

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

May 18, 2020 7:00 PM

Virtual Meeting Only

Meeting No. 2020-27. Zoom Webinar & FB Live Stream; Access the Webinar:
<https://juneau.zoom.us/j/92511480480> or call: 1-346-248-7799 enter Webinar ID: 925
1148 0480. This meeting will also be streamed live on CBJ's Facebook page:
<https://www.facebook.com/cbjuneau>

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Members of the public wishing to provide public comment during the meeting are asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3p.m. the day of the meeting or send an email to City.Clerk@juneau.org and provide their full name, email address, the phone number they will be calling from, and the agenda topic(s) on which they wish to testify. 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.

The public can listen to the audio or watch the meetings in a few different ways:

- Connect directly to the Zoom Webinar as an attendee by clicking on the following link: [**https://juneau.zoom.us/j/92511480480**](https://juneau.zoom.us/j/92511480480)
- Call **1-346-248-7799** and enter Webinar ID: **925 1148 0480** Watch on the CBJ Facebook page at [**https://www.facebook.com/cbjuneau**](https://www.facebook.com/cbjuneau)
- Please note that this meeting will include closed captioning services.

B. Hearing from State Department of Health & Social Services, Dept. of Corrections, and Lemon Creek Correctional Center

C. **Special Recognition: Salmon Creek Trail Rescuers**

D. **Census Update**

E. **COVID-19 Update and Actions**

IV. APPROVAL OF MINUTES

A. **March 19, 2020 Special Assembly Meeting #2020-09 Minutes**

B. **April 30, 2020 Special Assembly Meeting #2020-23 Minutes (Planning Commission Appointment) DRAFT**

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 2020-14 An Ordinance Authorizing the Sale of Foreclosed Property Located at 12280 Glacier Highway by Sealed Competitive Bid.**

Property tax is due every year. State law (AS 29.45.290-500) prescribes a multi-year process to foreclose on property with unpaid property tax. The property at 12280 Glacier Highway has had unpaid property tax since 2017. In November 2019, the CBJ received a Clerk's Deed for the property.

There is an unoccupied house on the property, and the owner of record (Steven Baker) has not responded to multiple attempts to cure the property tax debt. Staff has reached out to other family members who said the owner left the state and has not been reachable for some time. The property has been the subject of multiple nuisance complaints.

State law authorizes a municipality to retain foreclosed property or dispose of foreclosed property when there is no public purpose for it. Staff does not see a public purpose to retain the property except a small public utility easement along Glacier Highway.

The Lands Committee recommended selling this property at its meeting on February 10, 2020.

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

- b. **Ordinance 2020-23(b) An Ordinance Amending the Purchasing Code to Allow for Additional Methods of Public Notice and Electronic Receipt of Bids.**

This ordinance would amend the CBJ Procurement Code to allow on-line advertising of solicitations and electronic submission of bids and proposals. This change is intended to promote public competition, reduce administrative processing, and lower procurement costs.

Version (b) reflects the newspaper publication changes recommended by the Assembly Finance Committee on May 6, 2020.

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

2. Other Items for consent

- a. **City State Project Review: Marine Park Deckover**

This Marine Park project would deckover the area between the Steamship Dock and Marine Park where the lightering float was previously located. Parts of the deckover will include concrete and grass consistent with the park area around it. A portion of the existing Steamship Dock deck will be demolished and rebuilt to establish ADA-compliant grades. Construction funding has not been determined yet, but it is expected to be approximately \$1.6 million. In order to proceed to construction, this project will require an appropriation of passenger fees. The project was originally proposed to be funded in the FY21 budget, but capital funding has necessarily been delayed. Nonetheless, the project permitting has been proceeding.

The Planning Commission heard this project (CSP2020-03) on April 28, 2020 and recommended the Assembly approve the project.

- b. **Marijuana License #13279 Transfer of Controlling Interest**

Marijuana License Transfer of Controlling Interest

License Type: Retail Marijuana License, #13279

Business Name: The Mason Jar LLC, d/b/a The Mason Jar

Location: 2771 Sherwood Lane, Unit E, Juneau

(AMCO 60-day comment period ends Friday, May 22, 2020)

CBJ staff from the Police, Fire, Finance, 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. In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the transfer of controlling interest of AMCO Marijuana license #13279.

3. Transfers

a. **Transfer T-1029 A Transfer of \$887,636 from Two Harbor/Docks Capital Improvement Projects to the Statter Harbor Improvements Ph. III Capital Improvement Project.**

The CBJ Docks & Harbors Board requests a transfer of State Marine Passenger Fees and Harbor Funds. The transfer will provide funds for construction contingency, inspection & administration, and CBJ salaries for the float installation phase.

From: CIP

H51-116	Archipelago-MP to Taku Upland Improv	\$666,000
H51-117	Auke Bay Marine Station Maint & Improv	\$221,636

To: CIP

H51-108	Statter Harbor Improvements Ph III	\$887,636
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At its April 22, 2020 special board meeting, the Docks & Harbors Board recommended approval of this transfer.

At its April 27, 2020 meeting, the Public Works and Facilities Committee forwarded this transfer to the Assembly.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

A. **Ordinance 2020-18 An Ordinance Authorizing the Manager to Execute a**

Lease Agreement with AJT Mining Properties, Inc. for a Campground near Downtown Juneau.

On March 26, 2020, Emergency Ordinance 2020-17 was adopted, which gave the Manager authority to lease the Mill Campground for 180 days. This ordinance would authorize the Manager to lease the property for the Mill Campground for longer than 180 days.

The City Manager recommends the Assembly adopt this ordinance.

- B. Ordinance 2020-19 An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds that Provided Funds to Purchase the General Obligation Bond, 2010A of the City and Borough, Under a Loan Agreement between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's Bond, in Accordance with the Loan Agreement, if the Bond Bank Successfully Refinances its Bonds.**

This ordinance would authorize the issuance of up to \$7.5 million in bonds to refund (refinance) the 2010B general obligation school/pool bonds. The original \$7.58 million in bonds were sold June 1, 2010 through the Alaska Municipal Bond Bank to fund a portion of the Dimond Park Aquatic Center.

As a result of lower market interest rates, this refinancing refunding is estimated to result in a total savings of \$100,000-\$200,000 over the remaining life of the bonds.

This ordinance was reviewed by the Assembly Finance Committee on May 6.

The City Manager recommends the Assembly adopt this ordinance.

- C. Ordinance 2020-21 An Ordinance Approving the City and Borough's Participation in Proposed Refinancings by the Alaska Municipal Bond Bank of the Bond Bank's Various General Obligation Bonds that Provided Funds to Purchase Various General Obligation and Revenue Bonds of the City and Borough, Under Loan Agreements between the City and Borough and the Bond Bank; and Authorizing Revised Schedules of Principal and Interest Payments on the City and Borough's Bonds, in Accordance with the Loan Agreements, if the Bond Bank Successfully Refinances its Bonds.**

This ordinance would authorize participation in the Alaska Municipal Bond Bank's "Exchange" refunding (refinance) of multiple bond issues including the 2013 Bartlett Hospital Refunding, the 2013 GO CIP and 2014 GO CIP bonds, and the 2014 Seawalk and 2015 Cruise Ship Dock Expansion bonds. Approximately \$19.2 million of these bonds will be refinanced. As the result of lower market interest rates, this refinancing is estimated to result in a total savings of \$280,000 over the remaining life of the bonds.

This ordinance was reviewed by the Assembly Finance Committee on May 6.
~~The City Manager recommends the Assembly adopt this ordinance.~~

D. Ordinance 2019-06(AB) An Ordinance Transferring \$200,000 of Temporary 1% Sales Tax from the Debt Service Fund, to the Manager for the Purpose of Funding the Accounting Systems Upgrade Capital Improvement Project.

These funds for accounting system upgrades were initially authorized as part of the FY20 CIP. The appropriation was made to the Debt Service Fund, as management believed the project required private lease financing to proceed. However, lease financing is not required and the project can be funded instead through subsequent annual appropriations. To accurately reflect this change in the funding mechanism, this ordinance transfers the original appropriation of \$200,000 from the Debt Service Fund to the Accounting Systems Upgrade Capital Improvement Project (M15-004).

This ordinance was reviewed by the Assembly Finance Committee on May 13.

The City Manager recommends that the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

A. Ordinance 2020-10 An Ordinance Appropriating Funds from the Treasury for FY21 School District Operations - For Action

This ordinance will appropriate to the School District an FY21 operating budget of \$87,337,400. This is an overall decrease in the budget of \$1,601,700 from the FY20 Amended Budget. The School District's operating budget is:

General Operations	\$71,122,400
Special Revenue (pupil transportation, food service, etc.)	\$16,215,000
Total Budget	\$87,337,400

The FY21 school budget is supported with a combination of funding sources including CBJ local funding of \$28,518,600. The local funding consists of: \$26,842,100 for general operations, and \$1,676,500 for programs and activities outside of the state funding cap. These programs and activities include: \$1,181,500 million for student activities, \$50,000 for pupil transportation, \$50,000 for food service, \$95,000 for Community Schools and \$300,000 for Kinder Ready. The general operations support is an increase of \$64,800 over FY20 Amended. The other program and activities funding is flat to FY20 Amended, for a net funding increase of \$64,800.

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 March 27, 2020.

Following public hearing at the April 22, 2020 Special Assembly meeting, the Assembly moved to fund the School District's budget up-to-the-cap amount and referred the ordinance back to the Assembly Finance Committee for further review. The amount that exceeds the State funding cap can be subsequently increased or decreased as the Assembly sees fit.

On May 6, 2020, the Assembly Finance Committee passed a motion to move Ordinance 2020-10 for FY21 School District operations to the May 18, 2020, Regular Assembly meeting for further discussion and action. As it stands, the ordinance only includes outside-the-cap funding at the FY20 balance; however, the Assembly may choose to amend the ordinance to increase this amount to match the funding request made by the School District for FY21, or decrease this amount as deemed appropriate prior to adoption. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2020.

The City Manager recommends the Assembly adopt this ordinance at the May 18, 2020 Regular Assembly meeting to meet the requirement set by the Charter to appropriate the School District's budget no later than May 31, 2020.

X. NEW BUSINESS

A. Regulation Commercial Passenger Vehicles Class A Endorsement (Taxicab Rates)

At the February 10, 2020, Assembly Public Works and Facilities Committee meeting, staff was asked to follow the normal regulation process to determine if taxi meter rates should be increased. While there have been minor adjustments, taxi meter rates have not substantively increased since 2008. The regulations provide for an approximate 10% increase in the first year, followed by an approximate 10% increase in the second year. Draft regulations were created and noticed for public comment. A copy of the draft regulations was sent via mail to the CBJ Commercial Passenger Vehicle permittee list as well as noticed publically through all normal channels. Public comment closed on April 30, 2020.

A copy of the petition that was submitted to the Assembly that initiated the regulation request, as well as all other public comment received during the notice period, is included in your packet. Additional, subsequent written notice was also received, and is included in your packet.

The proposed regulation amendments would adjust the meter rates for Class A vehicles. There would be an initial increase effective June 22, 2020, and a subsequent increase effective June 21, 2021. There would be a one week period immediately preceding the effective dates (June 15-19, 2020 and June 14-18, 2021)

to allow for the conversion of meters. Once a vehicle's meter is converted, the new rates would be effective.

In reviewing proposed regulations, CBJC 01.60.260 provides that the Assembly may:

1. Allow the regulation to take effect. (The Assembly's historical practice is to move 'orders of the day,' requiring the body to consider the next item on its agenda without active consideration of the regulation.)
2. Take affirmative action to approve the regulation without amendment.
3. Take affirmative action to disapprove the regulation. (The Assembly may state its reasons for disapproval, but it may not specify explicit conditions for subsequent approval or direct the requesting department to adopt any particular amendments to the regulation.)
4. Direct that an ordinance or resolution in lieu of the regulation be prepared for its consideration.

The City Manager does not have a recommendation regarding this regulation.

B. Crazy Horse Drive Communication Tower Site Lease Request

Vertical Bridge Holdings LLC has submitted an application to lease city property on a portion of the 32-acre parcel located at the end of Crazy Horse Drive, in the Mendenhall Valley. In April of 2019 the Lands Committee passed a motion of support contingent on a Planning Commission recommendation. The Planning Commission, at its regular public meeting on April 14, 2020, approved the special use permit for this tower. The Lands Committee reviewed this at its May 4, 2020, meeting and provided comments to staff. City code 53.09.260(a) states that "the proposal shall be reviewed by the Assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals."

The City Manager requests a motion of support to work with the original proposer.

C. Lee v. CBJ Planning Commission: Notice of Appeal regarding a Wireless Communication Facility Located at 16150 Merganser Road

On May 5, 2020, the Clerk's office received a timely filed appeal from a Planning Commission decision to grant a Wireless Communication Facility Permit for a new 150-foot communication tower located at 16150 Merganser Road.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal

in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

D. Fourth of July Discussion

E. Port Community Discussion

F. Economic Stabilization Task Force Recommendation on Historical Documentation of Juneau's Response to COVID-19

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. SUPPLEMENTAL MATERIALS

A. COVID-19 EOC Update for May 18, 2020

XVI. 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

THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Meeting Minutes – March 19, 2020

MEETING NO. 2020-09: The Special Meeting of the City and Borough of Juneau Assembly held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE

II. ROLL CALL

Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale (telephonic), Alicia Hughes-Skandijs, and Greg Smith

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Robert Barr, Matt Scranton

III. AGENDA TOPICS

A. COVID-19 Update and Actions

City Manager Rorie Watt described process for calling up the Emergency Operations Center (EOC).

Incident Commander Mila Cosgrove. Ms. Cosgrove gave briefing of the ICS 201, which was the incident report for the first operational period. She answered questions from Assemblymembers regarding packet materials and the response by CBJ so far. She also went over the EOC organizational chart, the current and planned objectives, the rubric, the current and planned actions, strategies, and tactics. She then answered questions regarding the roll of public health and the communications channels including Mr. Watt's role as the liaison between the EOC and the Assembly as well as the public as well as Emergency Programs Manager Tom Mattice also having a liaison role with the EOC and the State Public Health.

Members then discussed the local response to the COVID-19 as well as regional impacts it may have on neighboring communities that use Juneau as a hub for medical purposes. They discussed voluntary vs. mandatory screening per the Governor's mandates.

Ms. Cosgrove reported on the Homeless Decompression Task Force that is working through the EOC. They have commandeered the JACC for use as the Cold Weather Shelter, which is being run by St. Vincent DePaul. She explained it is an interim step and they are having ongoing

conversations to try to work through issues related to space, staffing, and appropriately addressing quarantine and isolation.

Ms. Cosgrove then reported on the Communications Strike Unit, which was stood up last week. Beth Weigel has been assigned to the Public Information Officer (PIO) position in the EOC. Lisa Phu has also been moved to working full time now. As they have closed certain public facilities, they have pulled in some of those staff resources to work with the EOC. The Communications unit will be posting the FAQs online. Some of the messaging includes outreach to the community urging members if they have already put up their two weeks supply of groceries to allow other community members to do so to allow the supply chain to keep up with the demand.

Assemblymembers and Ms. Cosgrove then discussed supply chain issues, especially in light of the bulk of Juneau's supply chain coming from Seattle, which is currently a hot zone for the virus.

Ms. Cosgrove then gave a report about CBJ Operations. Starting March 20, Capital Transit will start offering free service. They are asking the community to use Capital Transit for critical needs only. They have given drivers the ability to refuse service to those individuals who are clearly symptomatic. So far, those staff from facilities that have been shut down are being reallocated to EOC roles. They have not required employees to work from home but they are allowing employees to telework if they have the need to do so. They are working with individual staff members on a case-by-case basis. They have also cancelled all work related trips and they are encouraging staff not to travel out of town while on personal leave. If they do chose to travel out of town on personal leave, they have been notified that they may be subject to a 14-day quarantine upon returning to town.

Assemblymembers and staff then discussed how to convey those messages as well as what could be done to delay or prevent the virus from coming into Juneau through the airport. The Governor can restrict non-essential travel and the Assembly asked what authority they may have to do that and how do they get a message to the governor that they want to do that. They also discussed what staff is doing if they have family members who are coming back to town after traveling.

Mr. Palmer then gave information about the state travel mandate requiring people traveling from high areas of concern to quarantine upon arrival. He then referenced the state press briefing which the Governor and Alaska Chief Medical Officer Anne Zink appeared earlier in the evening. During that briefing, Dr. Zink said they are discouraging non-essential/non-urgent travel. Mr. Palmer said this would be an opportunity for the Assembly to give some direction to the residents and visitors in Juneau that they are recommended to stay put if they are a traveler.

The Assemblymembers then discussed imposing travel restrictions and/or asking the Governor to limit unnecessary travel. Ms. Gladziszewski asked Mr. Palmer if they could ask for mandatory screening for everyone coming through the airport, especially from Seattle. Mr. Palmer then

explained that starting at the lowest extreme working his way up to the most restrictive extreme, potential steps the Assembly could take would be to do the following:

- Send out a press release tomorrow strongly urging the public to follow Dr. Zink's recommendations about travel as mentioned in the press briefing earlier.
- Next, would be to pass a motion to encourage the Governor to restrict travel to essential travel only. (Mr. Palmer said that is not something that Incident Command could do but it is in the Assembly's wheelhouse if they chose to take that action.)

Mr. Palmer said that in addition to the above, the next steps get complicated. What has been stood up is a voluntary screening option at the airport. That was stood up for a lot of reasons, including the fact that people tend to comply with voluntary efforts rather than being told they have to do something. If the Assembly wanted to step that up further, he said they would need guidance from Public Health to identify whether those medium risk travelers are significant risk enough that they have to go into mandatory quarantine or isolation. It has been a request that was routed through the Airport Task Force at the EOC. They have routed that question through the State EOC and they are awaiting guidance from Public Health on that issue. He said that Public Health was at the Airport Task Force meeting so they did hear it.

Mr. Palmer said that as they ramp it up to the extreme levels, is there an option to require forced testing and screening at the airports – is that something that could be done. Academically, yes it could be done but practically, it would the National Guard to come in to do that due to the massive workload that would require and it would likely require a large-scale isolation/quarantine unit to be stood up at the airport.

Assemblymembers then discussed the issue at length.

MOTION by Ms. Gladziszewski to request the Governor restrict, through a method identified by Public Health, non-essential travel into communities such as ours.

Additional discussion then took place regarding what the definition of non-essential travel would be and asked for public health guidance on if/where/how quarantine would be imposed. Members asked that non-essential be identified and that those people trying to return home to Juneau would be considered essential travel.

Mayor Weldon asked Ms. Gladziszewski for clarification on her motion as to whether those individuals who are flying into Juneau to go to work such as at the mines or fishing and/or Juneau residents returning home would be considered essential for purposes of the motion.

Ms. Gladziszewski said in her opinion and the intent of her motion was that non-essential travel does not include those residents coming back home or individuals coming to Juneau to go to work.

Assemblymembers then discussed other areas of concern related to this such as the economic and mental health issues we will be facing later on and also the need to try to slow the spread of the disease as much as possible using the opportunities that we have.

They took a brief 5-minute recess to allow Ms. Gladziszewski time to consult with the City Attorney on clarifying the language of her motion. Ms. Gladziszewski said she wished to withdraw her first motion and substitute it with the following motion:

MOTION by Ms. Gladziszewski to request the Governor to restrict non-essential travel into communities such as Juneau. Essential travel includes travel to come to work or to come home. Hearing no objection, the motion passed.

Ms. Hughes-Skandijs asked the Attorney about whether or not the state had a mandate limiting gatherings to a certain number. If not, she asked if the Assembly could limit gatherings no more than 10 persons/room. Mr. Palmer said the state does have guidelines to that affect but he did not recall if that was a hard mandate. Ms. Hughes-Skandijs asked staff could research that and bring back additional information to the Assembly at the meeting on Monday, March 23.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:01 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

**SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Meeting Minutes - April 30, 2020 **DRAFT**

I. CALL TO ORDER / ROLL CALL

MEETING NO. 2020-23 The Special Meeting of the City and Borough of Juneau Assembly held a meeting via Zoom Webinar in Juneau, Alaska. The meeting was called to order at 7:06 p.m. by Mayor Beth Weldon.

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Loren Jones, Rob Edwardson, Michelle Hale, Carole Triem, Wade Bryson, Greg Smith and Alicia Hughes-Skandijs

Assemblymembers Absent: None

Staff Present: Deputy Municipal Clerk, Diane Cathcart

II. APPROVAL OF AGENDA

Agenda approved as presented

III. AGENDA TOPICS

A. Planning Commission Appointment

Human Resources Committee Chair (HRC) Wade Bryson reported the full Assembly met as the HRC and interviewed applicants for the vacant Planning Commission seat and made the following motion.

MOTION: by Mr. Bryson recommended the Assembly appoint Hans Erik Pedersen to the vacant Planning Commission seat for a term beginning immediately and ending December 31, 2021. *Hearing no objection, that appointment was confirmed.*

B. Airport Funding Work Session

Mayor Weldon reported to the Assembly she has asked Assemblymembers Edwardson and Jones to participate in two Airport Funding Work Sessions with her and three members of the Airport Board, Airport Board Chair Jerry Godkin, Dennis Bedford and Angela Rodell. These two work sessions will be to discuss the FAA CARES Act funding received by the Airport and to make recommendations to the Airport Board.

The two meetings are scheduled for Friday, May 1, 2020 and Tuesday, May 5, 2020 both via Zoom Webinar.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:10 p.m.

