued four opioid producers and distributors: Johnson & Johnson, Amerisource Bergen, Cardinal Health, and McKesson. Those four opioid businesses have reached a tentative settlement agreement with the State that would provide up to \$26 billion in payments over eighteen years to the State and the nine municipalities that submitted claims, including the City and Borough of Juneau, if the CBJ participates in the settlement. Use of the settlement funds would be limited to opioid abatement, which has not been defined. Currently, the settlement agreements provide a distribution plan as follows: 70% general opioid abatement fund; 15% State opioid abatement fund; and 15% municipal opioid abatement fund. Given the proposed settlement agreements and assuming all nine municipalities participate, 15% would equate to about \$10 million to all nine municipalities. However, there is still room to negotiate with the State and the other municipalities to develop a stable distribution plan and define how the funds can be used to abate the current and future harm caused by opioids in the City and Borough of Juneau.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2965 A Resolution Renaming “Capital School Park” to “Capitol Park.”

This resolution renames “Capital School Park” to “Capitol Park” in recognition of the park’s integral role in the Capitol Complex. Many Capitols around the nation include buildings and public outdoor spaces such as parks and plazas. The Juneau Community Foundation supported the reconstruction of the park with a donation from the Juneau Capitol Fund. This fund was established to enhance and improve the State Capitol Complex. At the September 7, 2021 meeting, the Parks and Recreation Advisory Committee recommended the park be renamed to “Capitol Park”.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. Liquor License Transfers & Liquor License Renewal

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

Liquor License Transfers

Transfer of Ownership

License Type: Package Store, License #300

Transfer From: DeHart's LLC d/b/a DeHart's Grocery

Transfer To: Statter Harbor Food & Fuel LLC, d/b/a DeHart's Grocery

Location: 11735 Glacier Hwy, Juneau

Transfer of Controlling Interest

License Type: Restaurant/Eating Place, License #816

Licensee: El Sombrero Inc. d/b/a El Sombrero Mexican & American Food

Transfer From: Fritz Moser & Patricia Moser

Transfer To: Ryan Fagerstrom

Location: 157 S. Franklin St., Juneau

Liquor License Renewal

License Type: Restaurant/Eating Place, License #4493

Licensee: Kwang LLC d/b/a Little Tokyo

Location: 140 Seward St., Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest the transfer application and the renewal application. 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 transfers for liquor licenses #300 and #816 and the above-listed liquor license #4493 renewal.

4. Other Items for consent

a. Marijuana License Renewals for Licenses: #25190 & #12176

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications.

Marijuana License Renewals

License Type: Retail Marijuana Store License: #25190

Licensee: Alaskan Coffee Pot, LLC. d/b/a Alaskan Coffee Pot

Location: 2219 Dunn St., Juneau

(AMCO 60-day comment period ends: 10/24/2021)

License Type: Standard Marijuana Cultivation Facility License: #12176

Licensee: Taku Horticulture Company, LLC

Location: 1758 Anka Street Building B Suite A1., Juneau

(AMCO 60-day comment period ends: 10/1/2021)

The above marijuana license renewals are before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed these renewals and found the businesses to be in compliance with CBJ Code. The assembly packet contains the AMCO notices to the local governing body. Additional license application documents are available through the Clerk's Office upon request.

The City Manager recommends the Assembly waive its right to protest the renewals of AMCO marijuana license #25190 and #12176.

IX. PUBLIC HEARING

A. Ordinance 2021-08(b)(am)(D) An Ordinance Appropriating \$700,000 to the Manager as Funding for the City and Borough of Juneau Ballot Processing Center Capital Improvement Project; Funding Provided by General Funds.

At the August 9, 2021 Committee of the Whole meeting, the Assembly directed staff to draft an appropriation of \$700,000 to establish a Juneau ballot processing center. This ordinance would appropriate general funds to configure the Thane Warehouse as a ballot processing center, and fund the purchase and set up of election equipment to operate a vote-by-mail election. The work is anticipated to be complete in time to conduct the 2022 municipal election at the new processing center.

This request has been discussed during various Assembly and committee meetings since November 2020.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Marjorie Menzi, a Thane resident spoke of behalf of the Juneau League of Women Voters, a nonpartisan organization that encourages the informed and active participation of citizens. The LOWV submitted a letter in support of Ordinance 2021-08(b)(am)(D), as this ordinance would provide funding to Juneau's first ballot processing facility and provide the opportunity for voters to vote by mail. Ms. Menzi said that the League advocated vote-by-mail elections, and found it to be a secure and fraud-free

method of voting which has already been successfully implemented in Juneau. The Leagues believes that the passage of this ordinance will help ensure fair and secure local elections into the future.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2021-08(b)(am)(D) and asked for unanimous consent.

Mr. Bryson objected for the purposes of a question. He asked Mr. Watt to explain if there would be any consequences for future elections if the Assembly voted against this ordinance.

Mr. Watt anticipated that the Assembly would need to decide on the type of election they would prefer to conduct, and CBJ would need to once again decide whether to work with the Municipality of Anchorage. He added that the City would not be able to conduct a vote-by-mail election in Juneau without this ordinance.

Mr. Bryson removed his objection.

Mayor Weldon objected for purposes of a question. She asked Mr. Watt to clarify what the \$700,000 would be used for, and to explain what would happen if a lower voter turnout could halt this process. Mr. Watt explained that the costs are split between renovation of the facility and election equipment. The most recent renovation cost estimate amounted to \$330,000, and the equipment costs are approaching \$400,000. If the Assembly were to pass this ordinance, CBJ staff would begin working on a renovation project and placing purchase orders for the necessary equipment. He added that the Assembly had the ability to halt the renovation project or cancel the purchase orders if they chose to do so.

Mayor Weldon removed her objection.

Hearing no objections, Ordinance 2021-08(b)(am)(D) was adopted by unanimous consent.

B. Ordinance 2021-13 An Ordinance Amending the Land Use Code Related to the Coastal Management and the Habitat Provisions of Title 49.

The Title 49 amendments in this ordinance are necessary to keep Title 49 consistent with state law, remove duplicative regulations, and provide greater certainty for regulating development near shoreline habitat. This ordinance would repeal the CBJ Coastal Zone Management provisions because the associated and dependent state law was repealed. This ordinance would also clarify the CBJ shoreline habitat provisions with the ordinary high water mark standard and exempt water-dependent uses.

The Lands Committee generally discussed shoreline habitat regulations at its meetings on April 12 and May 10, 2021. The Planning Commission discussed this ordinance on June 22, 2021, and recommended the Assembly adopt this ordinance.

The Assembly held a public hearing on this ordinance at its August 2, 2021 regular Assembly meeting and adopted a motion to refer this ordinance to the Committee of the Whole. The Committee of the Whole discussed this ordinance in a joint meeting with the Planning Commission on August 30, 2021 and recommended it be referred back to the Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Rob Catmuss, a downtown Juneau resident, shared that he works for the Southeast Watershed Coalition. He asked the Assembly to review if there could be any potential unintended consequences as a result of removing the Coastal Zone Management Plan. He reminded the Assembly that the CZMP was led by CBJ staff, and was used as a model for various environmental situations. He also spoke to the importance of public process in regards to the CZMP.

Susan Schrader, a West Juneau resident, requested the Assembly pause on action of this ordinance. She expressed her concerns regarding the public participation, and questioned if community members were aware of the implications of the repeal of this Coastal Zone Management language. She urged the Assembly not to get rid of all of the protections listed in the CZMP. She also advised that they wait an additional month to ensure that CBJ staff and the Planning Commission fully understand the repercussions of this ordinance.

Aaron Brakel, a Douglas resident, shared that he was the Inside Passage Waters Program Manager for the Southeast Alaska Conservation Council. He encouraged the Assembly to maintain the habitat protections within the CZMP. He thanked the Assembly for listening to his testimony.

Dave Hanna, a Valley resident, spoke in favor of this ordinance. He recalled collecting petition signatures to establish the CZMP. He supported the plan, saying that it allowed local residents to have a voice in federal and state decision-making. He believes that the Assembly could re-implement habit protections established in the CZMP through Title 49.

Assembly Action:

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2021-13 and asked for unanimous consent, but objected for purposes of a question.

Mr. Smith asked Mr. Palmer to clarify why the CZMP is considered legally invalid. Mr. Palmer explained that the CBJ Coastal Management Code was wholly dependent upon state law. There are currently no protections based on that particular part of state law. As it is now, the CZMP is not in effect, however the Assembly has tools on this ordinance to be able to act on this issue.

Ms. Triem asked CDD Director Maclean if the Planning Commission intended to address the CZMP at a future meeting.

Ms. Maclean explained that the Title 49 Committee is currently figuring out ways in which to include the coastal ordinance in the streams or habitat sections of code.

Ms. Hale appreciated the testimony, letters, and emails received about this topic. She asked Mr. Palmer if he could clarify that the removal of the CZMP would not eliminate any protections, as the protections in place are not legally enforceable. Mr. Palmer confirmed that was correct.

Ms. Woll shared that she had changed her mind since the last time they discussed this at the most recent COW meeting.

MOTION by Ms. Woll to refer Ordinance 2021-13 be referred back to Planning Commission for further analysis.

Ms. Woll expressed concern that it would be a breach of trust for the public to remove provisions without the community understanding what the impacts of doing so would be.

Objection by Mr. Bryson. He explained that the Assembly has been discussing this ordinance, including several public comment periods, since April of this year. He argued against sending this to the Planning Commission, he felt that doing so would not provide any additional efficiency or input.

Mr. Smith understood Ms. Woll's perspective in terms of timing and sequence. He expressed concern over losing Section 4, which includes changing of the streamside set-backs. Mr. Smith asked Mr. Palmer if this ordinance could be adopted if he amended it to remove Sections 2 and 3. Mr. Palmer explained that Ms. Woll's motion supersedes the original motion, and therefore must be voted on before making amendments to the original motion.

Ms. Hale objected to Ms. Woll's motion. She felt that Ms. Woll had good intentions, but also noted that a lot of people had put in a considerable amount of time and effort towards this. Ms. Hale said that she would prefer that it be repealed and renew the process. She added that the code in question is not enforceable, nor is it maintaining any protections.

Ms. Triem also objected to the motion. She said that she had considered Mr. Smith's amendment to keep Section 4 as a "review" flag, but she also said that it does not seem necessary to leave such a heavily-discussed item on the books for the Assembly to review at a later time.

Mr. Jones supported Ms. Woll's motion. He disagreed with the notion that the Assembly had been considering this ordinance for months. He recalled the meetings cited by the City Manager, and said that this ordinance was not fully discussed during those meetings. Mr. Jones spoke in favor of referring this ordinance back to the Planning Commission.

Ms. Woll appreciated Mr. Jones' comments.

Mr. Bryson asked Mr. Palmer if he could explain which course of action would be the most efficient way forward. Mr. Palmer provided the language that would be repealed if the Assembly adopts this tonight. He said that this was a philosophical decision for the Assembly to decide.

Roll Call Vote to Refer Ordinance 2021-13 to Planning Commission:

Ayes: Woll, Smith, Jones, Mayor Weldon.

Nays: Bryson, Hale, Triem.

Motion failed. Four (4) Ayes, Three (3) Nays.

Amendment #1 by Mr. Smith to remove Section 2 and Section 3 from Ordinance 2021-13.

Mr. Smith spoke to his amendment, saying that his intention was to allow the change in language to the high-water mark banks of the streams, and to keep the coastal management program language in code as a “thorny reminder” to address this issue with due public process.

Mr. Bryson asked Mr. Palmer to clarify any potential consequences that may result from removing Sections 2 and 3 from this ordinance. Mr. Palmer explained the main consequence would be the fact that there still is a non-enforceable section of code within the code.

Objection by Mr. Bryson.

Ms. Hale requested the Assembly take an at-ease at 7:56p.m. The meeting resumed at 8:00p.m.

Objection by Mayor Weldon to the amendment. Mayor Weldon felt that one of the main purposes of this ordinance was to repeal that section of the code.

Roll Call Vote on Amendment #1

Ayes: Smith, Triem, Woll, Jones.

Nays: Bryson, Hale, Mayor Weldon.

Motion failed. Four (4) Ayes, Three (3) Nays.

Objection by Mr. Jones to the main motion to adopt ordinance 2021-13.

Ms. Woll asked Mr. Palmer to explain what would happen if this ordinance failed to pass. Mr. Palmer said that CBJ staff had received feedback identifying streamside protections as an important issue to address.

Ms. Hale spoke in favor of passage of this ordinance.

Mr. Jones asked Mr. Palmer to provide further explanation to Ms. Woll’s question. He said that if this ordinance fails to pass, the ordinance cannot be reintroduced to the Assembly as written.

Mr. Palmer stated that Mr. Jones was correct in saying that this ordinance, as written, could not come back as currently written if it were to fail tonight. He said that the substance of this ordinance would get addressed in another way by the Planning Commission, given the extensive public interest in this item.

Mr. Watt clarified that if this ordinance were to fail, the definition and language related to high-water marks would not be adopted.

Mr. Smith asked Director Maclean if the Planning Commission and CDD intended to thoroughly review the CZMP and determine which aspects of it could be kept. Ms. Maclean confirmed that it was the intent of both the Planning Commission and the Title 49 Committee to go through the CZMP and determine what should be kept in code, and streamline the remaining items. They also intend to clarify the code language to allow it to be more easily understood by the public. She encouraged public to listen in on the Title 49 Committee process.

Roll Call Vote on the motion to adopt Ordinance 2021-13:

Ayes: Smith, Woll, Bryson, Hale, Triem, Mayor Weldon.

