

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

September 13, 2021 7:00 PM

Assembly Chambers/Zoom Webinar/FB Livestream

Meeting No. 2021-23 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar
ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

III. ROLL CALL

IV. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

The Assembly will follow COVID protocols in accordance with CDC guidelines, CBJ ordinances & resolutions, and COVID mitigation strategies at the time of the meeting. Assemblymembers will be meeting in person, to the extent possible. **In-person public participation will be limited on a first come, first served basis in accordance with room capacity protocols. All attendees will be required to wear a mask regardless of vaccination status.** *Attendees in excess of the room capacity protocols may be requested to participate via Zoom webinar.* Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org. 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. July 28, 2021 Special Assembly Meeting #2021-18 DRAFT Minutes

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VIII. CONSENT AGENDA

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

1. Ordinances for Introduction

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

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

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

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

The existing COVID-19 Community Mitigation Strategies (Ord. 2021-33am) are set to expire on October 31, 2021. Due to a surge of COVID-19 case activity, increased community spread, and significantly restricted medevac capacity, the Emergency Operations Center believes it is in the best interest of the community to extend the current COVID mitigation measures until June 1, 2022.

The Community Mitigation Measures are the same as adopted in Ordinance 2021-33 except the penalty section has been reinserted. The lack of a penalty provision has decreased the effectiveness of the mitigation measures and confused community messaging.

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

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

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

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

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

This is a housekeeping ordinance to properly account for these on-behalf contributions

to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

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

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

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

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

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

The Juneau School District is required to budget these on-behalf contributions in their annual request. However, the FY21 budget was inadvertently based on prior-year rates. This ordinance reconciles the differences between the appropriated FY21 budget and the actual on-behalf contributions made by the state. This is a housekeeping ordinance to properly account for these on-behalf contributions, and has no impact on JSD or CBJ finances.

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

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

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

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

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

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

September 14, 2021 meeting.

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

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

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

This supplemental appropriation will be funded as follows:

Federal Revenue - CARES Act Provider Relief Funds & Misc. Grants	\$
7,100,000	
State Revenue - COVID-19 Response Funding	\$
4,000,000	
Private Grant – Premera (for Behavioral Health Facility)	\$
1,000,000	
Private Grant – Alaska Community Foundation	\$
900,000	
Additional Outpatient Revenue	\$
5,000,000	
Draw on Hospital Fund Balance	\$
2,900,000	

The Bartlett Regional Hospital Finance Committee reviewed this request at the September 10, 2021 meeting. The Bartlett Regional Hospital Board will review this request at the September 28, 2021 meeting. The Assembly Finance Committee will review this request at the September 29, 2021 meeting.

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

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

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

<u>State Revenue:</u>	
DHSS COVID-19 Community Grant	\$ 423,600
DHSS Airport Screening	<u>\$ 1,100,000</u>
Total State Revenue:	\$ 1,523,600

<u>Federal Revenue:</u>	
CARES/FEMA Funding	\$ 20,267,500
ARPA Funding	\$ 2,858,900
DOJ Coronavirus Emergency Grant	<u>\$ 100,000</u>
Total Federal Revenue:	\$ 23,226,400

Total Revenue: \$ 24,750,000

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

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

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

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

The Juneau Townsite Historic Neighborhood is a mixed-use commercial and residential neighborhood, located between the Downtown and Chicken Ridge historic districts. This ordinance would appropriate \$24,000 of grant funding to survey and inventory approximately 87 structures in the area and document their historical significance. This survey will determine whether the Juneau Townsite Historic Neighborhood is eligible to be listed on the National Register of Historic Places. The benefits of becoming a listed district include access to Historic Tax credits and Historic Preservation Fund grants. These benefits would be available for property owners for rehabilitation and maintenance work.

CBJ's Community Development Department, City Museum, and Historic Resources Advisory Committee will partner with a historic architecture consultant to perform the scope of work for this project. Total project costs are estimated to be \$41,659. The 40% local match requirement will be met with CBJ personnel service costs, for which expenditure authority has already been appropriated in the FY22 operating budget.

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

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

- i. **Ordinance 2021-08(b)(am)(F) An Ordinance Appropriating \$24,730 to the Manager as Funding for Facility Security Enhancements for**

Docks and Harbors; Grant Funding Provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY21 Port Security Grant Program.

This ordinance would appropriate \$24,730 for the purchase and installation of security camera equipment for Docks and Harbors' Auke Bay Loading Facility. Grant funding in the amount of \$24,730 is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency. There is no local match requirement for this grant.

The Docks and Harbors Board will review this request at its September 30, 2021 meeting. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

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

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

This ordinance would provide \$1,000,000 of general funds for expenditures necessary to respond to the COVID-19 pandemic that are not otherwise reimbursed by the Federal Emergency Management Agency (FEMA) or the State of Alaska Department of Health and Social Services (DHSS). Anticipated response costs include COVID-19 testing, vaccination, public communications, personal protective equipment, sheltering of vulnerable populations, and quarantine and isolation.

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

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

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

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

The Assembly Finance Committee reviewed this request at the September 1, 2021 meeting and directed CBJ staff to draft an appropriating ordinance for introduction. The Systemic Racism Review Committee will review this request at the September 14, 2021 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it

for public hearing at the next regular Assembly meeting.

2. Resolutions

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

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

The City Manager recommends the Assembly adopt this resolution.

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

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

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. **Liquor License Transfers & Liquor License Renewal**

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

Liquor License Transfers

Transfer of Ownership

License Type: Package Store, License #300

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

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

Location: 11735 Glacier Hwy, Juneau

Transfer of Controlling Interest

License Type: Restaurant/Eating Place, License #816

Licensee: El Sombrero Inc. d/b/a El Sombrero Mexican & American Food
Transfer From: Fritz Moser & Patricia Moser
Transfer To: Ryan Fagerstrom
Location: 157 S. Franklin St., Juneau

Liquor License Renewal

License Type: Restaurant/Eating Place, License #4493

Licensee: Kwang LLC d/b/a Little Tokyo

Location: 140 Seward St., Juneau

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

The City Manager recommends the Assembly waive its right to protest the above-listed transfers for liquor licenses #300 and #816 and the above-listed liquor license #4493 renewal.

4. Other Items for consent

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

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

Marijuana License Renewals

License Type: Retail Marijuana Store License: #25190

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

Location: 2219 Dunn St., Juneau

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

License Type: Standard Marijuana Cultivation Facility License: #12176

Licensee: Taku Horticulture Company, LLC

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

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

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

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

IX. PUBLIC HEARING

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

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

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

The City Manager recommends the Assembly adopt this ordinance.

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

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

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

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

The City Manager recommends the Assembly adopt this ordinance.

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

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

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

The City Manager recommends the Assembly adopt this ordinance.

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

In the spring of 2017, Ordinance 2017-02 was enacted, which created licensing standards for use of certain rights-of-ways for selling food and beverages. Section 5 of Ordinance 2017-02 imposed an automatic repeal clause (sunset date) of December 31, 2018, which was extended to December 31, 2021, by Ordinance 2018-46. The licensing standards created by Ordinance 2017-02 have been

used by food and beverage vendors without issue in the last four years.

Due to uncertainty on the success and public support on the use of rights-of-ways under this ordinance, it was a policy choice of the Assembly to adopt the sunset date. The Manager is unaware of adverse effects or substantive negative public comments and recommends that the sunset date be extended or eliminated as proposed in this ordinance.

The City Manager recommends the Assembly adopt this ordinance.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

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

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

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

The City Manager recommends the Assembly act on these applications.

B. EDA Grant Opportunity/Eaglecrest Summer Operations

XII. STAFF REPORTS

XIII. ASSEMBLY REPORTS

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

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

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

XVI. SUPPLEMENTAL MATERIALS

A. New City Hall

Please see the attached supplemental materials related to a new City Hall, which will be discussed under Committee Reports.

B. RED FOLDER: BRH-Assembly Joint Committee Created

C. RED FOLDER: Housing and Development Task Force Created

D. Proclamation: Good Neighbor Day - September 28, 2021

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
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – July 28, 2021

I. CALL TO ORDER:

The Special Meeting #2021-18 of the City and Borough of Juneau Assembly held in person in the Assembly Chambers and virtually via Zoom webinar, was called into order by Mayor Beth Weldon at 5:30 p.m.

II. LAND ACKNOWLEDGEMENT

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

III. ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Loren Jones, Wade Bryson, Carole Triem, Michelle Hale, Christine Woll, Greg Smith, and Alicia Hughes-Skandijs

Assemblymembers Absent: Maria Gladziszewski

Also Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Incident Commander Mila Cosgrove, City Attorney Robert Palmer (via Zoom), Assistant City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart.

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

V. SPECIAL ORDER OF BUSINESS

A. Instructions for Public Participation

The Assembly will follow COVID protocols in accordance with CDC guidelines, CBJ ordinances & resolutions, and COVID mitigation strategies at the time of the meeting. Testimony was limited to two minutes each and available via Zoom and also in-person testimony in the Assembly Chambers.

B. COVID Community Update

Incident Commander Mila Cosgrove and EOC Planning Section Chief Robert Barr provided a COVID Community Update to the Assembly.

