

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

November 22, 2021 7:00 PM

Assembly Chambers/Zoom Webinar/FB Livestream

Meeting No. 2021-26 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar  
ID: 915 1542 4903

Submitted By:

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Duncan Rorie Watt, City and Borough Manager

**I. FLAG SALUTE**

**II. LAND ACKNOWLEDGMENT**

**III. ROLL CALL**

**IV. SPECIAL ORDER OF BUSINESS**

**A. 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](mailto:BoroughAssembly@juneau.org). 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 23, 2021 Regular Assembly Meeting 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 2021-44 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.

On September 2, 2020, the Assembly Finance Committee considered and discussed a repeal of the exemption. The Assembly heard Ordinance 2020-48 at its regular meeting on October 27, 2020, but it referred the ordinance back to the Assembly Finance Committee for amendments.

On November 3, 2021 the Assembly Finance Committee revisited this subject and adopted an amendment to the original concept. This ordinance (2021-44) replaces last year's version and implements the "channel-only" sales taxability on-board cruise ships.

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

b. **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 \$5545.12 annually. The Docks & Harbors Board reviewed the lease request and appraisal at its October 28 regular board meeting.

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

c. **Ordinance 2021-46 An Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.**

This ordinance would amend the existing CBJ COVID-19 mitigation strategies (currently Ord. 2021-42). Staff has proposed a changes to the text of the ordinance and to Exhibit A reflecting the changing COVID-19 disease situation, CDC guidance, and availability of vaccines for children as young as five. Staff proposes the substance of the ordinance remain the same except for the addition of clarifying language in Section 3(b), which is denoted with underlining. Staff proposes various changes to Exhibit A as follows:

- When required, masking applies to vaccinated and unvaccinated people in most cases;
- Removal of the "green" category until public health guidance solidifies around the nature of transitioning from pandemic to endemic;
- Change the standards at the minimal level to be all recommendations in lieu of

requirements;

- Stop using the “modified high” category and, instead, require masking at the “moderate” level.

Finally, I want to thank the staff at Bartlett Regional Hospital, especially the traveling healthcare workers who are here until January 22, 2022.

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

- e. **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 \$2,880,000 of general funds 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 Committee of the Whole reviewed this request at the November 1, 2021 meeting.

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

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

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

2. Resolutions

a. **Resolution 2966 A Resolution Authorizing the City and Borough of Juneau to Participate in the Community Development Block Grant Program from the Alaska Department of Commerce, Community and Economic Development on behalf of Aiding Women in Abuse and Rape Emergencies (AWARE) to Fund Construction of a Retaining Wall.**

Project ideas were solicited from the community for a grant from the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community, and Economic Development (DCCED).

Grant proposals must be sponsored by a local government and sent to DCCED by December 3, 2021, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. CBJ has successfully used this method in the past. This year we received five proposals, which were reviewed by the Assembly Human Resources Committee at the meeting on September 13, 2021, with a recommendation to the Assembly to support the AWARE application and submit a

Community Development Block Grant application to the Alaska Department of Commerce, Community, and Economic Development. AWARE proposes to use CDBG funds to construct a retaining wall to protect the existing emergency shelter for low to moderate income individuals, especially those experiencing homelessness or extreme disability.

**The City Manager recommends the Assembly adopt this resolution.**

b. **Resolution 2970 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.**

On October 25, 2021, the Juneau Coordinated Transportation Coalition (JCTC) voted to endorse the following priorities for funding by SFY22 Alaska Department of Transportation and Public Facilities (DOT&PF) Mobility Grants. The JCTC and related community organizations voted to prioritize grant applications to go to this round of grant funding. To be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by motion or resolution by the local municipal government. The following grant applications were submitted and voted on and are listed in priority order:

1. One lift-equipped taxi purchase
2. Taxi voucher program

The new prioritized projects would be considered as an addendum to the CBJ 2015 Juneau Coordinated Human Services Transportation Plan.

The Public Works and Facilities Committee (PWFC), at its November 1, 2021 regular meeting, voted to forward a resolution of support for the grant applications to the Assembly. The resolution would make grant applications possible for funding of the above mobility projects through the DOT&PF Mobility Grant funding.