Nays: Jones.

Motion passed. Six (6) Ayes, One (1) Nay.

C. Ordinance 2021-29(b) An Ordinance Amending the Sales Tax Code and the Hotel-Motel Room Tax Code Regarding the Compensatory Collection Discount.

This ordinance would change the current sales tax incentive for sellers timely filing and remitting sales tax in the CBJ from a percentage-of-tax to a flat \$30 discount, regardless of filing frequency. Starting February 2022, this ordinance would also require sellers to timely file sales tax returns through the CBJ's eGov Portal to receive the discount. Approximately 12,350 paper returns are filed each year and wider use of the online eGov portal would improve the efficiencies in the CBJ Sales Tax Office. This ordinance would also repeal the duplicative incentive for the timely filing of Hotel-Motel Room Tax returns.

The Assembly Finance Committee discussed this ordinance at its meetings on June 2, 2021, August 18, 2021 and September 1, 2021.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2021-09(b) and asked for unanimous consent.

Objection by Mayor Weldon. Mayor Weldon felt that it was wrong to direct the public towards a system that she described as clunky and ineffective. That being said, she understood that she was alone in her opposition, so she removed her objection.

Hearing no further objections, Ordinance 2021-09(b) was adopted by unanimous consent.

D. Ordinance 2021-39 An Ordinance Removing or Extending the Sunset Date Relating to Licenses to Use Certain Rights-of-Way for the Selling of Food and Beverages.

In the spring of 2017, Ordinance 2017-02 was enacted, which created licensing standards for use of certain rights-of-ways for selling food and beverages. Section 5 of Ordinance 2017-02 imposed an automatic repeal clause (sunset date) of December 31, 2018, which was extended to December 31, 2021, by Ordinance 2018-46. The licensing standards created by Ordinance 2017-02 have been used by food and beverage vendors without issue in the last four years.

Due to uncertainty on the success and public support on the use of rights-of-ways under this ordinance, it was a policy choice of the Assembly to adopt the sunset date. The Manager is unaware of adverse

effects or substantive negative public comments and recommends that the sunset date be extended or eliminated as proposed in this ordinance.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2021-39 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-39 was adopted by unanimous consent.*

The Assembly took a break at 8:17p.m. The meeting resumed at 8:30p.m.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

A. Hardship and Senior Citizen/Disabled Veteran Late-Filed Real Property Tax Exemption Applications

There are four property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on these applications.

MOTION by Mr. Jones for the record to note that the Assembly has considered each application on an individual basis, and to refer these applications to the Assessor's Office for adjudication. He asked for unanimous consent. *Hearing no objections, the applications were granted.*

B. EDA Grant Opportunity/Eaglecrest Summer Operations

Mr. Watt recommended the Assembly support the application to pursue a Tier I grant for EDA Grant Opportunity for Eaglecrest Summer Operations.

Mr. Jones asked Mr. Watt if CBJ would be able to apply for more than one grant for Tier I for this organization.

Mr. Watt explained that if CBJ were to apply for a grant, any additional entities (such as Docks & Harbors) would be applying for the same grant as Eaglecrest. Essentially, it is up to the Assembly to decide who would be in that application bundle. Mr. Watt added that the timing of the grant application,

along with the Assembly schedule impacted by the upcoming election, has not given them a lot of time as to consider this.

Mr. Jones and Mr. Watt discussed the grant application process in relation to the budget and appropriation of city funds.

Ms. Woll shared that her understanding of “Build Back Better” is not only regarding post-pandemic recovery or infrastructure, but also involves addressing historical inequities related to issues such as classism and racism. She is curious as to whether that specific lens is being applied to these projects. Mr. Watt felt that the “Build Back Better” grant is aimed at regional growth initiatives that encourages economic development. He added that it would at the grantee’s discretion whether to implement conservation measures through their project.

MOTION by Mr. Jones for the Assembly to support the application of Tier I Grant and asked for unanimous consent. *Hearing no objections, the motion passed with unanimous consent.*

XII. STAFF REPORTS

None.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon presented a letter for an op-ed from a group of Mayors coordinated by AML to be submitted to Anchorage Daily News. She asked for Assembly support for this op-ed publication. Hearing no objections from the Assembly, Mayor Weldon will pass along the approved letter to AML.

Mayor Weldon issued a charge to establish a Bartlett Regional Hospital and Assembly Joint Committee. The purpose of the committee is to discuss BRH campus planning, business planning, projected community service needs, and facility needs. She noted that this was a timely charge, considering what is going on at the BRH Campus. She also added that Ms. Hughes-Skandijs and Ms. Woll are delighted to be on this committee. Mayor Weldon asked the Assembly for their support to move forward with this committee. *The Assembly gave their unanimous approval via giving a thumbs-up, and the committee was approved.*

Mayor Weldon issued an additional charge to establish a Housing and Development Task Force. The purpose of this committee is to provide helpful advice to the Assembly regarding housing and development issues; specifically the project approval process and proposed improvements consistent with Assembly Goals. The membership of this task force will consist of: Ms. Hale, Ms. Gladziszewski, Planning Commission members Paul Voelkers and Nate Dye, Chamber of Commerce representatives Phil Heumann, Dave Hanna, and Wayne Jensen. The task force will be chaired by Deputy Mayor Jones. Mayor Weldon asked the Assembly for their support to move forward with this task force. *Hearing no objections, the committee was approved by unanimous consent.*

Mayor Weldon noted that tonight was Mr. Jones’ last full Assembly meeting. She thanked Mr. Jones for his service, and said that it has been a pleasure to work alongside him.

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Committee of the Whole Chair Jones reported the Committee of the Whole last met on August 30 as a joint meeting with Systemic Racism Review Committee, during which they brought forward their legislative review criteria. All ordinances on the consent agenda will be forwarded to the SRRC meeting tomorrow for review. The COW also met with the Planning Commission to discuss the CZMP ordinance that was presented tonight. The next COW meeting is scheduled to be held on September 20 to discuss the Land Use Code Landslide Map changes.

Assembly Finance Committee Chair Triem reported that the next AFC meeting is scheduled to be held on September 29.

Public Works and Facilities Committee Chair Hale shared that PWFC met on August 30 and received a presentation from the Department of Environmental Conservation Waste Management Program about solid waste regulations. The PWFC will forward solid waste plan recommendations to the COW to discuss at a future meeting.

The PWFC also discussed the New City Hall, and forwarded a proposal for a committee (AFC, COW, etc.) to review a one year timeline; or for Ms. Hale to introduce the recommendation for the Assembly to consider the one-year timeline of a New City Hall. She added that PWFC Director Katie Koester will conduct preliminary survey work, the results of which will be presented to the Assembly by February 2022. The Assembly would then consider whether to put the New City Hall initiative on the ballot for the 2022 Municipal Election.

Human Resources Committee Chair Bryson reported that the HRC met just prior to tonight's Assembly meeting. The HRC forwarded the following appointments to the Assembly for approval:
Appointments to Aquatics Board:

- Lena Morrell, to a term beginning immediately and ending on June 30, 2024.

Appointments to Sister Cities Committee:

- Samantha Brown to a term beginning immediately and ending on January 1, 2024.

All appointments were approved by unanimous consent.

The HRC reviewed and recommended for the Assembly to accept AWARE as the recipient of the Community Development Block Grant (CDBG).

Hearing no objection, the proposal to accept AWARE as CBJ's candidate for the CDBG application was approved by unanimous consent.

Mr. Bryson mentioned that there are two openings still left on the Aquatics Board, and one opening on the Sister Cities Committee. He encouraged the public to apply to any vacant committee positions.

Liaison Reports:

Mr. Bryson did not have a report to share.

Ms. Triem reported that the Aquatics Board has not met due to quorum issues, and she encouraged people to apply. Ms. Triem shared that she was currently in Haines for the Southeast Conference. She also mentioned that she got her flu shot on her way to the ferry terminal.

Mr. Smith reported that the Local Emergency Planning Committee met, where they discussed the CCFR Regional EMS Symposium next year, and spoke with BRH representatives. The Chamber of Commerce Dinner is scheduled to be held on October 30. Mr. Smith mentioned the “Give Alaska a Shot” drawing giveaway for those who have been vaccinated or receive a vaccination within the next eight weeks. \$49,000 cash or \$49,000 tuition assistance for youth. He also wanted the public to be aware of the Alaska Housing Rental Assistance Program, which recently started to take applications. The Juneau Reentry Coalition is hosting a presentation on a peer-supported reentry tomorrow.

Ms. Hale reported that the Bartlett Regional Hospital Board met on August 24, and unanimously passed the vaccine mandate for staff. She said that monoclonal antibody infusions have been going well. The BRH’s Committee of the Whole met on September 10 to talk about a self-assessment they had conducted.

Ms. Woll reported that the Downtown Business Association met. They are trying to increase their membership back to its pre-pandemic numbers, prior to the pandemic the DBA had 160 members, during the pandemic membership decreased significantly to 50 members, and currently they have 110 members and continue to increase. Travel Juneau has not met since the last Assembly meeting. The Iron Man Triathlon sign-ups filled up for Summer 2022 pretty quickly, and hotels are fully booked. Ms. Woll encouraged anyone interested in renting out their house or property during that time to contact Travel Juneau, as they are assisting in facilitating between renters and visitors.

Mr. Jones reported that the Planning Commission has not met as a whole since the last Assembly meeting. The Title 49 Committee met on September 8 and spent an hour and a half discussing potential changes to the sign ordinance. The next Title 49 Committee meeting is scheduled for October 7. The next Planning Commission’s Committee of the Whole meeting will be going over parking code revisions. The Planning Commission will meet on September 28 to review a variance to allow construction on Lemon Creek and that had been previously postponed due to the CZMP. Mr. Jones shared that he will also go to the Southeast Conference in Haines. He also attended the 9/11 Memorial service. He noted that the UAS Evening at Egan series has starting back up to discuss whale migration patterns. On September 24, Evening at Egan they will have a presentation from a Political Science professor from Australia about Ranked Choice Voting, which Australia has used in their elections for the past twenty years.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. EXECUTIVE SESSION

A. Assembly Salary Compensation Subcommittee Recommendation re: City Manager & City Attorney Compensation (Verbal Report)

MOTION by Mr. Jones for the Assembly go into Executive Session to discuss the Assembly Salary Compensation Subcommittee Recommendations regarding the City Manager's and City Attorney's Compensation. *Hearing no objections, the Assembly moved into Executive Session.*

The Assembly went into Executive Session at 10:11p.m. The Assembly returned from Executive Session at 10:33p.m.

MOTION by Mr. Jones for the Assembly to move out of Executive Session. He shared that during executive session, the Assembly received a report from the Assembly Salary Compensation Subcommittee.

MOTION by Mr. Bryson for the Assembly approve a 3.2% raise to the City Manager's salary, effective July 1, 2021. Such an increase includes a previously approved 1% general salary increase consistent with contract negotiations from MEBA for general government employees. Mr. Bryson further moved that the Assembly approve a \$500 bonus to the City Manager, and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

MOTION by Mr. Bryson for the Assembly to propose a market rate pay adjustment, bringing the City Attorney's salary to \$175,000 per year, effective July 1, 2021. He further moved that the Assembly approve a \$500 bonus to the City Attorney, and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

Mr. Bryson noted that the City Attorney received a 100% score from the Assembly Evaluation. Mayor Weldon congratulated Mr. Palmer for his score.

XIV. CONTINUATION ON PARTICIPATION FOR NON-AGENDA ITEMS

None.

XIV. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 10:35p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – December 1, 2021

I. CALL TO ORDER:

The Special Meeting #2021-27, of the City and Borough of Juneau Assembly, held in the Assembly Chambers and virtually via Zoom webinar, was called to order by Mayor Beth Weldon at 6:00 p.m. Due to technical difficulties with the audio feed, the Mayor called for an at ease and the meeting officially began at 6:27p.m. once the sound system had been brought back online.

II. LAND ACKNOWLEDGEMENT

Mayor Weldon acknowledge that the City and Borough of Juneau is on Tlingit land, and wished 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!

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Maria Gladziszewski, Wade Bryson, Carole Triem, Christine Woll, Greg Smith, Alicia Hughes-Skandijs, and ‘Wáahlaal Giidaak (via Zoom).

Assemblymembers Absent: Michelle Hale,

Also Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Assistant, Finance Director Jeff Rogers (via Zoom), Budget Analyst Adrien Speegle, Finance Admin. Assistant Caitlyn O’Meally

V. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

The Assembly will follow COVID protocols in accordance with CDC guidelines, CBJ ordinances & resolutions, and COVID mitigation strategies at the time of the meeting. Assemblymembers will be meeting in person, to the extent possible. In-person public participation will be limited on a first come, first served basis in accordance with room capacity protocols. All attendees will be required to wear a mask regardless of vaccination status. Attendees in excess of the room capacity protocols may be requested to participate via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

VI. AGENDA TOPICS

A. Resolution 2972 A Resolution Authorizing the Manager to Execute an Agreement with the State of Alaska to Accept American Rescue Plan Act Funds from the Local Government Lost Revenue Relief Program.

The State allocated funds to the Local Government Lost Revenue Relief Program from the federal American Rescue Plan Act. This resolution would authorize the Manager to execute any necessary grant agreement with the State for the City and Borough of Juneau to receive this additional American Rescue Plan Act funding.

Final allocation of funding for local municipalities has not yet been released.

The City Manager recommends the Assembly adopt this resolution.