Signed: _____
Diane Cathcart, Deputy Municipal Clerk

Signed: _____
Mayor Beth A. Weldon

Presented by: The Manager
 Introduced: 05/18/2020
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-14

An Ordinance Authorizing the Sale of Foreclosed Property Located at 12280 Glacier Highway by Sealed Competitive Bid.

WHEREAS, in connection with the foreclosure process for property tax year 2017, the following property was conveyed to the City and Borough of Juneau by Clerk's Deed: A Fraction of US Survey 687, with an address of 12280 Glacier Highway, Juneau, Alaska; and

WHEREAS, AS 29.45.460 provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold; and

WHEREAS, the property is not needed by the City and Borough for a public purpose except for a public utility easement; and

WHEREAS, according to the City and Borough's real property tax assessment rolls, Steven Koby Baker and Louise D. Baker were the last record owners of the property; and

WHEREAS, CBJ 53.09.250 provides for the disposal of City and Borough land by sealed competitive bid.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Public purpose for a utility easement. A public purpose exists for retaining a 20-foot utility easement along the front property line parallel to Glacier Highway. Upon selling the property, an easement will be reserved and recorded establishing a 20-foot utility easement along the front property line.

Section 3. Disposal. Except for the utility easement mentioned in Section 2, the City and Borough of Juneau has determined that a public purpose does not exist for the property. The Manager is authorized to dispose of the property, located at 12280 Glacier Highway, and legally described as a Fraction of US Survey 687, by sealed competitive bid in accordance with CBJ 53.09.250. In the event the sealed competitive bid does not dispose of the property, the Manager is authorized to dispose of the property by public outcry auction in accordance with CBJ 53.09.230, CBJ 53.09.200, and such other terms and conditions set by the Manager.

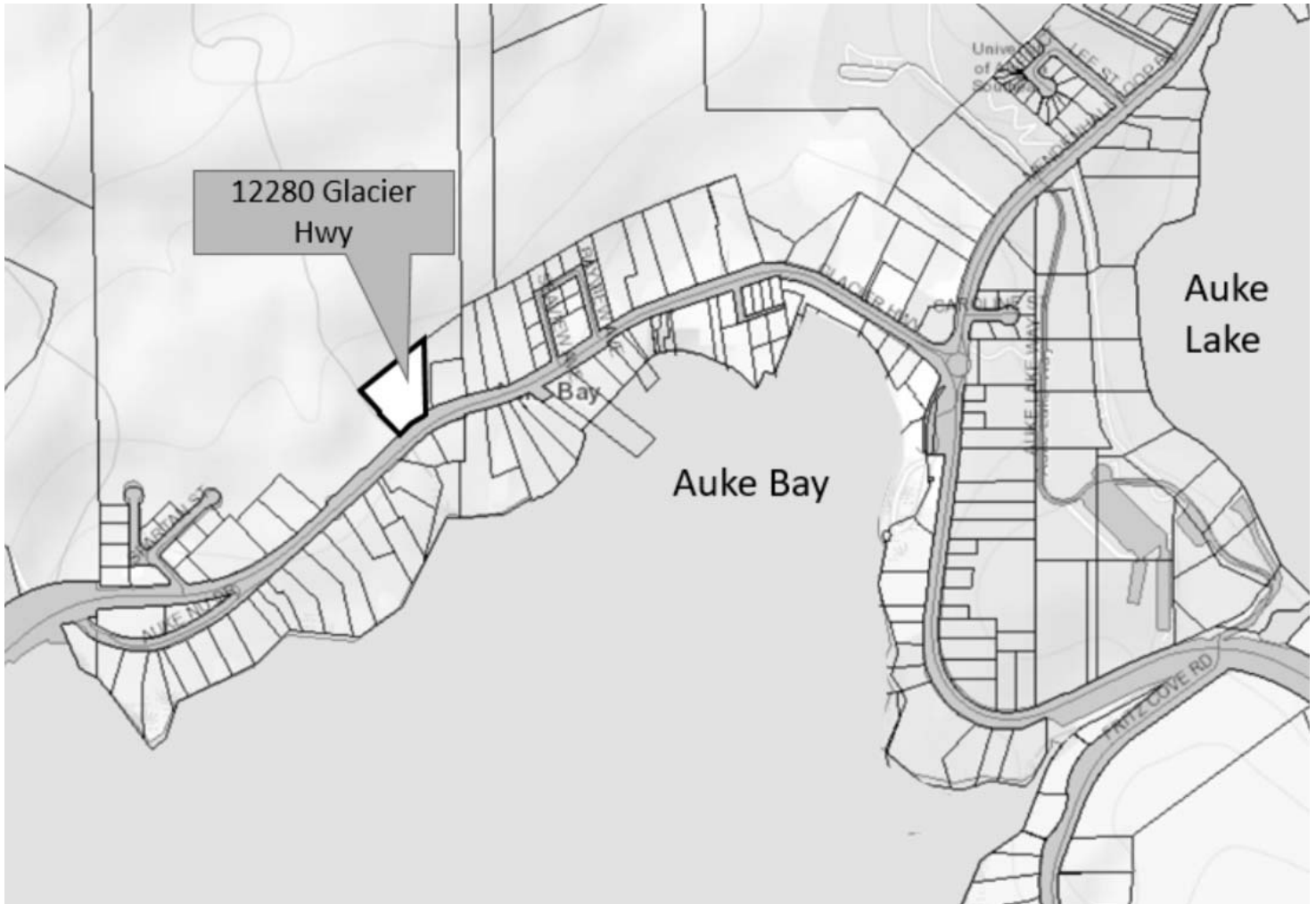
Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Ordinance 2020-14: An Ordinance Authorizing the Sale of Foreclosed Property Located at 12280 Glacier Highway by Sealed Competitive Bid.

Presented by: AFC
Introduced: 05/18/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-23(b)

An Ordinance Amending the Purchasing Code to Allow for Additional Methods of Public Notice and Electronic Receipt of Bids.

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 53.50.010 Definitions, is amended by the incorporation of the following definition in alphabetical order, to read:

53.50.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

Public notice, as used in this chapter, means notice posted on the City and Borough of Juneau online procurement site and, when practicable, in a local newspaper advertisement. Public notice may also include:

(1) Publication in a trade journal, online notification service, or other publication calculated to reach prospective bidders; and

(2) Notices posted in public places within the area where the work or services are to be performed or the supplies furnished.

...

Section 3. Amendment of Section. CBJC 53.50.040 Public improvement contracts, is amended to read:

53.50.040 Public improvement contracts.

(a) Except as provided in subsection (c) of this section, contracts for public improvements for an amount estimated to exceed \$50,000.00 shall be by competitive sealed bid and be awarded to the lowest qualified bidder.

(b) Contracts for public improvements for an amount estimated to be \$50,000.00 or less may be made when feasible and when in the best interest of the City and Borough by binding competitive written bid, ~~but without newspaper advertisement and~~ without observing the procedure prescribed for the award of formal sealed bid purchases and contracts.

...

Section 4. Amendment of Section. CBJC 53.50.050 Contract amounts, is amended to read:

53.50.050 Contract amounts.

Unless otherwise prohibited by this Code:

(a) All contracts for an amount estimated to be \$5,000.00 or less shall be made on the open market with such competition as is reasonable and practical in the circumstances.

(b) All goods and services, other than professional services, shall be awarded as follows:

- (1) Contracts in an amount estimated to be greater than \$5,000.00 but not more than \$50,000.00 shall be made when feasible and when in the best interest of the City and Borough in the open market by written quotation, ~~without newspaper advertisement and~~ without observing the procedure prescribed for the award of formal sealed bid purchases. Such open market contracts, whenever practicable, shall be based on at least three

competitive quotations and shall be awarded to the lowest qualified bidder. The basis for determining the lowest qualified bidder shall be the same as that used in formal bid purchases, including any preferences established by law.

(2) Reserved.

(3) Contracts in an amount estimated to be more than \$50,000.00 shall be by formal competitive sealed bid.

(c) All professional services shall be purchased as follows:

(1) Contracts in an amount estimated to be greater than \$5,000.00 but not more than \$25,000.00 shall be made when feasible and when in the best interest of the City and Borough in the open market by written proposal, ~~without newspaper advertisement and~~ without observing the procedure prescribed for the award of formal sealed bid purchases. Such open market contracts, whenever practicable, shall be based on at least three competitive proposals and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation or grant requirements, provide that five percent of the total points possible for each proposal shall be awarded if and only if the proposal is submitted by a Juneau proposer.

(2) Contracts in an amount estimated to be more than \$25,000.00 but not more than \$50,000.00 shall be by written proposal after ~~local newspaper advertisement~~ public notice, and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for

determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation or grant requirements, provide that five percent of the total points possible for each proposal shall be awarded if and only if the proposal is submitted by a Juneau proposer.

(3) Contracts in an amount estimated to be more than \$50,000.00 shall be by formal competitive sealed proposal after ~~newspaper advertisement~~ public notice, and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation or grant requirements, provide that five percent of the total points possible for each proposal shall be awarded if and only if the proposal is submitted by a Juneau proposer.

Section 5. Amendment of Section. CBJC 53.50.060 Competitive sealed bid procedure, is amended to read:

53.50.060 Competitive sealed bid procedure.

(a) *Publication.* Where competitive sealed bidding is required, sealed bids shall be solicited by ~~publication in a newspaper~~ public notice in a manner calculated to reach prospective bidders. Such publication shall contain at least a general description of the item or work required and shall designate the place where detailed requirements and specifications may be obtained and the time and place where the sealed bids will be opened. The bids shall be opened publicly. Such

publication shall be made at least twice, with at least a week and not more than two weeks intervening between publications, and there shall be sufficient time between the date of last publication and the opening of bids for preparation of bids, which time shall not be less than two weeks unless the manager finds that an emergency exists. The manager may also solicit bids by sending notice by mail or electronic mail to any active prospective bidders known to him or her.

(b) *Bid bond on deposit.* All bids for the construction or reconstruction of public improvements required to be submitted by competitive sealed bid shall be accompanied by either cash, a certificate of deposit or certified check or draft, or a cashier's check, or draft on some responsible bank in the United States, in favor of and payable at sight to the City and Borough, in an amount not less than five percent of the aggregate amount of the bid. If the bidder to whom the contract is awarded, for 15 days after the award of the contract, fails or neglects to enter into the contract and file the required bonds, the City and Borough treasurer shall draw the money due on the certificate of deposit or check or draft and pay the same or any cash deposited into the treasury, and under no circumstances shall it be returned to the defaulting bidder. In lieu of the foregoing, any bid may be accompanied by a surety bond in such amount furnished by a surety authorized to do a surety business in the state, guaranteeing that the bidder will enter into the contract and file the required bonds within such period. The manager may require bid bonds in an amount appropriate for any bid not required by this subsection to be accompanied by a bid bond.

(c) *Pre-bid conference.* The purchasing officer may conduct a pre-bid conference for any competitively bid contract or purchase. Notice of the conference shall be provided to all bidders.

Bidders shall be responsible for acquiring all information announced or distributed at a pre-bid conference.

(d) *Opening of bids.* All bids ~~shall be sealed, identified as bids on the envelope and~~ shall be submitted to the purchasing agent at the place and time specified in the public notice inviting bids. Bids shall be opened by the purchasing agent, in public, at the time and place designated in the notice inviting bids. Bids received after the specified time shall not be accepted ~~and shall be returned to the bidder unopened.~~

(1) Sealed paper bids. All paper bids shall be sealed and identified as bids on the envelope. Bids received after the specified time shall be returned to the bidder unopened.

(2) Electronic bids. When specified by the purchasing officer, bids may be received electronically in addition to or instead of by sealed paper bids. Procedures for receipt of electronic bids shall be designed to ensure the security, authenticity, and confidentiality of the bids to the same or greater extent as is provided for with sealed paper bids.

...

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

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: May 1, 2020
File No.: CSP2020 0003

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal: **Marine Park Deck-over:** Deck-over the area between the Steamship Dock and Marine Park, where the lightering float was previously located.

Property Address: 252 and 254 Marine Way

Legal Description
or ROW name: Tidelands Addition BI 80, Tidelands Addition BI 83 Lot 1, ATS 3
Tidelands Addition BL

Parcel Code No.: 1C070K800010, 1C070K830010, 1C100K830032

Hearing Date: April 28, 2020

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 20, 2020, and recommended that the City Manager direct CBJ staff to design and build the project.

Attachments: April 20, 2020 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2020 0003.

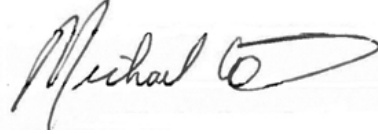
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

City and Borough of Juneau
CBJ Assembly
File No.: CSP2019 0014
May 1, 2020
Page 2 of 2

Project Planner:



Irene Gallion, Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With Municipal Clerk

5/5/2020

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: April 20, 2020

TO: Planning Commission

FROM: Irene Gallion, Senior Planner
Community Development Department

FILE NO.: CSP2020 0003

PROPOSAL: **Marine Park Deck-over:** Deck-over the area between the Steamship Dock and Marine Park, where the lightering float was previously located.

GENERAL INFORMATION

Applicant: CBJ Engineering and Public Works

Property Owner: City and Borough of Juneau

Property Address: 252 and 254 Marine Way

Legal Description: Multiple, see graphic below

Parcel Code No.: Multiple, see graphic below

Site Size: Approximately 1,300 square feet

**Comprehensive Plan Future
Land Use Designation:** Marine Commercial, borders CBJ Recreational Service Park

Zoning: Waterfront Commercial

Utilities: CBJ Water/Sewer

Access: Via Marine Park

Existing Land Use: Waterfront access

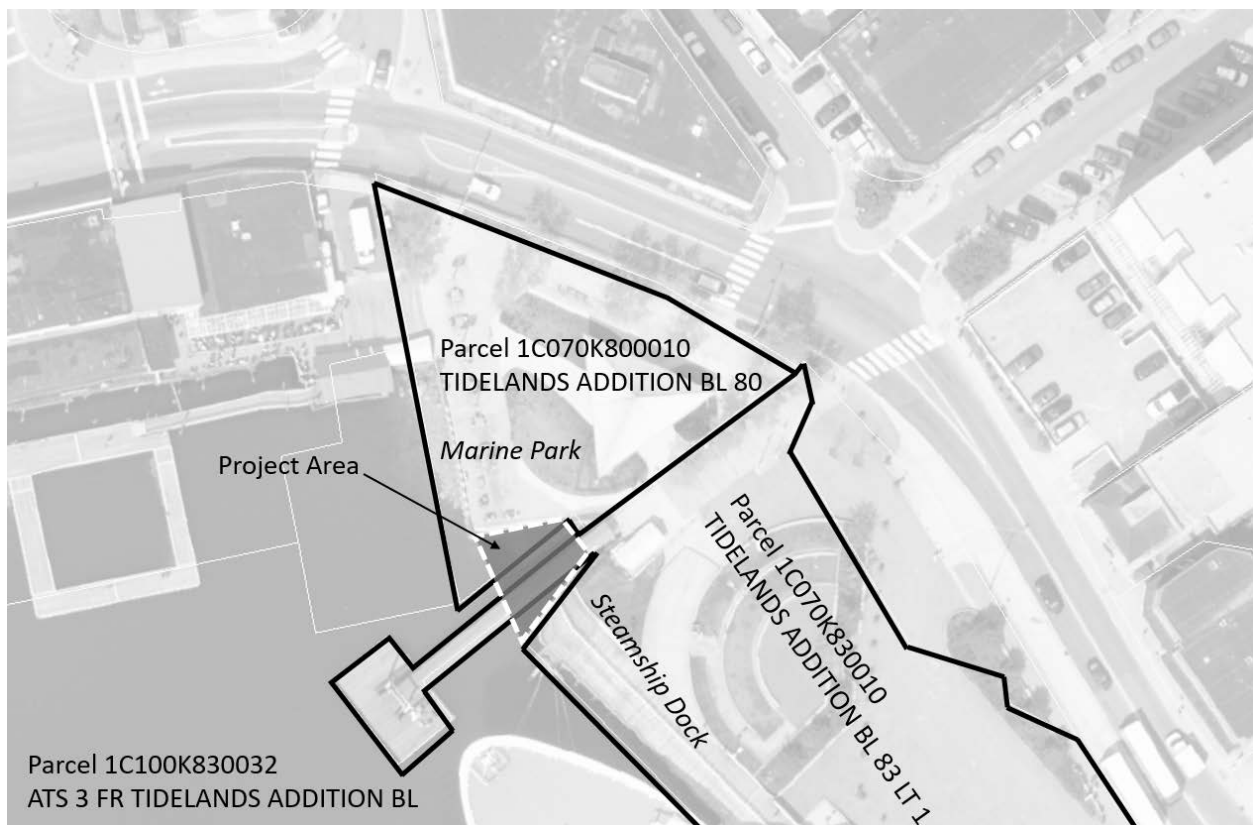
Planning Commission
File No.: CSP2020 0003
April 20, 2020
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Surrounding Land Use:

North	- Marine Park pavilion
South	- Gastineau Channel
East	- Steamship Dock, seawalk
West	- Wharf Mall

FIGURE 1: VICINITY MAP

Note that the photo image below is from when the lightering float was still in place. The lightering float has since been relocated, discussed under "Background."



ATTACHMENTS

Attachment A: Application

PROPOSAL

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend APPROVAL of the Marine Park deckover to the Assembly. This project will provide a continuous pedestrian path from the seawalk, through Marine Park and up Seward Street. This path will facilitate access from the waterfront to the Soboleff Center and to the proposed Culture

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Center at Sealaska Plaza.

The project will (see Figure 2 below, boundaries approximate):

- A. Deck over the existing gap in the seawalk (figure 3).
- B. Pour concrete and plant grass consistent with that to the east.
- C. Demolish and reconstruct part of the existing seawalk to comply with Americans with Disabilities Act grade requirements (Figure 4). Provide gated access to the dolphin (mooring structure), which is still in use.



Figure 2: Plan view showing the project area. See key in body of the text.



Figure 3: View of the project area (white rectangle) from the Marine View.

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Figure 4: Photo showing the elevation difference between the southeast (Steamship Dock) and northwest (Wharf Mall) portions of the seawalk, photo from the northwest side.

BACKGROUND

Seward Street and Ferry Way used to extend beyond today's Egan Drive to meet up at the waterfront.

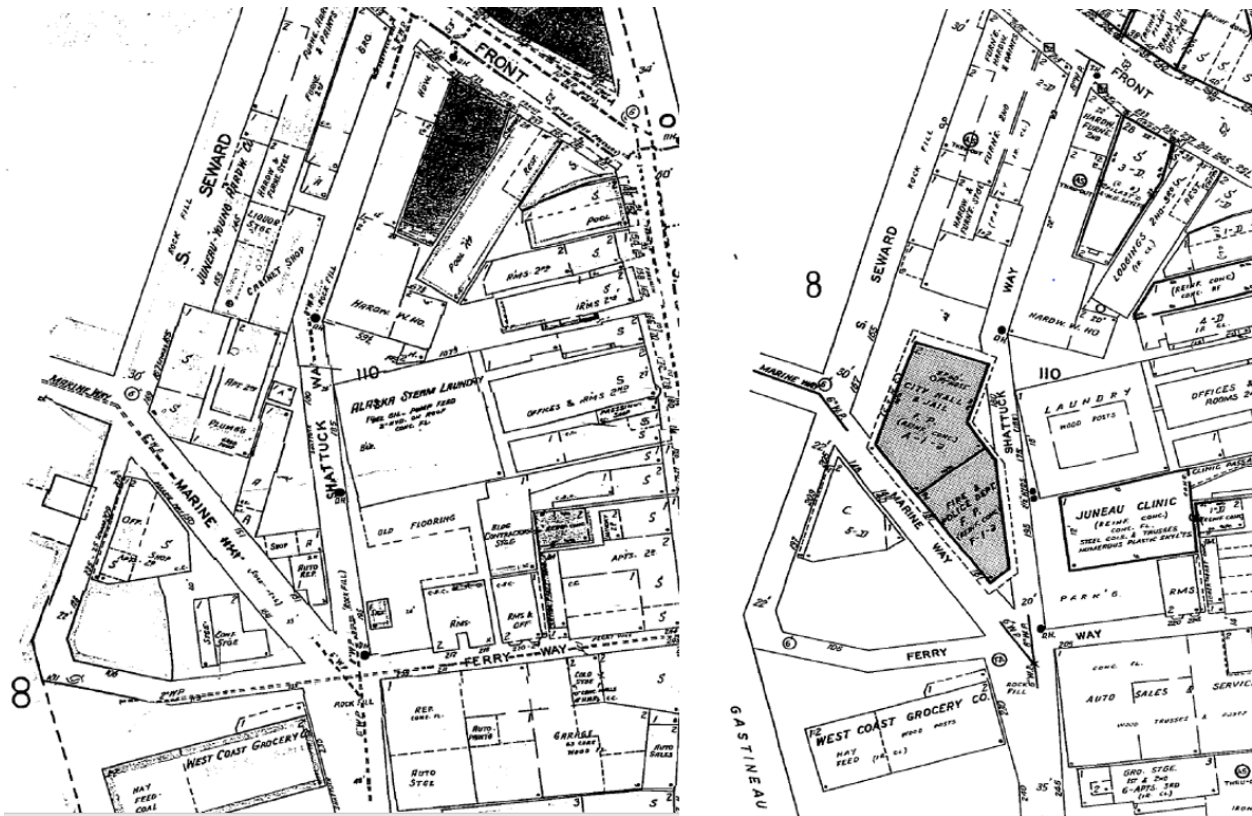


Figure 5: Sanborn Maps from 1948 (left) and 1969 (right) show how Seward Street and Ferry Way used to extend to meet by the waterfront.

