

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

May 24, 2021 7:00 PM

Assembly Chambers/Zoom Webinar & FB Live Stream
Meeting No. 2021-13 <https://juneau.zoom.us/j/91515424903> or call: 1-253-215-8782
Webinar ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

As this will be the first in-person meeting of the Assembly since 2020, we will be following 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 to no more than 8 persons in the public audience seats. Masks are required for anyone in the room who is not fully vaccinated. Attendees in excess of that number will 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

When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

B. US Coast Guard Certificate of Merit to CBJ's Docks and Harbors

C. EOC update re COVID-19

IV. APPROVAL OF MINUTES

- A. March 22, 2020 Regular Assembly Meeting 2021-07 Draft Minutes**
- B. April 21, 2021 Special Assembly Meeting #2021-10 Draft Minutes**
- C. April 26, 2021 Regular Assembly Meeting 2021-11 Draft Minutes**
- D. May 12, 2021 Special Assembly Meeting 2021-12 Draft Minutes**

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. 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 2021-17 An Ordinance Providing for the Levy and Collection of a Temporary 3% Areawide Sales Tax on the Price of All Taxable Sales of Goods and Services Delivered within the City and Borough of Juneau, to be in Effect Five Years from July 1, 2022, through July 1, 2027; and Calling for an Election on Whether Such Sales Tax Shall Be Levied.**

The CBJ has a 5% sales tax rate, which is comprised of a permanent 1% tax, a temporary 1% tax, and a temporary 3% tax. The voters have authorized the temporary 3% tax every five years, and it currently expires on July 1, 2022. The temporary 3% tax is necessary to provide a stable revenue base for municipal services like police, fire, parks, libraries, and capital projects. This ordinance would place the temporary 3% tax on the ballot for the October 5, 2021, election.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee on June 2, 2021, and set it for public hearing at the next regular Assembly meeting.
 - b. Ordinance 2020-09(AX) An Ordinance Deappropriating \$2,500,000 from the Manager as Funding for the Purchase of a Building at 3225 Hospital Drive, and Appropriating \$2,750,000 to the Manager as Funding for the Crisis Stabilization Capital Improvement Project; Funding Provided by Bartlett Regional Hospital Fund's Fund**

Balance.

This ordinance would deappropriate \$2,500,000 of Bartlett Regional Hospital (BRH) Fund's fund balance and appropriate \$2,750,000 as funding for BRH's Crisis Stabilization CIP (B55-080). BRH was unable to purchase the office building located at 3225 Hospital Drive which currently houses a BRH clinical program. BRH's lease on the clinic space expires in December 2022 and is unlikely to be renewed. To house the clinical program at the hospital campus, BRH is proposing to use this funding to add a floor to the behavioral health facility currently under construction.

Funding for the appropriation would be provided by Bartlett Regional Hospital Fund's fund balance.

This request was reviewed and approved by the BRH Board at its April 27, 2021 meeting. This request was reviewed by the Public Works and Facilities Committee at its May 10, 2021 meeting.

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

- c. **Ordinance 2020-09(AY) An Ordinance Transferring \$550,000 from CIP H51-116 Marine Park to Taku Improvements/Archipelago to CIP H51-120 Seawalk Major Maintenance and CIP R72-144 South Franklin Sidewalk Safety and Capacity Improvements.**

This ordinance would transfer \$550,000 of state marine passenger fees from the Marine Park to Taku Improvements/Archipelago CIP to two related waterfront projects.

\$500,000 will go to the South Franklin Sidewalk Safety and Capacity Improvements CIP to relocate light poles and install sidewalk stanchions on South Franklin, which will increase pedestrian safety along this busy transportation corridor.

\$50,000 will go to the Seawalk Major Maintenance CIP to repair the seawalk between Taku Smokeries and the Fishermen's Memorial.

Work on both of these projects is anticipated to be completed prior to the 2022 cruise ship season.

After this transfer, a balance of \$496,000 will remain in the Archipelago CIP to finish the project.

This request was reviewed by the Public Works and Facilities Committee meeting on May 10, 2021.

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

- d. **Ordinance 2020-09(AZ) An Ordinance Transferring \$500,000 from CIP P47-073 Centennial Hall Renovation Phase 2 to CIP F21-041 Downtown/Glacier Fire Stations Mechanical and Electrical Upgrades.**

This ordinance would transfer \$500,000 from the Centennial Hall Renovation CIP to the Downtown/Glacier Fire Stations Mechanical and Electrical Upgrades CIP. The \$500,000 to be transferred was provided on a short-term basis to the Centennial Hall Renovation CIP to complete the project design. The \$500,000 would be transferred to the Fire Station Mechanical and Electrical Upgrades CIP to install ground source heat pump (GSHP) loop fields at the Downtown and Valley fire stations. The additional funding is needed to upgrade the heat system from air source to ground source after a study determined the GSHP to provide the best long-term heating solution at the two fire stations. The study found the life cycle costs of the two options similar but the ground source heat system offered redundancy in the form of an electric boiler that the air source system did not provide.