Public Comment:

None

Assembly Action:

MOTION by Ms. Gladziszewski that the Assembly adopt Resolution 2972 and asked for unanimous consent. *Hearing no objection, Resolution 2972 was adopted by unanimous consent.*

VII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 6:30p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING – RETREAT/WORKSESSION
DRAFT Meeting Minutes – December 4, 2021

I. CALL TO ORDER

The Special Assembly Meeting Retreat/Worksession of the City and Borough of Juneau Assembly, held in-person at Centennial Hall, was called into order by Mayor Beth Weldon at 8:35 a.m.

II. LAND ACKNOWLEDGMENT

Mr. Barr acknowledged that the City and Borough of Juneau is on Tlingit land, and wished to honor the 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!*

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Wade Bryson, Carole Triem, Michelle Hale, Christine Woll, Greg Smith, Alicia Hughes-Skandijs, and ‘Wáahlaal Gíidaak.

Assemblymembers Absent: None.

Staff present: City Manager Rorie Watt, Deputy Manager Robert Barr, Municipal Clerk Beth McEwen, Chief Housing Officer Scott Ciambor, Library Director John Thill, Lands Manager Dan Bleidorn, HRRM Director Dallas Hargrave, IT Director Matt Scranton, Airport Manager Patty Wahto, Engineering/Public Workers Director Katie Koester, Community Development Director Jill Maclean, Fire Chief Rich Etheridge, Police Chief Ed Mercer, Port Director Carl Uchytel, Eaglecrest Ski Manager Dave Scanlan, (and listening in telephonically Finance Director Jeff Rogers & City Attorney Robert Palmer)

Others present: Brian Holst, Karla Hart

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

The Mayor welcomed everyone to the retreat. She invited Assemblymembers to share one personal thing that others may know about them and one thing that they were surprised that the city does that they have learned while on the Assembly. After Assemblymembers did their introductions, Mayor Weldon invited Department Directors/Division Leaders to share one thing about themselves and something about their dept. that they thought the Assembly may not be aware.

V. AGENDA TOPICS

A. Progress Update on 2021 Goals

Mr. Watt provided an update on the progress of the 2021 Goals. Assembly and staff have done a good job in moving the work of the goals forward. He said as they work on the upcoming goals, they may need fewer goals or have the Assembly take a lighter touch with better delegation or be better at making decisions in one meeting if they hope to accomplish this level of goals that they set. He said there aren't that many meetings in the course of a year and it is best to approach it with a dose of expectation management. He said in order to stay focused on the goals, "discipline in process" is the key take away.

Current Goal#1: Housing - Assure adequate and affordable housing for all CBJ residents

Current Implementing Actions:

- A. Prioritize Housing Action Plan Strategies
- B. Approve & implement Affordable Housing Fund distribution plan
- C. Develop downtown housing incentives including tax abatement
- D. Focus on developing workforce housing
- E. Develop incentives to encourage long term rentals over short term rentals

Mr. Watt said that it is a big deal that the Assisted Senior Housing is coming to life. He said the Assembly will need to be aggressive with funds for housing with the Affordable Housing Fund (AHF)

He said that with respect to developing downtown housing, CDD and the Planning Commission queued up to similar to where we were before the Assisted Senior Housing project came online. They are getting ready to relax parking requirements in the downtown core. He said things are queued up for more housing grants in the future and perhaps looking at some more code amendments.

He said that while the new Glory Hall is not actually considered workforce housing, it is at the lower end of scale and has a domino effect that leads to other activities that will eventually lead to developing workforce housing.

Current Goal#2: Economic Development – Assure Juneau has a vibrant, diverse local economy

Current Implementing Actions:

- A. Implement Juneau Economic Plan
- B. Revitalize Downtown
- C. Area Plans: Complete Downtown Area plan, followed by Douglas and Valley area plans
- D. Evaluate next steps & benefits with the West Douglas Road and Channel Crossing
- E.1. Update the Comprehensive Plan
- E.2. Protect future industrial land
- F. Explore and review options for the Centennial Hall complex
- G. Explore viability of a summer operation plan for Eaglecrest Ski Area.

Mr. Watt said that the Assembly does not have a goal related to Tourism. They need to create one that would somehow be concentrated on the implementation of the VITF recommendations.

He anticipates the next tourist season schedule will be jarring to the community and that we need to do more to address those concerns.

Mr. Watt said that they need to finish the various area plans and see how the Blueprint Downtown plan folds into all the rest. He suggested they take the implementing action of “Protect future industrial land” off the list. He also suggested that the Assembly either fund the goal to update the Comprehensive Plan or take it off the list.

Mr. Watt said the West Douglas Road & 2nd Crossing as long range goals are good to continue to look at but are currently limited by resource availability. He said there was no bandwidth this year to talk about Eaglecrest Summer Operations Task Force and that while it is a great topic, staff’s ability to have another complicated project is very limited. He said the Assembly as created the Housing Development Task Force (HDTF) and it will be steered productively. He mentioned that the new task forces along with the work with the Systemic Racism Review Committee (SRRC) are big time commitments for the City Manager, the City Attorney, and the department heads.

Current Goal #3: Sustainable Budget & Organization – Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community

Current Implementing Actions:

- A. Maintain Assembly focus on deferred maintenance including BRH & JSD
- B. Protect Budget Reserve
- C. Continue to evaluate sales tax structure
- D. Develop plan to address reduced state support for School Bond Debt Reimbursement
- E. Reduce the relative cost of living in Juneau where possible.
- F. Examine life cycle and life cycle costs of CBJ facilities including City Hall

Mr. Watt said that he is pleased where we are currently with the budget. Staff has made progress on the goals focused on deferred maintenance and after an initial pause with the Augustus Brown Pool, they are moving forward on those maintenance needs. They have continued to protect the Budget Reserve. He said that an ordinance related to the onboard sales tax is coming up following the discussion at the December 1 AFC meeting. With respect to reviewing the overall sales tax structure as well as trying to reduce the relative cost of living in Juneau are attractive topics to review but will have some thorny areas to be able to navigate solutions.

Mr. Watt said that they will need to watch how the state/legislative landscape unfolds in real time on the School District reimbursement issue.

He said that with respect to a new City Hall, the Assembly will need to decide to pull the trigger on that or pull trigger on major maintenance programs that will address system failures.

Current Goal #4: Community, Wellness, and Public Safety – Juneau is safe and welcoming for all citizens

Current Implementing Actions:

- A. Reduce homelessness

- B. Working with non-profits, BRH Board and CEO, develop a plan for non-profits and BRH's role with public health and social services in the community
- C. Assess legislative impact, community services, and operations through the lenses of systemic racism.
- D. Develop and implement strategies to reduce and deal with the impacts of crime in the community.

Mr. Watt said he would give a gold star on the work towards this goal in light of the pandemic. He said that BRH does need focus as they are clearly in a very tenuous position with changing management in a dynamic world. He said that it is good the joint BRH/Assembly Committee was created. It is hard to try to operate similar to a private business but under public sector constraints.

He said with respect to the SRRC, the committee and Assembly is learning a lot. There is still a lot to learn, he suggests they stay the course and see what evolves.

Mr. Watt said that crime has not been a strong focus of the Assembly but JPD continues to do a great job. He said that JPD is the biggest and most expensive CBJ department and is a key cornerstone of our community but they are experiencing difficulty with recruiting and retaining officers.

Current Goal #5: Sustainable Community – Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.

Current Implementing Actions:

- A. Develop strategy to measure, track and reduce CBJ energy consumption
- B. Make a long term plan to achieve reliance of 80% renewable energy sources by 2045
- C. Develop climate change adaptation plan
- D. Develop solid waste strategy including plans to increase recycling and deal with abandoned/junked vehicles

Mr. Watt said that with respect to Climate Change, the Juneau Commission on Sustainability (JCOS) has been working on identifying sustainable goals and he referenced the letter that JCOS sent to the Assembly.

With respect to current Goal #6: Pandemic Recovery – Protect Public Health and Recover Economic Strength during the COVID pandemic, he said they have been doing a good job in protecting public health and the economy but that this will need to be the subject of future discussions.

B. Financial Update

Mr. Watt said that they covered a lot of good information at the December 1 AFC meeting. This Assembly now has the opportunity to do more strategic planning financially than many other past Assemblies. Debt is coming off the books and we have a substantial Reserve Fund Balance and as we get to our post COVID awakening, we have tamped down on many activities. This is an opportunity to affirm what we are going to do. He suggested the Assembly pick the goals they really want to concentrate on rather than trying to do everything but doing it poorly. He said they

have the potential to dissolve the PWFC and LHED and just have more COWs. He suggested they be aggressive and take advantage of opportunities to do things different, more efficiently.

C. Assembly Goal Setting

Mayor Weldon called the Assembly back together to go through their goal setting exercise. Assemblymembers briefly discussed how they wished to approach the goals and implementation strategies. Mayor Weldon suggested that they begin with Mr. Barr explaining the process she set up with Mr. Barr and then the Assembly can continue on implementation strategies at the end.

Mr. Barr described the three phased approach. For Phase 1, they will break into small groups of three members at three different tables. They will rotate for each goal so that by the end of all 5 goals, each of Assemblymembers will have had a chance to work with all other members. During Phase 1, they will be asking the following questions for each of the current goals and implementing actions: ***Do we want to keep the goal, change it, add implementing action, or take away an implementing action?***

During Phase 2, they will consolidate all the input into one final group list. He said they will come to an agreement as a whole body as to what will finally be voted upon and anything that didn't come up during the small group process could be added to the list during phase 2. At the end of the day, the plan is to take some time to briefly talk as a large group about goal #6 – pandemic recovery.

Phase 3 will consist of a multi-voting exercise. All the consolidated goal sheets will be posted so everyone will be able to vote on the implementing actions. Votes will be tallied and that will be what sets the priority order for the implementing actions. That phase will also determine if any goals/implementing actions get dropped.

Members briefly discussed ideas on how best to proceed with implementing the goals once decided upon. Suggestions ranged from Michelle Hale's handout with one person championing a particular goal through the process, or assigning particular goals to a particular Assembly Standing Committee, or the Mayor's suggestion of rotating focus on one goal per Assembly or COW meeting. It was determined that the Assembly can spend some time after the goal setting and voting to discuss the process for how they will be addressed.

The meeting then split into the various breakout groups for Phases 1 and 2.

PHASE 3 consisted of each Assemblymember being given a total of 20 dots with which to vote on each of the implementing actions they wished to prioritize. [Vote totals are highlighted after each implementing action.]

Mr. Barr led the group through each of the existing goals, the small group feedbacks, and polled the membership on any changes, deletions, additions etc. to the goals as well as the implementing actions for each of the goals. The finalized list that subsequently was voted upon using the dot voting method is distilled below.

GOAL #1 HOUSING: Assure affordable housing and a welcoming community environment for all CBJ residents.

Implementing Actions:

- A. Implement projects & strategies that advance the goals of the Housing Action Plan [6]
- B. Continue a robust use of the AHF and its sustainability [5]
- C. Reduce barriers to downtown housing development [5]
- D. Increase workforce in the building trades [1]
- E. Address impacts of short term rentals on housing [1]
- F. Revise and improve Title 49 to facilitate housing [7]

GOAL #2 ECONOMIC DEVELOPMENT: Assure Juneau has a vibrant, diverse local economy that is affordable to all. (Note: the new lettering below is based on the compilation of the final list and does not necessarily correspond to the letters from the previous goals; i.e. former Goal #2.C. is now new item #2.B.)

Implementing Actions:

- A. Implement project strategy for JEP including revitalizing downtown (with regular updates) [6]
- B. Work existing area plans into existing decision making process [0]
- C. Pursue & plan for West Douglas and Channel Crossing [5]
- D. Update the Comprehensive Plan [9]
- E. Explore financing for Capital Civic Center [6]
- F. Support Eaglecrest Summer Operations Task Force & self-sufficiency of Eaglecrest [5]
- G. Increase number of independent travelers [3]
- H. Support Housing Development Task Force Recommendations [4]
- I. Consider changes to Assessment & BOE process [0]
- J. Adopt and implement strategies developed by the Visitor Industry Task Force to mitigate impacts & increase economic benefits of tourism. [8]
- K. Examine options for a tourism governing structure that mitigates impacts & increases economic benefits of tourism. [8]
- L. Develop strategy for workforce development and remove impediments [4]

GOAL #3 SUSTAINABLE BUDGET ORGANIZATION: Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community.

Implementing Actions:

- A. Maintain Assembly focus on deferred maintenance including BRH and JSD [5]
- B. Develop strategy for fund balance and protect restricted budget reserve [7]
- C.1. Continue to evaluate sales tax structure including equity and evaluate removing sales tax on food. [7]
- C.2. Continue to evaluate sales tax structures [1]
- D.1. Address reduced support for school bond debt reimbursement [0]
- D.2. Long term strategic planning for CIPs [7]
- E. Reduce mil rate as appropriate [6]
- F. Address inflationary effects on CBJ projects, programs, & payroll [2]

G. Allocate resources to implement Assembly goals [5]

GOAL #4 COMMUNITY, WELLNESS, & PUBLIC SAFETY: Juneau is safe and welcoming for all citizens.

Implementing Actions:

- A.1. Reduce homelessness [0]
- A.2. Advocate for strategies & policies identified by Juneau Reentry Coalition & JCHH [3]
- A.3. Examine social service funding levels and process. [5]
- B. Continue working with BRH, JCHH, & other non-profits [2]
- C. Assess legislative impact, community services and operations through the lenses of systemic racism. [2]
- E. Acknowledge and honor Juneau's indigenous culture, place names, naming policy, and recognize Elizabeth Peratrovich Day. [5]
- F. Explore government to government relations with tribes [5]
- G. Address Environmental Equity [4]

GOAL #5 SUSTAINABLE COMMUNITY: Juneau will maintain a resilient society, economy, and environment for existing and future generations.

