

**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:

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. 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 th St. Drainage/F-I and Side Streets (CIP R72-154)	\$165,038
W. 3 rd 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

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
DRAFT Meeting Minutes – August 23, 2021

MEETING NO. 2021-22: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers, as well as virtually via Zoom webinar. The meeting was called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

Ms. Woll 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: Maria Gladziszewski, Loren Jones, Wade Bryson, Michelle Hale, Christine Woll, Greg Smith, Carole Triem, Alicia Hughes-Skandijs, and Mayor Beth Weldon.

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Assistant City Attorney Teresa Bowen, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Finance Director Jeff Rogers, Library Director EOC/PC Robert Barr, Parks and Recreation Director George Schaaf, Assistant City Attorney Sherri Layne, Engineering/Public Works Director Katie Koester

IV. SPECIAL ORDER OF BUSINESS

A. Proclamation: Honoring Joy Lyon

Mayor Weldon proclaimed that Joy Lyon was the first Executive Director of the Association for the Education of Young Children - Southeast Alaska. She was essential in launching and sustaining grant programs to provide resources to families and childcare providers to Juneau's youngest community members. For over 25 years, Ms. Lyon tirelessly advocated for young children on a local, statewide, and national level, and was recognized for her efforts in 2018 when given the Sandra J. Skolnik Public Policy Leadership Award. Ms. Lyon has also championed for additional support towards childcare community needs during the COVID-19 pandemic. The proclamation added Ms. Lyon provided optimism, hope, and inspiration to childcare providers and advocates across the state of Alaska.

Mayor Weldon thanked Joy Lyon for her dedicated service in supporting young children in the community.

Ms. Lyon thanked the Assembly for the proclamation, and for their efforts in supporting childcare and making Juneau a family-friendly community.

Mr. Smith and Ms. Gladziszewski both shared their gratitude towards Ms. Lyon.

B. Instruction for Public Participation

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

C. COVID-19 Report

Mr. Barr provided a COVID-19 update to the Assembly. The EOC reported 63 new positive cases of COVID-19 over the weekend, which brings the 14-day caseload count to 330 cases. This is the highest case number reported to date; the current cases are double than the numbers reported during the last major outbreak in November 2020. He noted that a silver lining can be found in knowing that the community has a high vaccination rate, and the vaccines have been proven to be effective against the virus. Earlier today, the FDA issued a full approval for the Pfizer vaccine. The State Department of Public Health reported that 92% of all COVID-19 hospitalizations and 94% of all COVID-19 deaths have been found in those who have not been vaccinated.

The DPH has been experiencing a significantly increased workload, and are more overwhelmed then they have been throughout the entire pandemic. As a result, they are reprioritizing their efforts and are moving away from detailed data reports for local communities. The demand for COVID testing has increased, the EOC is working on expanding the testing capacity at the Hagevig Fire Training center.

Mr. Barr noted two upcoming vaccine clinics for students: one will be at Dzantik'i Heeni Middle School on August 26, and another will be at Floyd Dryden Middle School on September 2.

Mr. Barr also addressed the questions surrounding vaccine booster shots for the vaccine for the general population. He advised the public to stay tuned, as boosters may begin to be made available on or around September 20.

Ms. Gladziszewski asked Mr. Barr to clarify how long it takes to receive test results, and whether BRH is constrained in their efforts to provide results. She also expressed concern about DPH's constraints in contact tracing, and asked if those who test positive are responsible for informing their close contacts. Mr. Barr assured Ms. Gladziszewski that BRH testing not constrained, and the turnaround time for test results has continued to be received within 18 hours or less. In regards to contact tracing, Mr. Barr said that DPH has advised those who test positive to recall the 48 hours prior to when their symptoms began, and inform those they interacted with for over fifteen minutes.

Ms. Woll asked Mr. Barr to provide an update on BRH operations, particularly due to Anchorage's hospitals nearing system failure, and how that may impact Juneau. Mr. Barr explained that the hospital systems outside of Juneau have been struggling significantly more than Juneau's hospital. He still felt concerned over the record cases in the community, as the impact of these cases on the hospital will not be known until two weeks from now. There are currently five COVID-19 patients at BRH. The hospital is still struggling with Medivac capabilities, and are currently unable to medivac out of the community.

Mr. Smith asked Mr. Barr what he felt the community should do to help mitigate the spread of the virus. Mr. Barr encouraged the community to get vaccinated if they have not yet already done so, and to continue wearing a mask inside. He added that community spread is more likely when people are indoors in an un-masked environment. Given the numbers provided by the Department of Public Health, Mr. Barr explained that those who are vaccinated are highly unlikely to experience hospitalization or death due to COVID-19.

Mr. Bryson asked Mr. Barr to provide the current infection rate from last weekend's test results. Mr. Barr said that the test positivity rate was somewhere between 5% – 6%.

V. APPROVAL OF MINUTES

A. August 16, 2021 Special Assembly Meeting 2021-20 Draft Minutes

B. August 17, 2021 Special Assembly Meeting 2021-21 Draft Minutes

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

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt asked to move the Election Update from Staff Reports to occur earlier in the agenda to allow for public testimony.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Hong King Lee – Wasilla resident. Mr. Lee shared that he was running for United States Senate, and that he wished to comment on Juneau's mining industry. He spoke to Juneau's history as a gold mining community, and referenced historical places such as the Treadwell Mine. He also mentioned HECLA and Green's Creek Mining, both established gold and silver mining properties. He felt that the mining and fishing industries can co-exist, and talked about the Pebble Mine. Mr. Lee thanked the Assembly for listening to his testimony.

VII. 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 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 2021-35 An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District.

The public has expressed an interest to allow small-scale commercial uses in higher density multi-family residential neighborhoods. There is also an interest to allow neighborhood-scale mixed-use development along commercial corridors. The zoning districts currently adopted in Title 49 do not adequately accommodate those interests, and the proposed NC and MU3 zoning districts would change that.

Some key features of these new districts include smaller lot sizes, densities ranging from 15 to 30 dwelling units per acre, a prohibition on new single-family development, building height limits of 35 feet, and increased setbacks and landscaping requirements when abutting a singlefamily residential zoning district.

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

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

b. 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.

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

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

2. Resolutions

a. Resolution 2963 A Resolution Appointing the City Manager or the Finance Director of the City and Borough for the Purpose of Designating Certain Expenditures for Reimbursement From Bonds to be Issued in the Future.

This resolution delegates authority to the City Manager or Finance Director to certify at the beginning of any eligible capital project that the Assembly may elect in the future to finance that project with tax-exempt bond proceeds. Such a certification solves the timing issue that arises any time a capital project is initiated before bonds are sold. Without such a certification, project expenses incurred before a bond sale are generally ineligible for tax-exempt financing. This resolution does not require the Assembly to appropriate funds for any projects or to sell any bonds.