This request was reviewed by the Public Works and Facilities Committee at its meeting on May 10, 2021.

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

- e. **Ordinance 2021-20 An Ordinance Amending the Compensation for Assemblymembers, the Mayor, and Certain Boards.**

CBJ Charter section 3.10 provides the Assembly—by ordinance—shall provide for compensation for the Mayor and other Assemblymembers. However, an ordinance that increases Assemblymember compensation shall not take effect until after the October election.

This ordinance would establish the compensation for the Planning Commission and the Hospital Board of Directors at \$225 per month, establish the compensation for the Mayor at \$3,500 per month, and establish the compensation for other Assemblymembers at \$750 per month. Currently, this ordinance has an effective date of January 1, 2022. On March 10, 2020, the Assembly Finance Committee amended this ordinance to include the Planning Commission and Hospital Board. On May 5, 2021, the Assembly Finance Committee also discussed this topic.

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

2. Resolutions

a. **Resolution 2946 A Resolution Expanding Membership for the Juneau Human Rights Commission.**

This resolution would increase the membership of the Juneau Human Rights Commission from five to seven members. The Assembly Human Resources Committee recommended this change.

The City Manager recommends the Assembly adopt this resolution.

b. **Resolution 2947 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.**

This resolution would update the Assembly Rules of Procedure to facilitate the transition to in-person meetings (1) by allowing members of the public to continue following Assembly and CBJ enterprise board meetings online; (2) by allowing up to three Assemblymembers to participate remotely via telephone or video programs, like Zoom; and (3) by providing for a land acknowledgement.

On May 10, the Assembly Committee of the Whole recommended these revisions.

The City Manager recommends the Assembly adopt this resolution.

c. **Resolution 2950 A Resolution Ratifying the Labor Agreement between the City and Borough and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.**

This resolution would provide Assembly ratification of the tentative agreement negotiated between Bartlett Regional Hospital and the International Longshore and Warehouse Union, Healthcare Unit 2201, for a collective bargaining agreement that will expire on December 31, 2023.

The tentative agreement includes the following wage increases: 2% in fiscal year 2022, 2% in fiscal year 2023, and 1% in fiscal year 2024. The economic terms also include a one-time \$1000 lump sum bonus payment for full time employees employed on June 1, 2021 or a \$500 lump sum bonus payment for part time, casual or PRN employees employed on June 1, 2021. The total cost of these provisions over the life of the contract for both union and non-represented employees is projected to be approximately \$6,219,000.

In addition, there are other non-economic language changes to the collective bargaining agreement.

This tentative agreement has been put out for ratification vote by the ILWU membership, but the voting period is not yet complete, so the votes have not been counted. Assembly ratification of this tentative agreement is conditioned on ILWU ratification of the tentative agreement.

The Bartlett Regional Hospital Board of Directors reviewed the tentative agreement in a Committee of the Whole meeting and unanimously recommended that the Assembly ratify the tentative agreement.

The City Manager recommends the Assembly adopt this resolution.

- d. **Resolution 2948 A Resolution Providing For Interest Rates For The Hospital Revenue Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.**

On April 26, the Assembly adopted Ordinance 2021-15 which authorized the refinancing of several bond issues through Alaska Municipal Bond Bank Authority. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Hospital Revenue Bond. Savings from the refinancing over the remaining life of the bond are expected to be approximately \$1,054,768.

The City Manager recommends the Assembly adopt this resolution.

- e. **Resolution 2952 A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.**

On April 26, the Assembly adopted Ordinance 2021-15 which authorized the refinancing of several bond issues through Alaska Municipal Bond Bank Authority. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Port Revenue Bond. Savings from the refinancing over the remaining life of the bond are expected to be approximately \$1,542,700.

The City Manager recommends the Assembly adopt this resolution.

- f. **Resolution 2951 A Resolution Providing For Interest Rates For The General Obligation Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.**

On April 26, the Assembly adopted Ordinance 2021-15 which authorized the refinancing of several bond issues through Alaska Municipal Bond Bank Authority. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the General Obligation Bond. Savings from the refinancing over the remaining life of the bond are expected to be approximately \$140,659.