Ms. Cosgrove reported numbers from the last 14-day period and that as of Monday, Juneau had 150 total cases which has been the highest so far during the pandemic. Within those numbers, there were two clusters; one associated with an office consisting of 9 cases and another associated with a restaurant consisting of 6 cases so far. She noted that

Public Health is reported that those with positive tests are going home and transmitting the virus to their families. Ms. Cosgrove reminded people that if they are going home with a positive case, it is recommended to stay apart from other family members if possible.

She said that there was a large amount of community spread among young adults with 44 of the cases being in the 20-29 age range and 33 cases in the 30-39 age range. She also noted that the case rates in children are climbing with 13 cases each in the 10-19 age range and in the under 13 age range. She said that children generally display milder symptoms but not always. She explained that there are some concerns with long term health impacts of the virus on children, especially with respect to circulatory and nervous systems as well as potentially impaired respiratory functioning.

Ms. Cosgrove noted of the 150 active cases, 132 were Juneau residents and 18 were non-residents. Most were travelers, for example those who are coming to visit family and spreading it to the family members they are staying with. She noted that there were a few of the non-resident cases that were attributed to the American Cruise Line Constellation.

Ms. Cosgrove reported that across the state for those communities we have been tracking the number of daily new cases per 100k population, (Kenai, Anchorage, Fairbanks, Mat-Su, Juneau, as well as King-County and Multnomah in Washington) that Juneau had the highest case percentage amongst those communities. She also noted that Sitka isn't on that usual list and that as of July 28, Sitka was reporting 228 active cases which was a very high percentage of their 8,600 population. She said that the Sitka test positivity rate is at 10% which is a very high positivity rate which is indicative of high community spread. She said that 70.4% of Sitka's age-eligible population is fully vaccinated.

Ms. Cosgrove then displayed the graph showing Juneau's population percentages with respect to vaccination status. She said that 4,479 individuals fall in the under 11 age category meaning that 14.1% of our population is not yet eligible to be vaccinated. She said that vaccination rates continue to increase. The vaccination numbers are increasing slow and steady. Currently 5,432 of the 31,773 total population is eligible but not yet vaccinated.

Mr. Barr reported that the Delta variant is now the predominant variant in Alaska at this time. He said there are three things that make the Delta variant significantly different:

- 1) The Delta variant is significantly more transmissible
 - a. According to Public Health, the amount of the viral load is much higher than other variants or the original strain of the virus.
 - b. That viral load amount is similar in unvaccinated as well as vaccinated individuals.
- 2) With respect to the Delta variant, the vaccines we currently have available to us (as is true with all vaccines) is not as effective with the Delta variant as it was against the

- original strain of the virus. He said they don't know how much lower the effective rate is.
- a. They are quite effective at preventing hospitalization and death.
 - b. The vaccine is still the top preventative measure to prevent severe symptomatic COVID hospitalization and death.
- 3) Another key factor to be aware of with the Delta variant, is that it has a faster incubation period.
- a. The original strain of the virus, it was advised to seek a test 5-7 days after exposure.
 - b. With the Delta variant, the incubation period is two days faster so they are now advising individuals who may have been exposed, to test within 3-5 days of their exposure. He said those are the preliminary recommendations with respect to the Delta variant testing period.

Mr. Barr noted that the “R0 number” (reproductive number which indicates how many people on average will contract the disease from a single individual) with the original virus were at 2.4 and with the Delta variant it is at 5.8.

Lastly, Mr. Barr showed a slide of the numbers of deaths and hospitalizations in the State of Alaska from January 1 – July 24, 2021. The number of deaths from COVID-19 during that period included 86 cases of unvaccinated individuals (97% of the cases) and 3 cases of vaccinated individuals (3%) of the cases. With respect to hospitalizations there were 94% unvaccinated (552) individuals and 6% vaccinated (37) individuals.

Mr. Barr said that as things change with the Delta variant, they will be updating the Assembly and the community as that information becomes available.

Ms. Cosgrove noted that the CDC has updated its guidance for people who are vaccinated. They are recommending people vaccinated or unvaccinated to wear a masks in indoor settings for those communities where there is substantial or high transmission. CDC is recommending universal masking for indoor school settings as it is projected that children under the age of 11 may be eligible for vaccines around November.

Ms. Cosgrove then provided updates on what is happening operationally amongst CBJ staff. She noted that Public Health is still trying to do contact tracing but many of the calls are not being answered or responded to. Another concern is that when they do contact people who have been in proximity to a positive case, many times those individuals do not know who they have been in contact with during the exposure period. Ms. Cosgrove also explained the concerns with respect to hospital capacity in beds, in those communities that we tend to medevac'd to, are filling up and may not have beds available. She went on to talk about concerns related to staffing shortages in the hospitals and public health arenas.

Ms. Cosgrove then answered questions from Assemblymembers about the presentation and the graphs provided.

VI. AGENDA TOPICS

Mayor Weldon noted that the process was going to be a little different for the following agenda item. She noted that after the Clerk and Manager provide the information about the ordinance, she would then ask Ms. Cosgrove or Mr. Barr to speak to the memo in the packet to help clear up any confusion as to the differences between the previous ordinance and this ordinance up for action. She said for clarification, the Assembly is not considering a “hunker down, close business up” ordinance tonight, which seems to be a common theme of the e-mails the Assembly has received.

A. Public Hearing: Emergency Ordinance 2021-33 An Emergency Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

The existing COVID-19 Community Mitigation Strategies (Ord 2021-22) are set to expire on July 31, 2021. Due to a recent uptick in case activity, increased community spread, significantly restricted medevac capacity, and the presumptive spread of the more transmissible Delta variant, the Emergency Operations Center believes it is in the best interest of the community to extend the current COVID mitigation measures until October 31, 2021.

The Community Mitigation Measures are substantively as they were before, although a few restrictions have been lightened to take into account the community’s current vaccination rate. In addition, a level green has been added to define when the community is back to normal. A memo outlining the specific changes is included in this packet.

The City Manager recommends the Assembly adopt this ordinance.

Staff Report:

Ms. Cosgrove said what they are asking the Assembly to do is to extend the current COVID mitigation strategy measures. Those are what governs community responses depending on what level the case load is at. She said that the Assembly is not being asked to determine what level the community is at as that is a function of the Emergency Operations Center (EOC). What they are asking is to extend the framework that already exists to a longer period of time. She said that in taking a look at that framework, it made sense to make some adjustments to the framework with respect to the current level of vaccination rates but also taking into consideration the Delta variant factors. She said that Mr. Barr will be addressing the actual changes themselves.

Mr. Barr, hitting the high points from the memo contained in the packet, said they have added a green level at which the community would be considered “fully open.” They also combined the three minimal levels (1c and 1b) into one minimal level. They added language recommending masking for fully vaccinated individuals at the Moderate level. They added language permitting

small group fitness classes in gyms for fully vaccinated individuals at the Moderate and High risk levels. They changed the “waiting areas” language under Personal Services from none to 50% at the Moderate risk level. They also added language allowing for no size limits for fully vaccinated gatherings at the High risk level. Lastly, they increased gym capacity from 25% to 50% at the High risk level.

PUBLIC COMMENT:

An unidentified caller (phone number ending in -5829) from Douglas asked questions about the mitigation measures. She expressed her concerns about the restrictions imposed on gyms and fitness classes. She also expressed her concern that people on cruise ships as well as airline travelers were being allowed without being required to test and quarantine upon arrival to Juneau.

Mr. Bruce Simonson, a downtown resident, spoke in favor of the Assembly keeping all the tools they can in place in light of the Delta variant to keep from losing whatever ground we may have gained during the pandemic.

Mr. Dan DeBartelo, a valley resident, said that anecdotally the wide range of rules and recommendations from CDC, the State, and CBJ are rather confusing. He noted that one thing still on the docket are fines. He said that with the community being 70% vaccinated that maybe being punitive during this next round of the pandemic may not be helpful at all. He encouraged the Assembly to think about that as they make a decision on the ordinance.

Ms. Rochelle Brossart, a valley resident, expressed her concerns regarding the mental health issues related to the pandemic. She spoke in opposition to the masking requirements from those who are vaccinated as well as requiring masks in schools. She said that we will have to learn to live with COVID as it is not going to go away. She asked that the mask mandates not be extended. Assemblymember Smith asked Ms. Brossart if she had to decide between a mask mandate with in school classes vs. homeschooling and no mask mandate, which she felt would be the best for students’ mental health. Ms. Brossart said that she resigned for her position with the school district at the end of the last school year because she could not do another year in masks. She said that she didn’t believe it was a choice of one or the other of those two choices. She said that she believes it should be up to the parents and students to make their own decision and the same for the teachers.

Mr. Sterling Salisbury, a valley resident, spoke to the fact that COVID and the flu are both issues and will both be around for quite a while. He said that COVID-19 will keep mutating like the flu does. He said that he is tired of being locked down and tired of all these mandates. He said that if they test for the flu the same way they test for COVID, they would see a lot of cases of flu rise. He said that the entire population has had an opportunity to get a vaccine, with the exception of the younger kids, and it is their choice to make one way or another. He said that with respect to Mr. Smith’s question, he doesn’t see this affecting children in the same way that it has been affecting others.