This resolution was reviewed by the Assembly Finance Committee on August 18, 2021.
The City Manager recommends this resolution be adopted.

3. Bid Award

a. RFB 22-039 Purchase and Delivery of Activated Carbon Media for PWWW

This bid is for purchase and delivery of activated carbon media. The following bids were received and opened on this project on July 29, 2021. The protest period ended August 3, 2021.

<u>Bidder</u>	<u>Total Bid</u>
Carbon Activated Corp.	\$147,500.00
Continental Carbon Group	\$171,000.00
Calgon Carbon Corporation	\$201,500.00
US Ecology, Alaska, LLC	\$246,500.00
ECS Environmental Solutions	\$314,725.00
Newco, Inc.	\$317,500.00

The City Manager recommends the award go to Carbon Activated Corp., based on them submitting the lowest responsive and responsible total bid in the amount of \$147,500.00.

4. Other Items for Consent

a. Marijuana License Renewal for License 13279

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

Marijuana Renewal License

License Type: Retail Marijuana Store License: #13279

Licensee: The Mason Jar LLC

Location: 2771 Sherwood Lane Unit E, Juneau

(AMCO 60-day comment period ends: 8/29/2021)

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 #13279.

IX. PUBLIC HEARING

Staff Report - Election Update

On tonight's agenda is Ordinance 2021-08(b)(am)(D) regarding funding for a Ballot Processing Center that would allow for vote-by-mail elections organized at a Juneau facility. This year and last year, the CBJ municipal vote-by-mail election has and will be hosted at the Municipality of Anchorage facility.

This item is placed under Staff Reports tonight to afford the public an additional opportunity to submit public comment to the Assembly. Ordinance 2021-08(b)(am) (D) is set for public hearing on September 13, 2021. The public will also be able to testify at that meeting.

The City Manager recommends that the Assembly take public comment tonight on the proposal to renovate an existing CBJ facility (the Thane Warehouse) and to purchase equipment to allow for locally hosted vote-by-mail municipal elections.

Ms. Laurie Sica – Douglas resident and former CBJ Municipal Clerk (2000-2018).

Ms. Sica thanked the CBJ Assembly for their support of voters' rights to cast a ballot in a fair, accurate, secure and transparent local election process. She encouraged the Assembly to adopt Ordinance 2021-08(b)(am)(D) to take CBJ elections into the future.

Ms. Sica described the vast improvements that had been made to election procedures over the past 25 years. She explained that the Municipal Clerk's Office conducted elections on a "peanuts" budget for several years, and had managed to use the limited space in City Hall to store election supplies, equipment, ballots and election records. The use of this space has

interrupted meeting schedules in order to conduct election work: including packing supplies, hosting early voting stations, providing work space for ballot review and counting activities, and hosting election night events.

Ms. Sica said that Juneau had been fortunate to receive guidance and support from the State of Alaska Division of Elections, and benefitted when the State purchased the “Accu-Vote” ballot counting equipment in 1998. The State DOE shared this equipment with communities throughout Alaska for use in local elections, however, if the state had to conduct a special election during a municipal election, the municipalities could not use the equipment. Ms. Sica explained that the “Accu-Vote” machines have served their purpose and are being decommissioned by the state. The State of Alaska will not guarantee this type of cooperative agreement in the future. She explained that Juneau was fortunate that Anchorage was willing to provide their expertise and equipment for our 2020 and 2021 vote-by-mail elections.

Ms. Sica said that it is time for Juneau to realize the true cost of conducting fair and secure local elections, and provide adequate funding for the basic right of all Juneau voters to cast a ballot. She encouraged the Assembly to support Ordinance 2021-08(b)(am)(D), as it would provide the municipality with needed equipment, adequate storage and workspace to conduct elections.

Ms. Hale asked if Ms. Sica supported vote-by-mail elections in addition to the facility. Ms. Sica shared that she supported vote-by-mail elections, and that she worked in the Election office during the 2020 Municipal Election and believed it to be a safe and secure voting method.

Mr. Martin Stepetin Sr. – Douglas resident. Mr. Stepetin supported this ordinance and thinks that Juneau needs to make an investment for our elections, as it is one of the most important things we get to do. He emphasized how the community strongly encourages supporting “locals first”, and that should also be applied to our local elections. Mr. Stepetin said that the community seems to value the opportunity to safely vote-by-mail, as it lessens the risk of being exposed to COVID. He mentioned that there is a lot of misinformation out there regarding elections, and he said that could be avoided by conducting our elections locally. Mr. Stepetin said that utilizing the Thane Warehouse would be a small price to pay to ensure security.

Ms. Claire Richardson – Downtown resident. She shared her memory of “waddling” down while in labor on October 6, 1998 to vote at Bartlett Regional Hospital, and gave birth later that evening. She noted that last year’s vote-by-mail election gave an opportunity to the community to vote earlier than Election Day. Ms. Richardson spoke highly of the ability for citizens to witness the ballot processing from the MOA Election Center, and the transparency allowed in that process. She felt that it was time for the Capital City to step up and support the community and the Clerks by having our own facility to conduct local vote-by-mail election. Ms. Richardson agreed with Ms. Sica’s testimony, and added that she had great faith in Juneau’s election process and would like to see it continue.

Mr. Dave Hanna – Valley resident. Mr. Hanna said that he was very much in favor of offering everyone an opportunity to vote and to do so in Juneau. He shared that he was hesitant to spend nearly \$1M on a facility while technology is still evolving so fast. Mr. Hanna shared that he was not aware of the burden on staff and volunteers to conduct an election. Mr. Hanna also mentioned that the facility is located squarely in the avalanche hazard zone. He advised the Assembly to take a step back and really consider this. Mr. Hanna also said that vote-by-mail can be a divisive issue, and the Assembly should take a look at things that the community can agree on. He thanked the Assembly for their time and for their service.

Mr. Starr Parmley – Douglas resident. Mr. Parmley spoke in support of vote-by-mail. He said that there are two direct ways citizens can directly participate in democracy: jury service and voting. Mr. Parmley encouraged anything that engages citizens to participate and vote. He spoke to the misinformation out there, but the facts provide evidence that vote-by-mail elections are very secure. Mr. Parmley thanked the Assembly for their time.

Mayor Weldon closed public hearing on this topic and noted that additional public comment will be taken up at the September 13 Assembly meeting.

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 adopt this ordinance.

Public Comment: None.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2021-28 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-28 was adopted by unanimous consent.*

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 August 18, 2021.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment: None.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2021-30 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-30 was adopted by unanimous consent.*

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 adopt this ordinance.