The City Manager recommends the Assembly adopt this resolution.

g. **Resolution 2954 A Resolution Reducing the 2021 Certificate of Public Convenience and Necessity Fee for Commercial Passenger Vehicles.**

Every year, commercial passenger vehicle businesses in the CBJ are required to obtain a certificate of public convenience and necessity to operate. The certificate fee for Class A and Class B businesses is \$1,500 and for Class C businesses is \$750. Many commercial passenger vehicle businesses derive the bulk of their customers from cruise ship passengers, but cruise ships are not anticipated to arrive until later this summer, if at all. This resolution would reduce the certificate fee by 66% to account for the anticipated reduction in cruise ship passengers for 2021.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

a. **Bid Award - BE21-219 Crest Street Reconstruction**

Bids were opened on this project on May 18, 2021. The bid protest period expired at 4:30 p.m. on May 19, 2021. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
North40 Construction Corporation	\$1,963,613
Admiralty Construction, Inc.	\$2,043,243
Coogan Construction	\$2,336,769
Architect's/Engineer's Estimate	\$2,001,166

The City Manager recommends award of this project to North40 Construction Corporation for the total amount bid of \$1,963,613.

b. **Bid Award - BE21-150 Tongass Boulevard Reconstruction**

Bids were opened on this project on May 11, 2021. The bid protest period expired at 4:30 p.m. on May 12, 2021. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Henricksen Constructors, Inc.	\$1,812,730
North40 Construction Corp.	\$2,059,480
Admiralty Construction, Inc.	\$2,139,335
Architect's/Engineer's Estimate	\$1,778,812

The City Manager recommends award of this project to Henricksen Constructors, Inc., for the total amount bid of \$1,812,730.

4. Liquor License

a. **Liquor License Renewals**

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

Liquor License Renewal

License Type: Beverage Dispensary, License #76

Licensee: The Narrows Bar LLC, d/b/a The Narrows Bar LLC

Location: 148 S. Franklin St., Juneau

License Type: Package Store, License #176

Licensee: Breeze-In Corporation d/b/a Breeze-In Liquor

Location: 2200 Trout St., Juneau

License Type: Beverage Dispensary, License #447

Licensee: David McGivney d/b/a No DBA

Location: None, Juneau

License Type: Restaurant/Eating Place, License #2175

Licensee: Midnight Ninja Ventures Inc. d/b/a Lupo

Location: 120 2nd Street Suite B, Juneau

License Type: Beverage Dispensary, License #2533

Licensee: The Viking Lounge LLC, The Viking Lounge

Location: 216 Front St., Juneau

License Type: Beverage Dispensary, License #2766

Licensee: Alaska Red Dog Saloon LLC d/b/a Red Dog Saloon

Location: 278 S. Franklin St., Juneau

License Type: Recreational Site-Grandfathered, License #5095

Licensee: PINZ LLC d/b/a PINZ

Location: 608 W Willoughby Ave., Juneau

License Type: Club, License #5414

Licensee: BPO Elks Lodge #420 d/b/a Juneau Elks Club No. 420

Location: 9321 Glacier Hwy., Juneau

License Type: Distillery, License #5506

Licensee: Amalga Distillery LLC d/b/a Amalga Distillery

Location: 134 N Franklin 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 applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals.

5. Transfers

a. **Transfer Request T-1037 A Transfer of \$108,000 from CIP A50-102 Terminal Construction to CIP A50-092 Float Pond Improvements.**

This transfer of \$108,000 from the Terminal Construction CIP consists of Airport fund balance from the Revolving CIP Fund which will be transferred to the Float Pond Improvements CIP to supplement the available \$34,000 for design of Phase 2 construction.

The proposed design contract consists of survey and design work for the float pond road and shore protection, as well as additive alternates for design engineering to pave the access road and west finger road, for a total design services cost of \$142,000.

Funds were previously transferred from the Revolving CIP Fund to the Airport Terminal Reconstruction project, but are no longer needed for that project. These funds are available for use until anticipated federal grants are awarded.

The Airport Board approved this request at its May 13, 2021 meeting.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

A. **Ordinance 2021-03 An Ordinance Regulating Fireworks and Providing for a Penalty.**

This ordinance would create a comprehensive set of regulations to govern the use, sale, and possession of fireworks. Fireworks would be classified as concussive, holiday, and allowable. Notably, concussive fireworks, like mortars, would be prohibited inside the fire service area.

The Assembly Committee of the Whole discussed fireworks multiple times including: February 1, 2021; March 15, 2021; April 12, 2021; and May 10, 2021.

As this is a policy matter, the City Manager has no recommendation on this ordinance.