Implementing Actions:

- A. Develop strategy to measure, track and reduce CBJ energy consumption [6]
- B.1. Make a long term plan to achieve reliance on 80% of renewable energy sources by 2045. [0]
- B.2. Implement projects & strategies that advance the goal of reliance on 80% of renewable energy sources by 2045. [6]
- C. Develop Climate Change Adaptation Plan. [5]
- D. Develop a Zero Waste or Waste Reduction Plan [7]
- E. Develop strategy to reduce abandoned/junked vehicles. [5]

Following the retreat, Mr. Barr will compile and tabulate the voting results and have an updated goals document for the Assembly to review/approve at the December 13, 2021 Assembly meeting if possible or a subsequent meeting as soon as it is ready.

VII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 2:10 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

Presented by: The Manager
Introduced: December 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(S)

An Ordinance Appropriating \$2,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds.

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 \$2,000,000 for the Capital Civic Center Capital Improvement Project (D12-051).

Section 3. Source of Funds

General Funds	\$2,000,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: December 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(T)

An Ordinance Appropriating \$2,500,000 to the Manager for the August Brown Pool Capital Improvement Project; Funding Provided by General Funds.

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 Augustus Brown Pool Capital Improvement Project (P44-086).

Section 3. Source of Funds

General Funds	\$2,500,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: December 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(U)

An Ordinance Appropriating \$500,000 to the Manager for the Centennial Hall Renovation Phase 2 Capital Improvement Project; Funding Provided by General Funds.

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 \$500,000 for the Centennial Hall Renovation Phase 2 Capital Improvement Project (P47-073).

Section 3. Source of Funds

General Funds	\$500,000
---------------	-----------

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

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 12/13/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-01

**An Ordinance Repealing the Temporary Sales Tax Exemption for Sales of
Cost of Power Adjustments on Electrical Power.**

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 69.05.040 Exemptions is amended to read: CBJC 69.05.040 Exemptions. The tax levied under this chapter shall not apply to the following transactions:

...

~~(43) Sales of cost of power adjustments on electrical power.~~

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

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: Finance
Committee
Introduced: 09/15/2008
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2008-31(am)

**An Ordinance Relating to the Temporary Sales Tax Exemption
for Sales of “Cost of Power Adjustments” on Electrical Power.**

WHEREAS, on April 17, 2008, electrical power costs for CBJ residents and businesses increased significantly due to the massive avalanche that resulted in the loss of hydroelectric power from the Snettisham Hydroelectric Facility; and

WHEREAS, on April 28, 2008, the Assembly found it to be in the public interest to reduce the impact of the anticipated severe electrical power rate increase by eliminating sales tax on any cost of power adjustment, adopting Emergency Ordinance 2008-17; and

WHEREAS, under the CBJ Charter, emergency ordinances expire 180 days after adoption; and

WHEREAS, Alaska Electric Light and Power has brought to CBJ's attention that the expiration date of the “cost of power adjustment” (COPA) sales tax exemption will create a customer inconsistency; and

WHEREAS, because emergency Ordinance Serial No. 2008-17, became effective on May 1, 2008, it will expire 180 days later, on October 28, 2008; and

WHEREAS, AEL&P bills it's customers daily, but on a monthly cycle, and the customers who will be billed from October 28 through October 31 (four days), will only receive the exemption for five months; and

WHEREAS, AEL&P has indicated that it has approximately 600 customers who will be billed during these four days; and

WHEREAS, the CBJ Assembly Finance Committee, at its meeting on September 10, 2008, requested an ordinance providing a four-day extension of the exemption for sales of cost of power adjustments on electrical power.

//

//

//

NOW, THEREFORE, 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 Code.

Section 2. Amendment of Section. CBJ 69.05.040 Exemptions, is amended at (43) to read:

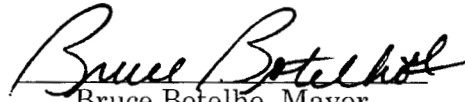
69.05.040 Exemptions.

...

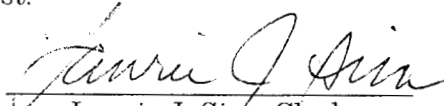
(43) Sales of cost of power adjustments on electrical power.

Section 3. Effective Date. This ordinance shall be effective October 28, 2008.

Adopted this 24th day of September, 2008.


Bruce Botelho, Mayor

Attest:


Laurie J. Siga, Clerk

Presented by: The Manager
Presented: 12/13/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-03

An Ordinance Authorizing the Municipal Attorney to Update Monetary Values Pursuant to Adjustment Provisions in Previously Adopted Legislation.

WHEREAS, certain CBJ legislation has automatic adjustment clauses to account for changing market conditions, like the Consumer Price Index, as provided in the following examples:

- Ordinances—CBJC 49.40.210(d)(5)(D); and CBJC 69.05.040(22)-(23).
- Regulations—05 CBJAC 15.080, 05 CBJAC 20.030, 05 CBJAC 20.035, and 05 CBJAC 20.080.
- Resolutions—Res. 2670 (Project Labor Agreement Policy); and

WHEREAS, this ordinance benefits the public by keeping the published CBJ code or ordinances and regulations up-to-date.

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 01.20.040 Revisor of ordinances, is amended to read:

01.20.040 Revisor of ordinances.

(a) The CBJ attorney is designated as revisor of ordinances. The revisor of ordinances shall consolidate in this Code all ordinances not of temporary or special nature enacted by the assembly.

(b) The revisor shall edit and revise the ordinances for consolidation without changing the meaning of any ordinance in the following manner:

- (1) Renumber sections, parts of sections, parts, chapters and titles.
- (2) Change the wording of section or subsection titles, and change or provide new titles for parts, chapters and titles.
- (3) Change capitalization for the purpose of uniformity.
- (4) Substitute the proper designation for the terms "the preceding section," "this ordinance" and like terms.
- (5) Correct manifest errors which are clerical errors, typographical errors or errors in spelling, or errors by way of additions or omissions.
- (6) Correct manifest errors in reference to laws, ordinances, or other sections of this Code.
- (7) Adjust monetary values as provided in previously adopted ordinances, regulations, and resolutions to reflect changing market conditions.

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

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: AFC
Presented: 12/13/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2971

A Resolution Supporting New Broad-based Taxation as Part of a Long-term State Fiscal Plan, and Opposing a Statewide Sales Tax.

WHEREAS, continued reductions to state services threaten the health of Juneau's economy and the well-being of Juneau's residents; and

WHEREAS, to avoid continued reductions to state services, the State of Alaska must adopt and implement a long-term fiscal plan; and

WHEREAS, the adoption and implementation of a long-term fiscal plan that fully funds essential government services will require new broad-based revenues; and

WHEREAS, the adoption and implementation of a long-term fiscal plan without new broad-based revenues perpetuates Alaska's over-reliance on oil revenue and makes future budgets highly subject to fluctuations in oil price and production; and

WHEREAS, the State has continued to shift the financial burden for the provision of government services, including education, to local municipalities; and

WHEREAS, the Legislature is currently considering a statewide sales tax, an income tax, and other revenue measures as part of a long-term fiscal plan; and

WHEREAS, municipalities have long funded local government services by imposing local sales taxes carefully tailored to the needs of their local residents and economies; and

WHEREAS, the authority for broad-based taxation by municipalities is generally limited to property and sales taxes; and

WHEREAS, a statewide sales tax combined with existing local sales taxes will eventually result in communities reducing local sales tax rates and increasing local property tax rates to continue delivering essential municipal services; and

WHEREAS, an income tax would tax Alaskans based on income and ability to pay; and

1 WHEREAS, an income tax would tax all income earned in Alaska allowing the State to
2 collect from both resident and non-resident income earners that now benefit from
3 government services without financially contributing toward those services; and
4

5 WHEREAS, up to \$10,000 of state and local taxes are deductible from federal taxable
6 income, mitigating the tax burden on Alaskans; and
7

8 WHEREAS, the legal authority to implement an income tax is reserved to the State and
9 is restricted from local municipalities; and
10

11 WHEREAS, the balance of the Alaska Permanent Fund is approximately \$80 billion and
12 produces annual earnings sufficient to sustainably fund a portion of essential government
13 services while also funding permanent fund dividend payments to all Alaskans without
14 overdrawing the earnings reserve; and
15

16 WHEREAS, any further delay in the implementation of new broad-based revenues as
17 part of a long-term fiscal plan shifts the burden of current financial challenges to future
18 generations of Alaskans and threatens the health of Alaska's economy.
19

20 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
21 JUNEAU, ALASKA:
22

23 **Section 1.** That the City and Borough of Juneau Assembly supports the adoption of a
24 long-term fiscal plan for the State of Alaska that implements new broad-based revenue and
25 uses permanent fund earnings responsibly and sustainably to fully fund essential
26 government services.
27

28 **Section 2.** That the City and Borough of Juneau Assembly opposes implementation of
29 a statewide sales tax.
30

31 **Section 3.** That the City and Borough of Juneau Assembly supports consideration of
32 all broad-based revenue measures, including an income tax, that do not compete with locally
33 implemented taxes.
34

35 **Section 4. Effective Date.** This resolution shall be effective immediately after its
36 adoption.
37

38 Adopted this _____ day of _____, 2021.
39
40

Beth A. Weldon, Mayor

41 Attest:
42
43

44 _____
45 Elizabeth J. McEwen, Municipal Clerk



THE STATE
of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Packet Page 69 of 118
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 29, 2021

City & Borough of Juneau

Attn: **Beth McEwen**

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Restaurant Eating Place	License Number:	5278
Licensee:	Abigail May Laforce Bennett		
Doing Business As:	Zerelda's Bistro		
Premises Address:	9351 Glacier Highway		

☐ New Application

☐ Transfer of Ownership Application

☒ Transfer of Location 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 304.145(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,

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



Planning Commission

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

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: November 24, 2021
File No.: CSP2021 0003

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding Meadow Lane Improvements

ROW name: Meadow Lane

Parcel Code No.: Not Applicable

Hearing Date: November 23, 2021

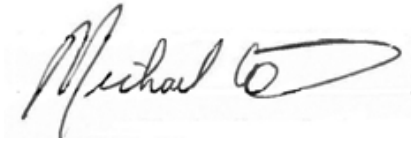
At a regular public meeting on November 23, 2021, the Planning Commission adopted the analysis and findings listed in the attached memorandum dated November 16, 2021, and recommended that the Assembly direct CBJ staff to design and build the project in accordance with the following recommendations:

1. The CBJ Engineering and Public Works Department is required to apply for and receive a Flood Plain Development Permit from the CBJ Community Development Department before construction begins.

Attachments: November 16, 2021 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2021 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).

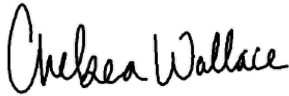
City and Borough of Juneau
CBJ Assembly
File No.: CSP2021 0003
November 24, 2021
Page 2 of 2



Michael Levine, Chair
Planning Commission

November 30, 2021

Date



Filed With Municipal Clerk

December 1, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. 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.



PLANNING COMMISSION STAFF REPORT
CITY PROJECT REVIEW CSP2021 0003
HEARING DATE: NOVEMBER 23, 2021

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

DATE: November 17, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Irene Gallion, Senior Planner
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a City Project Review for rehabilitation of Meadow Lane from Stikine Street to the south end of Meadow Lane. The project is primarily a road rehabilitation and includes water, sewer, and drainage improvements.

STAFF RECOMMENDATION: ADOPTION of the CSP analysis and findings with a recommendation to the Assembly for **APPROVAL WITH CONDITIONS**, and **APPROVAL** of a road standards waiver.

KEY CONSIDERATIONS FOR REVIEW:

- Road was originally platted and constructed in 1967 and 1971.
- Pavement rehabilitation is the primary reason for the project.
- Utility improvements leverage mobilization efficiencies and reduce likelihood that new pavement will need to be disturbed.

GENERAL INFORMATION	
Property Owner	City & Borough of Juneau
Applicant	City & Borough of Juneau
Property Address	Meadow Lane
Legal Description	Not applicable
Parcel Number	Not applicable
Zoning	D5
Land Use Designation	Medium Density Residential/Urban Low Density Residential
Lot Size	Not applicable
Water/Sewer	CBJ
Access	Meadow Lane
Existing Land Use	Street
Associated Applications	None

ALTERNATIVE ACTIONS:

1. **Amend:** amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed project. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

A Notice of Recommendation will be forwarded to the Assembly for further action.