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Notable events include:

- 1975: The State of Alaska Department of Highways improved Main Street, Marine Way (now Egan Drive) and Ferry Way as part of the Outer Drive Phase III project.
- 1978: Ferry Way southwest of Marine Way was vacated for park purposes.
- 1982: Street improvements along Marine Way were extended to Admiral Way.
- 1984: The parcel that now houses the Marine Park Pavilion appears to have been officially condemned for Admiral Way project right-of-way.
- 2002: Improvements to the Steamship Dock section of the seawalk, including significant fill, new widened deck-over, improvements to the park area, and improved bus parking. This project had two conditional use permits: one for the project in general and one for the portion of the development in a hazards area. The entire project had one CSP review.

The city continued to develop the area to support cruise ship docking. The lightering float appears to have been completed in 1978. It was removed during the April 2017 construction of the new cruise ship berth. The lightering float was removed to:

- **Improve shoreside efficiency by moving lightering operations close to the Port Field Office.** The new location provides better access to and staging for ground transportation.
- **Reduce congestion for aircraft using the area.** The new berth configuration brought the bow of the western-most ship closer to aircraft operations. Air operators felt that this further limited an already congested operational area.

This move was consistent with the 2004 Long Range Waterfront Plan's intent to better disperse visitors through the park (page 50). Opponents to the lightering float move had two main concerns. One was that the old lightering float had a ladder down to the water that allowed small boats to pick up and drop off people at the waterfront. One person gave the example of ferrying people between Juneau and Douglas during the 4th of July. Another used the lightering float for diving. The retired Port Engineer noted that moving the lightering float might protect antiquities from divers, since steam ships used to dump old china and other refuse overboard.

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Figure 6: This 1990 picture shows the lightering float (circled, Juneau Douglas City Museum collection).

Multiple projects have coalesced to make the proposed deck-over timely.

- Ongoing plans for seawalk improvements
- Improvements to the downtown streetscape that draw seawalk pedestrians into town
- Development of the Sealaska Heritage Arts Campus

Seawalk improvements. CBJ Parks and Recreation manage the Marine Park and Downtown Seawalk Project. In the three alternatives developed in 2011, all include deck-over of the lightering float area (Figure 7).

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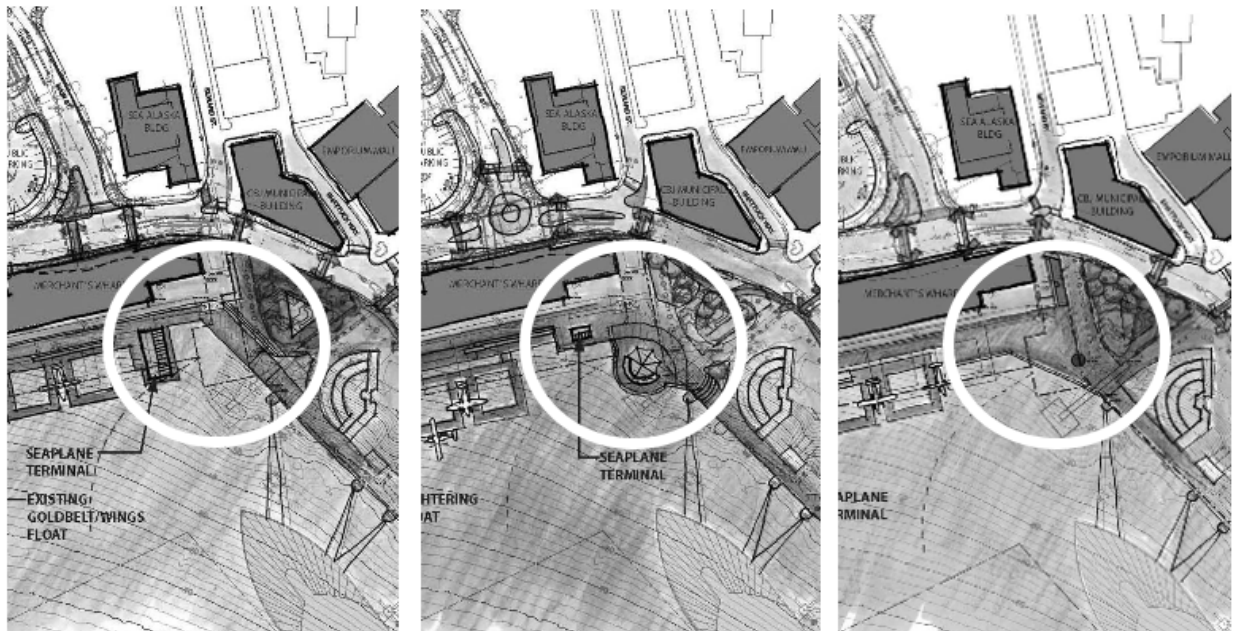


Figure 7 (above): Marine Park and Downtown Seawalk Project (2011), alternatives 1-3 (left to right). Deck-over treatments are circled.

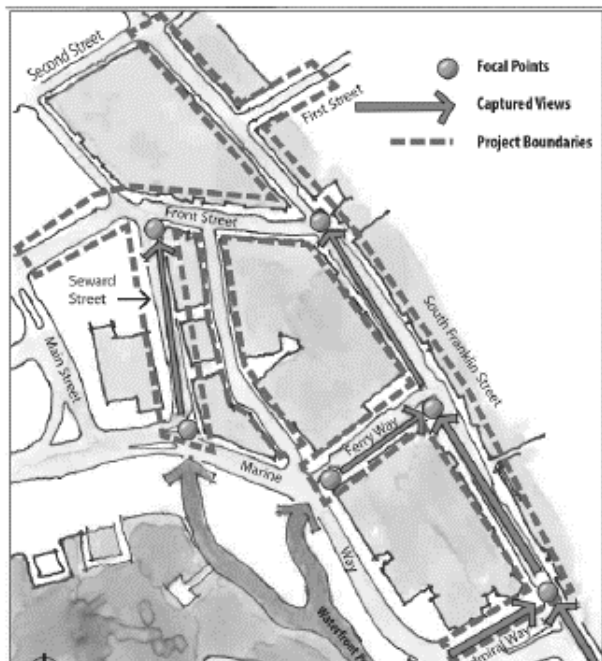


Figure 8 (above): Recommendations from a 2015 connectivity study for the downtown area, highlighting the role of a contiguous seawalk (thick arrows) providing access to pedestrian accommodations (thin arrows), using focal point attractants (circles) to guide pedestrians into the downtown core.

Downtown Streetscape Improvements. CBJ conducted a 2015 study of pedestrian connectivity as part of improvements to Franklin and Front Streets (*Franklin & Front Streets Concept Design*, August 10, 2015). Seward Street and Ferry Way were recognized as “underutilized connections” between the cruise ships and downtown “focal points.” Focal points deserved development of special features to draw people into downtown (Figure 8). The enhanced streetscape improvements at Front and Seward Streets – a sidewalk medallion, bollards, colored pavement and raised intersection – recognizes the heightened role of this corner in attracting pedestrians into the downtown core. The image from the study illustrates the importance of a continuous connection between the waterfront and Seward Street.

The Alaska Department of Transportation and Public Facilities (AKDOT&PF) project

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upgrading Egan Drive (currently under way) ends east of Seward Street. Their current pedestrian access plans complement the deck-over and developments on Seward Street.

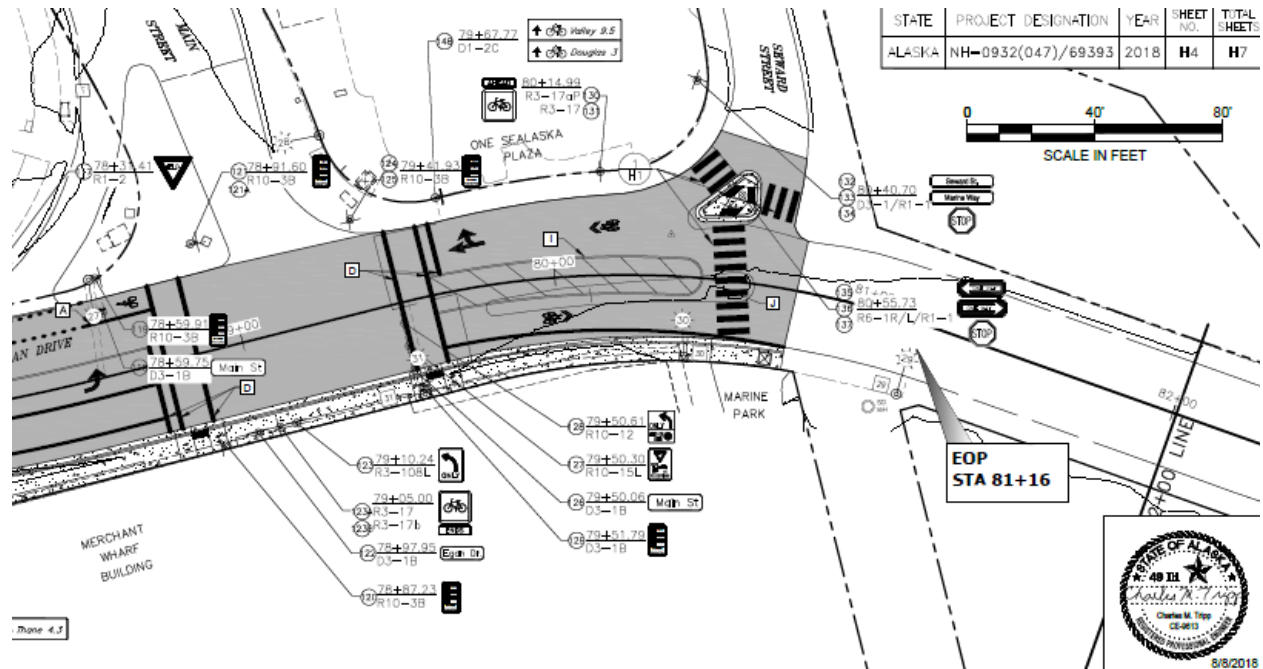


Figure 9 (above): A screen print from AKDOT&PF's plan set for work on Egan Drive, showing the pedestrian accommodations between Marine Park and Seward Street.



Figure 10 (above): Ground-level views of seawalk connectivity to Seward Street. On the left, standing on the southeast portion of the seawalk looking toward Seward Street (compound arrow). Beyond the railing in the foreground is the gap that will be decked over; the sheet pilings can be seen along the section of the dock near the Warf. On the right, looking toward the waterfront from the pedestrian "lamb chop" refuge island at the intersection of Seward Street and Egan Drive (compound arrow).

CBJ's Engineering and Public Works Department is waiting for completion of the Egan Drive rebuild to complete south Seward Street improvement design. The design will accommodate

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unanticipated Egan Drive changes, and Sealaska's proposed development.

Sealaska Heritage Arts Campus. Sealaska has recently solidified a proposal for a Heritage Arts Campus at the corner of Front and Seward Streets, located at the current Sealaska parking lot. According to their web site, this complex will encompass approximately 6,000 square feet. It will include indoor and outdoor space for artists, classroom instruction, a native arts market, and public gathering space. By facilitating unobstructed access from the waterfront to the Sealaska campus, CBJ encourages the arts complex and leverages it as a focal point, attracting visitors to the downtown core.



Figure 11 (above): Rendering of the proposed Sealaska Heritage Arts Campus (from their web page).



Figure 12 (above): Mooring dolphin that CBJ Docks and Harbors would like to maintain access to.

AGENCY REVIEW

CBJ's Docks and Harbors have emphasized the importance of maintaining access to a mooring dolphin in the project area. This might require fencing around the mooring dolphin to secure from public access.

The Alaska Department of Fish and Game had no comments. U.S. Coast Guard comments would be considered during the US Army Corps of Engineers permit application process for navigable waters.

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PUBLIC COMMENT

We have had no public comments at this time.

ANALYSIS

Conformity with the Title 49, Land Use Code

This project:

- **Requires a City/State Project Review (CSP)** because the construction value of the improvements is estimated at \$1.6 million, in excess of the \$500 thousand that triggers the review (49.15.580).
- **Does not require a Conditional Use Permit (CUP):**
 - This project falls under a “Special Waterfront Area” overlay (49.70.960, see Figure 13 below).
 - Under this overlay, development of sidewalks, promenades, viewing areas, and other forms of public open space are permissible uses (49.70.960(b)(1)(H).
 - Modifications to existing uses must conform to the requirements of the special waterfront area (49.70.960(a)(3).
 - The Director is responsible for carrying out provisions of this Article of code (49.70.900(B)) including “Rendering of consistency decisions for the City and Borough on all development applications under the authority of the planning department established under these articles.”
 - This use is consistent with the 2002 CUP for improvements to the Steamship Dock seawalk, park and bus parking area.

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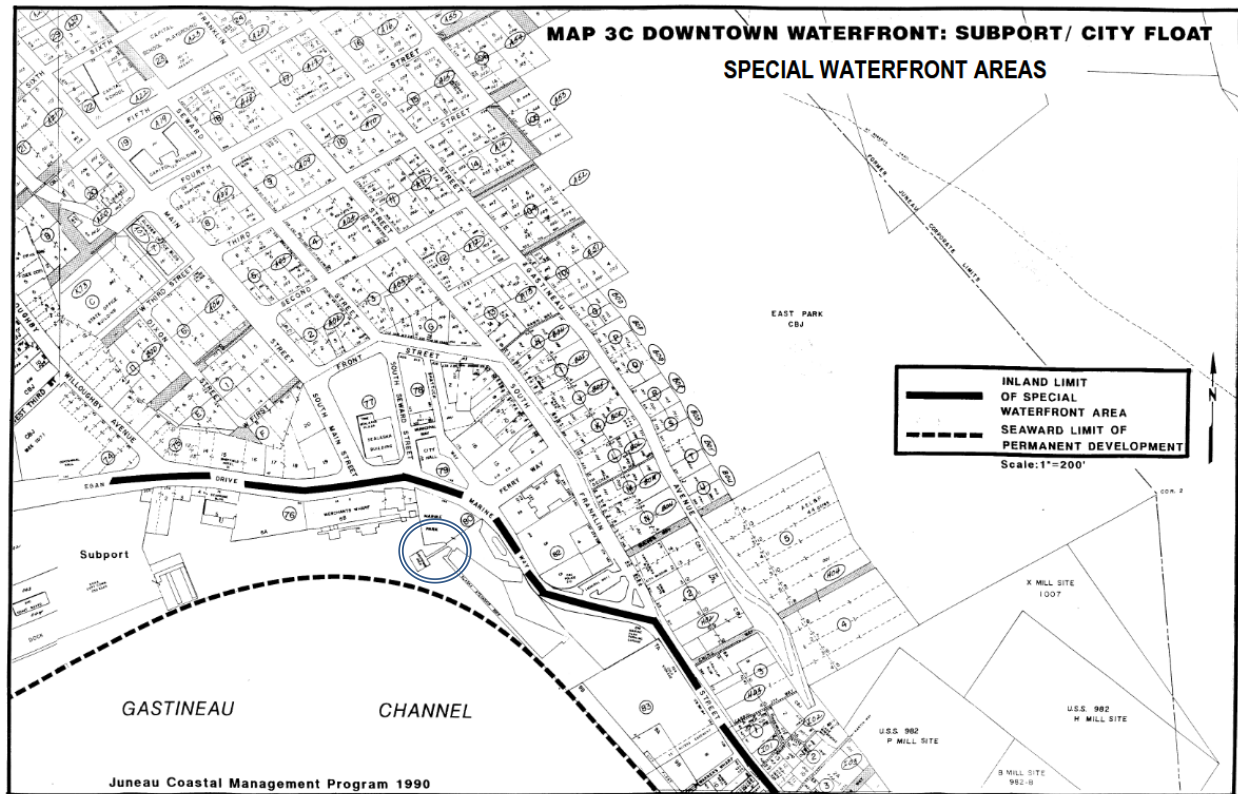


Figure 13: Juneau Coastal Management Plan Special Waterfront Area Map illustrating coverage of the deckover area (double line circle).

Conformity with Adopted Plans

Long Range Waterfront Plan (2004)

The 2004 Long Range Waterfront Plan supports seawalk improvements.

“Recreation and Open Space: Description of Users and Activities,” provides a systemic analysis of the importance of how Marine Park and the seawalk create a cohesive waterfront for locals and tourists. The plan recognizes that a continuous seawalk has been a goal of planning projects since the 1986 Downtown Waterfront Plan. In 2004, a formalized seawalk effort had not taken place, and improvements had “evolved” to provide the skeleton for a seawalk system. An analysis of the issues and opportunities associated with Juneau’s downtown waterfront include:

*Implementation of a seawalk punctuated by a series of passive and active parks and recreation areas could add significant value to Juneau’s Downtown waterfront, creating increased public amenities and access to the water’s edge, providing new areas for residents and visitors to circulate and congregate, and become a common link unifying various waterfront functional areas. **Recreation and open space areas should be linked back to the***

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Downtown area and its respective self-guided walking tour as well as area trails and parks.
(Page 28)

In addition:

Creation of strong linkages from uplands to the waterfront is another element of highly successful waterfront areas. Creating this connectivity is important; the waterfront becomes a natural orientation point and serves to lead people to the water's edge. The most basic and essential linkages are those created through the extension of the pedestrian network to and along the waterfront and well as maximizing visual connections to the waterfront through preservations/expansion of view corridors. (Page 28)

Community-wide polling during development of the Waterfront Plan showed 73% of respondents "supportive" or "very supportive" of the seawalk concept (page 40, 73). Section 3.8 "Unifying Projects: The Seawalk and Water Taxi/Shuttle System" provides design details for the entirety of the seawalk.

Comprehensive Plan (2013)

The 2013 Comprehensive Plan update also recognizes the role of waterfront improvements in connecting visitors to downtown:

*In interviews and discussions with Downtown merchants, concern was expressed as to the need to keep cruise operations close to the Downtown core, especially those operations by largest cruise vessels. The expansion of Marine Park was an important first step in this regard ... The Plan should investigate ways in which cruise ship passengers and other area visitors can be brought to and circulate through Downtown, especially areas beyond Ferry Way. **Improving connectivity between the waterside and Downtown is essential.*** (Page 26)

The strongest support for seawalk improvements is in the "Tourism and Visitors" section.

*It is important to develop and encourage visitor facilities and services that reflect and strengthen Juneau's identity as a unique historical, cultural, and outdoor recreation community in a way that assures the community's long-term sustainability as a visitor destination...Facilities that serve arriving visitors, such as the Juneau International Airport and **public docks and harbors are important gateway points into the community.** These facilities should be maintained and aesthetically designed to strengthen Juneau's reputation as an outstanding visitor destination and capital city.* (Page 50)

The comprehensive plan outlines guidelines and considerations for "Subarea 6," which includes the downtown seawalk:

7. Preserve public access to the shoreline and waterfront areas. **Provide for public access,**

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*open space/natural areas and **water-dependent and water-related uses on the downtown waterfront via the seawalk with connections to the existing pedestrian system.** (Page 185)*

Chapter 17, “Community Development, introduces the topic with a reference to the seawalk:

*In addition to providing basic water, sewer and road facilities, the CBJ government provides a number of community facilities including schools, libraries, recreational facilities, parking facilities, transit, fire stations, hospital facilities, docks, harbors, roads and **seawalks. Current and planned future development projects include expansion of the seawalk**, improved port and marina facilities, roads, trails and recreation facilities, improved additional facilities at the Dimond Park Complex, planning and utility extension for affordable housing projects on selected lands, and joint planning and development of a Capitol Complex with the state. (Page 215)*

Policy 17.1 might also apply to supporting Sealaska’s Heritage Arts Complex:

POLICY 17.1. TO COORDINATE DEVELOPMENT ACTIVITIES OF THE PRIVATE AND PUBLIC SECTORS FOR PROJECTS THAT ARE CONSISTENT WITH THE COMPREHENSIVE PLAN AND MEET IMPORTANT PUBLIC NEEDS.

Juneau Economic Development Plan (2015)

The 2015 Juneau Economic Development Plan has eight initiatives. Initiative number seven is “Revitalize Downtown,” with an objective to develop a downtown improvement strategy. The proposed development substantially complies with this plan. By facilitating unobstructed access from the waterfront to the Sealaska campus, CBJ encourages the arts complex and leverages it as a focal point, attracting visitors to the downtown core.

Capital Improvement Program

Planning and design of the deckover is funded through Project H51-113 “Waterfront Seawalk” in the 2020-2025 Capital Improvement Program (CIP). Activities under this project can include surveying, geotechnical investigations, property appraisals and negotiations, cost estimating, permitting and preparation of conceptual and detailed design plans.

Construction funding is anticipated through a 2021 CIP request for \$1.6 million.

Marine Park Seawalk Infill (Lightering Float Area): Construct infill and extension of the gap in the seawalk at the location of the old lightering float ramp and dock that is adjacent to Marine Park. Filling this gap will provide better pedestrian continuity between the cruise ship docks and key tourist destinations around Marine Park and the nearby downtown attractions via Seward Street.

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Habitat

Driven piling will support the deckover, requiring an Army Corps 404 permit. The location of the piling is not high quality or important habitat. A consultation with the National Marine Fisheries Service will be conducted if necessary for construction.

The site is partially located within a Flood Zone VE. VE Zones are areas subject to inundation by the 1-percent annual chance flood event with additional hazards due to storm-induced velocity wave action. The development would need to comply with flood regulations, which will be addressed through the building permit review.

