

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

April 5, 2021 7:00 PM

Zoom Webinar & FB Live Stream

Meeting No. 2021-08; To participate in the meeting use Zoom link

<https://juneau.zoom.us/j/93375903707> or call 1-346-248-7799 and enter Webinar ID 933
7590 3707

Submitted By:

Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Introduction of Exchange Student

**B. Robert Barr - American Library Association's Ernest A. DiMattia Award for
Innovation and Service to Community and Profession**

C. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. 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.

IV. APPROVAL OF MINUTES

- A. **November 7, 2020 Special Assembly/Retreat Meeting 2020-45 Draft Minutes**
- B. **January 21, 2021 Special Assembly Meeting 2021-03 Draft Minutes**
- C. **February 11, 2021 Regular Assembly Meeting 2021-05 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 2020-09(AU) An Ordinance Appropriating \$425,000 to the Manager as Partial Funding for the Bartlett Regional Hospital Emergency Department Addition Capital Improvement Project; Funding Provided by Bartlett Regional Hospital Fund's Fund Balance.**

This ordinance would appropriate \$425,000 to begin design for the Bartlett Regional Hospital Emergency Department Addition CIP (B55-083). The project will expand the Emergency Department and perform ventilation and related improvements in adjacent areas of the hospital. The entire project is estimated at \$7 million and is part of Bartlett's long-range plan of improvements to the hospital campus.

Funding for this request is provided by Bartlett Regional Hospital Fund's fund balance.

The Bartlett Regional Hospital Board reviewed and unanimously approved this request at its February 23, 2021 meeting. The Public Works and Facilities Committee reviewed this request at its March 15, 2021 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.
 - b. **Ordinance 2021-06 An Ordinance Amending the Land Use Code Relating to Floodplain Regulations.**

For private property owners to participate in the National Flood Insurance Program, the CBJ must adopt and enforce a floodplain management ordinance, which includes updated floodplain maps. The CBJ recently adopted the updated floodplain maps with Ordinance 2020-42. This ordinance would update the Title 49 provisions to be consistent with the floodplain maps and policies of the National Flood Insurance Program. The Community Development Department conducted extensive public review for the flood map revision and associated Title 49 language since 2018. The Planning Commission has received updates and reviewed this matter multiple times.

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

- c. **Ordinance 2021-15 An Ordinance Amending Ordinance Serial No. 2020-21 Regarding the Proposed Refinancings by the Alaska Municipal Bond Bank of Various General Obligation and Revenue Bonds of the City and Borough Authorized Thereunder.**

This ordinance amends Ordinance 2020-21 (adopted May 2020), which authorized CBJ's participation in the Alaska Municipal Bond Bank's (AMBBA) refunding of multiple bond issues: 2013 Bartlett Hospital Refunding, 2013 GO CIP, and 2015 Cruise Ship Dock Expansion bonds. The refundings authorized by Ordinance 2020-21 were not completed prior to AMBBA discontinuing services in 2020. However, now that AMBBA has reestablished their services, the refundings can move forward by amending the original ordinance.

The current remaining debt service payments (bonds + interest) total approximately \$47.5 million dollars. AMBBA is proposing a partial Exchange refunding based on various scheduled maturities that show substantial cost savings. Approximately \$18.4 million in debt principal will be refinanced. In March 2021, AMBBA has estimated savings to CBJ of approximately \$1.4 million in a partial Exchange refunding.

The bond refunding transaction will not extend the term of the bonds.

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

- d. **Ordinance 2021-08 An Ordinance Appropriating Funds from the Treasury for FY22 City and Borough Operations.**

This ordinance appropriates \$419,156,600 in expenditure authority for the City and Borough of Juneau's FY22 operating budget, excluding the School District. This ordinance appropriates all transfers between funds

that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$393,024,400 of forecast revenue and transfers-in and decreases fund balances, across all funds, by \$22,987,500. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures. Budgeted expenditures and revenues will be reviewed in detail with the Finance Committee during the budget process in April and May.

The Charter requires that a public hearing be held on the FY22 operating budget by May 1, 2021, and the ordinance be adopted by June 15, 2021.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Special Assembly Meeting scheduled for April 21, 2021.

e. **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. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding cap, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2021.