Ms. Aubrey Ruschmann, an Auke Bay resident, said she feels a lot of frustration with all the rules that the city has implemented. Small businesses, children, and every family is hurting. She said that these Zoom meetings with the Assembly are hard to participate in and she asked the Assembly to come up with a different way to hear the comments from the community members as she feels the community is not being heard with respect to their concerns and wishes to end these restrictions.

Ms. Kayla Miller, a valley resident, said she echoed the testimony of the previous three speakers. She said that the mitigation measures have caused stress, depressions, and have been disruptive of everyone's lives. There is no end date in sight and it is very discouraging of the never ending tunnel of the mitigation plan. She said the death toll has not be rising and she agrees that the Assembly needs to provide more opportunity for community input. She said she didn't know if that should be in the form of surveys, or emails or the ability to vote on this issue.

Ms. Jessica Wombrot, a valley resident, said that the timing of this spike is suspicious, that BRH has only two COVID patients from the recent spike. She said that the typical mask you can buy in a drug store is not all that effective. She said that the vaccines are available to those who want it and that N95 masks are available if they want/need them. She said that the notion of extending the mandate is ludicrous and fundamentally unethical for local government to coerce a portion of the population into getting vaccinated by threatening mitigation restrictions for businesses and others. She spoke to the civil liberties of citizens and also the harassment that she received, despite being medically exempt from having to wear a mask.

Mr. Zachary Wombrot, a valley resident, spoke to his first amendment rights to speak as long as he want before this body. He said that if the Assembly votes in favor of the ordinance, he would consider them a group of tyrants. He said that emergency orders are designed to only be used in extreme times of war to suspend the rights of citizens. He said that they want to continue to suspend the rights of the citizens. He compared these actions with those of communist China, Nazi Germany, or Soviet Russia. He encouraged the Assembly remember the oaths they swore and the constitutions and allow the citizens to remain free citizens.

Ms. Martinson, a Douglas resident, said she has some confusion about the use of mandates that were developed prior to the introduction of mandates. She asked at what point the mandates need to be updated to take into consideration the vaccinations. She said that she feels that the science is important and that measures need to be available such as the vaccination and masking but she also thinks the mandates need to catch up to the medical advancements over the past year.

Ms. Kathy Coghill, a Douglas resident, thanked CBJ for all of the service and care from the CBJ Assembly over the past year to keep our residents safe. She encouraged them whenever possible to keep an emphasis on all individuals arriving in Juneau be required to test and stay in quarantine until they are proven to have a negative test. She said that she feels that emphasis will promote what many of the callers tonight have asked for.

Ms. Kendall Henry, a Douglas resident, thanked the Assembly for all their actions to date and she agrees with the mitigation measures. She said that she feels it is completely reasonable that as the levels of transmission increases, the mitigation measures get more restrictive. She encouraged them to continue listening to the public health professionals and the scientists on best practices for responding to the pandemic.

Ms. Mindy Shoemake, an Auke Bay resident, echoed what many of the callers expressed. She said the community is exhausted with all the mandates. She said it is not in the Assembly's power to order the restrictions. She referred to a quote from Thomas Jefferson "When tyranny becomes law, you must oppose it." She said that the Assembly's treatment of the people of Juneau has become tyrannical. She said that individuals should be able to make their own health decisions as well as for their children. As a mother, she has watched how her children have struggled being forced to stay home. She works with at-risk kids and she has seen many of our youth struggle with depression and suicidal ideation. She said that those concerns have not been taken into consideration when looking at these mitigation measures. While those measures may be taking into consideration the COVID virus, she asked where the consideration is for those with mental health concerns. Ms. Shoemake then went on to answer a question from Ms. Hale and provided more in depth information as to how she felt the Assembly should let individuals determine their own personal level of risk and mitigation measures needed.

Mr. Robert Shoemake, an Auke Bay resident, thanked the Assembly for providing an in person opportunity to testify. He said that he felt that when there is a spike, they have to push through it and not shut things down. He said that he thinks the numbers are going back down. He has listened to people who have had COVID and eventually there will be herd immunity. He said that the suffering is worse than the cure with respect to what has been done with the lock-downs and mandates. He said there is a certain amount of the population that is just done complying. He said that it will not be enforceable and people have been complying voluntarily.

Ms. Kathleen Harper, a Douglas resident, said that she appreciates everything the Assembly and the EOC has done during the pandemic. She said that if they get rid of the mitigation plan, that is not the right choice either. If things get to a bad place in town again, once you stop doing something, it is hard get started again. She said that they were pretty well on track prior to this latest spike happening. She encouraged the Assembly to keep the mitigation strategies in place. She said that she realizes these are hard decisions to make but encouraged them to stay the course. She also encouraged people to go onto the website and read the mitigation strategies as they aren't as dire as people are making out.

ASSEMBLY ACTION:

MOTION by Mr. Jones to adopt Ordinance 2021-33.

AMENDMENT: by Ms. Triem to strike Section 3(e) from the ordinance (as found on page 3). In speaking to the amendment, she noted that there was an individual who spoke to the punitive

measures and that she thought there had not been any fines imposed at this time. She said that by striking this section, it would show that it is not the Assembly's intention in adopting this ordinance to be punitive. *Hearing no objection, the amendment passed by unanimous consent.*

Mr. Smith objected to the motion for purposes of asking questions. He said that his goal is to be able to get kids back to in-person school. He asked if extending these mitigation strategies would hopefully reduce cases low which would lead to a better chance for kids getting back in school on August 16. He said that he knows that is a School District decision and not one of the EOC or Assembly but asked if that was the goal in these mitigation strategies. Ms. Cosgrove noted that is a School District decision but that yes, it was one of their goals in extending these measures to keep the case counts lower and allow for in person schooling if that was the decision of the School District.

Mr. Smith asked if Public Health supports these mitigation strategies to which Ms. Cosgrove responded in the affirmative. Ms. Cosgrove noted that it was their goal by implementing these new measures to have as much of the community stay open and operating as much as they can without spiking cases in the community. Mr. Smith removed his objections.

Ms. Hale objected for purposes of a comment. She noted that these measures have been developed such that the EOC is taking the lightest touch possible in addressing the public health needs of the community and that she appreciates that approach. She removed her objection.

Hearing no objection, Emergency Ordinance 2021-33, as amended passed by unanimous consent.

B. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:00 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

Presented by: The Manager
Presented: 09/13/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-38

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

WHEREAS, the area of the proposed rezone to General Commercial, located on Honsinger Drive, is currently zoned Industrial; and

WHEREAS, the CBJ Comprehensive Plan designates this area as Resource Development, which is for land managed primarily to identify and conserve natural resources until specific land uses are identified and developed; and

WHEREAS, the proposed rezone of General Commercial conforms to the Resource Development designation; and

WHEREAS, the CBJ Comprehensive Plan encourages commercial uses close to high-visibility thoroughfares; and

WHEREAS, General Commercial development has been determined substantially compatible with activities at the Juneau International Airport.

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

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

Section 2. Amendment to the Official Zoning Map. The Official Zoning Map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of Honsinger Pond Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11, of Plat 2020-31, Juneau Recording District, and located on or near Honsinger Drive, from Industrial, to General Commercial.

The described rezone is shown on the attached Exhibit “A” illustrating the area of the proposed zone change.

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

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Planning Commission Recommendation
Lots 3, 4, 5, 6, 7, 8, 9, 10, 11
From Industrial to General Commercial



Applicant's Rezone Request
Lots 2, 3, 4, 5, 6, 10, 11, 12, 13
From Industrial to General Commercial