Public Comment: None.

Assembly Action:

MOTION by Ms. Triem for the Assembly to adopt Ordinance 2021-34 and asked for unanimous consent.

Objection by Mr. Bryson. Mr. Bryson spoke to his objection, he said that the Assembly could get rid of this right now and address the developers and the citizens' requests. He felt that this was slowing everything down, and increasing workload for staff and the Planning Commission.

Ms. Hughes-Skandijs noted that the Planning Commission recommended this ordinance.

Ms. Gladziszewski spoke in support of this ordinance, and mentioned that the Planning Commission are continuing to work through this process to improve their operations.

Roll Call Vote on Ordinance 2021-34:

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

Nays: Bryson.

Motion passed. Eight (8) Ayes, One (1) Nay.

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 adopt this ordinance.

Public Comment:

Karla Hart – Valley resident. Ms. Hart shared that she was somewhat supportive of this ordinance, but also had some reservations about the direction as given in the Manager’s report. She felt there was need for a representative who could speak for the community and advocate for those who are adversely affected by tourism. Ms. Hart felt that it would behoove the Assembly to direct the City Manager to hire someone who will actively advocate on behalf of the public.

Assembly Action:

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

Objection by Ms. Gladziszewski for purposes of a comment. She referenced the Manager’s Report, which states that this that this position would help ensure that CBJ could take a more central role in regards to tourism. She noted that this was the beginning of the process, and believed that the Assembly should help support the position. She removed her objection.

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

E. Ordinance 2021-37 An Ordinance Authorizing Property Taxes to be Paid in Two Installments for 2021.

Property taxes are currently required to be paid in full by September 30, 2021. A number of property owners are still recovering from the impacts of COVID-19 and could benefit from being able to pay their 2021 property taxes in two installments.

Additionally, the Board of Equalization has a significant number of commercial property appeals that may not be resolved before September 30, and those taxpayers could benefit from being able to pay their 2021 taxes in two installments.

This ordinance would authorize 80% of the property taxes and special assessments to be paid on September 30, 2021, and the remaining 20% would be due on December 31, 2021. Taxpayers that have automatic mortgage payments or prearranged ACH direct debit can still pay the full tax amount on September 30, 2021.

The Assembly Finance Committee reviewed this ordinance at its August 18 meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Dave Hanna – Valley resident. Mr. Hanna appreciated that the Assembly was willing to do this, but hoped that they were aware of the issue regarding commercial appeals. He mentioned that a there are a group of property owners have appealed this to the BOE, he added that they feel there was a gross misuse of the assessment. Mr. Hanna described the statutes and information relevant to their appeal. The Assembly has the opportunity to negate these actions.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2021-37 and asked for unanimous consent, but also objected for purposes of a question.

Ms. Hale asked Ms. Bowen if she would be able to find a resolution on the books. Ms. Bowen explained that this was not a mass reappraisal. Ms. Hale thanked Ms. Bowen and removed her objection.

Mayor Weldon noted that the ordinance before the body had to do with payments and to keep comments and questions to this ordinance.

Mr. Bryson asked Mayor Weldon if he could ask about the resolution. Mayor Weldon preferred for all questions to be about the ordinance in front of the Assembly.

Hearing no objections, Ordinance 2021-37 was adopted by unanimous consent.

The Assembly took a break at 8:03p.m. The meeting resumed at 8:15p.m.

XI. UNFINISHED BUSINESS

A. Potential Reconsideration Ord. 2021-26(am) 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.

At the last regular Assembly meeting, this ordinance was adopted, as amended, and Assemblymember Gladziszewski gave notice of reconsideration. If the Assembly has an interest in reconsidering this ordinance, then an Assemblymember would need to move for reconsideration.

Mayor Weldon asked Ms. Gladziszewski if she still wished to reconsider Ordinance 2021-26(am). Ms. Gladziszewski said that she did not wish to reconsider Ordinance 2021-26(am). *The Assembly took a two minute at-ease.*

MOTION by Mr. Bryson for the Assembly to reconsider Ordinance 2021-26(am).

Roll Call Vote on Motion for Reconsideration:

Ayes: Bryson, Hale, Gladziszewski, Woll, Hughes-Skandijs, Smith, Mayor Weldon.

Nays: Triem, Jones.

Motion passed. Seven (7) Ayes, Two (2) Nays.

MOTION by Ms. Gladziszewski for the Assembly to adopt Ordinance 2021-26(am).

Ms. Hughes-Skandijs shared that she had reflected upon this ordinance in the time since it was last brought to the Assembly, she felt that Juneau's community would not benefit from a transition to Light Commercial. She said that she had previously voted in favor of this ordinance, however this time she would be a "no" vote.

Ms. Gladziszewski recommended sending this ordinance to a committee for further discussion, and mentioned that there had been new possibilities made available for this land that could be considered.

Mayor Weldon asked Ms. Bowen if it was possible to refer a reconsidered motion to committee, or would the Assembly be required to vote on this ordinance at tonight's meeting.

The Assembly meeting took a two minute recess.

Ms. Bowen asked Ms. Gladziszewski to restate her motion.

MOTION by Ms. Gladziszewski to refer Ordinance 2021-26(am) to the Committee of the Whole for further consideration.

Objection by Ms. Woll. Ms. Woll commented that she had spent a considerable amount of time at Planning Commission meetings, talking to CBJ staff, and doing their own research to come to a conclusion. She said that she was ready to make her decision now.

Ms. Hale felt that the Assembly's decision was made in a convoluted manner. She said that it would be helpful to discuss this ordinance in a committee setting, to gain a more thorough understanding while not being under a vote.

Mr. Bryson mentioned that the recent introduction of Mixed Use-3 in Neighborhood Commercial Zoning may impact the area in this ordinance. He said that this might be worth another discussion and he is in favor of this motion.

Ms. Hughes-Skandijs said that she would support discussing this further at the COW, but added that this ordinance refers to a specific type of zoning. She asked if any future discussion would include amendments with possible new zoning, as mentioned by Mr. Bryson in his comments.

Ms. Gladziszewski confirmed that would be the case, the COW would allow for the land owner and the Planning Commission to weigh in as needed, and to allow for discussion without being held under a vote.

Mr. Jones shared that he would voting on this reluctantly. He explained the process for any amendments made to the Title, and due to re-introduction required, any potential action on this ordinance is not likely to occur until December at the earliest. Mr. Jones advised the Assembly to be very careful when considering this change, especially given that a transition to MU-3 could result in the ordinance being referred back to the Planning Commission.

Mayor Weldon appreciated Ms. Gladziszewski's motion, but she agreed with Ms. Woll's comments and she was ready to vote on this ordinance. She said that she will be voting against the motion; as she felt that the Assembly should allow the Planning Commission and the developers to decide the zoning that would suit this property.