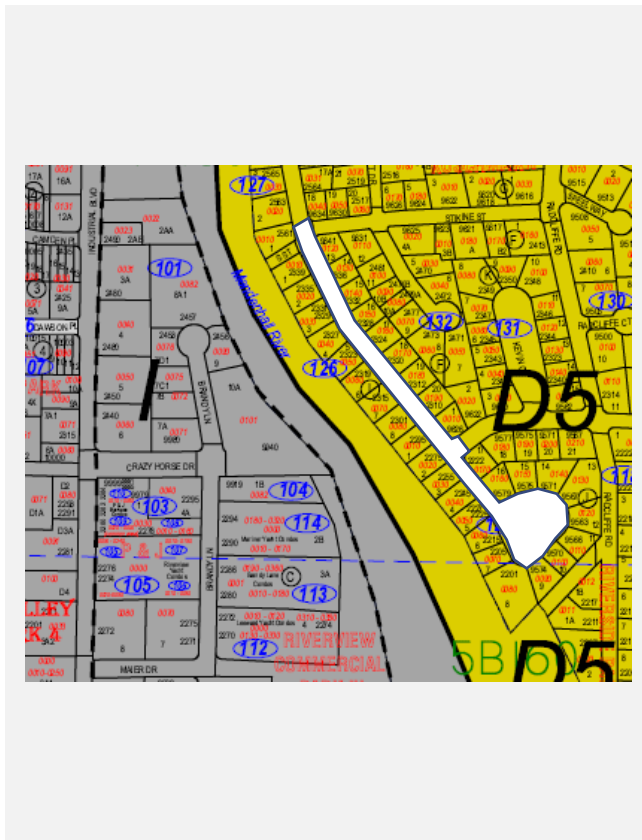
STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.580(a)
 - 49.80

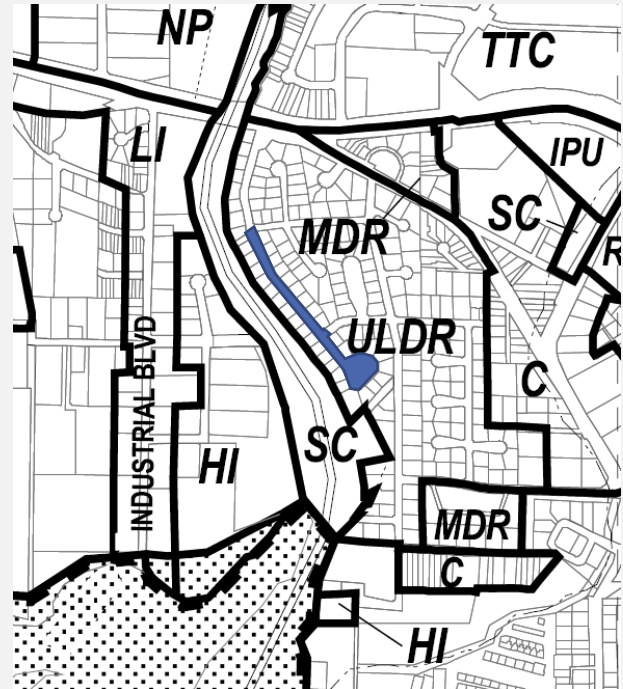
The Commission shall hear and decide the case per CBJ 49.15.580(a) - CBJ Project Review: *The commission shall review all proposed City and Borough capital improvement projects estimated to cost \$500,000 or more for consistency with this title. The commission may review, at the director's discretion, all proposed City and Borough capital projects estimated to cost more than \$250,000 but less than \$500,000. The commission may recommend conditions on and modifications to any project reviewed by the commission through a notice of recommendation. The notice of recommendation shall be forwarded to the assembly for further action.*

CBJ 49.10.170(c) Planning Commission Duties: *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



SURROUNDING LAND USES AND ZONING

Direction	Zoning District	Land Use
North	D5	Residential
South	D5	Residential
East	D5	Residential
West	D5	Residential

BACKGROUND INFORMATION

Project Description – The Meadow Lane Improvements project will consist of the reconstruction of the roadway between Stikine Street and the southern end loop. Improvements will include replacement of the road base and asphalt with the addition of a valley gutter along both sides of the roadway. The water main and sanitary sewer main will be replaced, including service laterals up to the property line. The existing deep ditches will be filled in with shallow swales, and drainage will be collected via curb inlets and area drains into an underground system.

Background – The north approximately 830 linear feet was platted in 1967 as part of the Meadow Grove Subdivision (Plat 67-1923, #508). The remainder was platted in 1971 as part of the Meadow Grove Addition (Plat 71-209, #635).

The last improvements to the water system appear to have been part of the Juneau Areawide Water System Improvements constructed in 1985. Staff believes that that is the last time the road was paved.

The sewer system seems to be from original construction.

The section of Meadow Lane to the north of this proposed project was reconstructed in 2016 under the Meadow Lane Drainage Improvements project.

Current Conditions – The project is driven by pavement condition. Water and sewer are being replaced to avoid repairs within the next ten years. Utility repairs require cutting and repaving the road. CBJ avoids utility repairs within ten years of new pavement, to reduce overall corridor cost and neighborhood inconvenience.

The project will reconstruct and improve the existing roadway within the same footprint of the existing road. Drainage will be improved with improved ditching and underground drainage.

ZONING ANALYSIS

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

Roadway Construction Standard Waivers – The Meadow Lane construction area serves 35 homes. Using the Institute of Traffic Engineer's Trip Generation manual estimates 9.52 annual average daily traffic (AADT) per single-family structure (Volume 2, page 296). Estimated traffic is 333 AADT. This would require [CBJ 49.35.240]:

- Sidewalks on one side: The road was built without sidewalk.
- 24-foot travelled width: Travelled way is 18 feet with rolled curb and gutter.

- Streetlights at all intersections: CBJ does not have streetlights on Meadow Lane. There is one private streetlight at the intersection of Meadow Lane and Stikine Street.
- 60-foot right-of-way: The subdivision was platted and constructed with a 50-foot right-of-way.
- Paved roadway: Met.
- Publicly maintained: Met.

Roadway construction standards identified in Table 49.35.240 may be waived by the Commission for any street reconstruction project, not including routine maintenance. Waivers shall be in writing and recognize the following standards.

- (i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;

The existing roadway was constructed in 1967 and 1971, with platted right-of-way approved by CBJ as the platting authority.

- (ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;

Sidewalk would add cost to the project. The project primarily is a basic mill and pave. However, when a roadway is reconstructed it is advisable to make any upgrades to utilities that may be required within the next 15 years, in order to avoid cutting the pavement. Drainage improvements leverage the low-cost ditch system currently in use.

- (iii) The proposed project will not aggravate the intent of the requirements of this chapter;

Rebuilding and improving existing infrastructure does not aggravate the intent of CBJ 49.35.

Commission approval is required for projects that do not meet the American Association of State Highway and Transportation Officials standards, outlined in “A Policy on Geometric Design of Highways and Streets.” For urban local streets:

- Lane width of 10 to 11 feet is preferred, but can go as low as nine feet where terrain or right-of-way creates limitations (Chapter 5.3.2.1). *This project provides nine-foot lanes.*
- Sidewalk should be provided on at least one side of the street (Chapter 5.3.2.9). *No sidewalk is provided in this project.*

Roadway Classification Maps – Meadow Lane is unclassified on the Roadway Classification Maps adopted under Ordinance 2013-9, so is considered a “local” road.

Hazard Areas – The project is located in an AE special flood hazard area with an elevation of approximately 23.4 feet. The project will require a Flood Plain Development Permit from the Community Development Department.



Condition: The CBJ Engineering and Public Works Department is required to apply for and receive a Flood Plain Development Permit from the CBJ Community Development Department before construction begins.

COMMUNITY SERVICES

Service	Summary
Urban Service Boundary	Within
Water/Sewer	CBJ
Fire Service Area	Within
Schools	No CBJ school is directly impacted by this project.
Recreation	No recreation facility is directly impacted by this project.

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The below table summarizes Conservation, Historic, and Archeological Resources which may be affected by Meadow Lane improvements.

Resource	Summary
Conservation Areas	There is a Stream Protection Corridor (SC) to the west of lots abutting the project. The SC accommodates Mendenhall River.
Wetlands	Not mapped.
Anadromous	The Mendenhall River is an anadromous water body.
Impaired Waterbodies	Not listed on the Alaska Department of Environmental Conservation Division of Water "Impaired Waters and Watershed Planning" site.
Historic	Unknown.
Archeological	Unknown.
Comprehensive Plan View sheds	No.

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN – The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
11	144	Conservation Area (CA)	Includes Stream Protection Corridors. Land within the corridor should be protected from development.
11	145	Stream Protection Corridor (SC)	Protect anadromous streams from impacts of development.
11	181	10	Replace aging water and sewer.
	181	11	Adopt guidelines that address treatment and discharge of storm sewer.

AGENCY REVIEW

CDD is not required to conduct an agency review for a CSP, as the applicant has performed their own agency outreach efforts.

PUBLIC COMMENTS

CDD is not required to conduct public review for a CSP, as the applicant has performed their own public outreach efforts. CDD is mindful of confusing the public with multiple public meetings with overlapping public notice periods.

For this case, the public outreach was completed on September 15, 2021, when the consultant engineer held a neighborhood meeting (**Attachment B**). The consultant engineer provided an itemized response to concerns raised:

9567 Meadow Lane

Concern: Water and snowmelt will run to the house without the frost heave bump in the driveway.

Solution: Valley gutter was placed along the corridor in front of every driveway. The runoff from the roadway will no longer travel to the homeowner's driveways.

2320 Meadow Lane

Concern: Would like the opportunity to connect to city water. Place service so homeowner can easily get this work done.

Solution: Water service is placed where homeowner has requested. Homeowner will, at his convenience, be able to connect to the CBJ water system.

2335 Meadow Lane

Concern: Homeowner has sewer backflow preventer. Likes hydrant as it is. Cable issues with GCI. Gutter well below roadway. Can they connect to existing well?

Response/Solution: Engineer met with homeowner explaining some of her issues were not a CBJ issue, but a private matter. She understood and will be looking into the issues independently. Also explained that the fire hydrant needed to be replaced. DOWL contacted the utility companies about the project and suggested that if repairs were needed, then this would be a good time to do so. Even the issues not related to the project DOWL gave her advice on and the design will address all of the issues she is having that were in our control. She was very happy after meeting with her in person.

2327 Meadow Lane

Concern: How long will the project impact the homeowners?

Solution: Homeowners were informed that the project is expected to last about 4 months. Homeowners will have access to their driveways 99% of the time and with good communication, all issues can be worked out in the field. Contract language also addresses access and minimizing impact to the homeowners.

Because the Engineering and Public Works' public outreach was complete, CDD sent abutters notices (**Attachment C**) and asked Engineering and Public Works to post a public notice sign (**Attachment D**) to advertise this CSP review. Staff received no additional comments as of this report.

FINDINGS

In accordance with CBJ 49.15.580, staff finds the proposed Meadow Lane Improvements complies with Title 49 Land Use Code and is in general conformity with adopted plans, specifically the Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission **ADOPT** the Director's analysis and findings and forward a **RECOMMENDATION OF APPROVAL** to the CBJ Assembly for the Meadow Lane Improvements with the following condition:

Condition 1: The CBJ Engineering and Public Works Department is required to apply for and receive a Flood Plain Development Permit from the CBJ Community Development Department before construction begins.

Staff recommends the Planning Commission **APPROVE** the waiver of road construction standards for the Meadow Lane Improvements project.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Public Meeting Notes
Attachment C	Abutters Notice
Attachment D	Public Notice Sign



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Meadow Lane		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s)		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner City and Borough of Juneau	Contact Person John Nelson	Phone Number(s) 907 957-2187
	Mailing Address 155 South Seward Street		
	E-mail Address john.nelson@juneau.org		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X _____ Landowner/ Lessee Signature		10/8/21 Date	
X _____ Landowner/ Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant City and Borough of Juneau	Contact Person John Nelson	Phone Number(s) 907 957-2187	
Mailing Address 155 South Seward Street			
E-mail Address john.nelson@juneau.org			
X _____ Applicant's Signature		10/8/21 Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials IMG 10.13.2021		
<table border="1"> <tr> <td>Case Number CSP2021 0003</td> <td>Date Received 10.13.2021</td> </tr> </table>	Case Number CSP2021 0003	Date Received 10.13.2021
Case Number CSP2021 0003	Date Received 10.13.2021	



CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant	PROJECT SUMMARY Meadow Lane Improvements	
	TYPE OF PROJECT REVIEW: ☒ City Project Review ☐ City Land Acquisition /Disposal ☐ State Project Review	
	PROJECT NUMBERS ASSOCIATED WITH PROPOSAL: Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☒ NO	
	Capital Improvement Program # (CIP) <u>R72-149</u>	
	Local Improvement District # (LID) _____ State Project # _____	
ESTIMATED PROJECT COST: \$ ~\$1 million per Bohan		
ALL REQUIRED MATERIALS ATTACHED ☒ Complete application ☐ Pre-Application notes (if applicable) ☐ Narrative including: ☐ Current use of land or building(s) ☐ Proposed use of land or building(s) ☐ How the proposed project complies with the Comprehensive Plan ☐ How the proposed project complies with the Land Use Code (Title 49) ☒ Site Plan (details on page 2)		

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>No fee</u> , under \$2.5M			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
CSP2021 0003	10.13.2021

City/State Project and Land Action Review Information

City and State project review is outlined in CBJ 49.15.580

Each application for a City/State Project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

Application: An application for a City/State Project Review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed City/State Project Review Application and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
 - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
 - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
 - d. Existing and proposed lighting (including cut sheets for each type of lighting);
 - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
 - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