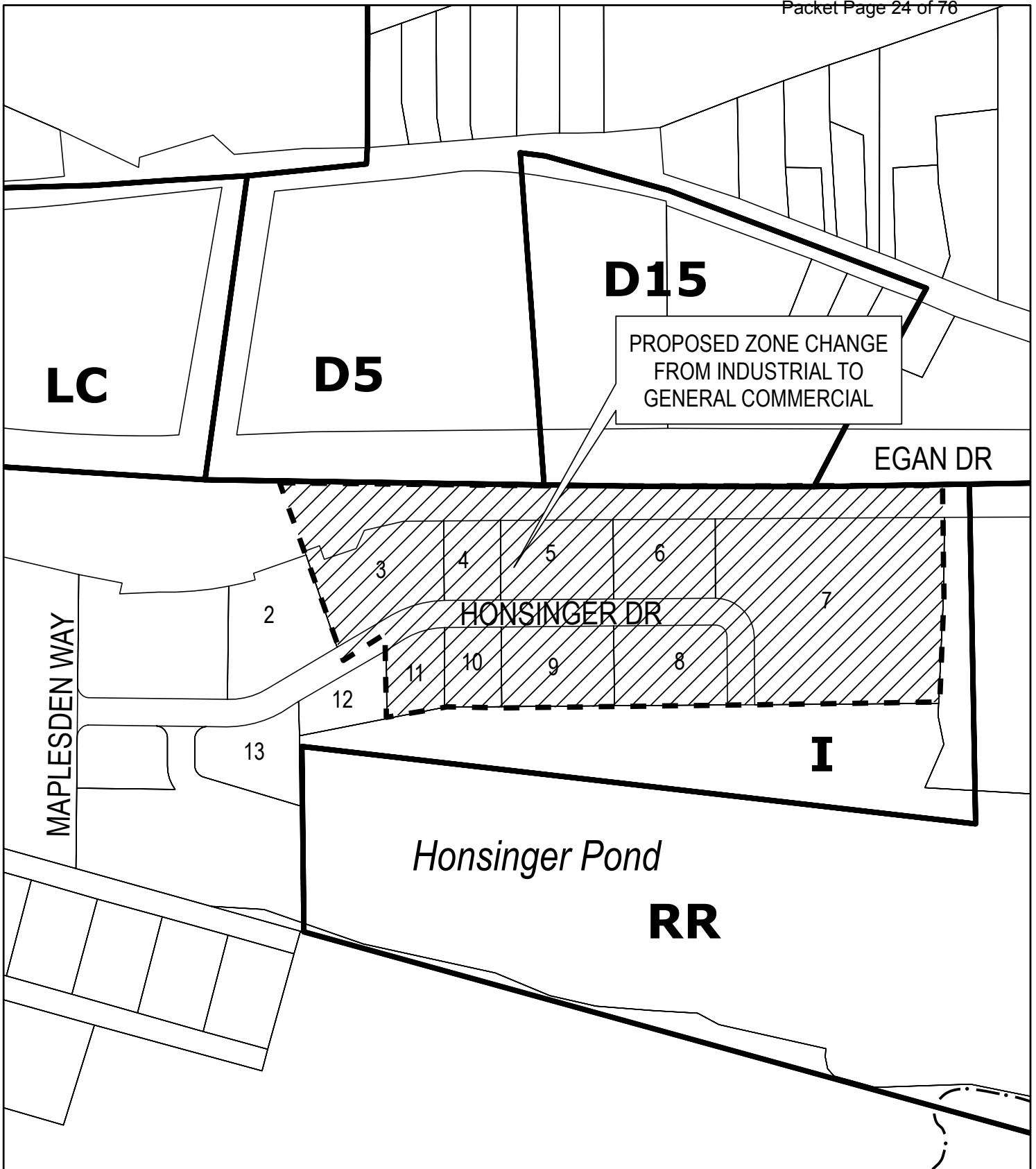


Exhibit A - Ord. No. 2021-38

Zone Change for
HONSINGER POND LOTS 3 - 11
from Industrial to General Commercial

0 125 250 500
Feet



Presented by: The Manager
Presented: 09/13/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-42

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 more community members are getting vaccinated for COVID, children under 12 are not eligible for vaccines, and variants of concern (Alpha/B.1.1.7, Beta/B.1.351, Gamma/P1, and Delta/B.1.617.2/AY.1) including the highly transmittable Delta variant have been detected in Juneau; and

WHEREAS, Southeast Alaska has seen a resurgence of COVID-19 outbreaks, including the highly transmittable Delta variant that is resulting in a significant increase in positive cases; and

WHEREAS, the average new COVID-19 positive cases per day is the highest it has been in the CBJ since the pandemic started: August (avg. 21 new cases per day) and September (24 cases new cases per day); and

WHEREAS, as of September 9, 2021 the overall community risk level is 3 (High); 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, the existing COVID-19 Mitigation Strategies were reestablished with Emergency Ordinance 2021-33am and currently expire on October 31, 2021; 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 beyond October 31, 2021; 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 its evolving variants and keep the economy open; and

WHEREAS, any business or facility is free to require masks 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.

(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) **Reserved. 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 2021-33am. Ordinance 2021-33am 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 June 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

**Exhibit A - Emergency Ord. 2021-42
COVID-19 Mitigation Strategies**

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Fully Open: > than 97% of the population are able to be fully vaccintaed.	No restrictions in place. Recommended masking and testing if displaying any COVID like symptoms if interacting with unvaccinated or vulnerable populations.				
Minimal	If not fully vaccinated, masks/face coverings must be worn 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. Masks must be worn indoors by individuals who are not fully vaccinated.	If not fully vaccinated, patrons must wear masks when not actively eating or drinking. Recommend capacity restrictions that allow 6 ft of social distancing between parties.	If not fully vaccinated, masks/face coverings must be worn indoors in public areas. Recommend capacity restrictions that allow 6 ft of social distancing between individuals.	Follow State Health Advisories
Moderate	If not fully vaccinated, masks/face coverings must be worn indoors in public areas and outdoors at crowded outdoor events (e.g. live performance, parade, sports event). If fully vaccinated, masking is highly recommended in indoor public areas. Limit social interactions.	Indoor gatherings should be limited to 50* people with safety measures (masks required). Outdoor gatherings are recommended. There are no size limits if all individuals at the gathering are fully vaccinated, masking is highly recommended.	If not 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, reduce waiting room capacity to 50%. Gyms limit capacity to 50%. Gyms limit indoor group classes to full vaccinated individuals only.	Follow State Health Advisories
High	Masks/Face coverings must be worn indoors and outdoors in public areas where 6ft of social distancing cannot be maintained. Keep social bubble contained to family members.	Indoor gatherings should be limited to 20* people with safety measures (masks required). Outdoor gatherings with 6ft distancing recommended. There are no size limits if all individuals at the gathering are fully vaccinated.	Bars and Restaurants reduce capacity to ensure at least 6 feet of physical 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 limit capacity to 50%. Gyms limit indoor group classes to full 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 communal 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: September 13, 2021
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(BC)

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

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 \$7,260,772 to fund the City and Borough of Juneau and Bartlett Regional Hospital's fiscal year 2021 Public Employees' Retirement System contribution, distributed as follows:

Bartlett Regional Hospital

Bartlett Regional Hospital	<u>\$ 3,684,090</u>
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City & Borough of Juneau

General Fund:

Arboretum	\$ 6,974
Clerk's Office	16,249
Community Development	138,698
Finance	269,843
General Engineering	129,438
Human Resources	45,431
Law	75,303
Libraries	131,002
Management Information Systems	93,637
Manager's Office	91,658
Mayor & Assembly	583
Parks and Landscape	<u>23,789</u>
Total General Fund	<u>\$ 1,022,605</u>

Special Revenue Funds:

Capital City Fire	\$ 438,481
Capital Transit	243,262
Eaglecrest Ski Area	44,773
Lands & Resources	14,428

Parks and Recreation	186,858
Police	729,013
Streets	<u>138,786</u>
Total Special Revenue Funds	<u>\$ 1,795,601</u>
Enterprise Funds:	
Airport	\$ 179,047
Docks	55,454
Harbors	80,970
Water	81,867
Wastewater	206,676
Waste Management	<u>7,823</u>
Total Enterprise Funds	<u>\$ 611,837</u>
Internal Service Funds:	
Building Maintenance	\$ 72,667
Public Works Fleet	41,243
Self-Insurance	<u>32,729</u>
Total Internal Service Funds	<u>\$ 146,639</u>
Total City & Borough of Juneau	<u>\$ 3,576,682</u>
<u>Total Appropriation</u>	<u>\$ 7,260,772</u>

Section 3. Source of Funds

Alaska Department of Administration	\$ 7,260,772
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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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-10(C)

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

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 \$700,000 for a portion of the Juneau School District's fiscal year 2021 Public Employees' Retirement System (PERS) and Teacher Retirement System (TRS) contribution.

Section 3. Source of Funds

State Revenue \$ 700,000

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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(BD)

An Ordinance Transferring \$350,964 from the Marine Passenger Fee Fund to the Port Development Fee Fund for Port Management and Customs Operations.

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 \$350,964 be transferred from the Marine Passenger Fee Fund to the Port Development Fee Fund for port management and customs operations.

Section 3. Source of Funds.

Marine Passenger Fee Fund	(\$350,964)
Port Development Fee Fund	\$350,964

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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(BE)

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

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 \$20,900,000 for Bartlett Regional Hospital's fiscal year 2021 operating budget.

Section 3. Source of Funds

Federal Revenue	\$ 7,100,000
State Revenue	\$ 4,000,000
Private Grants	\$ 1,900,000
Hospital Revenue	\$ 5,000,000
Hospital Fund Balance	\$ 2,900,000

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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(BF)

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

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 \$24,750,000 for the City and Borough of Juneau's fiscal year 2021 COVID-19 related costs.

Section 3. Source of Funds

Federal Revenue	\$ 23,226,400
State Revenue	\$ 1,523,600

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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$24,000 to the Manager as Funding for a Building Survey and Inventory of the Juneau Townsite Historic Neighborhood; Grant Funding Provided by the Alaska Department of Natural Resources.

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 \$24,000 as funding a building survey and inventory of the Juneau Townsite Historic Neighborhood.

Section 3. Source of Funds

Alaska Department of Natural Resources	\$24,000
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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 A. McEwen, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

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

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 \$24,730 as funding for facility security enhancements for Docks and Harbors.

Section 3. Source of Funds

U.S. Department of Homeland Security	\$24,730
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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 A. McEwen, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

**An Ordinance Appropriating \$1,000,000 to the Manager for COVID-19
Emergency Response Management; Funding Provided by General
Funds.**

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

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

Section 2. Appropriation. There is appropriated to the Manager
the sum of \$1,000,000 for COVID-19 emergency response management.

Section 3. Source of Funds

General Funds	\$1,000,000
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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: September 13, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$120,000 to the Manager as Funding for a Grant Writer; 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 \$120,000 as funding for a grant writer.