On April 21, 2021, a meeting is scheduled for the Assembly to state, by motion, the amount of local funding to be provided to the School District.

The City Manager recommends the Assembly introduce this

ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Special Assembly Meeting scheduled for April 21, 2021.

f. Ordinance 2021-10 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2021 Based Upon the Proposed Budget for Fiscal Year 2022.

This ordinance establishes the mill rates for property taxes for 2021, which funds a significant portion of the City and Borough of Juneau's FY22 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY22 Revised Budget as amended by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies. For FY22, the Manager has followed prior direction from the Assembly Finance Committee to implement a 0.20 increase in mill rate from the FY21 Adopted Budget, resulting in a total mill levy of 10.86 mills; the components of which are:

Operating Mill Rate by Service Area	Millage	Change from FY21 Adopted
Roaded Service Area	2.45	-
Fire Service Area	0.31	-
Areawide	6.90	0.20
Operating Total	9.66	-
Debt Service	1.20	-
Total	10.86	0.20

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Special Assembly meeting scheduled for April 21, 2021.

2. Resolutions

a. Resolution 2937 A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2022 through 2027, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2022.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2022 through 2027, as required by Charter Section 9.4, and

lists the capital projects that will be initially appropriated by ordinance in FY22.

The Planning Commission reviewed the preliminary CIP at its February 23, 2021 meeting. The Public Works and Facilities Committee (PWFC) reviewed the preliminary CIP at its March 15, 2021 meeting and forwarded the plan to the Assembly.

The City Manager recommends the Assembly introduce this resolution, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the special Assembly meeting scheduled for April 21, 2021.

b. Resolution 2945 A Resolution Approving the Annual Export Manufacturing Tax Exemptions.

The CBJ provides a property tax exemption for real and business personal property of certain export manufacturing businesses. Consistent with CBJC 69.10.020(10), three businesses applied for this exemption for 2021. See Exhibit A to Resolution 2945.

On March 10, 2021, the Assembly Finance Committee reviewed and recommended the Assembly approve the three applications consistent with the CBJ Assessor's analysis in Exhibit A.

The City Manager recommends the Assembly adopt this resolution.

c. Resolution 2943 A Resolution Providing For Interest Rates For The General Obligation Bond Being Issued By the City and Borough of Juneau.

On or about April 14, 2021 CBJ is scheduled to sell approximately \$17.6 million in general obligation bonds approved by voters in the October 1, 2019 and October 6, 2020 municipal elections.

The issuance of bonds was authorized by the Assembly in Ordinance 2021-02 adopted March 1, 2021. The final Assembly action, per CBJ Charter, related to these bonds is to "prescribe" (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts.

CBJ legal counsel, K&L Gates, has prepared Resolution 2943 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution list the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all the bonds is estimated to be near 2.0%.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. **Liquor License Renewals for Licenses: 313, 662, 4543, 3720 & 5524**

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-Tourism, License #313

Licensee: Juneau Hospitality LLC, d/b/a Ramada by Wyndham Juneau & TK Maguires

Location: 375 Whittier St., Juneau

License Type: Package Store, License #662

Licensee: Breeze-In Corporation d/b/a Douglas Island Breeze-In

Location: 3370 Douglas Highway, Juneau

License Type: Package Store, License #4543

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

Location: 5711 Concrete Way, Juneau

License Type: Beverage Dispensary-Seasonal, License #3720

Licensee: Goldbelt Aerial Tramway LLC, d/b/a Timberline Bar & Grill

Location: 490 S. Franklin St 1800 ft level, Juneau

License Type: Brewery, License #5524

Licensee: Barnaby Brewing Company LLC, d/b/a Barnaby Brewing Company

Location: 165 Shattuck Way, 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 upon request to the Clerk's Office.