B. **Ordinance 2021-18 An Ordinance Regarding Taxing the Sale of Fireworks.**

This ordinance would clarify the sale of fireworks is not exempt from sales tax.

The Assembly Committee of the Whole discussed this ordinance at its meeting on May 10, 2021.

The City Manager has no recommendation for this ordinance.

- C. **Ordinance 2020-09(AW) An Ordinance Appropriating \$109,500 to the Manager as Funding for Security Camera Equipment for Capital Transit; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.**

This ordinance would appropriate \$109,500 for the purchase of security camera equipment for Capital Transit. Grant funding in the amount of \$87,600 is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$21,900 is provided by the Equipment Replacement Reserve Fund's fund balance. This funding will replace older cameras on transit buses with high-definition security camera equipment with wireless download capabilities that will result in operational efficiencies due to the staff time necessary to retrieve videos from the current system. Additionally, this funding will be used to purchase cameras for the Downtown Transit Center.

The Public Works and Facilities Committee reviewed this request at its January 11, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

- A. **Ordinance 2021-09 An Ordinance Appropriating Funds from the Treasury for FY22 School District Operations.**

This ordinance will appropriate to the School District an FY22 operating budget of \$92,396,600. This is an overall increase in the budget of \$838,500 from the FY21 Amended Budget. The FY22 school budget is supported with a combination of funding sources including CBJ local funding of \$29,336,100 and state and federal funding of \$55,506,800. The local funding consists of \$27,264,600 for general operations and \$2,071,500 for programs and activities not subject to the state funding cap.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. The district's budget was submitted April 1, 2021. During the April 21, 2021 Special Assembly meeting, the Assembly approved the local funding portion of \$27,264,600 for school district general operations. During the May 12, 2021 Assembly Finance Committee meeting, the Assembly approved \$2,071,500 for

programs and activities not subject to the state funding cap.

By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2021.

The City Manager recommends the Assembly adopt this ordinance.

X. NEW BUSINESS

A. Ratifying the CBJ COVID-19 Mitigation Strategies of Emergency Ordinance 2021-11.

Please see the attached memorandum from Municipal Attorney Palmer describing the two prominent options to ratify the recent CDC changes into the CBJ Mitigation Strategies.

The City Manager recommends the Assembly either introduce Ordinance 2021-22 or adopt Resolution 2953.

B. (Introduction) Ordinance 2021-22 An Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

On April 26, 2021, the Assembly enacted Emergency Ordinance 2021-11(am), which reestablished the COVID-19 Mitigation Strategies and provided for a penalty. That ordinance is set to expire on July 31, 2021, and requires the Manager to keep it 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.” The CDC has revised its guidance for fully vaccinated people. Consistent with Emergency Ordinance 2021-11, the Manager has updated Exhibit A and it is ready for Assembly ratification.

Ordinance 2021-22 would ratify the CDC changes to Exhibit A and continue to keep the COVID-19 Mitigation Measures in Exhibit A as requirements. If the Assembly introduces this ordinance on May 24, it could be set for public hearing on June 14, and it could be effective on July 15. The Assembly has discretion to extend the expiration date beyond July 31. Between now and the effective date, the Manager’s changes to Exhibit A would still be in effect, which would allow fully vaccinated people to forgo masking in most places while still requiring unvaccinated people to wear a mask in most indoor public settings.

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

C. (Public Hearing) Resolution 2953 A Resolution Repealing Emergency Ordinance 2021-11 and Re-establishing the COVID-19 Risk Mitigation Strategies as Recommendations

On April 26, 2021, the Assembly enacted Emergency Ordinance 2021-11(am),

which reestablished the COVID-19 Mitigation Strategies and provided for a penalty. That ordinance is set to expire on July 31, 2021, and requires the Manager to keep it 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.” The CDC has revised its guidance for fully vaccinated people. Consistent with Emergency Ordinance 2021-11, the Manager has updated Exhibit A and it is ready for Assembly ratification.

Resolution 2953 would terminate Emergency Ordinance 2021-11(am), ratify the CDC changes to Exhibit A, and change the provisions of Exhibit A to recommendations. However, due to federal law, even if Resolution 2953 was adopted on May 24, vaccinated and unvaccinated people would still be required to wear a mask on public transportation, on airplanes, in the Juneau Airport, and in any building or facility that requires masking.

The City Manager recommends the Assembly introduce Ordinance 2021-22 and table Resolution 2953.

D. Supplemental Agreement Bartlett Regional Hospital Crisis Stabilization CIP

Bartlett Hospital wishes to add a third floor to the Behavioral Health Facility Project. The project bid was awarded in March for approximately \$8.5M for the demolition of an old building and the construction of a new two-story facility.