Section 3. Source of Funds

General Funds	\$120,000
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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
Presented: 09/13/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2964

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

WHEREAS, opioids have devastated individuals and significantly harmed communities throughout Alaska, and litigation settlement funds need the flexibility to abate opioid impacts, current and future; and

WHEREAS, opioid impacts have resulted in increased criminal justice law enforcement demands, increased healthcare demands - including behavioral healthcare - increased emergency medical services demands, increased educational supportive services demands, and increased emergency and transitional housing services demands; and

WHEREAS, municipalities in Alaska are uniquely suited to help utilize or distribute opioid settlement funds because of the array of services provided by municipalities and by local providers; and

WHEREAS, opioid settlement funds should be available to reimburse existing and create new opioid related municipal services - like services for people experiencing homelessness, police, fire/EMS, behavioral health, and other healthcare - and grants to local providers who provide opioid support services; and

WHEREAS, the municipalities in Alaska also recognize the Alaska Legislature has a constitutional duty to promote and protect public health and welfare; and

WHEREAS, the municipalities in Alaska also recognize the Alaska Legislature has a constitutional duty to maintain a public school system open to all children, including children that have been significantly impacted by opioids; and

WHEREAS, upon balancing the opioid impacts across the State of Alaska and the desire to help resolve the current opioid litigation, it is in the interest of all to maximize the amount of settlement funding that will come to the state; and

WHEREAS, the municipalities in Alaska encourage the State of Alaska to create an opioid settlement distribution that provides stable short-term and long-term funding to abate the opioid impacts in Alaska's municipalities.

Section 2. Opioid Settlement Structure. The Assembly of the City and Borough of Juneau urges the State of Alaska to create a settlement structure in collaboration with Alaska municipalities to address local needs, to support their residents and service providers, and to protect the settlement funds from legislative action beyond the terms agreed to by parties of the settlement.

Adopted this _____ day of _____, 2021.

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 09/13/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2965

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

WHEREAS, Capital School Park is a municipal park that occupied the former site of the Fifth Street School until 1917 and then became Juneau’s first elementary school in later years, bounded by Franklin Street, Fifth Street, Seward Street, and Sixth Street; and

WHEREAS, this public space served for many years as the playground and school grounds for the adjacent high school, Capital School, that is now the Terry Miller Legislative Office Building; and

WHEREAS, this public space serves not only as a neighborhood park, but it is also an essential part of the Alaska State Capitol Complex due to its proximity to the Alaska State Capitol, Terry Miller Legislative Office Building, and other facilities; and

WHEREAS, the Juneau Capitol Fund was established at the Juneau Community Foundation by William A. Corbus and Karen “Katie” S. Corbus to assist and support the City and Borough of Juneau and others to enhance and improve the State Capitol Complex in Juneau through projects that improve the functionality, appearance, and efficiency of the State Capitol Complex; and

WHEREAS, the Board of Advisors of the Juneau Capitol Fund unanimously recommended that the Juneau Capitol Fund provide a significant financial contribution to reconstruct the park; and

WHEREAS, the Juneau Capitol Fund has provided \$550,000.00 to the City and Borough of Juneau for enhancements to the park, representing more than 25 percent of the project costs; and

WHEREAS, the Board of Advisors for the Juneau Capitol Fund requested that the name of the park be changed to “Capitol Park”; and

WHEREAS, the Parks and Recreation Advisory Committee has recommended changing the name of the park to “Capitol Park”; and

WHEREAS, the name “Capitol Park” properly recognizes the park’s significance as an essential piece of the Alaska State Capitol Complex, as well as the significant financial contribution to the project by the Juneau Capitol Fund of the Juneau Community Foundation.



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

Packet Page 46 of 76
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

July 26, 2021

City & Borough of Juneau
Attn: Beth McEwen
Via Email: beth.mcewen@juneau.org
Cc: City.Clerk@juneau.org; di.cathcart@juneau.org

License Type:	Package Store	License Number:	300
Licensee:	Statter Harbor Food and Fuel LLC		
Doing Business As:	DeHart's Grocery		
Premises Address:	11735 Glacier Hwy		

- ☐ New Application
☐ Transfer of Location Application
☒ Transfer of Ownership Application
☐ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 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 47 of 76
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 10, 2021

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org; di.cathcart@juneau.org

License Type:	Restaurant/Eating Place	License Number:	816
Licensee:	El Sombrero Incorporated		
Doing Business As:	El Sombrero Mexican & American Food		
Premises Address:	157 S 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 MICHAEL J. 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

July 27, 2021

City and Borough of Juneau

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

Re: Notice of Liquor License Renewal Applications

License Number	DBA	License Type	City LGB	Borough LGB	Community Council
4493	Little Tokyo	Restaurant/Eating Place	Juneau	Juneau	NONE

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 dark 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

August 25, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	25190
License Type:	Retail Marijuana Store
Licensee:	ALASKAN COFFEE POT, LLC.
Doing Business As:	Alaskan coffee pot
Physical Address:	2219 Dunn St. Juneau, AK 99801
Designated Licensee:	Joe Markey
Phone Number:	907-568-2206
Email Address:	joe_acp@hotmail.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.

Sincerely,

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

August 3, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	12176
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Taku Horticulture Company, LLC
Doing Business As:	TAKU HORTICULTURE COMPANY, LLC
Physical Address:	1758 Anka Street Building B, Suite A1 Juneau, AK 99801
Designated Licensee:	David Turner JR
Phone Number:	907-723-0106
Email Address:	dturner907@yahoo.com

☒ **License Renewal Application**

☐ **Endorsement Renewal Application**

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: August 23, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$700,000 as funding for the City and Borough of Juneau Ballot Processing Center Capital Improvement Project (D12-099).

Section 3. Source of Funds

General Funds	\$700,000
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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
Presented: 07/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-13

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

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

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

Section 2. Amendment of Section. CBJC 49.05.200 Comprehensive plan, is amended as follows:

49.05.200 Comprehensive plan.

(a) The City and Borough Comprehensive Plan is designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks, and other public requirements.

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

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

(A) Reserved. ~~The Juneau Coastal Management Program, Volumes 1 and 2, dated February 2008;~~

...

Section 3. Repeal of Article. CBJC Article IX of Title 49.70, Coastal Management, is repealed and reserved.

Section 4. Amendment of Section. CBJC 49.70.310 Habitat, is amended as follows:
49.70.310 Habitat.

(a) Development in the following areas is prohibited:

(1) On Benjamin Island within the Steller sea lion habitat;

(2) Within 50 feet from the ordinary high water mark ~~of the banks~~ of streams designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(3) Within 50 feet from the ordinary high water mark of lakeshores designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update.

(b) In addition to the above requirements there shall be no disturbance in the following areas:

(1) Within 25 feet from the ordinary high water mark of stream corridors designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(2) Within 25 feet from the ordinary high water mark of lakeshores designated in Appendix B of the comprehensive plan of the City of Borough of Juneau, 2013 Update.

(c) The following developments or disturbances are exempt from the setback prohibitions of this section: (1) docks, bridges, culverts and public structures whose purpose is access to or across the stream or lake; and (2) uses which must be in or adjacent to the stream or lake in order to function, such as mining activities, fish culturing, water supply intakes and similar uses. Except for the setback area necessary for such developments or disturbances, the remaining setback shall be vegetated or revegetated, where feasible and prudent, and such vegetation or revegetation shall be kept or arranged to maximize shade on the stream or lake. A variance is required for any other development or disturbance in the setback prohibitions of this section.

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



MEMORANDUM

DATE: May 17, 2021
 TO: Michael Levine, Chair of Planning Commission
 FROM: Robert Palmer, Municipal Attorney
 SUBJECT: Ordinance 2021-13 Draft vPC, Amend Title 49 re Habitat and Coastal Zone Mgmt.

In 1970, Congress enacted the Coastal Zone Management Act to facilitate coastal development by involving state and local governments in “consistency determinations.” In 1977, the Alaska Legislature enacted the Alaska Coastal Management Act, which allowed the State and municipalities to participate in the decision making process. The CBJ quickly followed by enacting the Juneau Coastal Management Program, CBJC 49.05.200(b)(1)(A), and a robust set of “enforceable policies,” CBJC 49.70.900-960, which articulated the CBJ’s priorities for consistency determinations pursuant to State law. That regulatory framework existed for approximately 35 years.

In 2011, by operation of AS 44.66.020 and .030, the Alaska Coastal Management Act was repealed. Without the Alaska Coastal Management Act, the local enforceable policies of CBJC 49.70.900-960 are historical artifacts of a regulatory framework that no longer exists.

Unfortunately, because CBJC 49.70.900-960 remained in code for the last decade, its presence has recently caused chaos. Notably, CDD staff recently approved a grading permit to cut trees and undertake a grading project along Duck Creek in violation of 49.70.310 by applying a provision from the coastal management section, 49.70.950(f). Currently, the only tool to deviate from the setback provisions of 49.70.310 is a variance, CBJC 49.20.200.

Given the 2011 repeal of the underlying State law and the recent Duck Creek permitting error, I worked with CDD Director Maclean to propose amendments to Title 49 that eliminated the confusion between 49.70.310 and 49.70.900-960. The attached draft does the following:

Section 2: Repeals the overarching Juneau Coastal Management Plan

Section 3: Repeals all of the “enforceable policies” of the Coastal Management code

Section 4: Adds an exception to 49.70.310 for water-dependent facilities

Staff request: Consider any amendments and then recommend Ord. 2021-13 for Assembly introduction.