**The City Manager recommends the Assembly adopt this resolution.**

3. Liquor License

a. **Liquor License Transfers & Renewals**

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

**Liquor License Transfers of Ownership**

License Type: Beverage Dispensary, License #644

**Transfer From: Wolfpack Ventures LLC d/b/a Salt Alaska**

**Transfer To: Ronald Martin Burns d/b/a Salt**

Location: 200 Seward St., Juneau

License Type: Restaurant/Eating Place, License #2641

**Transfer From: Saffron LLC d/b/a Saffron**

**Transfer To: Spice LLC d/b/a Spice**

Location: 112 N. Franklin St., Juneau

**Liquor License Renewal**

License Type: Beverage Dispensary, License #1166

**Licensee: Triangle Club Inc. d/b/a Triangle Club**

Location: 251 Front 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 applications 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 liquor license transfers and above-listed liquor license renewal.**

4. Other Items for consent

a. **Marijuana License Renewals**

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

**Marijuana License Renewals**

License Type: Standard Marijuana Cultivation Facility License: #15245

**Licensee: North Star Gardens Inc. d/b/a North Star Gardens**

Location: 5310 Commercial Blvd 2A, Juneau

*(AMCO 60-day comment period ends: 11/23/2021)*

License Type: Retail Marijuana Store License: #15246

**Licensee: Borealis Mountain Inc. d/b/a Thunder Cloud 9**

Location: 5310 Commercial Blvd 2B, Juneau

*(AMCO 60-day comment period ends: 11/26/2021)*

License Type: Standard Marijuana Cultivation Facility License: #10315

**Licensee: Green Elephant LLC d/b/a Green Elephant LLC**

Location: 101 Mill St. Suite A, Juneau

*(AMCO 60-day comment period ends: 11/28/2021)*

License Type: Retail Marijuana Store License: #10844

**Licensee: Green Elephant LLC d/b/a Green Elephant LLC**

Location: 101 Mill St. Suite B, Juneau

*(AMCO 60-day comment period ends: 11/28/2021)*

License Type: Standard Marijuana Cultivation Facility License: #11384

**Licensee: Green Elephant LLC d/b/a Green Elephant LLC**

Location: 8420 Airport Blvd Building B, Juneau

*(AMCO 60-day comment period ends: 12/10/2021)*

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 licensees to be in compliance with CBJ Code. The assembly packet contains the AMCO notice to the local governing body. Additional renewal 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 the above listed AMCO marijuana licenses.**

5. Transfers

- a. **Transfer Request T-1040 A Transfer of \$438,038 from CIP R72-061 Industrial Boulevard to CIP R72-151 Robbie Rd., Ling Ct., and Laurie Ln., CIP R72-154 4th St. Drainage/F-I and Side Streets, and CIP R72-159 W. 3rd and Dixon Reconstruction.**

The Industrial Boulevard CIP is complete and ready to close with \$438,038 available funding remaining. This request will transfer the remaining funding from the Industrial Boulevard CIP to three street projects, as follows:

|                                                                 |           |
|-----------------------------------------------------------------|-----------|
| Robbie Rd., Ling Ct. and Laurie Ln. (CIP R72-151)               | \$225,000 |
| 4 <sup>th</sup> St. Drainage/F-I and Side Streets (CIP R72-154) | \$165,038 |
| W. 3 <sup>rd</sup> and Dixon Reconstruction (CIP R72-159)       | \$ 48,000 |

These projects require additional funding in order to be completed to address bid cost escalation, material price increases, and unforeseen issues discovered during design that could not have been accounted for in initial project budgets.

The Public Works and Facilities Committee reviewed this request at the November 1, 2021 meeting.

**The Manager recommends approval of this transfer.**

## IX. PUBLIC HEARING

- A. **Ordinance 2021-08(b)(am)(J) An Ordinance Appropriating \$70,000 to the Manager as Funding for a Community Development Plat Reviewer; Funding Provided by General Funds.**

This ordinance would appropriate \$70,000 of general funds for a plat reviewer position in the Community Development Department (CDD). The position already exists in CDD however was unfunded in the FY22 budget. Funding this position for the remainder of the fiscal year would help CDD perform timely and accurate plat reviews, revise and update zoning ordinances, and ensure optimization and effectiveness of the land use code.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

**The Manager recommends the Assembly adopt this ordinance.**

- B. **Ordinance 2021-08(b)(am)(K) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I Street to CIP R72-141 Hospital Drive Improvements.**

This ordinance would transfer \$200,000 from the Douglas Highway Water – David to I Street CIP (W75-061) to the Hospital Drive Improvements CIP (R72-141) to facilitate the replacement of an aging water main connecting the Salmon Creek Water Filter Plant and the hospital campus. The existing pipe is near the end of its design life and in close proximity to the new Bartlett Behavioral

Health Facility's foundation. It is most economical to replace the pipe in conjunction with the construction of the new building to avoid having to excavate the site at a later time.

The Douglas Highway Water project is complete and has water utility funds available to transfer to cover this necessary work.