Roll Call Vote to Refer Ordinance 2021-26(am) to the COW:

Ayes: Gladziszewski, Smith, Jones, Hale, Bryson.

Nays: Woll, Hughes-Skandijs, Triem, Mayor Weldon.

Motion passed. Five (5) Ayes, Four (4) Nays.

XII. NEW BUSINESS

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

There are three 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.

Ms. Gladziszewski noted that the Assembly reviewed and considered each of these applications individually.

MOTION by Ms. Gladziszewski for the Assembly to send the two applications from George T. Michael and the one application from Lori Moles to the Assessor's Office for further review and action. *Hearing no objections, those exemptions were forwarded to the Assessor's by unanimous consent.*

XIII. STAFF REPORTS

The Election Update was moved to the beginning of the Public Hearing portion of the agenda. There were no further staff reports.

XIV. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon celebrated Juneau's successful bid to host the IronMan Triathlon. She met with local commercial property developers to talk about their needs, but she noted there is very limited action the Assembly can do with any property assessments. Mayor Weldon also clarified the two-payment plan associated with the property tax ordinance.

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

Committee of the Whole Chair Jones shared that the COW last met on August 9, where they discussed vote-by-mail elections and ArtWorks projects. The next COW meeting is scheduled for August 30, where they will receive criteria from the Systemic Racism Review Committee. The August 30 meeting will also be a joint meeting with the Planning Commission, the topic of discussion will primarily target coastal management issues related to Ordinance 2021-13.

Assembly Finance Committee Chair Triem reported that the next AFC meeting is scheduled for September 1. The Assembly was introduced to a resolution and two ordinances that were considered at the last AFC meeting. Mr. Rogers will be answering questions regarding the Sales Tax Incentive Ordinance. The AFC might also have a meeting on September 29.

Lands, Housing, and Economic Development Chair Gladziszewski shared that the LHEDC met on August 9, where they received a presentation from CDD that covered the current projects being handled by the Title 49 Committee. They also discussed a document that featured the shared priorities between the Planning Commission and Assembly. Ms. Maclean will provide a copy of this document in advance of the joint PC/COW meeting. The LHEDC also talked about Tourism Marketing strategies.

Public Works & Facilities Committee Chair Hale shared that the PWFC met on August 9 where they recommended a solid waste plan to move to COW. They also discussed broad-sense planning for a new City Hall. The committee asked Public Works Director Ms. Koester to bring back a longer range plan on when that might be brought to voters. They also received an update on the Valley Capital Transit center. The next PWFC meeting is scheduled for August 30, and is expected to run thirty minutes longer than usual. The meeting will feature members from DEC Solid Waste to discuss solid waste regulatory structure.

Human Resources Committee Chair Bryson shared that the HRC met earlier this afternoon prior to tonight's Assembly meeting, where they received annual reports from the Juneau Human Rights Commission, the Juneau Commission on Sustainability, and the Youth Activities Board. The HRC recommended the following board appointments for approval by the Assembly:

Appointments to Youth Activities Board:

- Samantha Schwarting, to a term beginning September 1, 2021 and ending August 31, 2024;
- Jack Lovejoy, to a term beginning September 1, 2021 and ending August 31, 2024 to the Youth Seat on the YAB.

Appointments to the Local Emergency Planning Committee:

- Christopher Russell to the Right to Know Act of 1988 Alternative Seat for the remainder of a term beginning immediately, as well as a full term beginning January 1, 2022 and ending December 31, 2024.

All appointments were approved by unanimous consent.

The HRC also received a presentation about Eaglecrest Pay Plan, this presentation highlighted that some Eaglecrest employees work for salaries that are below minimum wage. Mr. Bryson noted that the Full Assembly met as the HRC last week to appoint members to the Airport Board.

C. Assembly Liaison Reports, Comments and Questions

Mr. Jones shared that the Planning Commission met on August 10 to discuss rezone industrial land to General Commercial, which was approved with some amendments. He mentioned that this will be coming before the Assembly in the future. The Planning Commission also considered an ordinance to update hillside development in landslide/avalanche hazard areas. The Planning Commission recommended forwarding the ordinance to the Assembly for direction on next steps

for appropriate community review, and adoption process, new/updated landslide and hazard area mapping, and further pre-adoption actions. Mr. Jones added that it was more likely that this ordinance will be forwarded to the LHEDC rather than the COW. The next Planning Commission meeting is scheduled for August 24. Mr. Jones also reported that the Title 49 Committee met on August 18 to review their priorities; they will meet again on August 26 to discuss with downtown parking and signage issues.

Ms. Gladziszewski reported that the Juneau School Board met on August 10 to decide on the Juneau School District mask policy, to which they received a lot of public testimony. Ultimately, the School Board unanimously passed the mask policy. She mentioned that there have been several COVID-19 cases in schools, and the Department of Public Health has been struggling with close contact tracing. JSD is continuing to work diligently to keep schools open and to ensure the safety of their students and staff.

Ms. Gladziszewski reported that the Eaglecrest Summer Operations Task Force will meet on August 26 at 12:00pm.

Ms. Woll shared that the Downtown Business Association met for the first time in quite some time, and noted that their membership is increasing. The Systemic Racism Review Committee met and finalized their criteria, and would like additional training on the legislative process, the CIP process, the Budget, etc. The next SRRC meeting is scheduled on August 24.

Ms. Woll reported that Travel Juneau had a quick informational meeting but did not have a quorum; they talked about the IronMan Triathlon.

Ms. Hale met with business owners who have experienced significant hardship due to the restricted cruise season. She reported that the AML Board met on August 6 to discuss the Remote Sellers Sales Tax, which is bringing in \$10 million annually. They also talked about sales tax vs. income tax, and wanted to leave as many available options as possible for the legislators to consider.

Ms. Hale reported that the Bartlett Regional Hospital Board has a meeting scheduled for August 24. Ms. Hale also shared that tomorrow is her 60th birthday.

Mr. Smith reported that the Chamber of Commerce met to discuss commercial property tax assessments, and ways in which to collaborate with JEDC in regards to the NCL donation. The Airport Board met and shared that the Juneau Airport had received additional CARES Act funding. The Local Emergency Planning Committee unanimously voted to continue meeting via Zoom Webinar. Mr. Smith said that he is trying to catch up on Board of Equalization (BOE) training, and informed the Assembly that there is a BOE Appeal Hearing on August 25.

Deputy Clerk Cathcart clarified that the August 25 BOE meeting was cancelled, and had been rescheduled to be held on September 8.

Mr. Smith also mentioned that September 5 was the last day to register to vote for the upcoming Municipal Election. He also wished students and JSD staff to have a safe, fun year filled with growth.