Presented by: The Manager
Presented: 06/14/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-29(b)

An Ordinance Amending the Sales Tax Code and the Hotel-Motel Room Tax Code Regarding the Compensatory Collection Discount.

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. CBJ 69.05.080 Sellers' compensatory collection discount, is amended to read:

69.05.080 Sellers' compensatory collection discount.

All sellers and persons rendering sales tax returns to the City and Borough, including transportation network companies collecting and remitting tax on behalf of transportation network drivers, shall be allowed to compensate themselves for costs incurred in the collection, recordkeeping, remittance, and accounting for the tax imposed by taking ~~the greater of \$10.00 or one percent~~ \$30.00 of the tax due as a tax collection discount to reduce the tax to be remitted on any period return that is timely filed with a remittance of all sales tax due, provided, however, that the tax collection discount may reduce the tax to zero but shall not result in a credit. The deduction may not exceed ~~\$50.00~~ \$30.00 for any ~~monthly filing period or \$100.00 for any calendar quarter or longer~~ filing period, and may not be taken if any sales tax, penalty, or interest is due for any previous filing period. Effective February 1, 2022.

the deduction may not be taken if any submittal method other than the CBJ online portal is used for the filing of a return.

Section 3. Repeal of Section. CBJ 69.07.060 Operator's compensatory collection discount, is repealed and reserved.

69.07.060 ~~Operator's compensatory collection discount.~~ Reserved.

~~All operators rendering hotel motel tax returns to the City and Borough through the CBJ online portal shall be allowed to compensate themselves for costs incurred in the collection, recordkeeping, remittance and accounting for the tax imposed by taking the greater of \$10.00 or one percent of the tax due as a tax collection discount to reduce the tax to be remitted on any period return that is timely filed with a remittance of all hotel motel tax due, provided, however, that the tax collection discount may reduce the tax to zero but shall not result in a credit. The deduction may not exceed \$50.00 for any monthly filing period or \$100.00 for any calendar quarter or longer filing period, and may not be taken if any hotel motel tax, penalty, or interest is due for any previous filing period.~~

Section 4. 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: Jones
Presented: 08/23/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, 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; and

WHEREAS, section 5 of Ordinance 2017-02 imposed an automatic repeal clause (sunset date) of December 31, 2018; and

WHEREAS, Ordinance 2018-46 extended the sunset date three years to December 31, 2021.

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. The sunset date provision originally enacted with Ordinance 2017-02 and codified with CBJC 20.25.080 and with CBJC 53.09.350 is repealed.

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
Introduced: 02/13/2017
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-02

An Ordinance Amending the City and Borough of Juneau Code Relating to Licenses to Use Certain Rights of Way for the Selling of Food and Beverages and Related Uses.

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. CBJ 20.25.080 Public possession and consumption of intoxicating liquor, is amended to read:

20.25.080 Public possession and consumption of intoxicating liquor.

(a) Except in the area and for the period authorized by the manager in conjunction with a valid license issued under CBJ 53.09.350 or special event street closures, no person may consume intoxicating liquor on any public street, alley, sidewalk, easement, trail or other way dedicated or held for public vehicular or pedestrian use, including parking lots owned and operated by the municipality.

(b) Except in the area and for the period authorized by the manager in conjunction with a valid license issued under CBJ 53.09.350 or special event street closures, no person may have in his or her physical possession on any public area described in subsection (a) of this section, intoxicating liquor in a glass, mug, open can, open bottle or other open container. A can, bottle or other container is open if it would not contain its contents when turned on its side or upside down.

...

Section 3. Amendment of Article. The title of Article V of Chapter 53.09 Easements, Use Permits, Resource Removal Permits, and Camping, is amended to read:

Article V Easements, Licenses, Use Permits, Resource Removal Permits, and Camping.

Section 4. Amendment of Article. Article V of Chapter 53.09 is amended by adding a new section to read:

53.09.350 License to use pedestrian ways for the sale of food and beverages and related uses.

(a) An annual license authorizing the non-exclusive use of up to five hundred square feet of City and Borough owned pedestrian way for the purpose of engaging in the business of the selling of food and beverages, or for purposes related to the selling of food and beverages such as the provision of tables and chairs, may be granted by the manager in accordance with this section. Vending from food trucks and vending carts are not authorized by this section but are governed by CBJ 62.10.050 and CBJ 62.10.070, respectively.

(b) Applications for a pedestrian way license are exempt from the requirements of CBJ 53.20. Applications shall be filed with the manager on a form designated by the manager and accompanied by a non-refundable application fee of \$250.00. The application must include a description of the requested location and proposed use, a site plan delineating the proposed placement and number of any tables and chairs or other moveable fixtures to be used within the license area, the hours of operation, and such other information as the manager may request. Prior to issuance, the applicant shall submit to the manager a certification by the finance department that the applicant has met the requirements of the sales tax code. An application will not be approved unless the applicant has a current state business license, has all necessary permits in order to operate in the manner proposed, and the operation meets applicable state and local health and sanitation requirements.

(c) Licenses are valid for the calendar year and shall expire on December 31st of each year. License applications will be accepted between September 1 and December 1 each year for the following calendar year, except that license applications for calendar year 2017 shall be accepted between the effective date of this ordinance and May 1. Licenses shall be issued on a first-come, first-served basis except that priority shall be given to those applicants who operated for at least three months during the previous year under a license issued for the same location as the one applied for.

(d) Prior to October 1 of each year, the manager shall evaluate possible license locations and shall designate those available during the following calendar year. Upon the request of an applicant, the manager may consider additional locations after October 1.

(e) The license fee, payable in advance, shall be the fair market value of the property as determined by the manager.

(f) Each licensee must obtain at least \$1,000,000.00 of public liability insurance naming the City and Borough as an additional insured. Prior to beginning operation, a licensee must provide the City and Borough with a broker's certificate of insurance and copy of the amendatory policy endorsement, which must include a provision for notification to the City and Borough if the policy is modified, canceled, or terminated.

(g) Permanent improvements may not be installed in the licensed area. Movable fixtures, such as tables and chairs, must be placed in the licensed area in such a manner as to leave not less than five feet of unobstructed sidewalk space between the fixture and the face of the curb or edge of the sidewalk if there is no curb. Movable fixtures may not be placed in any manner that blocks the view by pedestrians of advertising on a building or of goods displayed in the window of a business unless the licensee has obtained the permission of the affected business. Licensees shall use the licensed area in such a manner as to create the least amount of interference with pedestrian traffic.

(h) Licenses must be placed in the window of the licensee's primary place of business in such a way as to be viewable from the pedestrian way.

(i) The manager may adopt standards for the use and appearance of any allowable movable fixtures and the issuance and renewal of licenses, and may impose the time, place, method of operation, and such other restrictions on the license as may be necessary to ensure the safe and convenient use of pedestrian ways.

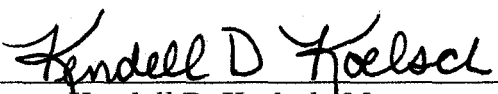
(j) Licenses may not be assigned or transferred without manager approval.

(k) Licenses may be revoked by the manager for violation of this section, upon a determination that the operation of the permittee is causing a hazard or a significant disruption of pedestrian or vehicular traffic, that the area affected by the permit is required for a public purpose, or for other good cause as determined by the manager. The licensee shall be given an opportunity to be heard by the manager before any revocation. The decision of the manager may be appealed to the assembly in accordance with CBJ 01.50.

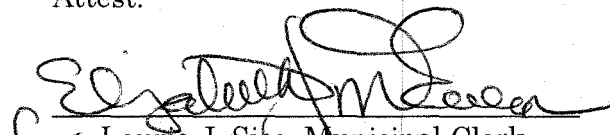
Section 5. Sunset Date. This ordinance shall be automatically repealed on December 31, 2018.

Section 6. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 6th day of March, 2017.


Kendell D. Koelsch, Mayor

Attest:


for Laurie J. Sica, Municipal Clerk

2021 6th Late File List to AssemblyLate File Hardship List:

Name	Parcel Number	Property Address
RAYMOND WATKINS	6D0801050120	6645 N DOUGLAS HWY
MARJORIE W SCHMIEGE	1C030E040020	1800 EVERGREEN AVE

Late File Senior Exemption List:

Name	Parcel Number	Property Address
MICHAEL B BARRETT	8B3401040070	9000 COVE VIEW PL
JOAN SCOTT	5B2101320173	3325 PARK PLACE

LETTER OF EXPLANATION FOR LATE-FILE APPEAL

Parcel ID #:	6D0801050120	Date:	
Appellant Name:	RAYMOND WATKINS		
Appellant Signature:	<i>Raymond Watkins</i>		
Site Location:	6645 N. DOUGLAS HWY.		
Mailing Address:	6645 N. DOUGLAS HWY. JUNEAU, AK 99801		
Phone #:			
Email Address:			

In the space below please state why you were unable to appeal by the established 30-day deadline:

WAS NOT INFORMED OF THIS DEDUCTION
UNTIL RECENTLY. STAFF AT CITY ASSESSOR
OFFICE ENCOURAGED ME TO APPLY EVEN THOUGH
THE DEADLINE DATE HAS PASSED.