The Public Works and Facilities Committee reviewed this request at the September 20, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

**The Manager recommends the Assembly adopt this ordinance.**

**C. Ordinance 2021-08(b)(am)(L) An Ordinance Appropriating \$650,000 to the Manager as Funding for the Bag Belt Replacement and Parking Lot Paving Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.**

This ordinance would appropriate Airport CARES Act funding for the planning and design phases of the Bag Belt Replacement and Parking Lot Paving capital improvement projects, to be appropriated as follows:

|                                |           |
|--------------------------------|-----------|
| Bag Belt Replacement (A50-105) | \$ 50,000 |
| Parking Lot Paving (A50-106)   | \$600,000 |

Funding appropriated for the Bag Belt Replacement CIP would provide for planning and design costs to replace aging and unreliable components of the outbound baggage conveyor system.

Funding appropriated for the Parking Lot Paving CIP would provide for planning and design costs for subsurface investigation and repaving of the parking lots at the airport.

The Airport Board approved this request at the May 13, 2021 meeting. The Public Works & Facilities Committee reviewed this request at the June 7, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

**The Manager recommends the Assembly adopt this ordinance.**

**D. Ordinance 2021-08(b)(am)(M) An Ordinance Appropriating \$41,000 to the Manager as Funding for Assemblymember, Mayor, and Certain Board Compensation Increases; Funding Provided by General Funds and Hospital Funds.**

This ordinance would appropriate \$41,000 for Assemblymember, Mayor, and certain board compensation increases for the remainder of fiscal year 2022. These increases were authorized by Ordinance 2021-20(b)(am) effective January 1, 2022, and are appropriated as follows:

|                             |          |
|-----------------------------|----------|
| Assemblymembers             | \$15,600 |
| Hospital Board of Directors | \$13,200 |
| Mayor                       | \$ 7,800 |
| Planning Commissioners      | \$ 4,400 |

Hospital funds provide for the Hospital Board of Directors' compensation increase. General funds

provide for the Assemblymember, Mayor, and Planning Commissioner compensation increases.

The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

**The Manager recommends the Assembly adopt this ordinance.**

- E. **Ordinance 2021-08(b)(am)(N) An Ordinance Appropriating \$36,135 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, FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.**

The Juneau Police Department has been awarded \$36,135 in grant funding from the U.S. Department of Justice for training on various subjects, including polygraph examination, SWAT, 911 administration, crime statistic reporting, and civilian leadership.

No local match is required for this grant.

The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

**The Manager recommends the Assembly adopt this ordinance.**

## **X. UNFINISHED BUSINESS**

## **XI. NEW BUSINESS**

- A. **Recommended Protest of Liquor License #1384 Renewal for Haeinadangle LLC d/b/a Bowl of Pho**

The Finance Department has recommended protest of liquor license #1384, Haienadangle LLC d/b/a Bowl of Pho, due to non-filing of sales tax returns since 2nd Quarter 2020. This item is on the Assembly Human Resources Committee (HRC) November 22, 2021 agenda for review and recommendation. HRC Chair Hughes-Skandijs will report the HRC's recommendation to the full Assembly for final action; staff will forward final Assembly action to the State Alcohol & Marijuana Control Office (AMCO) and notify the licensee. The AMCO 60-day comment period from the local governing body ends Friday, December 10, 2021.

- B. **Auke Bay Land Exchange**

In September, the Division of Lands and Resources and the Community Development Department met with the owner of 11930 Glacier Highway, Karla Allwine. The City had approached Ms. Allwine in the past to express interest in a land trade that would provide the City with access from Glacier Highway to a large tract of City owned land in Auke Bay, adjacent to the Allwine property. Ms. Allwine is agreeable to a fair market value land trade that would provide the City access, as long as it also provides the necessary minimum lot size for a rezone of her property. The 2016 Land Management Plan designated the City owned property as a parcel for near-term disposal. This conceptual land trade could provide the opportunity to facilitate the disposal and development of City owned property in Auke Bay. If approved by the Assembly this land trade would be completed for fair market value as determined by appraisal.

**The Manager requests a motion of support to work with the original proposer towards the disposal of City property through a Land Exchange.**

- C. **Draft 2022 Assembly Calendar**

**XII. STAFF REPORTS**

**XIII.ASSEMBLY REPORTS**

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports
  - 1. **TDLH LLC (Arndt) v. CDD Director: oral status update**
  - 2. **A & S Rentals LLC v. PC: oral status update**

**XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**XV. EXECUTIVE SESSION**

**XVI.SUPPLEMENTAL MATERIALS**

- A. RED FOLDER - Auke Bay Land Exchange

**XVIIADJOURNMENT**

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](mailto:city.clerk@juneau.org)