The proposed deckover is not in a CBJ conservation area, there are no impaired or critical water bodies nearby, and does not impact the Mendenhall wetlands.

FINDINGS

A review of adopted plans and codes indicates that the proposed development of the deckover adjacent to Marine Park and Peoples wharf complies with the Comprehensive Plan, 2004 Long Range Waterfront Plan, Capital Improvement Plan and Title 49.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend APPROVAL of the Marine Park deckover to the Assembly.



CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant	PROJECT SUMMARY		
	Deckover of a portion of the downtown waterfront between the Steamship Dock and Marine Park where the lightering float was previously located.		
	TYPE OF PROJECT REVIEW:		
	☒ City Project Review	☐ City Land Acquisition /Disposal	☐ State Project Review
	PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:		
	Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☒ NO		
	Capital Improvement Program # (CIP) <u>H51-113</u>		
	Local Improvement District # (LID) _____		
	State Project # _____		
	ESTIMATED PROJECT COST: \$ 1,500,000.00		
	ALL REQUIRED MATERIALS ATTACHED		
	☒ Complete application		
	☐ Pre-Application notes (if applicable)		
	☒ Narrative including:		
	☒ Current use of land or building(s)		
	☒ Proposed use of land or building(s)		
	☒ How the proposed project complies with the Comprehensive Plan		
	☒ How the proposed project complies with the Land Use Code (Title 49)		
	☒ Site Plan (details on page 2)		

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>N/A</u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>CSP2000-0003</u>	FEB 28 2020

PERMIT CENTER/CDD



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Previous location of lightering float, Marine Park (154-254 Marine Way)		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) TIDELANDS ADDITION BL 83 LT 1		
	Parcel Number(s) 1C070K830010		
	☒ This property located in the downtown historic district ☒ This property located in a mapped hazard area, if so, which <u>Flood Zone VE</u>		
	LANDOWNER/ LESSEE		
	Property Owner City and Borough of Juneau	Contact Person Keri Williamson	
	Mailing Address 155 South Seward St	Phone Number(s) 907-586-5200	
	E-mail Address keri.williamson@juneau.org		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u></u> Landowner/Lessee Signature		<u>3/2/2020</u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant SAME	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials

Case Number

Date Received

City/State Project and Land Action Review Information

City and State project review is outlined in CBJ 49.15.580

Each application for a City/State Project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

Pre-Application Conference: A pre-application conference is required prior to submitting an application. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed change, the permit procedure and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via email at Permits@juneau.org.

Application: An application for a City/State Project Review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed City/State Project Review Application and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
 - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
 - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
 - d. Existing and proposed lighting (including cut sheets for each type of lighting);
 - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
 - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All City/State Project Review Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

RECEIVED

FEB 28 2020

PERMIT CENTER/CDD

City/State Project Review Application

for

Marine Park Lightering Float Deckover

CBJ Contract BE20-213

Project Narrative

The CBJ intends to deckover a portion of the downtown waterfront in Juneau, Alaska between the Steamship Dock and Marine Park where the lightering float was previously located.

The city cruise ship berths were modified from 2014-2017. The northern berth, where ships used to moor against Steamship Dock, was pushed off shore with a new floating berth, and the adjacent lightering float removed to provide room for larger, panamax sized cruise ships to tie up. The removal of the lightering float to accommodate these larger ships and greater passenger counts left a gap in the downtown waterfront that this project will address. This deckover will allow passengers to walk directly from Steamship Dock north to nearby attractions and Seward Street, and reduce congestion in Marine Park.

This deckover consists primarily of a 25' timber ramp, matching the width of the Steamship Dock, which will connect the dock to the sheet pile retaining wall of Marine Park. The existing northern end of the dock will be cut back and set on new piling and pile caps to enable ADA-accessible grades on the ramp. On the inland side of the timber ramp, a new deck and concrete slab will be poured on new piling and pile caps, matching the elevation of Marine Park, and fill placed to create a grass slope matching the adjacent landscaped area.

The timber ramp will lower the elevation of the dock in relation to the northern mooring dolphin of Steamship Dock, which is still actively used by cruise ships. An access gate and capstan will be added to the dolphin to allow the dolphin to remain in use and allow public access through the new deckover.

Minor electrical work will take place to relocate junction boxes mounted on the sheet pile retaining wall of Marine Park, and to provide electrical service to the northern mooring dolphin of Steamship Dock for the capstan.

Attached is a drawing showing a plan view of the project.

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FEB 28 2020

PERMIT CENTER/CDD

Keri Williamson

From: Jill Maclean
Sent: Thursday, February 27, 2020 10:50 AM
To: Rorie Watt; Keri Williamson; Robert Barr
Subject: RE: PC

Follow Up Flag: Follow up
Flag Status: Flagged

If so, I need application ASAP. I'll send you a copy of the PC calendar, I should've thought to send it before so you have the deadlines for meetings.

From: Rorie Watt <Rorie.Watt@juneau.org>
Sent: Thursday, February 27, 2020 10:44 AM
To: Keri Williamson <Keri.Williamson@juneau.org>; Robert Barr <Robert.Barr@juneau.org>; Jill Maclean <Jill.Maclean@juneau.org>
Subject: FW: PC

Let's try and get Marine Park seawalk infill CSP on the same agenda. Thanks.

From: Lee Kadinger <Lee.Kadinger@sealaska.com>
Sent: Thursday, February 27, 2020 10:37 AM
To: Rorie Watt <Rorie.Watt@juneau.org>
Subject: Fwd: PC

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

FYI on timeline...

Sent from my iPhone

Begin forwarded message:

From: Russell King <russell.king@sealaska.com>
Date: February 27, 2020 at 10:35:54 AM AKST
To: Lee Kadinger <Lee.Kadinger@sealaska.com>
Subject: RE: PC

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FEB 28 2020

PERMIT CENTER/ODD

As of our meeting with Jill MacLean on the 20th, the timeline is:

March 4 – Pre-application meeting with Community Development for conditional-use permit. We should obtain additional information regarding information to be provided in the application.

Intervening weeks—review by various CBJ departments, provision of any requested additional information.

April 28—Target date to be on the agenda and make the formal application to the Planning Commission at its regularly scheduled meeting.

From: Lee Kadinger <Lee.Kadinger@sealaska.com>
Sent: Thursday, February 27, 2020 10:19 AM
To: Russell King <russell.king@sealaska.com>
Subject: Fwd: PC

Can u outline timeline for me so I can send to city manager...

Sent from my iPhone

Begin forwarded message:

From: Rorie Watt <Rorie.Watt@juneau.org>
Date: February 27, 2020 at 9:46:53 AM AKST
To: Lee Kadinger <Lee.Kadinger@sealaska.com>
Subject: PC

EXTERNAL EMAIL: Please use caution and only open attachments from a trusted source.

When are you going to the Planning Commission with the Arts Campus project? Thanks.

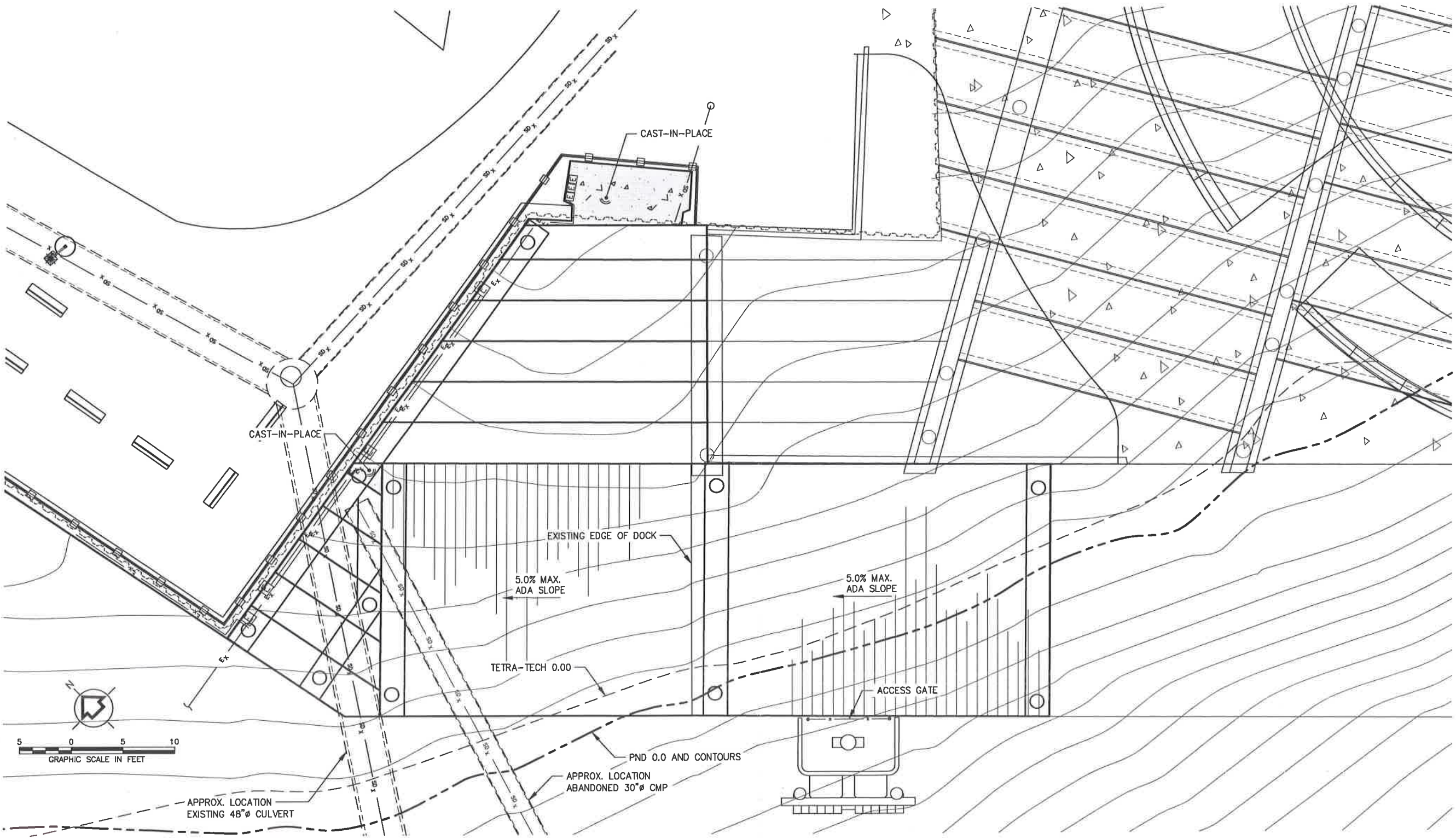
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FEB 28 2020
FEBRUARY 28 2020

Aerial imagery from 2013, cruise ship berth improvements (2014-2017) not shown

- Existing pedestrian traffic patterns
- New pedestrian traffic patterns
- Deckover area



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FEB 28 2020
PERMIT CENTER



STRUCTURAL PLAN 1

RECEIVED

FEB 28 2020

PERMIT CENTER/CDL

REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

PND
ENGINEERS, INC.

9360 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pndengineers.com

DESIGN: _____ CHECKED: _____
DRAWN: _____ APPROVED: _____

SCALE:

**XX% DESIGN
SUBMITTAL**

DATE:

SHEET TITLE:

STRUCTURAL PLAN

S102

PND PROJECT NO.:

C.A.N. NO.: AECC250

Minutes
Planning Commission
Regular Meeting
 CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
 April 28, 2020

I. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:01 p.m.

Commissioners present: All Commissioners present via video conferencing – Michael LeVine, Chairman; Nathaniel Dye, Vice Chairman; Paul Voelckers, Clerk; Travis Arndt, Assistant Clerk; Ken Alper, Dan Hickok, Weston Eiler, Josh Winchell

Commissioners absent: None

Staff present: Jill Maclean, CDD Director; Alix Pierce, CDD; Laurel Christian, CDD; Teri Camery, CDD; Emily Wright, LAW; Irene Gallion, CDD; Dan Bleidorn, LANDS; Alec Venechuk, ENG; Michael Eich, ENG

Assembly members: Greg Smith

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

III. APPROVAL OF MINUTES -None

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

V. ITEMS FOR RECONSIDERATION - None

VI. CONSENT AGENDA

CSP2020 0003: Deckover a portion of the downtown waterfront between the Steamship Dock and Marine Park, where the lightering float was previously located

Applicant: City and Borough of Juneau

Location: Downtown Juneau, between the Steamship Dock and Marine Park, where the lightering float was previously located

Staff Recommendation

Staff recommends that the Planning Commission adopt the above analysis and findings, and recommend APPROVAL of the Marine Park deckover to the Assembly.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis and recommendations and approve the consent agenda.*

The motion passed with no objection.

VII. UNFINISHED BUSINESS - None

VIII. REGULAR AGENDA

(Moved from Consent Agenda on request by Mr. Voelckers)

USE2020 0003: A Conditional Use Permit to continue operation of the City and Borough of Juneau South Lemon Creek Material Source sand and gravel facility, and asphalt reclamation/rock crushing

Applicant: City and Borough of Juneau

Location: 2300 Anka St

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow continuation of an existing gravel pit. The approval is subject to the following conditions:

- 1) Hours of operation shall be 7 a.m. to 10 p.m. Monday through Friday and 9 a.m. to 10 p.m. on weekends, year-round.
- 2) The permit shall expire fifteen years from the date of Planning Commission approval.
- 3) Seed mixes utilized for revegetation in restoration efforts shall be free from non-native, noxious weeds.
- 4) The applicant shall provide the Community Development with the annual SWPPP report no later than February 15th each year.

Required Conditions, per CBJ\$49.65.235:

- 5) A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public way. This periphery strip shall not be altered except as authorized for access points. This section does not alter the applicant's duty to maintain subjacent support.

If the bank of any extraction area within the permit area is above the high water line or water table, it shall be left upon termination of associated extraction operations with a slope no greater than the angle of repose for unconsolidated material of the kind composing it, or such other angle as the commission may prescribe. If the extraction operations cause ponding or retained water in the excavated area, the slope of the submerged working face shall not exceed a slope of 3:1 from the edge of the usual water line to the water depth of seven feet. This slope ratio may not be exceeded during extraction operations unless casual or easy access to the site is prevented by a fence, natural barriers, or both.

Commission Discussion

Mr. Voelckers questioned how the hours of operation were set. Staff Teri Camery explained the change was made to conform with the noise ordinance and was consistent with other gravel operation. Mr. Dye asked whether they would be required to be closed to operations on holidays. Ms. Camery said she knew of gravel pits that had restrictions against blasting on weekends and state/federal holidays but they were not required to close operations on those days. Mr. Winchell clarified that the operation could limit their own hours beyond what is set in the conditions so long as their hours do not violate the noise ordinance. While they are allowed to be open until 10:00 pm, they may choose to close at 5:00 pm.

Discussion/Questions for Applicant

Mr. Eich, CBJ Engineering, explained for all their operations, they prohibit mining activity on recognized state and federal holidays and he expected that would be the case with this one as well. As for start times on the weekends, he explained that previously they have started as early as 7:00am but stopped when they realized the noise ordinance hours and conforming to noise ordinance hours at this location would not be a problem for them.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis, and recommendations, as amended by memo dated 4/28/2020 and approve USE2020 0003.*

The motion passed with no objection.

WCF2020 0001: A Wireless Communications Facility Permit for a new, unlit, 98-foot wireless communication tower
Applicant: Mastec Network Solutions
Location: 12401 Glacier Highway

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Special Use Permit. The permit would allow the development of a 98-foot, unlit, tower with the following conditions:

1. The applicant shall install fencing around the tower and ground equipment to prevent unauthorized access. This fencing shall be designed to visually screen the base of the pole and ground equipment from the roadway.
2. The applicant shall paint the pole matte dark brown to blend with the surrounding natural vegetation.
3. ~~The WCF cannot have lighting, and if in the future the FAA requires lighting, a modification to the Special Use Permit must be approved by the Planning Commission.~~
4. Prior to issuance of a building permit, the applicant shall submit a revised site plan showing all **new or relocated** appurtenant structures meeting the minimum required setbacks for the zoning district. **The direct replacement of existing appurtenant structures is allowed if in accordance with VAR2010 0002**

Questions for Staff

Mr. Eiler asked where in code or plan we are coming up with recommendations for painting the poles. Ms. Christian and Ms. Maclean explained it is in the definitions of code regarding aesthetically blending with surroundings. It is specifically referenced at 49.65.930 - *WCF shall be designed to either resemble the surrounding landscape and other natural features where located in proximity to natural surroundings or be compatible with the urban environment.*

Mr. Winchell asked about moving the pole in regards with the break point of the pole. Mr. Winchell had concerns about safety issues. Ms. Christian explained that the pole does meet setback requirements. The issue was with the cabinetry and that is why it was moved.

Mr. Dye asked about why the new tower was not subject to the variance already in place. Ms. Christian explained that the new tower is taller than the one in existence currently. Had the new tower been exactly the same then it would have been subject to the variance but the new tower is 98-feet and replacing the current 90-foot tower. Mr. Dye asked about the overall height, in particular, are the lightning rod and antennae included in the height and referenced the conversation from the prior meeting? Ms. Christian explained that the towers discussed at the last meeting did not have antennae that extended beyond the top of the tower and this one does.

Discussion/Questions for Applicant

Lisa Haines explained they were required a new special use permit due to the lightning rod above the tower.

Mr. Voelckers asked about the break point expressing concern that it appeared be in the location of a future array installation point and asked if that was taken into account

when designing the tower. Ms. Haines explained it was part of the engineering and design.

Mr. Dye asked if the existing tower had lightning rod included in the 90-foot measurement. Ms. Haines answered the lightning rod is not included in the current 90-feet.

COMMISSION DISCUSSION

Mr. Dye questioned what situations would be allowed under the existing variance and what would trigger the need for this variance. If they were replacing the current pole with another of the same height in the same location, would the variance be required? Ms. Maclean explained that the existing construction specified a metal tower and the applicant constructed a wooden pole and the variance was approved after the fact. In 2014, the new ordinance was adopted stating wireless facilities cannot be varied.

Mr. Dye asked whether the variance was still valid and if not, why not. Ms. Maclean explained what was approved under the conditional USE permit was a steel monopole at the 25-foot setback. However, what was constructed was a wooden pole at 11.1 feet from the right-of-way. Ms. Maclean also explained the original USE permit, since it was not enacted upon within 18 months, is considered expired. Ms. Wright added the variance was correcting their decision to construct incorrectly and that conditional USE permit is no longer valid.

Mr. Voelckers raised the public comment regarding the fencing should include screening to blend aesthetically.

MOTION: *by Mr. Winchell to accept staff's findings, analysis, and recommendations, and approve WCF2020 0001 as amended in the April 23, 2020 memo.*

Commissioners commented that there are concerns regarding consistency in how the towers are treated and how height is defined and descriptions of how the arrays are counted and held also need to be clarified.

The motion passed with no objection.

USE2020 0005:	A Conditional Use Permit for a temporary asphalt plant at the Juneau International Airport
Applicant:	SECON
Location:	1873 Shell Simmons Drive

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of a temporary asphalt plant at the Juneau International Airport.

The approval is subject to the following conditions:

1. The applicant shall inspect the traveled route a minimum of twice daily for escaped material from the haul.
2. The applicant shall sweep and clean the roadway at the end of each day if any water or material has escaped or if a major spill occurs.
3. The applicant shall immediately respond to any additional clean-up requests during the operation from the project engineer, CBJ, or Alaska Department of Transportation.
4. ~~The applicant shall limit the number of trucks in operation during peak hours of traffic, when possible.~~ (Removed on amendment)
5. Trucks traveling from Concrete way to the proposed temporary asphalt plant shall turn right at the Concrete Way and Glacier Highway Intersection.
6. Prior to commencement of the proposed use, the applicant shall work with the Alaska Department of Transportation & Public Facilities to install all required signage in the right-of-way.
7. **Operations shall be from 7 a.m. to 10 p.m. Monday through Friday and 9 a.m. to 10 p.m. on Saturday and Sunday, unless a permit shall first be obtained from CBJ Building Official.** (Added by Amendment)

Questions for Staff

Mr. Arndt asked for a definition of how long 'temporary' is as this is a permit for a 'temporary' permit. Ms. Christian explained the work phase on this permit is through October 2021. Mr. Arndt what if they needed to extend beyond that date. Ms. Maclean asked for a moment for staff to research that question as she understands that if they were to approve a multi-year permit that would be considered 'permanent' and they are not sure a permanent asphalt plant is allowed in that zoning district. Ms. Wright explained that the applicant has a contract for the construction project currently but they are not guaranteed every renewal of projects. Therefore, the City would not approve a permanent plant effectively giving them a monopoly when they are not necessarily going to always have contracts with the Airport. Ms. Maclean explained a temporary plant is tied to the duration as defined in a project.

Mr. Voelckers had concerns regarding 'when possible' in Condition #4. Mr. Winchell concurred with Mr. Voelckers and wondered if they could require a percentage instead. Ms. Maclean explained the Commission could amend or remove that phrase as they see fit. Ms. Maclean offered to defer that question to the applicant.

Mr. Dye asked about the existing asphalt plant nearby in Lemon Creek and asked if there was a reason that they could not truck the asphalt as needed from there. Mr. Dye also asked about the noise requirement and why the hours of operation or noise ordinance were not referenced

in the conditions. Ms. Christian answered that the work being done would be subject to FAA rules as well as having to be scheduled around airport activities and night work might at times be required.