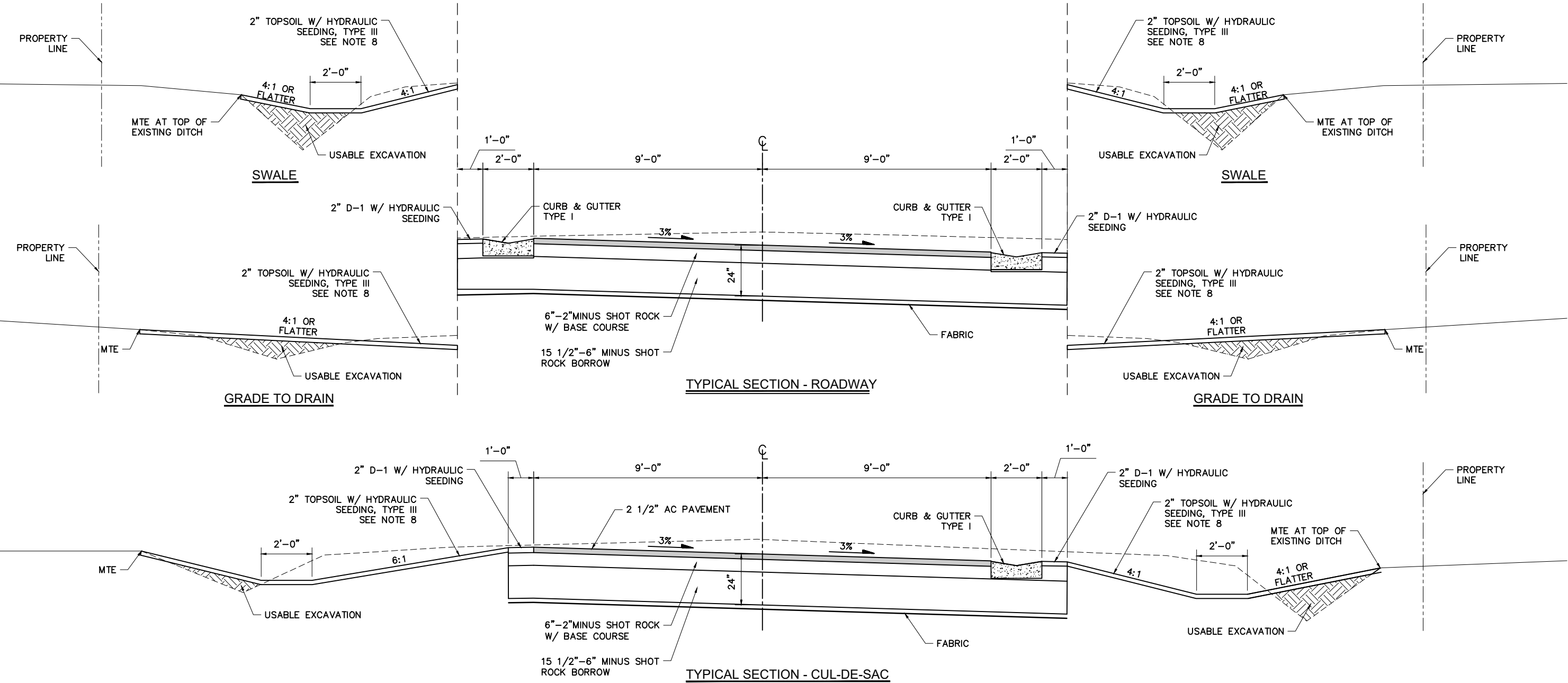
Hearing: All City/State Project Review Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

NARRATIVE: The Meadow Lane Improvements project will consist of the reconstruction of the roadway between Stikine Street and the southern end. Improvements will include replacement of the road base and asphalt with the addition of a valley gutter along both sides of the roadway. The water main and sanitary sewer main will be replaced, including service laterals up to the property line. The existing deep ditches will be filled in with shallow swales, and drainage will be collected via curb inlets and area drains in to an underground system.

PROJECT AREA





NOTES FOR TYPICAL SECTIONS

1. IF ORGANIC OR OTHER UNSUITABLE MATERIALS ARE FOUND AT OR NEAR THE PLANNED SUBCUT LEVEL, ADDITIONAL EXCAVATION MAY BE REQUIRED AS DIRECTED BY THE ENGINEER. USABLE MATERIAL FROM EXCAVATION SHALL BE USED TO BACKFILL THE ADDITIONAL AREAS OF EXCAVATION, WHICH MAY VARY FROM 6" IN DEPTH TO A DEPTH OF UP TO 5'-0" BELOW FINISH GRADE. BACKFILLING WITH USABLE MATERIAL FROM EXCAVATION WILL BE CONSIDERED INCIDENTAL TO EXCAVATION.

2. SANITARY SEWER AND WATER SERVICES ARE NOT SHOWN ON THE TYPICAL SECTION. SEE PLAN SHEETS FOR LOCATIONS.

3. SEE HORIZONTAL AND VERTICAL CONTROL, CURB AND GUTTER LAYOUT AND GRADE DRAWINGS FOR GRADING DETAILS.

4. DEPTH AND HORIZONTAL LOCATION OF EXISTING UNDERGROUND ELECTRICAL, WATER, AND SANITARY SEWER VARIES. SEE PLAN SHEETS FOR APPROXIMATE LOCATIONS.

5. TOP OF ASPHALT CONCRETE PAVEMENT SHALL BE 1/4 INCH ABOVE THE LIP OF CONCRETE GUTTER. TOP OF PAVEMENT GRADES AND SLOPES GIVEN ON THE PLANS REFLECT THE ACTUAL FINISH PAVEMENT SURFACE.

6. THE 2-INCH MINUS SHOT ROCK W/BASE COURSE COURSE LAYER WITHIN THE ROADWAY SHALL BE 4" TO 5" OF 2-INCH MINUS SHOT ROCK WITH 1" TO 2" TOP LAYER OF BASE COURSE, GRADING D-1 FOR A TOTAL THICKNESS OF 6". THE 2-INCH MINUS SHOT ROCK SHALL BE COMPACTED WITH VIBRATORY EQUIPMENT PRIOR TO PLACING THE BASE COURSE GRADING D-1.
7. DRIVEWAYS DISTURBED DURING CONSTRUCTION SHALL BE RECONSTRUCTED TO EQUAL OR BETTER CONDITION WITH SUBGRADE REPLACED IN LAYERS TO MATCH THOSE REMOVED EXCEPT:

A. PAVED DRIVEWAYS SHALL BE SUBCUT TO 12-INCHES BELOW FINISH GRADE AND REPLACED WITH 9-1/2" OF 2-INCH MINUS WITH BASE COURSE, AND 2-1/2" OF A.C. PAVEMENT.

B. ALL WORK REQUIRED TO RECONSTRUCT GRAVEL DRIVEWAYS BEYOND THE BACK OF EXISTING CURB WILL BE CONSIDERED INCIDENTAL TO OTHER WORK AND NO ADDITIONAL PAYMENT WILL BE MADE.

C. ORGANICS, ROOTS, WOOD OR OTHER DELETERIOUS MATERIALS ENCOUNTERED IN THE DRIVEWAYS DURING EXCAVATION OPERATIONS SHALL NOT BE REPLACED, BUT SHALL BE DISPOSED OF AT AN APPROVED DISPOSAL SITE. BACKFILL VOIDS BELOW THE REQUIRED SUBBASE LAYERS WITH USABLE MATERIAL FROM EXCAVATION.

8. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES NOT RESURFACED WITH ASPHALT PAVEMENT, CONCRETE OR BASECOURSE SHALL BE GRADED TO A UNIFORM, WELL DRAINED APPEARANCE AND STABILIZED WITH HYDRAULIC SEEDING, AS DIRECTED BY THE ENGINEER.

95% SUBMITTAL

CSP2021 0003

ATTACHMENT A, Page 6

REVISIONS			
REV	DATE	DESCRIPTION	BY



DOWL

AECL848

WWW.DOWL.COM

9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533



CITY AND BOROUGH OF
JUNEAU
ALASKA'S CAPITAL CITY

MEADOW LANE IMPROVEMENTS
RFP E22-029

TYPICAL SECTIONS

PROJECT	71093.01
DATE	10/13/21
SHEET	C-100



September 2, 2021

RE: MEADOW LANE IMPROVEMENTS

Dear Project Area Resident,

Meadow Lane from Stikine Street to the south end is scheduled for reconstruction in the summer of 2022. DOWL has been selected to perform the survey and design on behalf of the City and Borough of Juneau (CBJ). Homeowners are invited to a virtual public meeting on Zoom September 15th where we will share our ideas for reconstruction.

Please use the web address below to join the webinar:

When: Sep 15, 2021 06:00 PM Alaska
Topic: Meadow Lane Neighborhood Meeting

Please click the link below to join the webinar:

<https://juneau.zoom.us/j/88955842213>

Or dial: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 889 5584 2213

The proposed project improvements include replacement of the typical section, asphalt, water main, sewer system and storm drainage improvements.

Any local knowledge regarding underground features such as water services, sewer service cleanouts, and other existing utility lines, etc. is always appreciated and helps to minimize construction costs and delays.

Justin Kanouse, PE, will be providing design oversight and project management and Candy Sims, PE, will be design engineer. Please contact me, Justin Kanouse, at 907-723-9701 to discuss the project.

The CBJ Project Manager is John Nelson and he can be reached at 586-0800 x4189.

Please don't hesitate to contact any of us with questions or comments.

Sincerely,

DOWL

A handwritten signature in blue ink, appearing to read "JK", is written over the DOWL text.

Justin Kanouse, P.E.
Civil Engineer

cc: John Nelson, CBJ Project Manager

Meadow Lane Improvements Public Meeting

September 15, 2021

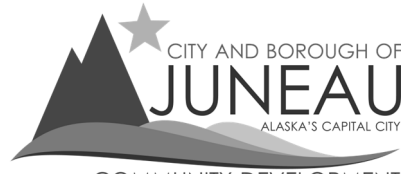
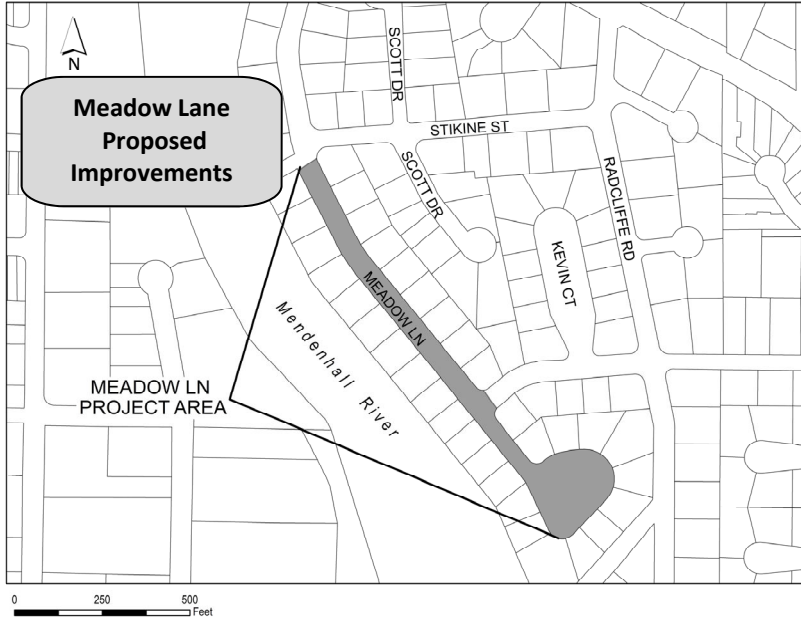
Attendees: John Nelson (CBJ), Candy Sims (DOWL), Justin Kanouse (DOWL), Janet Sanbei (CBJ)
Cynthia Dau (2335), Lindy Kemp (2327), Robert Deering (2319 & 2313), Nick
Druyvestein, Michael Stark (9567) , “Tres” (2320 – 907-723-8808)

Notes:

- 9567 – storage of snow within cul-de-sac. Water is currently blocked from running to house by existing pipe heaving out of driveway
- 2320 – not on city water, may want to connect to water at that time, aim towards large windows, ~6-8ft from sewer
- 2335 – does have a backflow preventer. Likes the firehydrant as is but okay with std. Drainage swale between properties full of large rock? Cable from across the road is bad (GCI) needs to be replaced. Statement from GCI was utility services were installed in the 70's and almost all would likely need to be replaced. (Justin – reach out to GCI again) Connecting to gutters since house is so low. Can reconnect existing well?
- 2327 – how long will project impact homeowners.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **City Project Review** for **rehabilitation of Meadow Lane from Stikine Street to the south end of Meadow Lane**. The project is primarily a road rehabilitation, and includes water, sewer, and drainage improvements.

TIMELINE

Staff Report expected to be posted **Monday, November 15, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through noon, November 22

Comments received during this period will be sent to Planning Commissioners to read over the weekend in preparation for the hearing. The planner handling this case, **Irene Gallion**, will also read any written comments that are received. You may also contact her via the phone number listed below.

HEARING DATE & TIME: 7:00 pm, November 23, 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/82438794369>. The Webinar ID is: 824 3879 4369. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

Nov. 24

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Printed November 4, 2021

Case No.: CSP2021 0003
Parcel No.: N/A
CBJ Parcel Viewer: <http://epv.juneau.org>

Irene Gallion

From: John Nelson
Sent: Tuesday, November 9, 2021 3:57 PM
To: Irene Gallion; Jill Maclean
Cc: Quinn Tracy
Subject: Fwd: CSP Meadow: A few questions

Please see attached... I noticed that the title should read "improvements" and not "reconstruction"... I will fix as soon as I can...



Fostering excellence in development for this generation and the next.





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 9, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	15209
License Type:	Limited Marijuana Cultivation Facility
Licensee:	Herb'n Legends LLC
Doing Business As:	HERB'N LEGENDS LLC.
Physical Address:	2771 Sherwood Lane Unit D Juneau, AK 99801
Designated Licensee:	Jacob Miller
Phone Number:	907-209-8889
Email Address:	jakemiller@gci.net

☒ **License Renewal Application**

☐ **Endorsement Renewal Application**

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). Application documents will be sent to you separately via ZendTo.