Ms. Triem reported that the Aquatics Board will meet on August 24 at 5:00pm to continue discussion on Commercial Use Regulations; public comment period for this issue will close on September 1. She also met with the Conference of Young Alaskans at the last AML Conference, and said that she will distribute their draft resolutions to the Assembly.

Ms. Triem also met with commercial property owners with Ms. Hale and Mayor Weldon.

Mayor Weldon gave a shout out to the Conference of Young Alaskans at AML, and commented that she wished she was as “with it” as they are when she was their age.

Ms. Hughes-Skandijs reported that there had not been a UAS Campus Council meeting since the last Assembly meeting. She attended the Alaska Municipal League Summer Conference, and shared that it was the first summer meeting she attended and it was quite informative. The last Docks & Harbors Operation/Planning Committee meeting was cancelled, next meeting is scheduled for August 26. Ms. Hughes-Skandijs added that she had also been doing research on Board of Equalization.

Mr. Bryson shared that the Parks and Recreation Advisory Committee meeting was cancelled for August. He reported that sales at Eaglecrest have increased by 50% over previous years. They are working on improving snowmaking equipment. They have been having some difficulty recruiting and retaining employees.

Ms. Hale mentioned that the Alaska Municipal League Annual Conference has been scheduled to take place on November 15 – 17.

Mayor Weldon added that the Southeast Conference in Haines has been scheduled to take place September 14 - 16.

Ms. Gladziszewski and the entire Assembly sang Happy Birthday to celebrate Ms. Hale’s 60th birthday.

D. Presiding Officer Reports

None.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS None.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, Mayor Weldon adjourned the meeting at 9:05p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-46

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

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus (“virus”), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) declared the virus a pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19; and

WHEREAS, Alaska continues to experience COVID-19 outbreaks and multiple regions in Alaska are at moderate or high alert levels; and

WHEREAS, while people five years of age and older are now eligible for a COVID-19 vaccine, children under five are not eligible for vaccines, and variants of concern including the highly transmittable Delta variant are in the community; and

WHEREAS, other communities in the country and Alaska, including Anchorage, have experienced recent and sudden demands on healthcare services that resulted in a relatively permanent insufficiency of healthcare services that has endangered the public; and

WHEREAS, hospitals across Alaska, including Bartlett Regional Hospital, currently have federal traveling healthcare workers until January 22, 2022, to stabilize staffing needs and support the increased demand caused by patients with COVID-19; and

WHEREAS, the last three months (August-October) represent the highest number of new COVID-19 cases per day in the City and Borough of Juneau; and

WHEREAS, the existing COVID-19 Mitigation Strategies were reestablished with Ordinance 2021-42(am) and currently expire on March 1, 2022; and

WHEREAS, upon balancing the economic impacts and the personal impacts of whether to reestablish the COVID-19 Mitigation Strategies given the current circumstances, the public health and welfare is best served by reestablishing the COVID-19 Mitigation Strategies; and

WHEREAS, the updated COVID-19 Mitigation Strategies continue to provide structure and certainty as the community balances the needs to mitigate harm from COVID-19 and to keep the economy open; and

WHEREAS, any business or facility is free to require masks and other COVID-19 protections at their business or facility.

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. Reserved.

Section 3. COVID-19 Mitigation Strategies.

(a) **Adoption.** The City and Borough of Juneau COVID-19 Mitigation Strategies identified in Exhibit A are adopted.

(b) **Determination of Incident Risk Level.** The Manager is authorized to determine which Incident Risk Level best fits the City and Borough of Juneau based on a comprehensive range of public health factors related to COVID-19 especially percentage of fully vaccinated community members, disease situation, hospital capacity, and public health capacity.

(c) **Public Notice.** The Manager shall conspicuously identify the Incident Risk Level on the City and Borough of Juneau's webpage and widely distribute public notice when the level changes.

(d) **Exemptions.**

(1) **Exemption Request.** An entity or person may request an exemption from the COVID-19 Mitigation Strategies by submitting a site specific COVID-19 Mitigation Plan to the CBJ Emergency Operations Center by emailing covidquestions@juneau.org. The Emergency Operations Center may issue an exemption if the COVID-19 Mitigation Plan has sufficient measures and policies to mitigate the spread of COVID-19 in light of the Incident Risk Level.

(2) **Public Records.** All exemption requests, communication, and responses are presumptively public records. If an entity or person requests that the City and Borough of Juneau withhold any information contained in your COVID-19 Mitigation Plan from public release because the information is protected under AS 40.25.120(a), you must submit the following information with the request:

- (A) Identify each set of discrete information that the entity or person asserts is confidential;
- (B) Identify each specific legal authority that the entity or person asserts applies to each such set of information; and
- (C) For each such set of information, explain why the entity or person asserts the information is confidential based on each legal authority the entity or person asserts applies to that information.

Should the City and Borough of Juneau receive a request for records under the Public Records Act applicable to any item marked confidential, the City and Borough of Juneau should notify the person or entity asserting confidentiality as soon as practicable prior to making any disclosure. The person or entity asserting confidentiality acknowledges it has five (5) calendar days after receipt of notice to notify the City and Borough of Juneau of its objection to any disclosure, and to file any action with any competent court to protect its interests. Should the person or entity asserting confidentiality fail to notify the City and Borough of Juneau of its objection or fail to file suit within five (5) calendar days, the CBJ may disclose the records.

(e) **Violation.** A person who violates a mitigation strategy in Exhibit A shall be subject to a civil fine not to exceed \$25.00 per violation, which shall be considered incorporated into CBJC 03.30.070(a); payment of the civil fine shall be accepted in satisfaction of the violation; and the violation shall be subject to CBJC 03.30.070(b)-(c) and CBJC 03.30.075-03.30.085. In addition to a civil fine, the City and Borough of Juneau may use all available civil enforcement options (i.e. injunction, revocation of certificate of occupancy, civil lawsuit, etc.) to assure compliance with this ordinance.

(f) **Amendments.** The Manager shall keep Exhibit A consistent with Centers for Disease Control and Prevention (CDC) guidance and present the revisions to Exhibit A at regular or special Assembly meetings for ratification.

(g) **Mask or Face Covering Mandate.**

(1) **Requirement.** All individuals must wear a mask or a face covering over their nose and mouth (i) as provided for in Exhibit A; (ii) when using public transportation, like Capital Transit; and (iii) when entering an area that is posted requiring use of a mask or face covering. This ordinance is subject to the conditions and exceptions stated below.