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

4. Other Items for consent

a. **CSP2021-0001 Capital School Park**

At its regular meeting on March 23, 2021 the Planning Commission recommended approval of "Capital School Park: Retaining structure replacement, site grading, and new equipment." Additional landscape and

electrical work is possible if funding is available. One public commenter recommended providing an electric vehicle (EV) charging station at the park. That proposal was not supported for two reasons. One: The priority for the two spaces is to provide ADA access to what is otherwise a walkable neighborhood park. Two: Engineering and Public Works is working on a systemic plan for EV charging, and is expected to brief the Assembly's Public Works and Facilities Committee in April or May. The March 23 Planning Commission meeting materials are located at: <https://packet.cbjak.org/CoverSheet.aspx?ItemID=9669&MeetingID=1462>

The City Manager recommends the Assembly adopt the Planning Commission's recommendation related to Capital School Park.

b. New Standard Marijuana Cultivation Facility License #27531

CBJ received notice of the following new Alcohol Marijuana Control Office (AMCO) marijuana license application [*Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office*]:

New Marijuana License

License Type: Standard Marijuana Cultivation Facility License: #27531

Licensee: Tree Logic LLC, d/b/a Stoned Salmon Farms

Location: 5763 Glacier Highway, Juneau

(60-day comment period for local governing body action expires Tuesday, May 4, 2021)

CBJ staff from the Police, Fire, Finance, Public Works/Utilities and Community Development departments reviewed this application for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of this license.

As noted by Community Development Department staff during review, although Tree Logic LLC, d/b/a Stoned Salmon Farms, does not yet have a local CBJ license or conditional use permit, CDD recommends allowing the applicant to move forward to obtain a state license. However, the licensee will not be allowed to operate in the borough until city requirements are met.

The City Manager recommends the Assembly waive its right to protest the issuance of marijuana license 27531.

VIIIPUBLIC HEARING

A. Ordinance 2021-12 An Ordinance Amending the Uniform Alaska Remote Seller Sales Tax Code.

The Alaska Remote Seller Sales Tax Commission adopted revisions to the Uniform Remote Seller Sales Tax Code at its February 24, 2021 meeting. In accordance with the intergovernmental agreement that established the Commission, all member municipalities must adopt the revised Uniform Code within 120 days to remain a member in good standing. This ordinance implements a number of clerical and technical clarifications to the Uniform Code, and it also clarifies that all services are subject to sales tax at their destination jurisdiction. This change to the Uniform Code will induce a corresponding adjustment to Juneau's local sales tax code in a separate forthcoming ordinance.

The Assembly Finance Committee reviewed this request at the February 23, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2020-09(AR) An Ordinance Appropriating \$17,000 to the Manager as Funding for a COVID-19 Economic Impacts and Recovery Plan; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate \$17,000 for a COVID-19 Economic Impacts and Recovery Plan, as proposed by McKinley Research Group, LLC. This plan would provide an overview of economic impacts in Juneau as a result of the pandemic, outlook for economic recovery by sector, and recommendations for pandemic-related economic recovery initiatives.

Funding for this request would be provided by the General Fund's fund balance.

The Assembly Finance Committee reviewed this request at the March 3, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2020-09(AS) An Ordinance Appropriating \$203,028 to the Manager as Funding for the Taxiway A&E Rehabilitation Capital Improvement Project; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate \$203,028 to the Taxiway A&E Rehabilitation CIP (A50-098). This funding will be used for airfield lighting regulator upgrades. These upgrades are considered maintenance-related and are therefore eligible under the Airport's CARES Act grant.

The Airport Board approved this request at the March 17, 2021 special meeting.

The City Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2020-09(AT) An Ordinance Appropriating \$21,624,000 to the Manager as Funding for the Planning, Design, and Construction of Bond-Funded Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.

This ordinance would appropriate \$21,624,000 for the planning, design, and construction of bond-funded capital improvement projects.

This appropriation of project funding is consistent with the intent of the \$15 million general obligation bond package approved by voters in the October 6, 2020 municipal election and the \$7 million general obligation bond package approved by voters in the October 1, 2019 municipal election.

Funding for this request would be provided by General Obligation Bond Proceeds.

The Public Works & Facilities Committee reviewed this request at its November 9, 2020 meeting. The Assembly Finance Committee reviewed this request at its December 9, 2020 meeting.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

XIII. CONTINUATION 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