Discussion/Questions for Applicant

Mike Short and Noah Molnar representing SECON came forward to answer Commissioner questions.

Mr. Winchell asked is there an advantage to having the hot plant located directly in the area of the project. Mr. Short explained it is better to have the asphalt as hot as possible when it is laid. If they haul the asphalt from the AGGPRO plant to the airport site, they will be in a rush to get it laid.

Mr. Voelckers asked for clarification as to how much they will need to drive hot mix on public streets. Mr. Short explained that for part of the project, they will be driving the public roads. He clarified the plant will not be running at all times. It will only be used for spurts of time (one day to a week at a time) when paving is being done.

Mr. Winchell and Mr. Voelckers discussed with Mr. Short the 'when possible' portion of Condition #4 asking him how he interprets that condition and how it would affect the project. Mr. Short felt that it had the potential to slow or extend the project and added that it is subject to interpretation and different people would interpret 'when possible' differently.

PUBLIC COMMENT

None

Mr. Short spoke to the public comment letter regarding the concern of fumes from the plant. Mr. Short explained that they have met the DEC requirements and the fumes are not harmful.

Commission Discussion with Staff

Ms. Maclean explained a temporary permit can be extended by the Commission for 18 months at a time and they can grant extensions up to two times. Mr. Arndt and Mr. LeVine pointed out that this permit is requested to be temporary for the life of the project but the commission can put a time limit on the permit if they prefer and then can extend that time limit as described.

Ms. Wright pointed out the verbiage in Condition #4 is vague enough to be challengeable and if the commission wanted to, they could set limits by defining 'peak hours' and defining 'limit the number of trucks' or strike the condition if they wanted to. Mr. Voelckers spoke in support of striking the condition.

Mr. Dye suggested amending the Conditions by striking Condition #4 and adding Condition #7.

MOTION: by Mr. Dye to accept staff's findings, analysis, and recommendations, and approve USE2020 0005 as amended.

Mr. Arndt spoke in support of striking Condition #4 but against adding Condition #7 stating that the verbiage is already in code. Mr. Voelckers spoke in support. Ms. Wright explained that with Condition #7 in place, the commission has the ability to revoke the permit. Without it, they can only cite them in accordance with ordinance.

MOTION: by Mr. Arndt to amend Mr. Dye's motion by removing Condition #7.

Roll Call Vote to remove Condition #7 Yea:5/Nay:3 Motion Fails

Yea: Mr. Arndt, Mr. Eiler, Mr. Hickok

No: Mr. Alper, Mr. Winchell, Mr. Voelckers, Mr. Dye, Mr. LeVine

Roll Call Vote on Motion to Accept as amended: Yea:8/Nay:0 The motion passed with no objection.

Yea: Mr. Dye, Mr. Voelckers, Mr. Winchell, Mr. Alper, Mr. Hickok, Mr. Eiler, Mr. Arndt, Mr. Voelckers

No: None

At Ease 8:54 – 9:06

USE2019 0015: A Conditional Use Permit & City Project Review to build a Valley Transit Center with associated Park & Ride facilities
Applicant: CBJ Capital Transit / Engineering
Location: Mendenhall Mall

Staff Recommendation

CONDITIONAL USE PERMIT RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of a transit center with driver break facilities and possibly a public bathroom, along with the associated Park and Ride on a future lot within the current Mendenhall Mall lot in a Light Commercial zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located, and installed to minimize offsite glare.

Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements per CBJ 49.40.230(d).

2. The approved lighting plan shall include lighting immediately adjacent to the driveway exits onto both Mendenhall Mall Road and Riverside Drive.
3. Prior to issuance of a Building Permit, Capital Transit shall have a recorded access easement agreement with the owners of the mall for use of Mendenhall Mall Road for the Valley Transit Center buses and users.
4. Any bike racks shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan. [2009 edition, page 44]
5. **Current facilities shall be located to allow space for future potential public facilities.**
(Added by Amendment)
6. **The project will include no fewer than three EV stations with chargers Level 1 or 2.**
(Added by Amendment)

CITY PROJECT REVIEW RECOMMENDATION

Staff recommends that the Planning Commission recommend the Assembly **APPROVE CSP2019 0008**, the development of the Valley Transit Center and associated Park and Ride lot.

It is further recommended that:

7. All plumbing fixtures meet a recognized water efficiency standard beyond the minimum required by the CBJ Building Code (e.g. EPA WaterSense standard).
8. It is recommended that public recycling receptacles be used at the VTC.

Commission Discussion

Mr. Winchell asked whether CBJ will be charging for parking in the park and ride area. Ms. Pierce answered, to her knowledge, they will not be charging for parking but the applicant would be best to answer that.

Mr. Eiler asked if moving Transit's main transfer area from behind Nugget Mall to the Mendenhall Mall area is in accordance with the comprehensive plans. Ms. Pierce answered that it is.

Mr. Dye asked for clarification about the EV charging stations and since they are not specifically included in the CUP, would they still be required? Ms. Wright said that if the Commission wanted to ensure they are included, then they should consider adding it to the conditions.

Ms. LeVine asked why lighting is mentioned in two of the conditions and not rolled into a single condition. Ms. Pierce explained one is a standard condition and the other is addressing a specific concern that was expressed.

Questions for Applicant

Alec Venechuk came forward to answer questions. Mr. Winchell asked about fees for parking for park and ride patrons. Mr. Venechuk did not have an answer to that. Mr. Voelckers asked for a description of the public ADA restrooms. Mr. Venechuk described it will be a single stall unisex restroom providing the basic necessities. Mr. Voelckers asked how that will be monitored to avoid criminal and other unwanted activities. Mr. Venechuk said he cannot speak to how the building will be managed.

Mr. Arndt asked how moving the bus stop from behind Nugget Mall to the proposed location would affect service for the new shelter location at St. Vincent. Mr. Venechuk explained that the area would still have service but the main transfers would occur at the new location. Ms. Maclean said that the bus service behind Nugget Mall would be moved and will actually be closer to the St. Vincent location.

Mr. Arndt suggested a change in the design of the turnout where the right turn is required. Mr. Venechuk said he would bring it to the design team of the contractor.

Mr. Voelckers had a concern that the plan should include ability to expand as he sees potential for this to grow.

Mr. Dye asked how the plan came to include three EV charging spaces (as opposed to 2 or 4 or some other number). What made three the right number? Mr. Venechuk did not have that answer.

Mr. Arndt noticed the report describes 59 parking spaces. How did they calculate the number of spaces that would be needed for this project? Mr. Venechuk said his guess is that 59 is the number of spaces that they could reasonably fit in that space.

PUBLIC COMMENT – None

Questions for Staff

Mr. Arndt asked about the number of parking spaces and how they came to the number of spaces asking specifically if there is a requirement for 'park and ride'. Ms. Maclean and Ms.

Pierce explained that the main use of the building is as a transit center and park and ride is a side opportunity and the main users of the transit center is expected to be pedestrians.

Mr. Dye spoke to the EV charging stations and wondered if three is enough. Mr. Voelckers agreed that EV stations should be considered and suggested that it be recommended that the project includes ample conduit and infrastructure as to make expanding into EV in the future. Mr. Winchell agreed with Mr. Voelckers. Mr. Dye suggested if three is the correct number then it should be included as a condition. Mr. Winchell spoke to possibly setting a percentage of spaces to be set aside for EV. Mr. Arndt spoke against using a percentage as he could foresee unintended consequences for future projects.

At ease 9:52 – 9:56

MOTION: *by Mr. Voelckers to add an amendment to add a Condition #5. Current facilities shall be located to allow space for future potential public facilities.*

Mr. Arndt, Mr. Dye and Mr. Winchell agreed with Mr. Voelckers thoughts but spoke against the amendment due to it being too vague.

MOTION: *by Mr. Dye to strike Mr. Voelckers proposed Condition #5.*

Yes: Mr. Dye, Mr. Winchell, Mr. Arndt, Mr. LeVine

No: Mr. Voelckers, Mr. Alper, Mr. Hickok, Mr. Eiler

Roll Call Vote to remove Condition #5 Yea:4/Nay:4 Motion Fails

MOTION: *by Mr. Dye to add a new Condition #6 The applicant shall provide no fewer than three EV stations with chargers Level 1 or 2.*

Mr. Eiler asked if there was a reason to specify a particular number. Mr. Dye explained the point of making the motion is to require a minimum number.

The motion passed with no objection

Mr. Winchell says he foresees expansion of the facility in the future (10:13) for the record ...

MOTION: *by Mr. Voelckers to accept staff's findings, analysis, and recommendations, and approve USE2019 0015 as amended.*

Mr. Arndt asked Mr. Voelckers if he could clarify or specify in the Condition #5 in a way to make it a specific requirement. Mr. Voelckers said this location has so much potential for growth in the future that he just wanted to make sure the applicant keeps that in mind during the construction so expansion or other growth will be easier when the time comes. Ms. Maclean

said she is unsure how Condition #5 could be enforced. Mr. Winchell said he foresees the expansion of the warming building to include certain warming for non-staff and possible expansion to include more EV stations and he feels it demonstrates Legislative or Commission Intent.

Roll Call Vote on Motion to Accept as amended: Yea:8/Nay:0 The motion passed with no objection.

Yea: Mr. Voelckers, Mr. Winchell, Mr. Alper, Mr. Hickok, Mr. Eiler, Mr. Arndt, Mr. Dye, Mr. LeVine

No: None

The motion passed with no objection.

IX. BOARD OF ADJUSTMENT- None

X. OTHER BUSINESS - None

XI. STAFF REPORTS

Ms. Maclean reported

- New Engineering and Public Works director started a few weeks ago
- Lands committee meeting Monday evening, May 4th, via Zoom
- Economic Stabilization Task Force this Thursday
- Title 49 meetings will begin again soon
- Committee of the Whole and Auke Bay Committees will also begin meeting again soon
- Streamside Setback Ordinance and FEMA Flood maps will come before the Commission soon
- Glory Hall CUP public hearing is upcoming

XII. COMMITTEE REPORTS

Mr. Voelckers reported as Public Works liaison that the committee is prioritizing or paring down CIP projects including Augustus Brown Pool and Douglas second crossing projects.

XIII. LIAISON REPORTS

Mr. Smith reported that Coronavirus is still the main focus of the Assembly. There is a lot happening in the Federal, State and Local levels.

They are looking at a \$35 million revenue budget shortfall in the budget in the next 30 months as a result of Coronavirus.

They have approved the ordinance regarding private shared access.

There are 4 applicants for the opening in the Planning Commission. They expect to meet and make their selection next week.

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

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Voelckers thanked Mr. LeVine for pulling off another successful electronic meeting.

XVI. EXECUTIVE SESSION- None

XVII. ADJOURNMENT – 10:28



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

March 24, 2020

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	13279
License Type:	Retail Marijuana Store
Physical Address:	2771 Sherwood Lane, Unit E Juneau, AK 99801

Transferor:	The Mason Jar LLC
Doing Business As:	The Mason Jar LLC
Designated Licensee:	Dennis Lavigne
Phone Number:	907-723-6508
Email Address:	denny@akmasonjar.com

Transferee:	The Mason Jar LLC
Doing Business As:	The Mason Jar LLC
Designated Licensee:	Dennis Lavigne
Phone Number:	907-723-6508
Email Address:	denny@akmasonjar.com

☐ **Transfer of Ownership Application**

☒ **Transfer of Controlling Interest**

AMCO has received a complete application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.045(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. 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 transfer, 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.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a marijuana establishment license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local

government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our June 10-11, 2020 meeting.

Sincerely,

A handwritten signature in dark ink, appearing to read "Glen Klinkhart", written in a cursive style.

Glen Klinkhart, Interim Director

amco.localgovernmentonly@alaska.gov

Presented by: The Manager
Introduced: 05/18/2020
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1029

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$887,636 be transferred:

From: CIP

H51-116	Archipelago MP to Taku Upland Improvement	\$666,000
H51-117	Auke Bay Marine Station Maintenance & Improvement	\$221,636

To: CIP

H51-108	Statter Harbor Improvements Ph III	\$887,636
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The \$887,636 consists of:

State Marine Passenger Fees	\$666,000
Harbor Funds	\$221,636

Moved and Approved this _____ day of _____, 2020.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 04/27/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Ordinance Serial No. 2020-18

An Ordinance Authorizing the Manager to Execute a Lease Agreement with AJT Mining Properties, Inc. for a Campground near Downtown Juneau.

WHEREAS, on March 26, 2020, Emergency Ordinance 2020-17 was adopted, which temporarily authorized the Manager to execute a lease with AJT Mining Properties, Inc. to relocate the Thane Campground to the Mill Campground site; and

WHEREAS, Emergency Ordinance 2020-17 expires in 180 days, and a subsequent ordinance is necessary to extend the Manager's lease authority beyond 180 days; and

WHEREAS, the CBJ has leased real property from AJT Mining Properties, Inc. ("AJT") for over 20 years for use as a campground for those in need of living accommodations during the temperate summer months, most commonly known as the Thane Campground; and

WHEREAS, the new location, provided for in Exhibit B, is slightly closer to downtown and provides better access to users, allows for vehicle access, and is more open, providing safer access to Juneau Police Department officers, park staff, and emergency responders; and

WHEREAS, AJT has offered to continue leasing its property to the CBJ for a nominal value of \$1.00 during the term of the lease; and

WHEREAS, given the contemplated use of the premises, AJT requires the CBJ to indemnify it against any action, claim, or lawsuit arising out of the CBJ's use and occupancy of AJT's property; and

WHEREAS, this indemnity provision has been in place since the CBJ originally leased AJT's property at the Thane Campground and reads as follows:

Lessee agrees to defend, indemnify, and save Lessor, its employees and insurers, with respect to any action, claim, or lawsuit arising out of the use and occupancy of the Leased Premises by Lessee. This agreement to defend, indemnify, and hold harmless is without limitation as to the amount of fees, and without limitation as to any damages resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. The obligations of Lessee arise immediately upon notice to the Lessor of any action, claim, or lawsuit. Lessor agrees to provide Lessee written notice of any action,

claim or lawsuit in a timely manner. This agreement applies and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against Lessor.

WHEREAS, pursuant to CBJ Charter 9.13(a) and its prohibition against payment being made or an obligation being incurred without an appropriation, the CBJ is generally prohibited from agreeing to indemnify; and

WHEREAS, CBJ Charter 9.13(c) carves out an exception to that general prohibition:

Notwithstanding Section 9.13(a) of this Charter, the assembly by ordinance may require payment of funds from appropriations of a later fiscal year or of more than one year for any contract, lease or note or bond obligation, or federal or state grant, or any other federal or state program that the municipality may not otherwise participate in.

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

Section 1. Classification. This is a non-code ordinance.

Section 2. Authority to Lease. Pursuant to CBJ Charter 9.13(c), the Manager is authorized to execute the lease agreement provided for in Exhibit A and agree, on behalf of the CBJ, to indemnify AJT Mining Properties, Inc. to the extent required by law.

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

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

CAMPGROUND LEASE AGREEMENT

AJT MINING PROPERTIES, INC. / CITY AND BOROUGH OF JUNEAU

THIS LEASE is by and between AJT Mining Properties, Inc., an Alaska corporation, whose address is 5601 Tongard Court, Juneau, AK 99801 ("Lessor,") and the City and Borough of Juneau, Alaska an Alaska municipal corporation, 155 S. Seward St., Juneau, AK 99801 ("Lessee.")

1. AUTHORITY. This lease is entered into by the City and Borough of Juneau manager pursuant to the authority of the City and Borough of Juneau Code, Chapter 53.04.010 "Leases."

2. LEASED PREMISES. The Leased Premises is a portion of tax parcels numbered 1C1001070102 and 3M0000CTU010 encompassing an area approximately one-half acre in size shown on Attachment A, which is incorporated by this reference.

3. TERM. The term of this lease shall be one (1) year, beginning April 1, 2020, and ending on March 31, 2021.

a. In the event that Lessee holds over and remains in possession of the Leased Premises after the expiration date of this agreement without written renewal thereof, a month to month tenancy shall be created until the lease is terminated upon one month's written notice by either party or under the terms provided under Section 6(f). During any period of holding over, all terms and conditions of this lease agreement, and any amendments, will apply.

4. RENT. The rent shall be one dollar and other valuable consideration for the entire term of this lease, receipt of which is acknowledged upon the execution of this document.

5. USE OF PREMISES. The Leased Premises shall be used by Lessee for the establishment of a campground for the public; no other use is allowed without prior written consent of Lessor. The purpose of the campground is to provide campsites with proper facilities to the public for seasonal housing during the temperate months of the year. The purpose is not to provide a recreational opportunity to the public, but to serve an observed need for living accommodation. It is hoped that this will reduce or eliminate the undesirable effects caused by people camping on unimproved public and private property, both in the general area of the campground as well as elsewhere in the city and borough. The undesirable effects include a lack of sanitary facilities for human wastes, garbage and trash. In addition to the unsanitary conditions, such practices attract bears and other wildlife and are unpermitted by the private property owners. Lessee's failure to operate or to provide for the operation of a campground during the summer months shall be considered a material breach of this agreement.

The parties envision that the Leased Premises will be improved to provide 17-20 tent platforms, a covered area for picnic tables, lockable storage lockers, a portable sanitary unit, potable water tanks, a firepit, a sign at the entrance of the road, and path around the locked gate. Site preparation may include clearing of trees and removal of stumps to open views to the tent platform sites for safety of users and staff.

6. SPECIAL CONDITIONS. The following conditions apply to this lease:

a. Campground Improvements. Lessee shall improve the Leased Premises to provide a portable sanitary unit, a firepit, and secure food storage to users of the campground. Lessee shall also provide firewood to be used in the firepit in a sufficient quantity to prevent users from cutting firewood from the Leased Premises and surrounding area. Lessee may make other improvements at its own expense to the site to accomplish the approved use, including, but not limited to, grading, construction of a road, parking, common facilities and campsites.

b. Electrical facilities located on Leased Premises.

i. Located on the Leased Premises are certain improvements used in the transmission of electrical power such as towers and aerial power lines and cables ("electrical facilities.") These electrical facilities are owned and operated by Alaska Electric Light & Power, Inc. (AEL&P) on the leased premises pursuant to the permission of Lessor. AEL&P is not a party to this agreement but is a third-party permittee of Lessor.

ii. Lessee takes the Leased Premises subject to the electrical facilities and all reasonably related future uses. Lessee shall allow AEL&P or other third-party permittees of Lessor to enter the Leased Premises at any time to inspect, maintain or repair the electrical facilities located on or above the Leased Premises. Lessor shall require such third parties to make reasonable efforts to avoid conflict with Lessee's use of the Leased Premises.

iii. Lessor shall keep the electrical facilities located on and above the Leased Premises in good condition.

iv. The towers located on the Leased Premises provide support for and access to electrical lines. Although the towers are designed to deter easy access to the lines, and are posted with warning signs, it is not possible to prevent unpermitted access. Climbing on the towers or coming into contact with the related electrical facilities is extremely dangerous. Lessee takes the Leased Premises as is and assumes the risk that persons on Leased Premises might trespass on the towers or other electrical facilities and suffer damage to themselves, others, or damage the electrical facility, and releases the Lessor from liability for such damages.

v. The indemnification provisions of section 6.h. of this lease shall apply to any claims against Lessor by a third party for damages relating to the electrical facilities so long as those facilities are maintained in good condition by Lessor or its permittees. This does not apply to Lessor's own employees or permittees.

c. Assignment and subletting. No assignment or subletting of any of Lessee's interest shall be permitted. Any attempt to assign or sublet this lease shall be a material breach. However, Lessee may permit another entity to construct, operate or manage the Leased Premises for the permitted uses.

d. Property taxes. As partial consideration for this lease, Lessee shall reimburse the Lessor upon receipt of an invoice for its pro-rata share of increased property taxes. The amount of reimbursement shall be determined using the assessed valuation of the property within which the Leased Premises is located as the baseline value, and the square acreage of the Leased Premises

compared to the square acreage of the property being assessed shall determine Lessee's pro-rata share. Lessee shall reimburse Lessor for any difference in property taxes due to an increase in valuation over the base value. This shall include increases in valuation due to Lessee's improvements to the Leased Premises or for any other reason.

e. Termination for convenience. Lessor may terminate this lease for its own convenience without penalty. Written notice of termination shall be not less than 90 days in advance of the effective date, but if such notice is delivered after January of any calendar year, then it shall not be effective until the end of the operational year of the campground. Lessee acknowledges that Lessor may need to develop or lease the property for development and acknowledges that Lessor's right to terminate the lease for convenience includes, but is not limited to, a right to terminate for such development.

f. Termination due to non-appropriation. As required by CBJ 53.04.010, this lease shall terminate on June 30th of any year during which the assembly of the City and Borough of Juneau fails to appropriate sufficient funds for the lease of the subject property during the following fiscal year. Such termination shall be without penalty.

g. Relationship with third parties. The rights and responsibilities of this agreement are between Lessor and Lessee. Each party to this agreement is responsible only to the other for the actions or omissions of their third-party permittees which relate to a term or condition of this agreement.

h. Indemnification. Lessee agrees to defend, indemnify, and save Lessor, its employees and insurers, with respect to any action, claim, or lawsuit arising out of the use and occupancy of the Leased Premises by Lessee. This agreement to defend, indemnify, and hold harmless is without limitation as to the amount of fees, and without limitation as to any damages resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. The obligations of Lessee arise immediately upon notice to the Lessor of any action, claim, or lawsuit. Lessor agrees to provide Lessee written notice of any action, claim or lawsuit in a timely manner. This agreement applies and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against Lessor.

i. Insurance. Lessee shall, during the entire term of this lease, keep in full force and effect the following insurance: a) General Liability insurance with bodily injury and property damage of \$1,000,000 for each occurrence and \$2,000,000 in the aggregate, b) Automobile Liability insurance with bodily injury and property damage limits of \$1,000,000 for each accident, and c) Workers' Compensation insurance in accordance with statutory requirements and Employer's Liability Insurance with a limit of \$500,000 per occurrence for bodily injury. Lessee shall not allow any agent or contractor of Lessee to take any action related to the Leased Premises unless the agent or contractor maintains, at any time it is acting in relation to the Leased Premises, the types and levels of insurance required above for Lessee. The policy shall name Lessor as an additional insured and shall contain a clause that the insurer will not cancel or change the insurance without first giving Lessor thirty-one (31) days' prior written notice. Lessee shall provide Lessor with a certificate of insurance on a form to be provided by the Lessor prior to the commencement date of this lease; or if this lease is signed subsequent to its commencement, then Lessee shall

deliver the certificate of insurance to Lessor simultaneously with execution of this lease. Lessee understands that Lessor carries no fire insurance on the Leased Premises or improvements located thereon belonging to Lessee, and that it is Lessee's obligation to obtain adequate fire insurance for protection of Lessee's buildings, fixtures, or personal property located on the Leased Premises.

j. Efforts to prevent unpermitted camping on Lessor's surrounding property. Lessee shall attempt to prevent people from camping on Lessor's properties surrounding the Leased Premises.

k. Closing of Thane Campground. As a condition this lease, Lessee shall close the Thane Campground leased under agreement dated April 23, 1999, as amended, in a manner that will minimize use by campers yet leave the site intact so that it could be used in the future if needed by Lessor.

l. Prevention of Visual Nuisance. Lessee acknowledges that Goldbelt Inc. is a neighbor, and tourists on Goldbelt Inc.'s tramway will see the campground. Lessor shall maintain the Leased Premises in an orderly and clean manner and shall prevent it from becoming a visual nuisance.

m. On-Site Management. Lessee shall operate the campground according to the management plan in Attachment B, which is incorporated by this reference.

n. General Coordination of Efforts. Lessee shall communicate with Lessor and coordinate efforts with Lessor regarding fulfilling the conditions of the lease, enforcement of facility rules, and management of the Leased Premises. Lessee's employees shall communicate and coordinate with Lessor's watchman, currently Floyd Branson, to ensure both parties are aware of issues and problems arising in and around the Leased Premises throughout the season.

o. Access Gate. Lessee may use the gate at S. Franklin Street/Thane Road for vehicular access to the Leased Premises. Lessee shall provide a lock and lock the gate at any time that it is not actively passing an authorized vehicle through the gate and shall not allow anyone other than its employees, contractors, and agents, acting in the scope of their employment, contract, or agency, to pass a vehicle through the gate or operate a vehicle upon the Leased Premises.