(2) **Face Shield.** A face shield is generally not permitted in lieu of a mask or face covering because face shields are less effective in stopping the spread of COVID-19. However, a face shield may be permitted in lieu of a mask or face covering for the following individuals, who must wear a face shield whenever a mask or face covering would be required unless it is impossible to do so:

(A) Any individual who cannot tolerate a mask due to a physical or mental disability;

(B) Individuals who are communicating with someone who is deaf or hard of hearing; or

(C) Individuals performing an activity that cannot be conducted or safely conducted while wearing a mask (for example a driver experiencing foggy glasses, a dental patient receiving care, or an equipment operator where there is a risk of dangerous entanglement).

(3) **Employment.** Employers are responsible to make sure employees who are present in the workplace have access to and wear masks or face coverings as required by this ordinance.

(4) **Exceptions.** This ordinance does not apply to the following categories of people or activities:

(A) Any child under the age of 2 years. These very young children should not wear a face covering because of the risk of suffocation. Additionally, masks are recommended, but not required for children ages 2-5. Daycare settings that serve preschool children are encouraged but not required to enforce mask usage for children age 2 and older.

(B) Individuals who are incarcerated, in police custody, or inside a courtroom; these individuals should follow guidance particular to their location or institution.

(C) Musicians, presenters, ministers, and others communicating to an audience or being recorded, for the duration of their presentation/practice/performance where mask usage impairs communication, and so long as safe physical distancing is maintained.

(D) Individuals removing their mask or face covering to eat, drink, or briefly scratch an itch.

(E) Employees within their own fully enclosed office or workspace, and employees within an unenclosed workspace if they are totally alone.

(F) Individuals doing high intensity exercise outdoors.

(5) **Denial of Service.** A person violating this ordinance is prohibited from entering, occupying, or remaining in the setting in which a mask or face covering is required. Provided, however, that this ordinance shall be applied in a manner consistent with the Americans with Disabilities Act (ADA) and any other applicable provision of law. Businesses and the City Manager for City and Borough of Juneau facilities, may choose to allow individuals who request an accommodation under the ADA to wear a face shield, or may consider accommodating these individuals through alternative means of providing goods or services, such as curbside, delivery, or telephonic service.

(6) **Proof of Medical Reason or Disability.** If a person declines to wear a mask or face covering because of a medical condition or disability as described above, this ordinance does not require them to produce medical documentation verifying the stated condition or disability.

(7) **Additional City and Borough of Juneau Facility Provision.**

(A) **Notice.** The City Manager is required to identify and conspicuously post notices for those City and Borough of Juneau public facilities or areas of public facilities in which people are required to wear a mask or face covering. The Manager should post face covering notices in public facilities and areas of public facilities in which maintaining six feet separation between people is difficult or where there are insufficient physical barriers to keep people six feet apart.

(B) **Provision of Face Covering.** For people who cannot afford or locate a face covering, the Manager shall make a face covering available on every Capital

Transit bus and at any facility owned by the City and Borough of Juneau that requires a mask or face covering.

(8) Definitions.

(A) "Mask" means a medical grade mask (i.e. N95).

(B) "Face covering" means a cloth, polypropylene, paper, or other face covering that covers the nose and the mouth and that rests snugly above the nose, below the mouth, and on the sides of the face. The following are not face coverings because they allow droplets to be released: a covering with a valve designed to facilitate easy exhalation; mesh masks; lace masks; other coverings with openings, holes, or visible gaps in the design or material.

(C) "Face shield" means a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face.

Section 4. Repeal of Ordinance 2021-42(am). Ordinance 2021-42(am) is repealed.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption. This ordinance expires at 12:01 a.m. on March 1, 2022, unless terminated earlier by the Assembly by motion.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Minimal	Masks/face coverings strongly recommended indoors in public areas and outdoors at crowded outdoor events (e.g. live performance, parade, sports event)	Indoor gatherings should be limited to the number of participants that will allow 6 ft of social distancing to be maintained if individuals who are not fully vaccinated are present. Masking strongly recommended and venues may require.	Masks strongly recommended when not actively eating or drinking. Recommend capacity restrictions that allow 6 ft of social distancing between parties.	Masks strongly recommended. Recommend capacity restrictions that allow 6 ft of social distancing between individuals.	Follow State Health Advisories
Moderate	Masks/face coverings must be worn indoors in public areas except where otherwise specified. Masks/face coverings must be worn outdoors at crowded outdoor events (e.g. live performance, parade, sports event). Limit social interactions.	Indoor gatherings must be limited to 50% of indoor capacity and include safety measures (masks required). Outdoor gatherings are recommended. There are no size limits if all individuals at the gathering are fully vaccinated	Patrons must wear masks when not actively eating or drinking. Bars not to exceed 50% indoor capacity. Strongly recommend restaurants reduce capacity to ensure physical distancing between parties, recommend reservations required. Recommend delivery/ curbside pick up if allowed by law.	Personal Services by appointment only, reducing waiting room capacity to 50%. Gyms limit capacity to 50%. Gyms limit indoor classes to fully vaccinated individuals only. Gym patrons must wear masks unless fully vaccinated and engaged in socially distanced physical activity.	Follow State Health Advisories
High	Masks/face coverings must be worn indoors in public areas except where otherwise specified. Masks/face coverings must be worn outdoors in public areas where 6ft of social distancing cannot be maintained. Keep social bubble contained to family members.	Indoor gatherings must be limited to ensure 6 ft of social distancing, not to exceed 50% of indoor capacity, and include safety measures (masks required). Outdoor gatherings with 6 ft social distancing recommended. There are no size limits if all individuals at the gathering are fully vaccinated.	Patrons must wear masks when not actively eating or drinking. Bars and Restaurants reduce capacity to ensure at least 6 ft of social distancing between parties and not to exceed 50% with reservations / contact list required. Delivery/curbside pickup if allowed by law. Bars and restaurants closed at 11:00 pm.	Personal Services by appointment only, no waiting areas. Gyms, no pick up games, limit capacity to 50% and must ensure 6 ft of social distancing between individuals. Gyms limit indoor classes to fully vaccinated individuals only.	Follow State Health Advisories
Very High	Masks/Face coverings required outside the home. Residents are required to stay at home except as needed for groceries, medical care, and essential workforce needs.	Outdoor gatherings limited to no more than 10 people with proper social distancing. Indoor public events not allowed.	Restaurants and bars limited to delivery and curbside pickup if allowed by law.	Personal Services and Gyms closed.	Follow State Health Advisories

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
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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)(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 up to \$2,880,000 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	\$2,880,000
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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
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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

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

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, the City and Borough recognizes the importance of supporting local non-profit organizations in addressing the social and human needs of the community; and

WHEREAS, the City and Borough is eligible to apply for Community Development Block Grant (CDBG) funds for the benefit of qualifying low and moderate income persons served by local non-profit organizations; and

WHEREAS, City and Borough staff solicited proposals from non-profit organizations for projects eligible for funding in the 2021 CDBG grant cycle; and

WHEREAS, five proposals were received and considered; and

WHEREAS, AWARE proposes to construct a retaining wall on the uphill slope of the shelter; and

WHEREAS, the AWARE proposal will protect the existing shelter, which serves a federal Housing and Urban Development identified special population; and

WHEREAS, AWARE has secured the required 25% local match for the project; and

WHEREAS, the community would benefit by receiving a grant in the amount of \$368,351.00 from the Alaska Department of Commerce, Community, and Economic Development (hereinafter "Department"), under the CDBG program; and

WHEREAS, the deadline for submission of a Community Development Block Grant application is December 3, 2021.