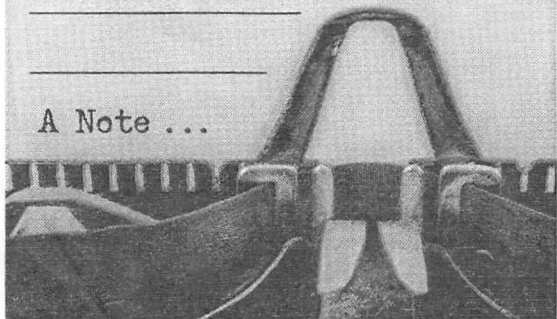
This is late
because we
weren't aware
of it earlier.

Marge is 90
years old.

Thanks

MARJORIE SCHMIEGE

A Note ...

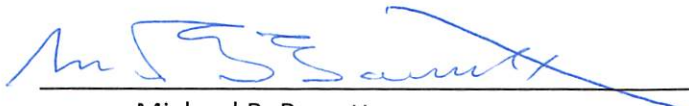


Affidavit regarding late filing of real property tax exemption form, M. Barrett

Although I have been at home in my primary residence in Juneau for more than 186 days/year since turning 65, I have been, until this year, ineligible for a PFD due to an obscure Permanent Fund Division rule (that those taking an allowable absence for service as a merchant mariner may only have 45 additional days out of state for any reason).

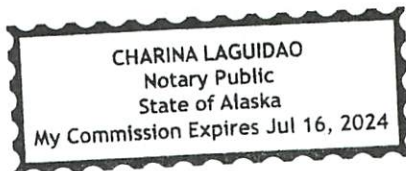
As last year was the first year since turning 65 years of age that I did not take a brief temporary contract as a merchant marine officer aboard University of Alaska Research Vessel Skuliaq, this is the year I resume collection of my PFD. As my status for the dividend was only recently confirmed as eligible by the Division, I am only now, at last, able to document my eligibility for the Senior Citizen Real Property Tax Exemption for parcel number 8B3401040070 to the Assessor.

I do solemnly affirm that the information given in this affidavit is true and correct to the best of my knowledge and belief.


Michael B. Barrett

Date: 02 September, 2021

Subscribed and affirmed before me at Juneau, Alaska on September 2nd, 2021




Notary Public
My commission expires July 16, 2024

[REDACTED]

[REDACTED]

Basically, I have been doing time sensitive paperwork for everyone else and I am just catching up on my own.

I am optimistic that 2021 is the year I can catch up to myself and get everything done and I am hoping that you can help me with this by approving my submission for the property tax exemption .

Thank you for your consideration,
Joan Scott
3325 Park Place
Juneau



City and Borough of Juneau
 City & Borough Manager's Office
 155 South Seward Street
 Juneau, Alaska 99801
 Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor and Assembly
 DATE: September 9, 2021
 FROM: Rorie Watt, City Manager
 RE: Build Back Better Regional Challenge Grant Opportunity

The US Economic Development Agency (EDA) has made \$1BN funds available for regional economic development initiatives, funds are available nationwide. The name of the program is the Build Back Better Regional Challenge. The BBBRC is geared towards applicants who bring together three to eight individual projects that share a common vision for regional growth.

CBJ (several Departments including Eaglecrest, Docks & Harbors and Parks Recreation) has been participating in a wide range of conversations with many agencies in Juneau and in Southeast. The BBBRC is geared towards funding transformative projects that can create new sustainable industries. Funds are available to city or state governments, tribal entities and non-profit organizations.

The threshold application is due by October 19th, this Tier 1 application would allow an applicant to participate in a later competitive round, with the application due in March 2022. Successful Tier 1 applicants will qualify for up to \$500,000 that may be used in further refining the projects included in the proposed development cluster, no match would be required for these planning funds.

The current grant concept proposal is focused on a regional growth initiative to attract adventure travelers, expand the capacity of the small cruise Industry, and to develop a winter tourism economy and cultural tourism experiences across Southeast Alaska. Further refinement of the grant concept with interested partner organizations will continue over the coming weeks.

Work will continue with the throughout the winter by the Eaglecrest Summer Operations Task Force to further understand the nuances of the proposed Eaglecrest Development. Additionally, the Docks and Harbors Board will continue to refine the Small Cruise Vessel Dock expansion concept. Both concepts will come to the Assembly for input and approval.

Recommendation:

I move that the Assembly consent to the grant application, understanding that this first application is to gain approval for a Tier 1 approval by the granting agency and that this is a threshold approval that allows the applicant to qualify to submit a complete application at a later date for the competitive process.

Given that the Assembly has not yet endorsed the Eaglecrest summer operations plan and that the Task Force has not had a chance to do its work as listed in the charging document, this authorization would keep Eaglecrest eligible as a coordinating applicant and would give the Task Force time to do its work. Subsequent review and involvement by the Assembly of the Task Force work will be necessary prior to submission of a full grant package, scheduled for March of 2022.

EDA AMERICAN RESCUE PLAN



The American Rescue Plan allocates \$3 billion to EDA in supplemental funding to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks.

American Rescue Plan funding enables EDA to provide larger, more transformational investments across the nation while utilizing its greatest strengths, including flexible funding to support community-led economic development.

EDA is making a *Coal Communities Commitment*, designating \$300 million of its \$3 billion American Rescue Plan appropriation to ensure support for these communities as they recover from the pandemic and create new jobs and opportunities, including through the creation or expansion of a new industry sector.

	NOFOS								
	STATEWIDE PLANNING, RESEARCH & NETWORKS \$90M		BUILD BACK BETTER REGIONAL CHALLENGE \$1B		TRAVEL, TOURISM & OUTDOOR RECREATION \$750M		ECONOMIC ADJUSTMENT ASSISTANCE \$500M	INDIGENOUS COMMUNITIES \$100M	GOOD JOBS CHALLENGE \$500M
GOAL	EDA is supporting states in planning efforts, investing in research that assesses the effectiveness of EDA's programs, and supporting stakeholder communities around key EDA initiatives.		This Challenge is designed to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks. <i>\$100M for Coal Communities</i>		Through state and competitive grant programs, EDA is focused on accelerating the recovery of communities that rely on the travel, tourism and outdoor recreation sectors, which were hard-hit by the pandemic.		This program will help hundreds of communities across the nation plan, build, innovate, and put people back to work through construction or non-construction projects designed to meet local needs. <i>\$200M for Coal Communities</i>	EDA is allocating \$100 million in American Rescue Plan funding specifically for Indigenous communities, which were disproportionately impacted by the pandemic.	This Challenge aims to get Americans back to work by building and strengthening regional systems and sectoral partnerships to train workers with in-demand skills that lead to good-paying jobs.
SPLIT	Planning: \$59M	Research & Networks: \$31M	Phase 1: <\$500k each	Phase 2: \$25-75M, up to \$100M	State grants: \$510M	Competitive: \$240M			
APPLICANTS	State or designated entity	National research & TA providers	All EDA eligibles	Phase 1 finalists	State or designated entity	All EDA eligibles	All EDA eligibles	Tribes and organizations serving Native Hawaiians and Pacific Islanders.	All EDA eligibles
APPLICATION PROCESS	By invitation	Rolling	National competition	National competition	State grants allocation	Rolling	Rolling	Rolling	National competition
APPLICATION DEADLINE	STATE PLANNING GRANTS Application due 60 days after receiving invitation RESEARCH AND NETWORKS GRANTS Suggested application submission date: October 31, 2021		Phase 1 deadline: October 19, 2021 Phase 2 deadline: March 15, 2022		STATE TOURISM GRANTS Application due 60 days after receiving invitation COMPETITIVE TOURISM GRANTS Suggested application submission date: March 15, 2022		Suggested application submission date: March 15, 2022	Suggested application submission date: March 15, 2022	Application deadline: January 26, 2022



MEMORANDUM

DATE: September 10, 2021

TO: Mayor Weldon and CBJ Assembly

FROM: Chair Hale and CBJ Public Works and Facilities Committee

SUBJECT: Public Outreach on New City Hall

The Public Works and Facilities Committee (PWFC) has been reviewing a process for gathering public input on a new city hall. At the August 30 meeting the committee reviewed two timelines for public process (memo attached) and moved to recommend that the Assembly proceed with a one-year effort with the goal of bringing a question to the voters on the October 2022 ballot. This memo constitutes that recommendation.

The first step for public engagement is a brief survey on site selection, cost drivers and how the public uses City Hall scheduled to go live October 12. It is important to emphasize that no final decisions have been made on when to bond for the project; the Assembly will need to decide that by ordinance no later than July 11, 2022. I recommend Assembly revisit the schedule at a February 2022 Committee of the Whole or Finance Committee.



MEMORANDUM

DATE: August 27, 2021

TO: Chair Hale and CBJ Public Works and Facilities Committee

FROM: Katie Koester, Engineering & Public Works Director

SUBJECT: New City Hall Timeline: Comparing October 2022 to 2023 ballot timelines

At the August 9th PWFC meeting I introduced a schedule for a new city hall that would culminate in a ballot question to bond for a new city hall before the voters on the October 2022 ballot. The committee asked for an October 2023 ballot timeline to provide a longer public process. The purpose of this memo is to compare the two options.

Why October 2022?