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 me 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart". The signature is stylized with a large initial "G" and a long, sweeping underline.

Glen Klinkhart, Director
907-269-0350

Presented by: The Manager

Presented: 10/25/2021

Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-40

An Ordinance Amending Title 40 Regarding the Hospital Board of Directors Authority.

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 40.05.020 is amended to read:

(a) Subject to state laws and City and Borough ordinances, the hospital board of directors shall be responsible for the operation of all hospitals and associated facilities, located inside and outside the City and Borough of Juneau, owned or leased by the City and Borough according to the best interests of the public's health, shall make and enforce all rules and regulations necessary for the administration of hospitals under their management, shall prescribe the terms under which patients shall be admitted thereto and shall establish and enforce standards of operation. The hospital board of directors shall, within the hospital appropriation, establish and may amend the pay plan for hospital employees.

...

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

Adopted this _____ day of _____, 2021.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/22/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-44

An Ordinance Amending the Uniform Sales Tax Code Related to the Sale of Goods and Services Aboard Cruise Ships.

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 69.05.040 Exemptions, is amended to read:

69.05.040 Exemptions.

The tax levied under this chapter shall not apply to the following transactions:

...

- (4) Sales of goods which are transported into the City and Borough on a cruise ship, which do not leave the cruise ship, and where the entire transaction, both payment and delivery, take place on board the cruise ship outside of the Gastineau Channel. ~~and sales~~ In addition, sales of services where the entire transaction, both payment and performance of the service, take place on board the cruise ship outside of Gastineau Channel. For purposes of this exemption, "cruise ship" means a commercial passenger vessel that carries passengers, but does not include any vessels:

- (a) Authorized to carry fewer than 20 passengers;
- (b) That do not provide overnight transportation for at least 20 passengers for hire; or
- (c) That are operated by the United States, State of Alaska, or a foreign government.

For the purposes of this exemption, Gastineau Channel means that body of water adjacent to Juneau and Douglas, Alaska, North of Marmion Island, and South of the Juneau-Douglas Bridge.

...

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager

Presented: 11/22/2021

Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-45

An Ordinance Authorizing the Docks and Harbors Board to Lease ATS 615 in Tee Harbor to Lisa Haffner-Ritter on behalf of Donohue's Marina LLC.

WHEREAS, the State of Alaska leased what is now known as ATS 615/ADL29281 in 1961 for 55 years and included a preferential privilege clause upon the end of the original 55 year lease term; and

WHEREAS, the State of Alaska transferred the lease to the City and Borough of Juneau in 2001, and Docks and Harbors currently manages the lease on ATS 615; and

WHEREAS, ATS 615 has been used as the marina associated with the neighboring property; and

WHEREAS, Elizabeth Haffner, on behalf of Donohue's Marina LLC, exercised the preferential privilege clause to lease ATS 615 for an additional 10 years, but possibly the whole 35 years allowed by CBJC 53.20.080.

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. Authorization to Execute Lease. The Port Director via the Docks and Harbors Board is authorized to execute a lease to Lisa Haffner-Ritter on behalf of Donohue's Marina LLC, for approximately 3.18 acres of ATS 615/ADL29281.

Section 3. Essential Terms and Conditions. The lease will include, at a minimum, the following terms and conditions:

(a) The lease term shall be for a period of five years, plus six five-year renewal periods for a maximum of 35 years.

(b) The use of the lease site shall be for the sole purpose of operating a marina.

(c) Rent shall be fair market value, which was established by appraisal as \$5,545.12 annually for the first lease period.

(d) In addition to the above, during the lease and lease renewal periods, rent shall be subject to adjustment every five years to reflect changes in the market rent.

(e) Lessee shall ensure all equipment, improvements, and activities on the leased premises operate in a manner that will not cause unreasonable interference with the operations of the City and Borough or other authorized users in the vicinity of the leased premises.

(f) Lessee shall comply with all applicable federal, state, and local laws, and regulations in maintaining, operating, and leasing its communications tower/facility on the leased premises.

(g) Lessee shall indemnify, defend, and hold harmless the City and Borough and its officers, agents, and employees from any claims related to or arising out of Lessee's development, use, operation, or maintenance of the lease or any improvements on the lease.

Section 4. Other Terms. The Manager may include other lease terms he or she determines to be in the public interest.

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 22, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(P)

An Ordinance Appropriating up to \$2,880,000 to the Manager for the Purchase of 2.8 Acres from the University of Alaska Southeast for the Juneau Fisheries Terminal; Funding Provided by General Funds.

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 \$2,000,000 for the purchase of 2.8 acres from the University of Alaska Southeast for the Juneau Fisheries Terminal.

Section 3. Source of Funds

General Funds	\$2,000,000
---------------	-------------

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 22, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(O)

An Ordinance Appropriating \$5,500,000 to the Manager as Funding for the Seawalk and Statter Harbor Phase IIIC Capital Improvement Projects; Funding Provided by General Funds.

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 \$5,500,000 as funding for the Seawalk (H51-113) and Statter Harbor Phase IIIC (H51-108) capital improvement projects, to be appropriated as follows:

Statter Harbor Phase IIIC (H51-108)	\$ 3,000,000
Seawalk (H51-113)	\$ 2,500,000

Section 3. Source of Funds

General Funds	\$ 5,500,000
---------------	--------------

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 22, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(Q)

An Ordinance Appropriating \$150,000 to the Manager for a Grant to the Juneau Community Foundation to Support Sheltering Operations at The Glory Hall; Funding Provided by General Funds.

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 \$150,000 for a grant to the Juneau Community Foundation to support sheltering operations at The Glory Hall.

Section 3. Source of Funds

General Funds	\$150,000
---------------	-----------

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 22, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(R)

An Ordinance Appropriating \$570,000 to the Manager for Expanded Mobile Integrated Health Services in Fiscal Year 2022; Funding Provided by State Revenue and a Private Grant.

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 \$570,000 for expanded Mobile Integrated Health services in fiscal year 2022.

Section 3. Source of Funds

State Revenue	\$ 540,000
Private Grant	\$ 30,000

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Assembly Goals 2022Assembly Goals set at
December 4, 2021 retreat**1. Housing - Assure adequate and affordable housing for all CBJ residents**

AA*	Implementing Actions	Responsibility	Notes:
A P	Revise and improve Title 49 to facilitate housing	Assembly, Planning Commission, Manager's Office, CDD	7
B P/F	Implement projects & strategies that advance the goals of the Housing Action Plan	Assembly, Manager's Office	6
C P/F/ O	Continue a robust use of the Affordable Housing Fund and its sustainability	Assembly, Manager's Office	5
D P/F	Reduce barriers to downtown housing development	Assembly, Manager's Office, CDD	5
E P/F	Address impacts of short term rentals on housing	Assembly, Manager's Office, Finance	1
F	Increase workforce in the building trades	Assembly, Manager's Office	1

2. Economic Development - Assure Juneau has a vibrant, diverse local economy

AA*	Implementing Actions	Responsibility	Notes:
A F/O	Update the Comprehensive Plan	Assembly, Planning Commission, Manager's Office, CDD	9
B O	Adopt and implement strategies developed by the Visitor Industry Task Force to mitigate impacts & increase economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors	8
C P/F/ O	Examine options for a tourism governing structure that mitigates impacts & increases economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors	8
D P/F/ O/S	Implement project strategy for Juneau Economic Plan, including revitalizing downtown, with regular updates	Assembly, Manager's Office	6
E F	Explore financing for the Capital Civic Center	Assembly, Manager's Office, Finance	6
F P/F/ S	Support Eaglecrest Summer Operations Task Force & self-sufficiency of Eaglecrest	Assembly, Manager's Office, Eaglecrest	5
G P/F	Pursue and plan for West Douglas and Channel Crossing	Assembly, CDD, Planning Commission, Manager's Office	5
H P/F	Develop strategy for workforce development and remove impediments	Assembly, Manager's Office	4
I P/F/ S	Support Housing Development Task Force Recommendations	Assembly, Manager's Office, CDD	4
K P	Increase number of independent travelers	Assembly, Manager's Office	3
K P	Consider changes to Assessment & BOE process	Assembly, Manager's Office, Law, Finance	0
L F/O	Work existing area plans into decision-making process	Assembly, Manager's Office, CDD	0

3. Sustainable Budget and Organization - Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community

AA*	Implementing Actions	Responsibility	Notes:
A P/F	Develop strategy for fund balance and protect restricted budget reserve	Assembly, Manager's Office, Finance	7
B P/F	Continue to evaluate sales tax structure including equity and evaluate removing sales tax on food	Assembly, Manager's Office, Finance	7
C P	Long term strategic planning for CIPs	Assembly, Manager's Office, EPW	7
D P/F	Reduce mil rate as appropriate	Assembly, Manager's Office, Finance	6
E F/O	Allocate resources to implement Assembly goals	Assembly, Manager's Office, Finance	5
F F/O	Maintain Assembly focus on deferred maintenance including BRH and JSD.	Assembly, Manager's Office, EPW, all operating departments with facilities	5

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

G	P	Address inflationary effects on CBJ projects, programs, and payroll	Assembly, Manager's Office, Finance	2
H		Continue to evaluate sales tax structure		1
†		Address reduced support for school bond debt reimbursement		0
*Assembly Action to Move Forward: P = Policy Development, F = Funding , S = Support, O = Operational Issue				

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

4. Community, Wellness, and Public Safety - Juneau is safe and welcoming for all citizens				
	AA*	Implementing Actions	Responsibility	Notes:
A	P/O/S	Acknowledge and honor Juneau's indigenous culture, place names, naming policy, and recognize Elizabeth Peratrovich Day	Assembly, Manager's Office	5
B	P/S	Explore government to government relations with tribes	Assembly, Manager's Office	5
C	P/F/O	Examine social service funding levels and process	Assembly, Manager's Office	5
D	P/F/O	Address environmental equity	Assembly, Manager's Office, P&R	4
E	P/F/O	Advocate for strategies & policies identified by the Juneau Coalition on Housing and Homelessness and the Juneau Rentry Coalition	Assembly, Manager's Office	3
F	P	Assess legislative impact, community services, and operations through the lenses of systemic racism	Assembly, Manager's Office	2
G	P/O	Continue working with BRH, JCHH, and other non-profits	Assembly, Manager's Office	2
H	P/F/O	Reduce homelessness	Assembly, Manager's Office, Community partners	0
5. Sustainable Community - Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.				
	AA*	Implementing Actions	Responsibility	Notes:
A	P/O	Develop a zero waste or waste reduction plan	Assembly, Manager's Office, EPW, Finance	7
B	P/O	Develop strategy to measure, track and reduce CBJ energy consumption.	Assembly, Manager's Office, all departments	6
C	P/O/F	Implement projects and strategies that advance the goal of reliance on 80% of renewable energy sources by 2045	Assembly, Manager's Office, all departments	6
D	P/F	Develop a climate change adaptation plan	Assembly, Manager's Office	5
E	P/O/F	Develop strategy to reduce abandoned/junked vehicles	Assembly, Manager's Office, EPW, Law, P&R, D&H	5
F	P/F	Make a long term plan to achieve reliance on 80% renewable energy sources by 2045	Assembly, Manager's Office, Engineering/PW	0
6. Pandemic Recovery - Protect Public Health and Recover Economic Strength- During the COVID Pandemic				
*Assembly Action to Move Forward: P = Policy Development, F = Funding, S = Support, O = Operational Issue				

REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

**Adoption of Title 11, Chapter 02
PARKS AND RECREATION – Part 1
COMMERCIAL USE OF MUNICIPAL AQUATICS FACILITIES**

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE AQUATICS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENTS TO REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ Code 01.60 and 67.10.020(a)(3).

Section 2. New Chapter. Chapter 02 Commercial Use of Municipal Aquatics Facilities, is established to read:

**City and Borough of Juneau Administrative Code
Title 11: Parks and Recreation
Chapter 02: Commercial Use of Municipal Aquatics Facilities**

11 CBJAC 02.010 Policy.

The policy of the City and Borough of Juneau concerning the commercial use of municipal aquatics facilities is to:

- (a) Maintain and improve aquatics facilities for their primary use by the public;
- (b) Offer aquatics programs and lessons that respond to community needs and meet high standards for training, quality, and safety;
- (c) Establish consistent rules and conditions for the commercial use of municipal aquatic facilities; and
- (d) Charge for commercial use of municipal aquatics facilities in order to generate a fair and reasonable return for the public.

11 CBJAC 02.020 Facilities regulated.

These regulations apply to all municipally owned aquatics facilities, including the grounds of such facilities.

11 CBJAC 02.030 Permit required.

- (a) No person may conduct commercial use in facilities subject to these regulations except as authorized by a permit issued by the Aquatics Manager. A permit under this chapter is not required for activities conducted by an organization under an agreement with the City and Borough.

- (b) The Aquatics Manager may issue a permit for commercial activities only upon a determination that the proposed use:
 - (1) Will not damage or degrade the facility;
 - (2) Will not impair the public's enjoyment of the facility;
 - (3) Will not endanger the public health, safety, and welfare; and
 - (4) Is consistent with established terms and policies under which persons and groups may use the aquatic facilities.
- (c) A permit may include reasonable conditions to minimize conflicts amongst users and to ensure adequate qualifications of commercial vendors, including conditions related to time, area, equipment, parking, noise, training, certification, and other similar factors.
- (d) If the cumulative impact on the proposed commercial use would likely cause unreasonable user conflicts at the time requested or place requested, the Aquatics Manager shall not issue additional commercial use permit for that time or place
- (e) A permit is transferable only with the permittee's entire business interest in activities conducted under the permit and upon approval by the Aquatics Manager after the transferee completes the permit application process. No credit will be given for any permit payments made by the previous holder of the permit.
- (f) No permit shall be issued to any person or entity delinquent in the payment of fines, taxes or other monies owed to the City and Borough.