7. GENERAL CONDITIONS.

a. Taxes, Assessments, and Liens. During the term of this lease Lessee shall promptly pay or otherwise cause to be discharged, any claim resulting or likely to result in a lien, against the Leased Premises or the improvements placed thereon.

b. Easements. Lessee shall place no building or structure over any portion of the Leased Premises where the same has been set aside or reserved for easements.

c. Encumbrance of Parcel. The Lessee shall not encumber or cloud the Lessor's title to the Leased Premises or enter into any lease, easement, or other obligation of the Lessor's title without the prior written consent of the Lessor; and any such act or omission, without the prior written consent of the Lessor, shall be void against the Lessor and may be considered a material breach of this lease.

d. Valid Existing Rights. This lease is entered into and made subject to all existing rights, including easements, rights-of-way, reservations, or other interests in land in existence, on the date of execution of this lease.

e. Responsibility to Properly Locate on Leased Premises. It shall be the responsibility of the Lessee to properly locate Lessee and Lessee's improvements on the Leased Premises and failure to so locate shall render the Lessee liable as provided by law.

f. Expiration of Lease. Unless the lease is renewed or sooner terminated as provided herein, the lessee shall peaceably and quietly leave, surrender and yield up unto the lessor all the leased land on the last day of the term of the lease.

g. Removal of improvements upon expiration or termination. Lessee shall remove all improvements to the Leased Premises upon expiration or termination of this lease. Lessee is not required to restore the premises to its original condition, and any improvements or fixtures that cannot be removed without damage to the real property may remain. Lessor is not required to pay Lessee for the value of any improvements to or on the premises at the end of the lease.

h. Inspection. Lessee shall allow an authorized representative of the lessor to enter the Leased Premises for inspection at any reasonable time.

i. Entire Agreement, Amendments. This document, including exhibits and attachments, contains the entire agreement between the parties and may not be modified except in writing. There are no oral promises, representations, or warranties between the parties regarding any matter or thing connected with or related to the matters and things which are the subject of this lease.

j. Trespass and Eviction. Lessee shall prevent and promptly stop unauthorized use and presence upon the Leased Premises related to the public campground. Lessor authorizes Lessee to address unauthorized use or presence upon the Leased Premises related to the public campground, including by pursuing criminal trespass charges and maintaining a forcible entry and detainer or other civil action.

8. DEFAULT

a. Lessee is in default in the following events:

i. The occurrence of an event that is deemed as a material breach under the terms of this lease, including failure to operate a campground, encumbrance of the Leased Premises, and assignment or sublet of the Leased Premises, voluntarily or involuntarily, without Lessor's written consent;

ii. Lessee fails to comply with any other provision of this lease and does not cure that failure within thirty (30) days after written notice from by Lessor specifying the failure; and

b. If Lessee defaults, Lessor may terminate this lease and end Lessee's right to possession of the Leased Premises. If Lessor terminates this lease, Lessee will immediately vacate and cause its users to vacate the Leased Premises upon demand. If Lessee and its users do not

immediately vacate the Leased Premises upon demand, Lessee will be liable for Lessor’s actual costs and fees to evict Lessee and Lessee’s users.

c. If Lessee defaults, Lessor may choose to cure the default and charge Lessee. Lessee will reimburse Lessor for the actual cost to cure the default, including attorneys’ fees and incidental costs. Lessee must reimburse Lessor within thirty (30) days of written demand. This remedy is in addition to Lessor’s other remedies in the event of default and does not waive any of Lessor’s other rights in the event of default.

d. If Lessor breaches a provision of this lease, Lessor will have thirty (30) days after written notice from Lessee of the default in which to either cure the default completely or start diligent work to cure it. If Lessor fails to cure or start curing the default within thirty days, Lessee may terminate the lease.

e. The parties’ rights under this lease in the event of default are in addition to any other rights that the parties may have under state statutory or common law. The remedies in this lease and at law are cumulative, not exclusive.

IN WITNESS WHEREOF, the Lessor and Lessee agree and sign on the dates below. The persons signing below represent that they are authorized to execute this agreement on behalf of Lessor and Lessee, respectively.

Lessor:	Lessee:
AJT MINING PROPERTIES, INC.	THE CITY AND BOROUGH OF JUNEAU

_____	_____
By: _____	By: _____
Title: _____	Title: _____

Downtown Summer Shelter Vicinity Map

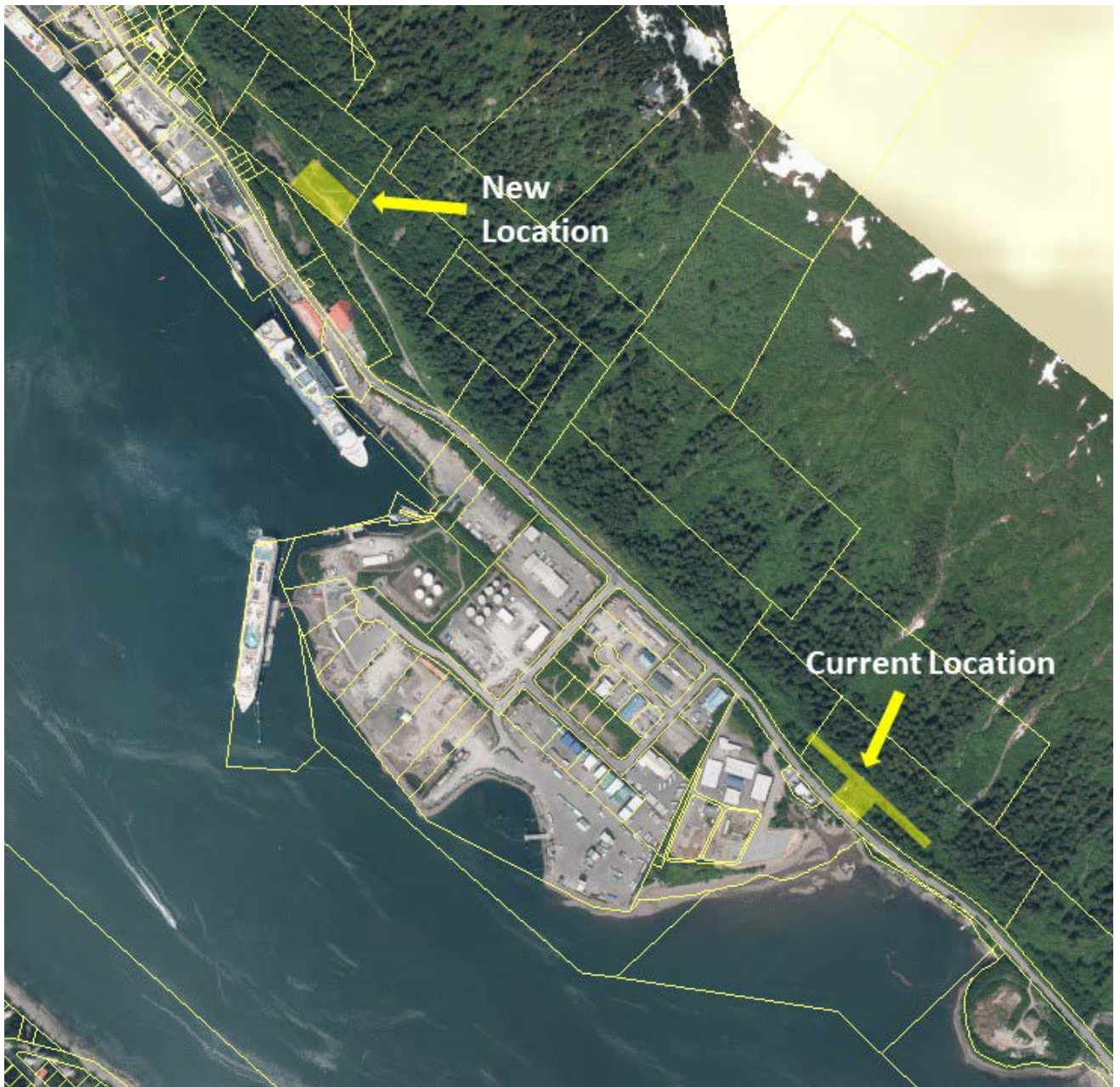


Exhibit B - Ordinance 2020-18

155 S. Seward St • Juneau, AK 99801
Phone: (907) 586-5226 • Fax: (907) 586-4589 • Email: Parks.Rec@juneau.org

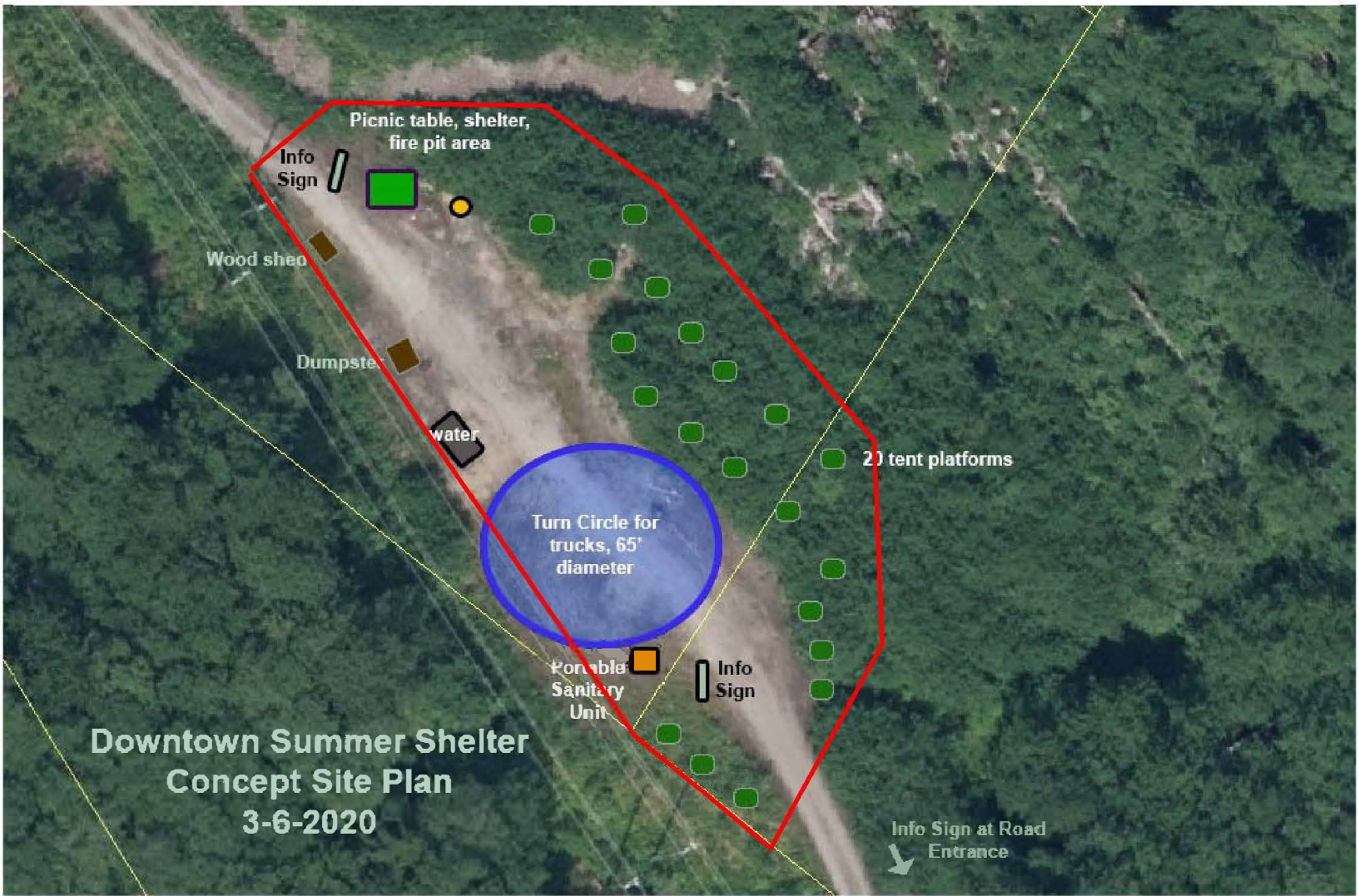


Exhibit B - Ordinance 2020-18

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
GENERAL OBLIGATION REFUNDING BOND

Serial No. 2020-19

AN ORDINANCE APPROVING THE CITY AND BOROUGH'S PARTICIPATION IN A PROPOSED REFINANCING BY THE ALASKA MUNICIPAL BOND BANK OF THE BOND BANK'S GENERAL OBLIGATION BONDS THAT PROVIDED FUNDS TO PURCHASE THE GENERAL OBLIGATION BOND, 2010A OF THE CITY AND BOROUGH, UNDER A LOAN AGREEMENT BETWEEN THE CITY AND BOROUGH AND THE BOND BANK; AND AUTHORIZING A REVISED SCHEDULE OF PRINCIPAL AND INTEREST PAYMENTS ON THE CITY AND BOROUGH'S BOND, IN ACCORDANCE WITH THE LOAN AGREEMENT, IF THE BOND BANK SUCCESSFULLY REFINANCES ITS BONDS.

Approved: May 18, 2020

Prepared by:

K&L GATES LLP
Seattle, Washington

City and Borough of Juneau, Alaska
Ordinance Serial No. 2020-19
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* This Table of Contents and the cover page are provided for convenience only and are not a part of this ordinance.

Presented by: The Manager
Introduced: 04/27/2020
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-19

An Ordinance approving the City and Borough's participation in a proposed refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds that provided funds to purchase the General Obligation Bond, 2010A of the City and Borough, under a loan agreement between the City and Borough and the Bond Bank; and authorizing a revised schedule of principal and interest payments on the City and Borough's bond, in accordance with the loan agreement, if the Bond Bank successfully refinances its bonds.

WHEREAS, the City and Borough of Juneau, Alaska (the "City and Borough"), to finance a portion of the cost of certain capital improvements to the Dimond Park Aquatic Center, issued and sold its General Obligation Bond, 2010A (Taxable Recovery Zone Economic Development Bond - Direct Payment), in the original principal amount of \$7,580,000 (the "2010A GO Bond") to the Alaska Municipal Bond Bank (the "Bond Bank"), as authorized by Ordinance Serial No. 2010-09 of the City and Borough adopted April 5, 2010 and Resolution No. 2529 adopted on May 19, 2010 (together, the "2010A GO Bond Ordinance"), on the terms and conditions set forth in the 2010A GO Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of June 1, 2010 (the "2010A GO Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2010B Series Two (Taxable) (the "2010B Series Two Bond Bank Bonds"), to provide funds to purchase the 2010A GO Bond, as provided in the 2010A GO Loan Agreement; and

WHEREAS, Section 6 of the 2010A GO Loan Agreement provides that payments of principal of and interest on the 2010A GO Bond may be adjusted to reduce debt service on the 2010A GO Bond if the Bond Bank is able to achieve debt service savings by refunding the 2010B Series Two Bond Bank Bonds; and

WHEREAS, the Bond Bank now intends to issue a series of its general obligation refunding bonds (the "Bond Bank Refunding Bonds") for the purpose, among others, of refunding all or a portion of the 2010B Series Two Bond Bank Bonds and achieving debt service savings for the 2010A GO Bond; and

WHEREAS, the Assembly wishes to approve the City and Borough's participation in this refinancing and to authorize the City and Borough's city manager or his/her designee to accept a revised debt service schedule for all or a portion of the 2010A GO Bond, if the Bond Bank successfully refinances all or a portion of the 2010B Series Two Bond Bank Bonds;

NOW, 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. Approval of Refinancing. The Assembly hereby approves the City and Borough's participation in the Bond Bank's refinancing of all or a portion of the 2010B Series Two Bond Bank Bonds. If there is debt service savings for the 2010A GO Bond, the 2010A GO Bond shall have a modified debt service schedule in accordance with the following parameters.

The revised schedule of debt service on the 2010A GO Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2010A GO Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2020	\$1,320,000
2021	1,430,000
2022	1,495,000
2023	1,340,000
2024	1,675,000

The foregoing schedule is based on the assumption that the entire 2010A GO Bond is going to be refunded. To the extent that only a portion of the 2010A GO Bond is refunded, the foregoing principal maturity schedule shall be proportionately reduced. In addition, the adjusted principal maturities may be increased or decreased by the City Manager or his/her designee for any year by 15%.

The City Manager or Finance Director is authorized to execute and deliver the amendatory loan agreement for the 2010A GO Bond on behalf of the City and Borough and to deliver the refunding bond, executed in accordance with the provisions of the 2010A GO Bond Ordinance and this ordinance, to the Bond Bank in exchange for the 2010A GO Bond, all subject to the Assembly's approval by resolution, which resolution may, at the option of the Assembly, provide for delegation within parameters approved by the Assembly. The City Manager, Finance Director and other appropriate officers and employees of the City and Borough are also hereby authorized to provide financial information about the City and Borough that the Bond Bank may require for the official statement for the Bond Bank Refunding Bonds. In furtherance of the plan of refinancing, the City Manager or his/her designee is hereby further authorized to determine whether or not the establishment of a reserve fund or account is necessary or desirable to secure the repayment of the refunding bond and if a reserve is to be established, the terms and conditions of the reserve, including the execution and delivery of a reserve depositary agreement.

Section 3. Tax Covenants. The City and Borough covenants to undertake all actions required to maintain the tax-exempt status of interest on the refunding bond issued to refinance the

2010A GO Bond under Section 103 of the Code.

Section 4. General Authorization. The Mayor, City Manager, Finance Director, Clerk, City and Borough Attorney, and any other appropriate officers, agents, attorneys and employees of the City and Borough are each hereby authorized and directed to cooperate with the Bond Bank and to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 5. Prior Acts. Any and all acts heretofore taken by officers, agents, attorneys and employees of the City and Borough in connection with refinancing the 2010A GO Bond are hereby ratified and confirmed.

Section 6. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 18th day of May, 2020.

Beth A. Weldon, Mayor

ATTEST:

Elizabeth J. McEwen, Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the “City and Borough”), Do HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance Serial No. 2020-19 (the “Ordinance”) of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the “Assembly”) held on the 18th day of May, 2020, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of May, 2020.

Elizabeth J. McEwen, Clerk
City and Borough of Juneau

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

REFUNDING BONDS

Serial No. 2020-21

AN ORDINANCE APPROVING THE CITY AND BOROUGH'S PARTICIPATION IN PROPOSED REFINANCINGS BY THE ALASKA MUNICIPAL BOND BANK OF THE BOND BANK'S VARIOUS GENERAL OBLIGATION BONDS THAT PROVIDED FUNDS TO PURCHASE VARIOUS GENERAL OBLIGATION AND REVENUE BONDS OF THE CITY AND BOROUGH, UNDER LOAN AGREEMENTS BETWEEN THE CITY AND BOROUGH AND THE BOND BANK; AND AUTHORIZING REVISED SCHEDULES OF PRINCIPAL AND INTEREST PAYMENTS ON THE CITY AND BOROUGH'S BONDS, IN ACCORDANCE WITH THE LOAN AGREEMENTS, IF THE BOND BANK SUCCESSFULLY REFINANCES ITS BONDS.