- The Current facility needs \$6m in deferred maintenance; some of those expenditures cannot be delayed for much longer (painting, camera upgrades, carpet, bathrooms, galvanized waste plumbing, and roofing, for example) and will need to be considered for the 1% special sales tax in October 2022. We cannot wait until the sales tax comes around again in 2027.
- There is consensus that CBJ needs a new, OR a remodeled facility – delaying does not save any money (rent and construction inflation)
- Some options, such as purchasing existing facilities/land may not be available in the future
- The more we have advanced the project; the better prepared we will be for possible infrastructure/funding/opportunities
- Two years is too long for the voters to talk about a project; public fatigue

Draft Timeline for October 2022 Ballot (revised)

October 12 – Issue RFP for site selection, design and public process
October 12 to November 15 – ‘What is important to the Public’ Survey live (1 month)
November 1 - Present site selection matrix to PWFC/Lands; introduce preliminary list of potential sites
November 22 – award bid for site section, design and public process
December 20 – Present survey findings to PWFC. Select obvious sites to drop off list
2022
January – Public meeting on survey results and site selection
February 1 – PWFC discusses preferred alternatives
February 22 – PWFC selects preferred alternative
March 7 – Assembly confirms preferred alternative by resolution at regular meeting
March – June – Conceptual design (buildability, parking analysis, footprint and mass elevation)
June – Public meeting on conceptual design
June 27 – Present conceptual design to PWFC; make recommendation to Assembly
July 11- Last regular meeting to introduce ordinance with ballot language
August – September – Voter education and outreach
October 4 - ELECTION

Why October 2023

- The public is burnt out from the pandemic and there is significant economic uncertainty in the community
- A longer timeline allows more time for public outreach and investigation by the Assembly (follow up meetings, questions, etc.)
- If CBJ does not take its time and do this right, it is likely to fail and the community will be stuck in a too small and outdated facility for good
- Too many big projects on the horizon
- Uncertainty over the future of work from COVID 19, including telework
- An extended timeline would allow for more development of options and more detailed design of the preferred alternative before bringing a project to the voters (but would cost more)

Draft Timeline for October 2023 Ballot

November 15- December 15 – ‘What is important to the Public’ Survey live (1 month)
2022

January 6 – Issue RFP for site selection, design and public process

February 1 - Present survey results to PWFC

February 22 – Award RFP for site selection, design and public process

March 1 – PWFC update on site selection; select 3 sites to investigate

May – High-level concept design for 3 sites to include buildability, parking analysis, footprint and mass elevations

July – PWFC selects preferred alternative

October – Some amount of facility renovation (TBD) is listed on the 1% sales tax renewal.

October – Public outreach/meeting

November – Assembly confirms preferred alternative

December/January – ordinance introduced for design funding

2023

February – April – Conceptual design on preferred alternative

July – introduce Ordinance to put language on ballot

August – September – voter education and outreach

October – ELECTION

Keep in Mind

As a starting place, it is helpful to keep in mind that CBJ operates out of 4 distinct buildings downtown with an annual rental cost of \$750,000. In the simplest math, a \$750,000 bond payment for 30 years affords a \$12 million project. From there you can add the savings from deferred maintenance or the sale of the current building.¹ One goal of this process is to understand what a new city hall could look like without increasing the CBJ annual budget.

Recommendation:

Discuss two timelines and provide direction to staff.

¹ Bond terms: \$12m bond over 30 years at 4.25% interest = \$724,998 annual bond payment

CITY AND BOROUGH OF JUNEAU

BARTLETT REGIONAL HOSPITAL AND ASSEMBLY JOINT COMMITTEE

Bartlett Regional Hospital and Assembly Joint Committee

There is created within the City and Borough of Juneau a six member joint committee of Bartlett Regional Hospital and the Assembly. The committee is composed of three Assembly members and three members of the Bartlett Regional Hospital Board. The proposed members of the Assembly are Mayor Beth Weldon, Alicia Hughes-Skandijs, and Christine Woll. The proposed members of the Bartlett Regional Hospital Board are Kenny Solomon-Gross, Deb Johnston, and Lance Stevens.

Ms. Hughes-Skandijs shall serve as Chair. Mr. Kenny Solomon-Gross will serve as Vice Chair.

Purpose

The purpose of the committee shall be to accomplish the following tasks:

- Evaluate Bartlett Regional Hospital's ability to consider and acquire real property
- Discuss Bartlett Regional Hospital campus planning, business plan, projected community service needs, and facility needs
- Keep the Assembly informed and updated on BRH's efforts to partner or affiliate with other hospitals and health care providers.

Timeline

The members shall serve until completion of their tasks. The committee shall expire on June 30, 2022 unless this date is extended. The joint committee shall report to the Assembly Committee of the Whole as scheduled by the Deputy Mayor.

Meetings, Officers, Records, Quorum, Staff Support

The committee shall determine its meeting schedule according to its workload and at the call of the chair. All meetings shall be open to the public and advertised through the Municipal Clerk's office.

A majority of the committee members shall constitute a quorum for the transaction of its business. The committee shall follow the procedures used by the Assembly for transaction of its business, as interpreted by the City Attorney as necessary. The committee shall keep a record of its meetings, transaction, finding, determinations and written public comments received, which shall be filed with the Municipal Clerk and be open to public inspection at reasonable times.

BRH will provide staff support and assistance to schedule and organize the task force as appropriate and as time and priority allows. The City Manager shall participate and advise on possible code amendments and other Assembly process or technical issues.

Dated: September 9, 2021

A handwritten signature in black ink, appearing to read "Beth A. Weldon", is written over a horizontal line.

Beth A. Weldon, Mayor
City and Borough of Juneau

CITY AND BOROUGH OF JUNEAU
HOUSING AND DEVELOPMENT TASK FORCE

CBJ Housing and Development Task Force

There is created within the City and Borough of Juneau a seven member Housing and Development Task Force. The committee is composed of two Assembly members, two Planning Commissioners and three persons active in the development industry. The proposed members from the Assembly are Ms. Hale and Ms. Gladziszewski; Planning Commission will be represented by Nathaniel Dye and Paul Voelckers and the development industry would be represented through the Juneau Chamber of Commerce's Housing and Development Committee by Bill Heumann, Dave Hanna and Wayne Jensen. The non-voting facilitator/Chair of the HDTF will be outgoing Assemblymember Jones.

The committee shall elect a vice chair from among its members at its first meeting.

Purpose

The purpose of the committee shall be to provide helpful advice to the Assembly regarding housing and development issues.

Specifically, the committee is asked to:

- Review the path that a project must take to gain approval. Identify areas where pathways may be improved, keeping in mind staff constraints. Evaluate the current pre-application process and make recommendations.
- Discuss possible structures to engage a working group that interfaces with land and facility developers in the industry.
- Consistent with Assembly goals, identify general processes and areas in existing title 49 code that inhibit growth and development. The goal is to identify and prioritize tasks or projects that could be worked on by this Task Force or other groups, such examples include:
 - A line by line review of the Table of Permissible Uses
 - A line by line review of dimensional standards
 - Confirmation that a Comprehensive Plan Update is needed
 - Prioritization of efforts to update Title 49, complete Neighborhood Area Plans and funding and updating of the Comprehensive Plan
 - Consideration of governance structure, similar to or different than the Manager's memo to the Lands Housing & Economic Development Committee in July.

Timeline

The members shall serve until completion of their tasks which are proposed to be completed and reported to the Assembly by April 30, 2022. The committee shall automatically expire within six months of this date unless extended. The committee shall report to the Assembly Committee of the Whole as scheduled by the Deputy Mayor.

Meetings, Officers, Records, Quorum, Staff Support

The committee shall determine its meeting schedule according to its workload and at the call of the chair. All meetings shall be open to the public and advertised through the Municipal Clerk's office.

A majority of the committee members shall constitute a quorum for the transaction of its business. The committee shall follow the procedures used by the Assembly for transaction of its business, as interpreted by the City Attorney as necessary. The committee shall keep a record of its meetings, transactions, findings, determinations and written public comments received, which shall be filed with the Municipal Clerk and be open to public inspection at reasonable times.

The City Manager will provide staff support and assistance to the task force as appropriate and as time and priority allows.

Dated: September 9, 2021

A handwritten signature in black ink, appearing to read "Beth A. Weldon", is written above a horizontal line.

Beth A. Weldon, Mayor

City and Borough of Juneau

Proclamation

Good Neighbor Day – September 28, 2021

Whereas, the noblest human concern is a concern for others, and that concern leads to the understanding, love, and respect that builds cohesive families and communities; and

Whereas, this sense of community is nurtured and expressed in our neighborhoods where we give each other an opportunity to share and feel part of a larger family; and

Whereas, the city of Juneau recognizes the importance of fostering compassion and respect for our neighbors; and

Whereas, National Good Neighbor Day was established in the United States in the month of September via a proclamation by President Jimmy Carter in 1978.

NOW, THEREFORE, I, Beth A. Weldon, Mayor of the City and Borough of Juneau, Alaska, on behalf of the City and Borough Assembly, do hereby issue this proclamation marking September 28, 2021 as

Good Neighbor Day

in Juneau, Alaska. I call upon the residents of this city to observe this day by demonstrating what being a good neighbor is all about through acts of kindness and making people feel welcome.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City and Borough of Juneau, Alaska, to be affixed this 13th day of September, 2021.



Beth A. Weldon, Mayor