The addition of a third floor would require a Supplemental Agreement as governed by CBJ’s purchasing code and the dollar amount of the approval requires Assembly approval, provided that the Manager provides a best interest finding. That finding is in the Assembly packet.

The City Manager recommends that the Assembly accept the best interest finding and authorize the execution of Supplemental Agreements to the Behavioral Health facility construction contract with Dawson Construction Company to facilitate the addition of a third floor to the new facility.

The City Manager recommends the Assembly approve the supplemental agreement request as presented by the Manager.

E. Regulation 05 CBJAC 15 Dockage Rate Change

This regulation would increase the charge assessed to vessels for berthing at the Intermediate Vessel Float, Steamship Wharf, Cruise Ship Terminal, Port Field Office Float, Inside of the Cruise Ship Terminal, and vessels making reservations at the Statter Harbor breakwater.

The proposed changes would double the fees currently assessed vessels at these locations based on a tiered linear feet basis. This fee does not affect moorage at the small boat harbors.

The Docks and Harbor Board recommended these fees be increased at a special Board meeting held on May 19. The Board received public comment through verbal testimony before deliberating on the recommended fee increase. This regulation was last changed in 2004.

The Assembly's review is guided by CBJC 01.60.260. Notably, the Assembly cannot amend the regulations tonight. However, the Assembly may do one of the following:

1. Not take up consideration of the regulations by moving the regulations with orders of the day, which means the regulations are approved;
2. Discuss the regulations and move to adopt the regulations;
3. Discuss the regulations and direct the Manager to consider reasons to review the regulations again; or
4. Direct the Attorney to prepare an ordinance or resolution for consideration of the substance of the regulations.

The City Manager recommends the Assembly choose #3 and direct the Manager to consider reasons to review the regulations again.

F. Department of Transportation and Public Facilities (DOTPF) application to acquire 380 square feet of City property for the Douglas Highway Reconstruction project

The Department of Transportation and Public Facilities (DOT&PF) has submitted an application to acquire 380 square feet of City property for the Douglas Highway reconstruction project. The requested square footage is located at 750 St. Ann's Avenue at the Mayflower Building. The area being requested is located outside of the Montessori School fence and is adjacent to the existing ROW. This request is part of a package of requests that include easements and temporary construction easements on City property along Douglas Highway. The Lands, Housing and Economic Development Committee provided a motion of support for this disposal at its April 12 meeting.

The City Manager requests a motion of support to work with the DOT&PF towards the disposal of City property through a negotiated sale.

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

There are 21 property owners that are requesting that the Assembly authorize the Assessor to consider a late-filed exemption request for their property assessment. The action required by the Assembly is to determine whether or not the late-filed exemption requests will be heard. Evidence on the assessment itself or the merit of the request is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply

with the 30-day filing requirement.

The burden of proof is upon the property owner to show the inability to file a timely exemption request. In this context, the word “unable” does not include situations in which a property owner forgot about, or overlooked, the assessment notice, was out of town during the period for filing an exemption, or similar situations. Rather, it covers situations that are beyond the property owner’s control and would prevent a property owner from recognizing what is at stake and dealing with it. Examples of this would include physical or mental disability serious enough to prevent a person from dealing rationally with their private affairs. Disagreeing with the amount of the assessment does not constitute inability to submit a timely exemption request, nor does a notice of assessment being sent to a wrong address. The property owner is responsible for keeping a current, correct address on file with the assessor’s office.

If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

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

H. Resolution 2955 A Resolution Authorizing the Manager to Enter into Port Agreements with Cruise Line Corporations for the Purpose of Satisfying Requirements of the Centers of Disease Control and Prevention to Allow Cruise Ships to Visit the Port of Juneau in Calendar Year 2021.

Over the last few months, the Centers for Disease Control and Prevention (CDC) has issued orders and technical guidance for cruise ships to resume carrying passengers. One of the CDC requirements is for each port to sign a Port Agreement outlining important health and safety terms. The various ports in Southeast Alaska are working together with the Alaska Department of Health and Social Services to develop a common Port Agreement. This resolution would authorize the Manager to only sign a Port Agreement if (1) the cruise lines provide the ship schedules in advance and (2) the cruise lines agree to the requirements of the CDC for a vaccinated cruise (currently at least 95% of the passengers and crew vaccinated). The Assembly and CBJ Emergency Operations Center can add other conditions to protect the public health.

The City Manager recommends the Assembly adopt this resolution.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

C. Presiding Officer Reports

**XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA
ITEMS**

XIV.EXECUTIVE SESSION

XV. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org