Approved: May 18, 2020

Prepared by:

K&L GATES LLP
Seattle, Washington

City and Borough of Juneau, Alaska
Ordinance Serial No. 2020-21
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* This Table of Contents and the cover page are provided for convenience only and are not a part of this ordinance.

Presented by: The Manager
Introduced: 04/27/2020
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-21

An Ordinance approving the City and Borough's participation in proposed refinancings by the Alaska Municipal Bond Bank of the Bond Bank's various General Obligation Bonds that provided funds to purchase various general obligation and revenue bonds of the City and Borough, under loan agreements between the City and Borough and the Bond Bank; and authorizing revised schedules of principal and interest payments on the City and Borough's bonds, in accordance with the loan agreements, if the Bond Bank successfully refinances its bonds.

WHEREAS, the City and Borough of Juneau, Alaska (the "City and Borough"), in order to finance a portion of the cost of refunding bonds issued in 2004 for expansion of and capital improvements to the Bartlett Regional Hospital, issued and sold its Hospital Revenue Refunding Bond, 2013 (Bartlett Regional Hospital Project), in the original principal amount of \$23,660,000 (the "2013 Hospital Bond"), to the Alaska Municipal Bond Bank (the "Bond Bank") as authorized by Ordinance Serial No. 2012-23 of the City and Borough adopted May 14, 2012 and Resolution No. 2638 adopted on February 25, 2013 (together, the "2013 Hospital Bond Ordinance"), on the terms and conditions set forth in the 2013 Hospital Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of August 1, 2004, as amended by an Amendatory Loan Agreement dated March 1, 2013 (together, the "2013 Hospital Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation and Refunding Bonds, 2013 Series One (the "2013 Series One Bond Bank Bonds"), to provide funds to purchase the 2013 Hospital Bond, as provided in the 2013 Hospital Loan Agreement; and

WHEREAS, Section 6 of the 2013 Hospital Loan Agreement provides that payments of principal of and interest on the 2013 Hospital Bond may be adjusted to reduce debt service on the 2013 Hospital Bond if the Bond Bank is able to achieve debt service savings by refunding the 2013 Series One Bond Bank Bonds; and

WHEREAS, the City and Borough, to finance a portion of the cost of various public capital projects, issued and sold its General Obligation Bond, 2013, in the original principal amount of \$2,600,000 (the "2013 GO Bond") to the Bond Bank as authorized by Ordinance Serial No. 2012-44 of the City and Borough adopted December 17, 2012 and Resolution No. 2637 adopted on February 25, 2013 (together, the "2013 GO Bond Ordinance"), on the terms and conditions set forth in the 2013 GO Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of March 1, 2013 (the "2013 GO Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its 2013 Series One Bond Bank Bonds to provide funds to purchase the 2013 GO Bond, as provided in the 2013 GO Loan Agreement; and

WHEREAS, Section 6 of the 2013 GO Loan Agreement provides that payments of principal of and interest on the 2013 GO Bond may be adjusted to reduce debt service on the 2013 GO Bond if the Bond Bank is able to achieve debt service savings by refunding the 2013 Series One Bond Bank Bonds; and

WHEREAS, the City and Borough, to finance a portion of the cost of completion of the City and Borough's seawalk, issued and sold its Port Revenue Bond, 2014A (Non-AMT), in the original principal amount of \$6,055,000 (the "2014A Port Bond") to the Bond Bank as authorized by Ordinance Serial No. 2014-01 of the City and Borough adopted January 6, 2014, and Resolution No. 2676 adopted on January 27, 2014 (together, the "2014A Port Bond Ordinance"), on the terms and conditions set forth in the 2014A Port Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of February 1, 2014 (the "2014A Port Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2014A Series One (Tax-Exempt) (the "2014A Series One Bond Bank Bonds") to provide funds to purchase the 2014A Port Bond, as provided in the 2014A Port Loan Agreement; and

WHEREAS, Section 6 of the 2014A Port Loan Agreement provides that payments of principal of and interest on the 2014A Port Bond may be adjusted to reduce debt service on the 2014A Port Bond if the Bond Bank is able to achieve debt service savings by refunding the 2014A Series One Bond Bank Bonds; and

WHEREAS, the City and Borough, to finance a portion of the cost of various public capital projects, issued and sold its General Obligation Bond, 2014, in the original principal amount of \$11,210,000 (the "2014 GO Bond") to the Bond Bank as authorized by Ordinance Serial No. 2012-44 of the City and Borough adopted December 17, 2012 and Resolution No. 2695 adopted on September 8, 2014 (together, the "2014 GO Bond Ordinance"), on the terms and conditions set forth in the 2014 GO Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of October 1, 2014 (the "2014 GO Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation and Refunding Bonds, 2014 Series Three (the "2014 Series Three Bond Bank Bonds") to provide funds to purchase the 2014 GO Bond, as provided in the 2014 GO Loan Agreement; and

WHEREAS, Section 6 of the 2014 GO Loan Agreement provides that payments of principal of and interest on the 2014 GO Bond may be adjusted to reduce debt service on the 2014 GO Bond if the Bond Bank is able to achieve debt service savings by refunding the 2014 Series Three Bond Bank Bonds; and

WHEREAS, the City and Borough, to finance a portion of the cost of completion of the City and Borough's cruise ship berth enhancement project and related uplands, issued and sold its

Port Revenue Bond, 2015 (AMT), in the original principal amount of \$20,595,000 (the “2015 Port Bond”) to the Bond Bank as authorized by Ordinance Serial No. 2014-01 of the City and Borough adopted January 6, 2014, as amended by Ordinance Serial No. 2015-11 adopted on March 16, 2015 and Resolution No. 2709 adopted on April 27, 2015 (together, the “2015 Port Bond Ordinance”), on the terms and conditions set forth in the 2015 Port Bond Ordinance and in a loan agreement between the City and Borough and the Bond Bank dated as of June 1, 2015 (the “2015 Port Loan Agreement”); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2015B Series Two (AMT) (the “2015B Series Two Bond Bank Bonds,” and together with the 2013 Series One Bond Bank Bonds, the 2014A Series One Bond Bank Bonds, and the 2014 Series Three Bond Bank Bonds, the “Bond Bank Bonds”) to provide funds to purchase the 2015 Port Bond, as provided in the 2015 Port Loan Agreement; and

WHEREAS, Section 6 of the 2015 Port Loan Agreement provides that payments of principal of and interest on the 2015 Port Bond may be adjusted to reduce debt service on the 2015 Port Bond if the Bond Bank is able to achieve debt service savings by refunding the 2015B Series Two Bond Bank Bonds; and

WHEREAS, the 2013 Hospital Bond, the 2013 GO Bond, the 2014A Port Bond, the 2014 GO Bond and the 2015 Port Bond are herein referred to as the “Juneau Refunding Candidates”; and

WHEREAS, the Bond Bank now intends to issue one or more series of its general obligation refunding bonds (the “Bond Bank Refunding Bonds”) for the purpose, among others, of refunding all or a portion of one or more series of the Bond Bank Bonds and achieving debt service savings for or more series of the Juneau Refunding Candidates; and

WHEREAS, the Assembly wishes to approve the City and Borough’s participation in these refinancings and to authorize the City and Borough’s city manager or his/her designee to accept revised debt service schedules for all or a portion of the 2013 Hospital Bond, the 2013 GO Bond, the 2014A Port Bond, the 2014 GO Bond and the 2015 Port Bond, if the Bond Bank successfully refinances all or a portion of one or more series of the Bond Bank Bonds;

NOW, 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. Approval of Refinancing. The Assembly hereby approves the City and Borough’s participation in the Bond Bank’s refinancing(s) of all or a portion of one or more series of the Bond Bank Bonds. If there is debt service savings for any of the Juneau Refunding Candidates, the respective series shall have modified debt service schedules in accordance with the following parameters.

(a) *2013 Hospital Bond.* The revised schedule of debt service on the 2013 Hospital Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2013 Hospital Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2021	\$ 265,000
2022	145,000
2023	145,000
2024	150,000
2025	150,000
2026	1,230,000
2027	565,000
2028	940,000
2029	1,320,000
2030	1,350,000
2031	1,380,000
2032	1,120,000
2033	0
2034	665,000
2035	585,000

At the time of sale, the principal maturities in the foregoing schedule may be increased or decreased by the City Manager or his/her designee for any year by 25%.

(b) *2013 GO Bond.* The revised schedule of debt service on the 2013 GO Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2013 GO Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2021	\$ 35,000
2022	20,000
2023	20,000
2024	20,000
2025	20,000
2026	160,000
2027	160,000
2028	160,000
2029	170,000
2030	175,000
2031	175,000
2032	180,000
2033	0

At the time of sale, the principal maturities in the foregoing schedule may be increased or decreased by the City Manager or his/her designee for any year by 15%.

(c) *2014A Port Bond.* The revised schedule of debt service on the 2014A Port Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2014A Port Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2021	\$ 40,000
2022	20,000
2023	20,000
2024	20,000
2025	20,000
2026	25,000
2027	25,000
2028	25,000
2029	275,000
2030	280,000
2031	10,000
2032	300,000
2033	305,000
2034	310,000
2035	0
2036	0
2037	0
2038	0
2039	0

At the time of sale, the principal maturities in the foregoing schedule may be increased or decreased by the City Manager or his/her designee for any year by 25%.

(d) *2014 GO Bond.* The revised schedule of debt service on the 2014 GO Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2014 GO Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2020	\$ 15,000
2021	10,000
2022	10,000
2023	10,000
2024	10,000
2025	10,000
2026	10,000
2027	15,000
2028	15,000
2029	15,000
2030	15,000
2031	15,000
2032	15,000
2033	905,000

At the time of sale, the principal maturities in the foregoing schedule may be increased or decreased by the City Manager or his/her designee for any year by 15%.

(e) *2015 Port Bond.* The revised schedule of debt service on the 2015 Port Bond and other provisions as may be required by the Bond Bank will be set forth in an amendatory loan agreement and a refunding bond to be issued in exchange for the 2015 Port Bond. The refunding bond shall come due on the dates set forth in such amendatory loan agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2021	\$ 155,000
2022	60,000
2023	60,000
2024	65,000
2025	65,000
2026	65,000
2027	65,000
2028	65,000
2029	70,000
2030	1,405,000
2031	1,440,000
2032	1,470,000
2033	1,510,000
2034	1,210,000

At the time of sale, the principal maturities in the foregoing schedule may be increased or decreased by the City Manager or his/her designee for any year by 25%.

The City Manager or Finance Director is authorized to execute and deliver the amendatory loan agreements for each bond issue on behalf of the City and Borough and to deliver the refunding bonds for each bond issue, executed in accordance with the provisions of the respective bond ordinance and this ordinance, to the Bond Bank in exchange for the 2013 Hospital Bond, the 2013 GO Bond, the 2014A Port Bond, the 2014 GO Bond and the 2015 Port Bond, respectively, all subject to the Assembly's approval by one or more resolutions, which resolution(s) may, at the option of the Assembly, provide for delegation within parameters approved by the Assembly. The City Manager, Finance Director and other appropriate officers and employees of the City and Borough are also hereby authorized to provide financial information about the City and Borough that the Bond Bank may require for the official statement for the Bond Bank Refunding Bonds. In furtherance of the plan of refinancing, the City Manager or his/her designee is hereby further authorized to determine whether or not the establishment of a reserve fund or account is necessary or desirable to secure the repayment of any of the refunding bonds and if a reserve is to be established, the terms and conditions of the reserve, including the execution and delivery of a reserve depository agreement.

Section 3. General Authorization. The Mayor, City Manager, Finance Director, Clerk, City and Borough Attorney, and any other appropriate officers, agents, attorneys and employees of the City and Borough are each hereby authorized and directed to cooperate with the Bond Bank and to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 4. Prior Acts. Any and all acts heretofore taken by officers, agents, attorneys and employees of the City and Borough in connection with refinancing the 2013 Hospital Bond, the 2013 GO Bond, the 2014A Port Bond, the 2014 GO Bond and the 2015 Port Bond are hereby ratified and confirmed.

Section 5. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 18th day of May, 2020.

Beth A. Weldon, Mayor

ATTEST:

Elizabeth J. McEwen, Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the “City and Borough”), Do HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance Serial No. 2020-21 (the “Ordinance”) of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the “Assembly”) held on the 18th day of May, 2020, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of May, 2020.

Elizabeth J. McEwen, Clerk
City and Borough of Juneau

Presented by: The Manager
Introduced: April 27, 2020
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-06(AB)

An Ordinance Transferring \$200,000 of Temporary 1% Sales Tax from the Debt Service Fund, to the Manager for the Purpose of Funding the Accounting Systems Upgrade Capital Improvement Project.

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. The appropriation to the Manager for the Debt Service Fund is reduced by \$200,000, to be transferred to the Manager as outlined in Section 3.

Section 3. Appropriation. There is appropriated to the Manager the sum of \$200,000 for the purpose of funding the Accounting Systems Upgrade Capital Improvement Project M15-004.

Section 4. Source of Funds.

1% Temporary Sales Tax Revenue	\$200,000
--------------------------------	------------------

Section 5. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Assembly meeting, May 18, 2020

Response to Ms. Hale's question at AFC on May 13, 2020.

Submitted by Sarah Jahn, Administrative Services Director.

CARES FUNDING for the Juneau School District

Authority	Admin Agency	Allocation	Status	Allowable expenditures
CARES ESSER 18003	DEED	\$608,728	Application in process. No close date posted by DEED.	12 items listed in 18003(d) for COVID related expenses.
CARES GEER 18002	DEED	\$401,128	Application in process. No close date posted by DEED.	Support for continued educational services.
USDA	DEED	No set amount. Per-meal reimbursement at higher summer rate.	In process. Reimbursement requests submitted for March and April.	Meals served.
CARES Title VIII, USDHHS	DHSS	Still being calculated by DHSS. Limited guidance available.	Requested information filed with DHSS. Award notice not yet received.	Support lost revenue and maintaining payroll for staff.

Presented by: The Manager
 Introduced: April 1, 2020
 Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2020-10

**An Ordinance Appropriating Funds from the Treasury
 for FY21 School District Operations**

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau School District, for the fiscal year beginning July 1, 2020, and ending June 30, 2021. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:

State Support	\$ 45,835,700
Federal Support	5,500,000
User Fees, Permits, and Donations	4,377,000
Student Activities Fundraising	<u>2,100,000</u>
Total Revenue	<u>\$ 57,812,700</u>

TRANSFERS IN:

General Governmental Fund School District Support:	
Operations	26,842,100
Special Revenue	<u>1,676,500</u>
Total Transfers In	<u>\$ 28,518,600</u>

Fund Balance Decrease	<u>1,006,100</u>
Total Estimated Funding Sources	<u>\$ 87,337,400</u>

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

APPROPRIATION:

General Operations	\$ 71,122,400
Special Revenue	<u>16,215,000</u>
Total Appropriation	<u>\$ 87,337,400</u>

Section 4. Effective Date. This ordinance shall be effective immediately upon adoption.

Adopted this ____ day of ____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

FY 21 Funding Request Detail

Type	Description	FY20	FY21 Increase	FY21 Total	Notes
K-12	HS Activities	1,079,300	20,000	1,099,300	Increase for variable salaries
K-12	MS Activities	102,200	-	102,200	Fixed salaries
K-12	UAS Auto Shop	N/A	-	N/A	No longer an option
K-12	Transportation	50,000	-	50,000	
K-12	Food Service	50,000	243,600	293,600	Cashier salaries and avg deficit
Other	Kinder Ready	300,000	-	300,000	Last minute state funding in FY20
Other	Community Schools	95,000	-	95,000	
Other	RALLY	-	115,000	115,000	Average deficit
Total		1,676,500	378,600	2,055,100	

FY 21 Funding Request Summary



A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 20, Chapter 40 COMMERCIAL PASSENGER VEHICLES

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE MANAGER ADOPTS THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 20.40.130(b).

Section 2. Amendment of Regulation. 20 CBJAC 40.520, relating to rates charged to taxicab passengers, is amended to read:

20 CBJAC 40.520 Class A Endorsement.

(a) A Class A endorsement shall authorize the holder to provide taxi services subject to the following conditions:

- (1) A certificate endorsed for Class A service may not be endorsed for any other type of service.
- (2) The certificate shall require the service to operate and maintain no fewer than six vehicles. At least three of the vehicles shall be in service at all times.
- (3) Taxicab passengers shall be charged only at the rates specified in this section.

(A) *Flag drop.* ~~\$3.40~~ \$3.75 shall be the initial starting fare to be charged for all taxicab services except for charter or battery jump services. No mileage, waiting time, or other charges are included in the charge for flag drop. Effective July 1, 2021, the flag drop rate shall increase to \$4.10.

(B) *Mileage rate.* The rate of ~~\$0.22~~ \$0.24 for each one-tenth mile shall be charged and measured by taximeter. Effective July 1, 2021, the mileage rate shall increase to \$0.26.

(C) *Waiting time.* The rate of ~~\$0.75~~ \$0.85 for each minute of waiting time shall be measured by the taximeter and charged to the customer. Waiting time shall be charged when stopped and during traffic delays. Time and mileage shall be charged alternately and not concurrently. Effective July 1, 2021, the waiting time rate shall increase to \$0.90.

(D) *Taxi tour rate.* The rate of ~~\$70.00~~ \$80.00 per hour shall be charged to a passenger for the reservation of the services of the vehicle. The minimum charge for a taxi tour is ~~\$35.00~~ \$40.00 for up to one half-hour of service. For taxi tour service in excess of the minimum half-hour charge, the time may be calculated in ten minute increments for which the charge is ~~\$12.00~~ \$13.50. No other units of time or charges are allowed. Effective July 1, 2021, the taxi tour rate shall be

\$90.00 for the reservation of services, \$45.00 for up to one half-hour of service, and \$15.00 for each ten-minute increment thereafter.

(E) *Extra adult passenger.* A charge of ~~\$0.50~~ \$0.75 shall be added to the fare for each passenger over the age of 12 years and each bag in excess of two per passenger. This charge does not apply if there is only one passenger over the age of 12 years. This charge does not apply to the taxi tour rate. Effective July 1, 2021, the extra adult passenger rate shall be \$1.00.

(F) *Delivery charge.* A charge of ~~\$3.00~~ \$3.30 shall be added to the mileage rate for transport and delivery of items without a passenger. This does not apply to the taxi tour rate. Effective July 1, 2021, the delivery charge rate shall be \$3.60.

(G) *Battery jump.* The rate for providing an electrical boost to the battery of another vehicle shall be a charge of ~~.....\$20.00~~ \$22.50. Effective July 1, 2021, the rate shall be \$25.00.

(H) *Airport to and from destination fee.....*~~\$1.00~~ \$1.10. Effective July 1, 2021 the airport to and from destination fee shall be \$1.20.

(I) *Cruise Ship Dock to and from destination fee.....*~~\$1.00~~ \$1.10. Effective July 1, 2021 the cruise ship dock to and from destination fee shall be \$1.20.

(J) *Customer soilage of taxi fee.....*~~\$110.00~~. Effective July 1, 2021, the customer soilage of taxi fee shall be \$120.00.

Note: Licensee recovery of this fee shall be by civil process only.

(K) *Mendenhall Glacier fee.....* ~~\$1.50~~ \$1.65. Effective July 1, 2021, the Mendenhall Glacier fee shall be \$1.80.

Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on March 27, 2020, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

Duncan Rorie Watt
City Manager

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

Teresa Bowen
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____, 2020. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: _____.

Date: _____

Elizabeth J. McEwen, Municipal Clerk

We, the undersigned permitted taxi drivers in Juneau appreciate the committee taking the time to consider the matter of meter rates, which have remained unchanged for more than a decade. In that time inflation has caused the cost of operating to increase by approximately 20 percent. We respectfully request that taxi meter rates be raised to match the increase in the cost of living, which will enable us to better keep up with it.

Mike Orford

Yoel 6 Campos

Raúl Coronado

~~SKR~~
Enrique Talamo

Mon Corpuz
Gonales

Pedro Cedillo

Virgilio Cobarras

BILC BUR

Walter V
Harla

~~DEBIO~~
MATEO

Sny Niri #2

Mike Orford
~~RAUL CORONADO~~
~~PAT FERRERA~~

MAC CORPUZ

DLUX Cab

Capitol CAB

Juneau Taxi

Juneau TAXI

JUNEAO Taxi

Juneau Taxi

JUNEAO Taxi

Juneau Taxi

JUN TAXI

Giacinto Taxi

DLUX

Glacier Taxi

~~MATEO~~

Juneau Taxi

En

TRABAJI JACKSON

~~TRABAJI~~

Nestor Cruz

Stem A Baku
X

~~Stem A Baku~~

Glacier Taxi
Junduan Taxi
Junduan Taxi

From: [James Harris](#)
To: [Borough Assembly](#)
Date: Wednesday, May 6, 2020 9:27:59 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello, My name is James Harris.

I would like to address the proposed rate increase for taxi's in Juneau. I am opposed to a rate increase, the way this has come about is a bit surprising. My Taxi company owned by myself NOT the drivers. I feel this is an extreme overreach to have drivers deciding the rates for my business, YES the drivers are independent business owners also.. but the taxi companies are not owned in any way by the drivers as a matter of fact drivers pay companies to dispatch to them. Sure! drivers would get a larger fee for the trips they do,, but will they actually make more money?