43 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
44 JUNEAU, ALASKA:

45
46 **Section 1.** The Assembly authorizes the Manager to negotiate and execute all
47 necessary documents required for applying for and receiving grant funds on behalf of the
48 benefiting organization, AWARE.

49
50 **Section 2.** The Manager is also authorized to execute any amendments to the grant
51 agreement between the City and Borough and the Department as may be necessary to
52 maintain grant eligibility or project completion.

53
54 **Section 3. Effective Date.** This resolution shall be effective immediately after its
55 adoption.

56
57 Adopted this _____ day of _____, 2021.
58

59
60 _____
Beth A. Weldon, Mayor

61 Attest:

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64 _____
65 Elizabeth J. McEwen, Municipal Clerk
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Presented by: The Manager
Presented: 11/22/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, the City and Borough adopted the 2015 Juneau Coordinated Human Services Transportation Plan, to identify available transportation services and strategies to address gaps in transportation services provided to those who are elderly, have disabilities, or who qualify as low-income and use public transportation for traveling to and from work; and

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT&PF) makes available grant funding for mobility projects; and

WHEREAS, in order to be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by the local government; and

WHEREAS, the Juneau Coordinated Transportation Coalition is a coalition of community partners working to improve the effectiveness and efficiency of transportation in Juneau; and

WHEREAS, one of the Coalition's main roles is to rank funding requests from member agencies proposing transportation and mobility projects and submit those recommendations to the Assembly; and

WHEREAS, the Juneau Coordinated Transportation Coalition and related agency representatives held a regular Juneau Coordinated Transportation Coalition meeting on October 25, 2021, and voted on the priority list for SFY22 DOT&PF grant funding as follows:

1. Lift-equipped taxi purchase
2. Taxi vouchers

WHEREAS, the Public Works and Facilities Committee (PWFC), at the November 1, 2021 regular meeting, voted to forward a resolution of support for the grant applications to the full Assembly.

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

Section 1. The City and Borough endorses the following prioritized list to be considered for Alaska Department of Transportation and Public Facilities grant funding:

1. Lift-equipped taxi purchase
2. Taxi vouchers

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Packet Page 48 of 75
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 30, 2021

City & Borough of Juneau

Attn: **Beth McEwen**

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Beverage Dispensary	License Number:	644
Licensee:	Ronald Martin Burns		
Doing Business As:	Salt		
Premises Address:	200 Seward Street		

☐ 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



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Packet Page 49 of 75
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 1, 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:	2641
Licensee:	Spice, LLC.		
Doing Business As:	Spice		
Premises Address:	112 N Franklin St		

☐ 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



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 26, 2021

Juneau City and Borough

Via Email: beth.mcewen@juneau.org;
City.clerk@juneau.org;
di.cathcart@juneau.org

Re: Notice of 2022/2023 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	1166
Licensee:	Triangle Club Inc		
Doing Business As:	Triangle Club		

We have received a completed renewal 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 written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 24, 2021

City & Borough of Juneau
Attn: City Clerk
Via Email: mcb_notice@juneau.org

License Number:	15245
License Type:	Standard Marijuana Cultivation Facility
Licensee:	North Star Gardens, Inc.
Doing Business As:	NORTH STAR GARDENS
Physical Address:	5310 COMMERCIAL BLVD 2A Juneau, AK 99801
Designated Licensee:	Jamie Letterman
Phone Number:	907-723-7243
Email Address:	jamie@thundercloud9.buzz

☒ **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 dark ink, appearing to read "Glen Klinkhart". The signature is fluid and cursive, with the first name "Glen" and last name "Klinkhart" clearly distinguishable.

Glen Klinkhart, Director
907-269-0350



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 27, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	15246
License Type:	Retail Marijuana Store
Licensee:	Borealis Mountain, Inc.
Doing Business As:	THUNDER CLOUD 9
Physical Address:	5310 COMMERCIAL BLVD 2B Juneau, AK 99801
Designated Licensee:	Jamie Letterman
Phone Number:	907-723-7234
Email Address:	jamie@thundercloud9.buzz

☒ **License Renewal Application**

☐ **Endorsement Renewal Application**

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 dark ink, appearing to read "Glen Klinkhart". The signature is fluid and cursive, with the first name "Glen" and last name "Klinkhart" clearly distinguishable.

Glen Klinkhart, Director
907-269-0350



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 29, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	10315
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Green Elephant, LLC
Doing Business As:	GREEN ELEPHANT, LLC
Physical Address:	101 Mill St. Suite A Juneau, AK 99801
Designated Licensee:	Richard Dudas
Phone Number:	907-321-5886
Email Address:	greenelephantalaska@gmail.com

☒ **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.

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Glen Klinkhart, Director
907-269-0350



THE STATE
of **ALASKA**
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**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 29, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	10844
License Type:	Retail Marijuana Store
Licensee:	Green Elephant, LLC
Doing Business As:	GREEN ELEPHANT, LLC
Physical Address:	101 Mill St. Suite B Juneau, AK 99801
Designated Licensee:	Richard Dudas
Phone Number:	907-321-5886
Email Address:	greenelephantalaska@gmail.com

☒ **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.

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Glen Klinkhart, Director
907-269-0350



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 12, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	11384
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Green Elephant, LLC
Doing Business As:	GREEN ELEPHANT, LLC
Physical Address:	8420 Airport Boulevard Building B Juneau, AK 99801
Designated Licensee:	Richard Dudas
Phone Number:	907-290-8400
Email Address:	greenelephantalaska@gmail.com

☒ **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.

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

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1040

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$438,038 be transferred:

From: CIP

R72-061	Industrial Boulevard	\$438,038
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To: CIP

R72-151	Robbie Rd., Ling Ct., and Laurie Ln.	\$225,000
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R72-154	4 th St. Drainage/F-I and Side Streets	\$165,038
---------	---	-----------

R72-159	W. 3 rd and Dixon Reconstruction	\$ 48,000
---------	---	-----------

The \$438,038 consists of:

Temporary 1% Sales Tax	\$438,038
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Moved and Approved this _____ day of _____, 2021.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: October 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$70,000 as funding for a Community Development plat reviewer.