11 CBJAC 02.040 Application process.

- (a) General requirements.
 - (1) Applications for permits will be accepted only from persons who have the legal authority to act in accordance with the permit. All applications must be signed by the owner(s) of the business to be subject to the permit.
 - (2) All applications for permits must be on forms provided by the department. Applications will not be considered unless they are complete, signed, accompanied by the applicable fee, and filed together with any required attachments or exhibits at the offices of the Parks and Recreation Department during regular business hours.
- (b) Application information.
 - (1) Applicant information.
 - (A) The application shall identify each individual or business entity responsible for the use intended;

- (B) The application shall include the physical address, mailing address, and phone number for each person, owner, and company responsible for the use intended;
- (2) Proposed use.
 - (A) The application shall include a description of each proposed use, providing sufficient detail to allow the Department to determine the effect of the use on the facility and impacts, if any, to the public;
 - (B) The application shall include a description of the maximum number of customers anticipated on a daily, monthly, and annual basis.
- (3) Fees to be charged by permit holder.
 - (A) The application shall include a schedule of fees and charges to customers and a description of any collection, disbursement, royalty, commission or similar arrangements with others.

11 CBJAC 02.050 Fees.

- (a) Application Fee. The applicant shall pay a nonrefundable fee, established by the Aquatics Board, which fee is intended to recover the full cost of processing the application for a commercial use permit.
- (b) Reserved.
- (c) Standard admission fees shall be paid by all persons engaged in the permitted commercial use activity, including the permittee. Annual passes, employee discounts, punch cards, and other passes are valid for commercial activities.
- (d) Fees shall be calculated on a daily basis, per person. The fee shall be paid to the Department by the 15th day of each month for fees owed in the previous calendar month. All payments shall be accompanied by a completed activity report on a form provided by the Department. Fees and charges not paid by the 15th day of each month will be considered delinquent and subject to the interest provisions established in CBJ Code 01.41.

11 CBJAC 02.060 Insurance and indemnification.

Prior to issuance of a permit, the permittee must provide the Department with a broker's certificate of insurance showing that the permittee has obtained public liability insurance in the amount and for the risks determined by the risk manager of the City and Borough of Juneau for the proposed use. The certificate must establish that the City and Borough is named as an additional insured on the policy, and that the insurer shall notify the City and Borough if the policy is modified, canceled, or terminated.

11 CBJAC 02.070 Permit duration.

- (a) Permits may be authorized for a maximum of one (1) year from the date of issue.
- (b) Permits are valid only for the dates, times, activities and facilities specified.

- (c) Permits are not renewable. Issuance of a permit shall not entitle the permit holder to any priority or preferential consideration for subsequent, new, or additional permits for the same or related uses or areas. A new application must be submitted each permit period, for each permit.
- (d) The Aquatics Manager may issue a temporary permit at any time, valid for no more than 30 days and not renewable. The application process for a temporary permit shall be the same as the other permits.

11 CBJAC 02.080 General operating requirements.

- (a) Permittees shall have a copy of the permit available for inspection while engaged in activities authorized by the permit.
- (b) Permittees are responsible for their actions and those of their agents, employees, and/or customers while engaged in permitted activities. The following operating requirements apply to activities conducted under the permit unless otherwise specified in a permit.
 - (1) Commercial use of aquatics facilities shall be limited to public swim periods.
 - (2) No advertising or solicitation of services is permitted within any municipal aquatics facility.
 - (3) No alterations or improvements to the facility are allowed, nor may anything be posted or signs of any kind be displayed in the facility.
 - (4) The permit holder shall promptly notify the Aquatics Manager of any accident, injury or claim relating to the permitted activity.
 - (5) The permit holder should promptly notify the Aquatics Manager of any repair or maintenance needed within the facility, or of any conditions which constitute a hazard. The permit holder shall not make any repairs or alterations to the facility.
 - (6) Permit holders shall comply with all CBJ policies, rules and regulations; as well as all applicable state, federal, and local laws.
 - (7) Permit holders shall properly dispose of all litter resulting from their use of the facility.
 - (8) The permit holder shall reimburse the City and Borough of Juneau for any damage to municipal property caused by the permittee, their clients, or their use of the facility, including cleaning costs.
 - (9) No equipment or supplies may be stored at any municipal facility.
 - (10) Animals, including pets, are prohibited in an aquatics facility except the Aquatics Manager shall provide reasonable accommodations for service animals.

11 CBJAC 02.090 Enforcement and penalties.

- (a) A permit may be suspended by the Aquatics Manager without advance notice for a period not to exceed ten days if any activities conducted under the permit present an immediate danger to the public health, welfare, or safety.
- (b) A permit may be suspended or revoked by the Aquatics Manager upon a written finding that the permittee has violated these regulations, failed to comply with permit conditions, engaged in fraud or negligence, or misrepresented the nature and substance of the commercial activity. The permittee shall be provided at least ten business days' notice and an opportunity to be heard at an informal hearing on the suspension or revocation. The Aquatics Manager's decision may be appealed to the City Manager by filing a notice of appeal with the Clerk's Office within ten business days of the Aquatics Manager's decision, setting forth the reasons for the appeal. The City Manager shall hold an informal hearing within thirty calendar days of receiving an appeal. The City Manager's decision to deny a permit shall constitute a final agency action subject to appeal in accordance with CBJ 01.50.020(b).

11 CBJAC 02.100 Definitions.

As used in this chapter:

"Commercial use" and "commercial purpose" mean the sale, delivery, or solicitation to provide, goods or services in exchange for valuable consideration. The term includes a service offered in conjunction with another sale of goods or services whether or not it is incidental to, advertised with, or specifically offered in the other sale. All instruction, lessons, classes, and other services are commercial activities if any payment or valuable consideration through barter, trade, cash or other commercial means is required, expected or received.

"Department" means the City and Borough of Juneau Parks and Recreation Department.

"Municipal aquatics facilities" and "pools" mean all swimming pools and related buildings and grounds owned by the City & Borough of Juneau.

"Permittee" or "permit holder" means the business entity or its authorized representative conducting commercial activities in an aquatic facility according to a permit issued under these regulations.

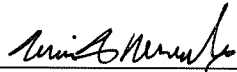
"Person" means a natural person, firm, partnership, corporation, association, or other entity organized for a common purpose.

Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on August 12, 2021, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 12/09/2021



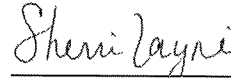
Will Muldoon, Chair
CBJ Aquatics Board

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 12/1/2021



Sherri Layne
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen, Clerk

Filing with Clerk

I certify, as the Clerk of the City and Borough of Juneau, that the following statements are true:

- (1) These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
- (2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- (3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- (4) Effective date: _____.

Date: _____

Elizabeth J. McEwen, Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Amendment to Title 05, Chapter 20, Section 080 Small Boat Harbor Fees and Charges

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20.080.

05 CBJAC 20.080 Passenger-for-hire fee, is amended to read:

05 CBJAC 20.080 Passenger-for-hire fee.

- (a) *Definition.* The fee assessed to a person conducting ~~passenger-for-hire~~ **commercial charter vessel activities** at **all facilities managed by the Docks & Harbors Department** ~~Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp.~~
- (b) *Relationship to other fees.* This fee applies in addition to other fees set out in 05 CBJAC 020, except as follows:
 - (1) A person paying moorage fees for reservations moorage at Statter Harbor as set out in 05 CBJAC 25.040 shall not be required to pay this fee;
 - (2) A person paying freight use fees as set out in 05 CBJAC 20.070 shall not be required to pay this fee if the passengers are loaded at a launch ramp;
 - (3) A person conducting passenger-for-hire activities at the Douglas Boat Harbor Launch Ramps, North Douglas Launch Ramp, Amalga Harbor Launch Ramp, ~~Tee Harbor Launch Ramp~~, and Echo Cove Launch Ramp are assessed fees as set out 05 CBJAC 01 in lieu of this fee; and
 - ~~(4) A person conducting passenger-for-hire activities at the Intermediate Vessel Float or the Marine Park Lightering Float are assessed moorage fees as set out in 05 CBJAC 15 in lieu of this fee.~~
- (c) *Requirements.* The owner of a vessel must apply to and obtain a permit from the Harbormaster in order to conduct passenger-for-hire activities at **all facilities managed by the Docks & Harbors Department** ~~Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp.~~ Applications are available at any of the Docks and Harbor Department Offices **or online**. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and the payment of fees.

- (d) *Inspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:
- (1) ~~Calendar year 2015 permit: \$300 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger for hire activity. Calendar year 2016 permit: \$400 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger for hire activity. Calendar year 2017~~ **2022** permit: **\$500 \$569.80** per vessel plus **\$1.50 \$1.65** per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after ~~2017~~ **2022**, a fee equal to the previous year's fee adjusted by the ~~Anchorage~~ Consumer Price Index – **Urban Alaska** (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, ~~rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger~~, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.
- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (OUPV – operator of uninspected passenger vessels) as follows:
- (1) ~~Calendar year 2015 permit: \$50 per vessel plus \$1.00 per passenger each calendar day that one or more facilities is used for passenger for hire activity. Calendar year 2016 permit: \$100 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger for hire activity. Calendar year 2017~~ **2022** permit: **\$150 \$171.60** per vessel plus **\$1.50 \$1.65** per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after ~~2017~~ **2022**, a fee equal to the previous year's fee adjusted by the ~~Anchorage~~ Consumer Price Index – **Urban Alaska** (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, ~~rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger~~, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on November 3, 2021, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

Carl Uchtyl
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

Robert H. Palmer III
Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
2. After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
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Date: _____

Elizabeth J. McEwen, Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Amendment to Title 05, Chapter 20, Section 080 Small Boat Harbor Fees and Charges

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05 CBJAC 20.080 Passenger-for-hire fee, is amended to read:

05 CBJAC 20.080 Passenger-for-hire fee.

- (a) *Definition.* The fee assessed to a person conducting commercial charter vessel activities at all facilities managed by the Docks & Harbors Department.
- (b) *Relationship to other fees.* This fee applies in addition to other fees set out in 05 CBJAC 020, except as follows:
 - (1) A person paying moorage fees for reservations moorage at Statter Harbor as set out in 05 CBJAC 25.040 shall not be required to pay this fee;
 - (2) A person paying freight use fees as set out in 05 CBJAC 20.070 shall not be required to pay this fee if the passengers are loaded at a launch ramp; and
 - (3) A person conducting passenger-for-hire activities at the Douglas Boat Harbor Launch Ramps, North Douglas Launch Ramp, Amalga Harbor Launch Ramp, and Echo Cove Launch Ramp are assessed fees as set out 05 CBJAC 01 in lieu of this fee.
- (c) *Requirements.* The owner of a vessel must apply to and obtain a permit from the Harbormaster in order to conduct passenger-for-hire activities at all facilities managed by the Docks & Harbors Department. Applications are available at any of the Docks and Harbor Department Offices or online. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and the payment of fees.
- (d) *Inspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:
 - (1) Calendar year 2022 permit: \$569.80 per vessel plus \$1.65 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after 2022, a fee equal to the previous year's fee adjusted by the Consumer Price Index – Urban Alaska (CPI) as reported by the Alaska Department of Labor for the calendar

year preceding the start of the moorage year, unless the docks and harbors board takes action to keep the fee the same as the previous year.

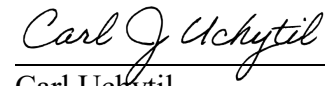
- (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.
- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (OUPV – operator of uninspected passenger vessels) as follows:
 - (1) Calendar year 2022 permit: \$171.60 per vessel plus \$1.65 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after 2022, a fee equal to the previous year's fee adjusted by the Consumer Price Index – Urban Alaska (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on November 3, 2021, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 12/9/2021

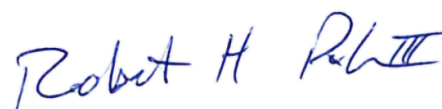

 Carl Uchtyl
 Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 12/9/2021


 Robert H. Palmer III
 Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

- 1. These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
- 2. After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- 3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- 4. Effective date: _____.

Date: _____

Elizabeth J. McEwen, Municipal Clerk



Oregon Accreditation Alliance

10135 NW Coyner Ave
Redmond, Oregon 97756
(503) 881-5566

September 9, 2021

Chief Ed Mercer
Juneau Police Department
6255 Alaway Avenue
Juneau, AK 99801

Dear Chief Mercer:

Congratulations on successfully completing the process for Oregon State accreditation. At the September 2021 Board meeting, the Oregon Accreditation Alliance Board reviewed the final report from your agency's recent onsite assessment and unanimously recommended that the Juneau Police Department be granted accredited status.

In addition to all agency personnel, I want to recognize the outstanding work of your Accreditation Manager and those who worked to prepare your agency for your accreditation review. It was a pleasure interacting with your agency and its professional staff.

Your official re-accreditation period begins September 2021, with the term of award for three-years. An onsite assessment for re-accreditation should be scheduled prior to the expiration of the accredited period on September 30, 2024.

I look forward to the continuing partnership between your agency and the Oregon Accreditation Alliance. Please extend my sincere congratulations to all members of your agency for their efforts in achieving your award of re-accreditation. This is a great achievement and one to be proud of.

Sincerely,

Scott Hayes
Executive Director