When Covid19 restrictions started we saw more than two thirds of the business disappear overnight... 300 trips per day to less than 100 per day. I have zero doubt that raising rates will kill the taxi industry in Juneau, this rate increase would make us more expensive than our competition (Uber/Lyft)

I firmly believe that we would get less and less business with a rate increase. So yes the drivers would get more per trip but ultimately they would get less trips and lose money.

I read a post on Facebook several months ago that referenced the raise in taxi rates, Most of the comments were very clear.. Looks like Uber/Lyft will be busy or Taxi's are too expensive already.

If the city wants to help the taxi industry you should not listen to 15 drivers (some of them have also had a change of heart) or the person who started this petition (also the person/people who have pushed this are not year round full time drivers) These drivers do not understand this business as well as they think they do. I have had this company for over 23 years and i understand how this business works. This is not the way, whenever we had a rate increase in the past it was the owners who approached the city.

Lets look outside the box in order to help this industry. Lets remove some of the regulations.

let us take advantage of the tech that's out there. no more meters, we have the tech to run our meters on our phones just like uber/lyft. Savings \$500-700 one time.

Uber/Lyft do not have to use ASE certified mechanics to check vehicles, and they definitely do not have to do safety inspections like we do. Savings about \$150.00 per year

They also do not have to have a CDL physical like we do. Savings \$250-\$500 every two years.

Insurance.. I pay over \$3200 per taxi per year for insurance (last year with finance charges about \$34,000 for nine vehicles and i can count

on one hand how many claims ive had in the past 10 years, all minor)

Let the drivers pay their own sales tax. Each cab company has to collect sales tax from each and every driver, we get ripped off often because we cannot afford the man power to collect from 30-60 drivers DAILY at peak season. And yet we end up paying that anyway Uber/Lyft can have a Driver/vehicle on the road in a matter of days working. somehow they can get a background check done in minutes and for us often it takes weeks or even longer. Everything we do revolves around JPD's schedule. Let us get these drivers and vehicles on the road faster. I had two drivers that waited weeks for background checks because the troopers were not doing them here locally during Covid19. These are both drivers who have been driving 20+ years. This cost them and me \$\$thousands\$\$
Lets do the right thing here and make responsible changes that help the industry instead of bogging it down even more.

Thank you
James Harris
907-723-1882

From: [Susan Phillips](#)
To: [Mila Cosgrove](#)
Date: Monday, May 4, 2020 1:22:47 PM
Attachments: [image001.png](#)

James with Juneau Taxi called 723-1882. He got swamped with (non-taxi) work and missed the deadline to comment on the proposed taxi regulations. He is wondering what next steps are. I told him that it was scheduled to be in front of the Assembly on 5/18. Please call him to discuss the process.

Thank you.

Susan



Susan B. Phillips
Executive Assistant
Office of the City Manager and Mayor
City and Borough of Juneau
155 S. Seward Street
Juneau, AK 99801
(907) 586-0204
Susan.phillips@juneau.org

From: [Skyler Mazon](#)
To: [Mila Cosgrove](#)
Date: Wednesday, April 1, 2020 6:37:26 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello,

My name is Skyler Mazon. I am a driver for Juneau Taxi. I understand that the rate increase is up for debate. I would just like to express my concern.

I am opposed to any increase in the taxi meter. The meter drop and the per mile rate seem fair. We have a lot of residents and travelers that depend on us. An increase in the meter drop or mileage rate would effect our volume of business, in my opinion.

I would love to continue serving passengers that call and/or flag us down. We face completion from ridesharing companies. Serving our community, it's residents, and visitors is something I'd like to see continue. Taxi companies have local jobs such as dispatchers and office managers that help keep things at the local level.

If I can add a few things that I'd like to have changed:

1. Enforcement of parking in Designated Taxi parking spaces. There are times, especially during Summer and Legislative season, where Taxi drivers have nowhere to park because non-taxi drivers occupy designated parking spaces for Taxis. A simple change of sign adding \$100 fine on signage would alter behavior.
2. An increase in Jump Start. It would be nice if the rate went up an additional \$10. Often drivers have to drive from other side of town to assist with a jump start. That, and there is some amount of investment that the driver must incur. Such as buying a jump box that is heavy duty enough to jump start big Trucks/SUV's. It also takes a little skill otherwise everyone would be doing it. Taxis would still be a cheaper alternative to our completion and we are a 24 hour service.

That's all I have to share. I thank you for your time and consideration.

Skyler Mazon

From: [Alan Cleveland](#)
To: [Mila Cosgrove](#)
Date: Thursday, April 2, 2020 8:23:57 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Alan Cleveland
Auke Bay
907 419 8523
Alaska Driver's License 5552421
City Permitted Vehicle and Juneau Taxi driver.

I will go on the record as saying that I haven't changed my mind about being a full on NO vote to a fare increase in Juneau.

When that signature page was brought to me in 2019, I refused to sign it.

The two drivers that were pushing the agenda do not speak for the industry..... But, they probably found summer drivers that want a little bit more because times are tough for summer drivers.

The Juneau Taxi industry took several little hits last year.

The ferry was shut down, SEARHC added a shuttle, Uber/Lyft showed up unregulated, and two stupid cab drivers were selling the idea of a rate hike.

Who signed onto that?

Kill this agenda item because it does not support this town in December... And does not represent the cab industry. It represents people who are not neighbors or friends.

...and now, on top of all their other greed, they want a pay raise in a viral crisis?

Sounds exactly like them, but doesn't sound like me.

The two people who were pushing their desires for more money haven't been seen on the road for two months.... But, your cab drivers have.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

TO: Rob Edwardson, Chair of the Assembly Lands Committee

FROM: Dan Bleidorn, Deputy Lands & Resources Manager

SUBJECT: Crazy Horse Drive Communication Tower Lease Request

DATE: April 28, 2020

On April 8, 2019, the Lands Committee reviewed a memo and presentation concerning a request from Vertical Bridge Holdings LLC to lease City property on the 32 acre parcel located at the end of Crazy Horse Drive, in the Mendenhall Valley. At that meeting, the Lands Committee passed a motion of support to work with Vertical Bridge Holdings LLC towards the lease of City Property contingent on a Planning Commission recommendation.

In the time since the Lands Committee meeting, an appraisal has been completed for this proposed lease and it has been reviewed by the Planning Commission. The appraisal was completed on February 21, 2020 and the lease rate was determined to be \$1,075 per month. The Planning Commission, at its regular public meeting on April 14 2020, adopted the analysis and findings attached in the Notice of Decision (NOD) and approved the special use permit for this tower. At the Planning Commission meeting 1 citizen spoke against this proposed tower. Since the Lands Committee already provided a motion of support for working with the original applicant on April 8th, 2019 there is no request for a motion from staff at this time. However, given the amount of time since the Lands Committee last reviewed this topic, staff requests questions and comments from the Lands Committee prior to bringing the lease request to the Assembly. The next step in the application process is to bring this application to the Assembly as New Business and request a motion to work with the original proposer.

53.09.260 - Negotiated sales, leases, and exchanges states:

"The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals."

If this lease receives a positive motion from the Assembly to work with the original applicant, it will be brought before the Lands Committee as an Agenda Topic for discussion and staff will request a motion to the Assembly at that time.

Attachments:

02-21-2020 Appraisal pgs. 1-3

NOD from Planning Commission Meeting 04-14-2020
04 08 2019 memo from Dan Bleidorn
04-08-2019 Final Lands Committee Minutes



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: April 17, 2020

File No.: WCF2019 0010

Vertical Bridge, LLC
ATTN: Gary Brekke
6510 Beechcraft Road
Wasilla, AK 99654

Application For: A Wireless Communication Facility Permit to install a new, unlit 150-foot communication tower

Legal Description: USS 1041

Property Address: 10020 Crazy Horse Drive

Parcel Code No.: 4B1701100120

Hearing Date: April 14, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 17, 2020, and APPROVED the Special Use Permit to install a new, unlit, 150-foot communication tower with a 5-foot lightning rod to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The site security and required signage must be installed and maintained according to the plan.

Attachments: March 17, 2020 memorandum from Amy Liu, Community Development, to the CBJ Planning Commission regarding WCF2019 0010.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to

Vertical Bridge, LLC
Case No.: WCF2019 0010
April 17, 2020
Page 2 of 2

CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

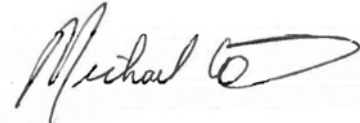
Effective Date: The permit is effective upon approval by the Commission, April 14, 2020.

Expiration Date: The permit will expire 18 months after the effective date, or October 14, 2021, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

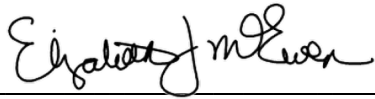
Project Planner:



Laurel Christian, Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With City Clerk

4/20/2020

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202
 Phone: (907)586-5278 Fax: (907)586-4552
 email: city.clerk@juneau.org

Notice of Appeal

This appeal is governed by CBJ 01-50, the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

☐ Agency Appealed From:
 Planning Commission

☐ Description and Date of Decision:
 April 14, 2020 - A Wireless Communication Facility Permit to install new, unlit 150-foot communication tower at 16150 Merganser Road.

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

☐ Party Filing Appeal	Mailing Address	Telephone	Fax	Email
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Tyson Lee
 9342 Stephan Richards Memorial Drive
 Juneau, AK 99801
 907-723-0484
 Tyson.Lee78@gmail.com

☐ Parties Who Won the Decision Appealed	Mailing Address	Telephone	Fax	Email
Vertical Bridge, LLC ATTN: Gary Brekke 6510 Beechcraft Road Wasilla, AK 99654				

1 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:

(1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;

(2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or

(3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.

(b) The burden of proof is on the appellant. (Serial No. 92-36

1 2 (part), 1992).

2016 - Appeal Form
Page 2 of 2

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them: argument will be heard later.

(4) *The Planning Commission failed to follow its own procedures or otherwise denied procedural due process to Community of Juneau and the residents of the Lena area showing favor the Applicant in the process.*

. The application was removed twice from the prior scheduled meetings when the public had shown a strong objection through email. Those emails were never mentioned during the Planning Commission hearing.

The Planning commission meeting was not held in Public arena as it normally would have been. The only way for the community to participation was by phone and was limited by presenting any visual evidence or testifying in person.

The City Planner Amy was not at the meeting and Laurel was not able to show that the City had done its due diligence when it came to the application.

The notice to the neighborhood about the rescheduled meeting information was also missing prior to the meeting.

Relief Requested

What should the Assembly do with the action being appealed: send it back, modify it, or something else?

I am requesting this application be sent back to the planning commission and ultimately left the assembly decide on the fate of the application. I would like to be able to show up to the meeting in person so I can present my own visual evidence along with opportunity to discuss the discrepancies I found in the application.

Tyson J. Lee

5/4/2020

Signature

Date

If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: April 17, 2020
File No.: WCF2019 0009

Vertical Bridge, LLC
ATTN: Gary Brekke
6510 Beechcraft Road
Wasilla, AK 99654

Application For: A Wireless Communication Facility Permit to install new, unlit 150-foot communication tower

Legal Description: South Lena Block E

Property Address: 16150 Merganser Road

Parcel Code No.: 8B3301070090

Hearing Date: April 14, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 16, 2020, and APPROVED the Special Use Permit to install a new, unlit, 150-foot communication tower, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The site security and required signage must be installed and maintained according to the plan.

Attachments: March 16, 2020 memorandum from Amy Liu, Community Development, to the CBJ Planning Commission regarding WCF2019 0009.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30

Case No.: WCF2019 0009

April 17, 2020

Page 2 of 2

P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

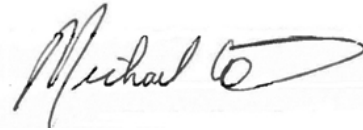
Effective Date: The permit is effective upon approval by the Commission, April 14, 2020.

Expiration Date: The permit will expire 18 months after the effective date, or October 14, 2021, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:



Laurel Christian, Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With City Clerk

4/20/2020

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



Economic Stabilization Task Force

Appointed by the City & Borough of Juneau's Mayor

Email: Economic-Stabilization@juneau.org

Mail: 155 S Seward Street, Juneau, AK 99801

www.beta.juneau.org/assembly/economic-stabilization

Recommendation on Historical Documentation of Juneau Response to COVID-19

We urge the CBJ to commission a comprehensive report on the community response to the Covid-19 pandemic in order to document in real time the breadth of actions taken by government, the private and non-profit sector and individual citizens.

The report will provide a detailed history of the virus as it unfolded in the state and community, the actions of elected and appointed officials, the activation and implementation of the emergency operations center, the strategies to deal with both the public health and economic fall-out, and other publicly and privately led initiatives.

The report could serve as both a summary of the "Lessons Learned" for future public emergencies and a reference for this and future generations on how Juneauites in 2020-21 responded to this crisis.

Appointed Task Force Members

Max Mertz, Co-Chair • Linda Thomas, Co-Chair • Susan Bell • Theresa Belton • Bruce Botelho

Eric Forst • Ken Koelsch • Lauren MacVay • Laura Martinson • Terra Peters



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

DATE: May 18, 2020
 TO: CBJ Assembly
 FROM: Mila Cosgrove, Incident Commander
 RE: City & Borough of Juneau COVID-19 Response – Emergency Operations Center Update

Situational Update – Incident Level 2 - Operational Period 13 (5/14/2020 – 5/28/2020).

Disease Transmission/Contact Tracing:

One new case was identified over the weekend, the source of which was considered secondary transmission. DPH is currently following 3 individuals as persons under investigation.

Testing:

PCR testing capacity and supplies remain good for current levels of testing. EOC continues to work on strategies for standing up expanded local testing capacity. DHSS/DOC concluded their testing at LCCC. There was only one positive test which was reported over the weekend. No inmates have tested positive.

Hospital Response:

BRH reports adequate supply of PPE and no concerns related to workforce availability.

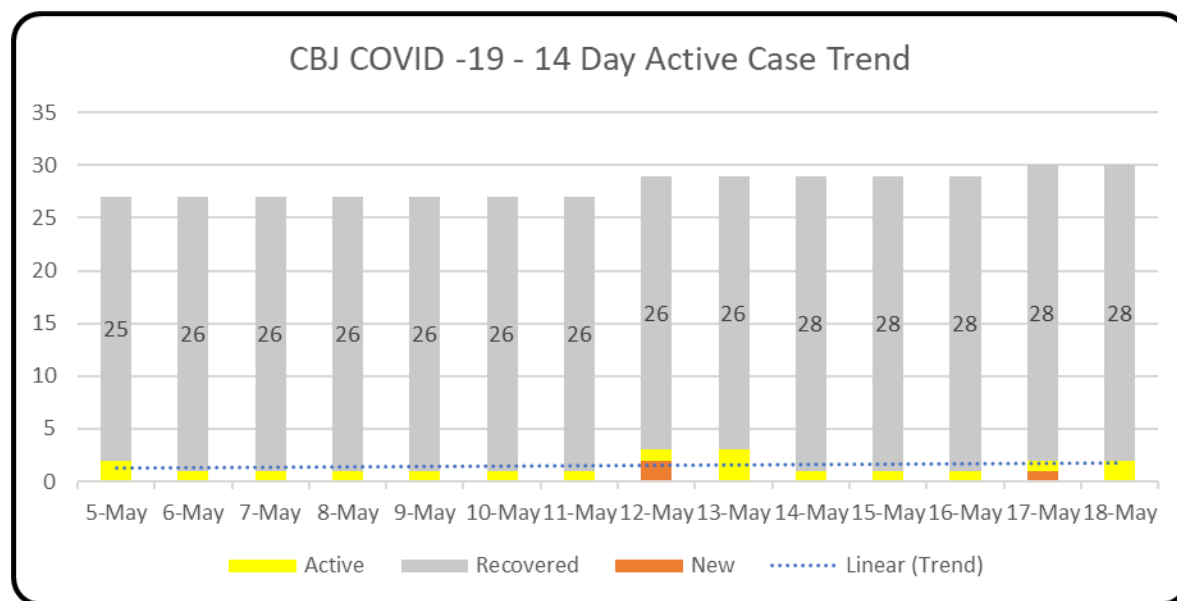
Issues of Note:

Testing for the shelter population is on track for May 19 & 20. The EOC is providing staff resources for the legislature to assist them with screening incoming legislators and staff. Airline and ferry travel numbers are starting to increase.

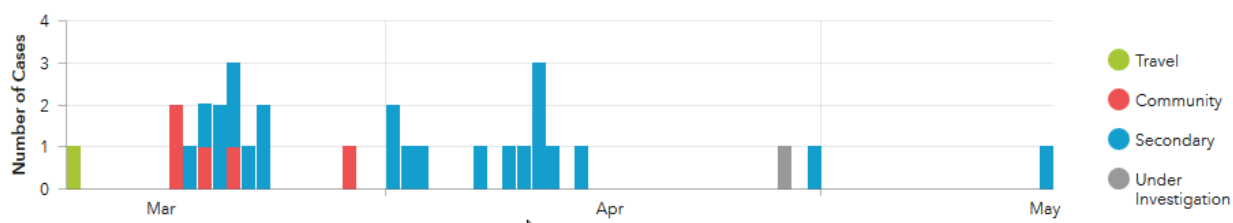
Numbers changed from yesterday are highlighted.

Category	Juneau		Statewide
Total Confirmed cases	30		399
Recovered	28		345
Cumulative Tests & % of population tested	1,563	4.89%	35,611
Average # of tests per day over the last 7 days	27.86	Down	
Positive tests over the last 7 days (# and % of positive)	1	0.51%	
DPH PUIs	3	down	
Hospitalized COVID +	0		43 (Cumulative)
Ventilated Patients	0		
Fatalities	0		10

May 18, 2020
 Assembly EOC Update
 CBJ COVID-19 Response



Acquisition of COVID-19



Positive cases are back dated by the Division of Public Health during their contact tracing phase to the day of onset of COVID-19 symptoms.

CBJ & DHSS Dashboards which can be found at: www.Juneau.org/COVID-19

Operational Highlights

Airport Screening: 134 on Saturday and on Sunday. AK Air backtracked on distributing the travel advisory.

Vessel Screening: 33 from Skagway on Friday, 31 from Hoonah on Saturday, 50 from Haines on Sunday.

Mobile Screening/Community Paramedicine:

12 calls came into the hotline, 5 referred for testing, 5 appointments scheduled.

There were 24 tests over the weekend at the drive through, 10 of which were for medical related appointments. 1 was completed in home. To date, the Mobile Screening operation has sampled 509 for testing.

2 welfare checks were completed at home.

Mt. Jumbo: No clients

May 18, 2020
 Assembly EOC Update
 CBJ COVID-19 Response

BRH: Go live with screen and temperature checks tomorrow. Working on other employee protocols for return to work strategies. Surgical services are operating at 80%.

Fisheries opening

Monday Focus – Juneau School District

MEALS

Total meals served since March 16th: 28,410 breakfast + 28,410 lunch = 56,820.

57 days worth of meals as we added weekend meals 4 weeks ago.

Average meals per day = 997 (breakfast + lunch).

Average students served per day - 498

We are compiling a list of summer meal sites. The Shepherd of the Valley Church dropped off their fliers today, which were handed out at distribution sites today, will be next week, and sent with home deliveries. We hope to get fliers from the other summer sites to distribute as well.

Shepherd of the Valley, 12-1 pm, 6/1-8/7

Gruening Park Apartments (Rec Center), 12-12:30 p, 5/26-8/13

Geneva Woods Park, 12:15-1:45 pm, 5/25-8/14

Cedar Park (Community Hall), 12-12:30, Monday – Friday, 6/1-8/14

GRADUATION

Graduations begin on Monday and run through Friday of the upcoming week. For more graduation information click on the Class of 2020 button:

<https://www.juneauschools.org/>

PE CHALLENGE RESULTS

The JSD PE teachers had a Community Movement Mileage Challenge the week of May 11-May 15. The total exercise mileage logged was 7,843....over 1,100 entries total over the five days!

WEEKEND FAMILY MESSAGE - END OF YEAR SURVEY (Sent out Sunday)

JSD Update: May 17, 2020, 1:00 pm

Hello Juneau Families,

As we near the last week of the 2019-2020 school year, I want to thank you for your patience, support and extraordinary response to this unique and challenging semester.

Last month, we asked families how things were going for students learning at home. Thank you to all who responded. We heard from 735 parents and guardians that 96% of them had been contacted by their teacher or school and 94% of their students had attended live online classes. Families said 96% had devices for school work and 98% had pretty reliable Internet service. The majority of you, 78%, are working from home. We also heard that 39% of students felt overwhelmed with the amount of work, and 35% felt there was too much communication to track. We used your feedback to adjust school work expectations and parent communication where needed.

May 18, 2020
Assembly EOC Update
CBJ COVID-19 Response

Now, we are planning for next school year. Because we don't know for sure what will happen by the first day of school on August 17, we are preparing for possibilities ranging from regular in school classes to total distance learning, similar to what we are currently doing. It is highly likely that we will be starting the year in a blended model with some in person and some distance learning. We plan to be ready with a flexible model so we can be responsive to the changing health needs in our community. Once we have more details, we will share those with you. For now, you can help us by providing some feedback through this quick survey.

Thank you for taking this end of year survey, to help plan for this fall.

<https://forms.gle/NwhrNuFYHYpSsmyX8>

Please respond by 4 p.m. next Friday, May 22.