Section 3. Source of Funds

General Funds	\$70,000
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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: October 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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

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

Section 2. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$200,000 be transferred:

From: CIP

W75-061 Douglas Highway Water – David to I St. (\$200,000)

To: CIP

R72-141 Hospital Drive Improvements \$200,000

Section 3. Source of Funds.

Water Funds \$200,000

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: October 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$650,000 as funding for the Bag Belt Replacement (A50-105) and Parking Lot Paving (A50-106) capital improvement projects, to be appropriated as follows:

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

Section 3. Source of Funds

Airport CARES Act Funding	\$650,000
---------------------------	-----------

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: October 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$41,000 as funding for Assemblymember, Mayor, and certain board compensation increases.

Section 3. Source of Funds

General Funds	\$27,800
Hospital Funds	\$13,200

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: October 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$36,135 as funding for multiple training events for the Juneau Police Department.

Section 3. Source of Funds

U.S. Department of Justice	\$36,135
----------------------------	----------

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



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 12, 2021

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org; city.clerk@juneau.org; di.cathcart@juneau.org

Re: Notice of 2021/2022 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	1384
Licensee:	Haeinadangle LLC		
Doing Business As:	Bowl of Pho		

We have received a completed renewal 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 written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov

OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: city.clerk@juneau.org

November 12, 2021

Via certified & regular mail & email
Haenadangle LLC d/b/a Bowl of Pho
9121 Glacier Hwy #106
Juneau, AK 99801
Bowlpho6770@yahoo.com

Re: Restaurant or Eating Place Liquor License Renewal Protest
Haenadangle LLC d/b/a Bowl of Pho License #1384

Dear Hai Dang,

City and Borough of Juneau is in receipt of your liquor license renewal from the Alcohol Beverage Control Board which is being forwarded to the Assembly for local governing body action.

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development Departments has reviewed your establishment to insure compliance with city code. **The Finance Department is recommending the Assembly protest this license renewal due to non-filing of Sales Tax returns since 2nd Quarter 2020.**

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. **This matter will be considered at the Monday, November 22, 2021 Assembly Human Resources Committee (HRC) meeting at 6:00pm in the Assembly Chambers & via zoom webinar** and the HRC will then forward a recommendation to the Assembly at its regular meeting that same evening at 7:00pm in the Assembly Chambers & via zoom webinar. **The Assembly will take up the action regarding the protest at its regular meeting on Monday, November 22, 2021 at 7:00pm in the Assembly Chambers & via zoom webinar.** You will be given the opportunity to participate in an informal hearing before the HRC and the Assembly during these meetings if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference. In the meantime, I urge you to work with CBJ Sales Tax staff to ensure all outstanding balances and returns are resolved prior to this appearing before the Assembly on November 22, 2021 at 7:00pm otherwise we will notify AMCO on November 23, 2021 of recommended protest. Finance Sales Tax staff can be reached at 586-5215 extension 4901.

To participate via zoom on November 22, 2021 use the following participation information:
<https://juneau.zoom.us/j/95241164899> or call: 1-253-215-8782 Webinar ID: 952 4116 4899

Sincerely,
Diane Cathcart
Deputy Municipal Clerk

Enclosures
cc via email: Assembly & Liquor License Staff Reviewers

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of [AS 04.11.510](#) (b)(3) requesting a public hearing within 30 days of the posting of notice required under [AS 04.11.310](#) , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under [AS 04.11.510](#) (b)(3) when it considers the application, and the record of a hearing conducted under [AS 04.11.510](#) (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under [AS 04.11.510](#) (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under [AS 44.62.360](#) and conduct proceedings to resolve the matter as described under [AS 04.11.510](#) (c).

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
 - (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;
 - (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:

- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
- (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
- (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
- (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
- (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or
 - (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.

(c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.

2022 Assembly Calendar

(DRAFT)

Regular Assembly & HRC Meetings

[10/24 Assembly Reorganization Meeting (No HRC)
Potential Assembly retreat dates 11/5, 12/3 or 12/10]

PWFC/LHED/COW Meetings

Assembly Finance Committee Meetings

Holidays

Municipal Election Day & Certification Day

Dates for Spec. Events/Conferences:

1/19-20 Start of Legislative Session & Legislative Welcome
3/21-3/25 JSD Spring Break
AML & SE Conference Mid-Session Summits (TBD)
8/8-10? AML Conf. of Mayors (8/10-12) & Summer Legislative Conf. (Sitka)
9/14-16 SE Conference (Ketchikan)
11/9-10 AML Virtual Newly Elected Officials Training
11/14-16 AML Annual Conference & Affiliate Association Meetings 11/16-11/19 (Anchorage)
[AML = Alaska Municipal League]

Reg. Meeting Start Times for Assembly Committees

Human Resources Committee (HRC) – 6pm

Regular Assembly Meetings – 7pm

Special Assembly Meetings – 5:30 or 6pm

Public Works & Facilities Comm. (PWFC) – 12pm

Lands, Housing & Economic Dev. (LHED) – 5pm

Committee of the Whole (COW) – 6pm

Assembly Finance Committee (AFC):

~During budget season – 5:30pm

~Non-budget season – 6pm

(All Meeting Times Subject to Change as Needed)

JANUARY

S	M	T	W	T	F	S
					31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL

S	M	T	W	T	F	S
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MAY

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29	30	31				

JUNE

S	M	T	W	T	F	S
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12	13	14	15	16	17	18
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26	27	28	29	30		

JULY

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24	25	26	27	28	29	30
31						

AUGUST

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
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OCTOBER

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NOVEMBER

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MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Michelle Hale, Chair of the Assembly Lands Housing and Economic Development Committee
Daniel Bleidorn
FROM: Dan Bleidorn, Lands and Resources Manager
SUBJECT: Request for a Negotiated Property Exchange in Auke Bay
DATE: October 28, 2021

In September, the Division of Lands and Resources and the Community Development Department met with the owner of 11930 Glacier Highway, Karla Allwine. Ms. Allwine had requested to purchase property from the City in order to gain enough property to meet the minimum size for a rezone. 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.

The 2016 Land Management Plan designated the City owned property as a parcel for near-term disposal. The Plan states "Access right-of-way will need to be secured prior to development of this property." 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.

Staff request that the Lands, Housing and Economic Development Committee forward this application to acquire City property through a property exchange to the Assembly with a motion of support for working with the original proposer in accordance with 53.09.260

Attachments:

53.09.260

Maps

53.09.260 - Negotiated sales, leases, and exchanges.

(a)Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of 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.

(b)Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.



