

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

February 24, 2020 7:00 PM

Assembly Chambers
Meeting No. 2020-07

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. Staff Update on Coronavirus (COVID-19)

IV. APPROVAL OF MINUTES

- A. December 16, 2019 Regular Assembly Meeting #2019-38 DRAFT Minutes
- B. January 13, 2020 Regular Assembly Meeting #2020-01 DRAFT Minutes
- C. January 15, 2020 Special Assembly Meeting #2020-02 DRAFT Minutes
- D. January 30, 2020 Special Assembly Meeting #2020-04 DRAFT Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

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

a. **Ordinance 2019-37 An Ordinance Amending the Land Use Code to Repeal and Replace the Nonconforming Development Code.**

A nonconforming situation occurs, for example, when a house is lawfully constructed but due to an amendment to Title 49, the house could not be rebuilt today. A designation of nonconforming has caused some lenders in Juneau to require higher down payment amounts and other terms, which makes buying and selling certain property extremely difficult.

This ordinance would repeal the existing Title 49 nonconforming code and replace it with regulatory provisions that better reflect our community values. Unlike the current nonconforming code, this ordinance would emphasize that most nonconforming housing situations could be rebuilt if the residential structure was accidentally destroyed, like by a fire or avalanche. See 49.30.215(d)(1). This ordinance also codifies the current practice of Community Development to determine if a development is conforming, nonconforming, or noncompliant. See 49.30.310. This ordinance should make buying and selling most nonconforming residential developments easier while protecting the community from harmful nonconforming developments.

The Planning Commission recommended amending the nonconforming provisions of Title 49 after holding multiple public meetings including: August 27, 2019; September 17, 2019; and October 15, 2019. The Assembly Committee of the Whole reviewed this topic on December 9, 2019.

Since December, the City Attorney conducted a final legal review, which reorganized and condensed the ordinance from 24 pages to 16 pages. Notably, all of the Planning Commission's recommended policies remain except a proposed new review process that would have allowed the Planning Commission to approve a change from a nonconforming development to a prohibited development. That review process was located at 49.30.320 (pages 16-20 of the 12/9/2019 Committee of the Whole packet). If that new review process is desired, more policy and legal work is needed.

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

b. **Ordinance 2020-06 An Ordinance Amending the Land Use Code Repealing the Subdivision Review Committee.**

The Subdivision Review Committee is a four-member advisory committee of the Planning Commission created to review and comment on

subdivisions. However, the Subdivision Review Committee has not convened in a long time as most subdivisions are now reviewed and approved by the Community Development Department director and because the minor subdivision limit of four lots increased to 13 lots in 2015.

By repealing the requirement for the Subdivision Review Committee, this ordinance would eliminate authority conflicts between the Subdivision Review Committee and the director, and it would maintain the impartiality of Planning Commissioners to review major subdivisions and appeals of minor subdivisions.

When the Planning Commission updated its Rules of Order on December 10, 2019, it recommended the Assembly repeal the requirement to have a Subdivision Review Committee.

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

c. **Ordinance 2020-07 An Ordinance Amending the Comprehensive Plan Related to Historic and Cultural Preservation.**

This ordinance would repeal the 1981 Downtown Historic District Development Plan and replace it with a new Historic and Cultural Preservation Plan. The new plan provides greater access to grants, greater acknowledgment of Juneau's cultural history, and greater preservation of Juneau's historical buildings and properties.

The Planning Commission reviewed this ordinance on November 12 and 26, 2019, and recommended the Assembly adopt it as part of the Comprehensive Plan. The Assembly Committee of the Whole reviewed this ordinance on February 10, 2020, and referred it to the Assembly for introduction.

The Plan is available at

<https://3tb2gc2mxpvu3uwt0l20tbhq-wpengine.netdna-ssl.com/wp-content/uploads/2020/02/Historic-Preservation-and-Cultural-Plan-FINAL-VERSION-2020.02.19.pdf>

Hardcopy versions of the Plan are also available at the Municipal Clerk's Office and at Community Development.

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

d. **Ordinance 2020-12 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in Lemon Creek to the**

Alaska Department of Transportation and Public Facilities.

The State of Alaska Department of Transportation & Public Facilities (ADOT/PF) has requested to purchase four small fractions of lots totaling 2,368 square feet along the Glacier Highway right-of-way in the vicinity of Renninger Street in Lemon Creek. The ADOT/PF intends to improve Glacier Highway from Vanderbilt Road towards the old Walmart property.

The Parks & Recreation Advisory Committee provided a positive recommendation for this proposal at its meeting on November 2, 2019.

On January 8, 2020, the Planning Commission found the project consistent with CBJ adopted plans. The Lands Committee reviewed the request on February 10, 2020, and provided a motion of support to the Assembly. This ordinance would allow the CBJ to dispose of this property to the ADOT/PF for fair market value.

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

- e. **Ordinance 2020-13 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in the Mendenhall Valley to the Alaska Department of Transportation and Public Facilities.**

The State of Alaska Department of Transportation & Public Facilities (ADOT/PF) has requested to purchase 25,050 square feet of City and Borough property for Mendenhall Loop Road improvements for traffic flow, safety, and to meet current standards.

The Planning Commission reviewed this project on June 11, 2019 and found it consistent with CBJ adopted plans. On January 10, 2020, the Parks & Recreation Advisory Committee provided a positive recommendation with conditions. The Lands Committee reviewed this on February 10, 2020 and provided a motion of support to the Assembly.

This ordinance would allow the CBJ to dispose of this property to the ADOT/PF for fair market value.

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

2. Resolutions

- a. **Resolution 2878 A Resolution in Support of the City and Borough of Juneau's Application to Acquire Tide and Submerged Land from the State of Alaska between the Franklin Dock and the AJ Dock.**

This resolution would support the CBJ's request to the Alaska Department of Natural Resources for the conveyance of approximately ten acres of tide and submerged lands along the downtown waterfront between the Franklin Dock and the AJ Dock. Consistent with the Long Range Waterfront Plan, CBJ acquisition of these lands (1) would enable the CBJ to extend the Seawalk from the Franklin Dock to the AJ Dock, and (2) would provide the Assembly options for further water-dependent development like construction of a floating berth at the Franklin Dock. This resolution does not bind the Assembly into a course of conduct, but it would give the Assembly options for waterfront development.

Lease of tidelands to the Franklin Dock and negotiation for land rights for the Seawalk extension would require subsequent Assembly process and approvals, including an ordinance authorizing the lease of municipal tidelands to the Franklin Dock and appropriation of funding for a Seawalk project or projects. Acquisition of these lands would put these issues before the Assembly. Acquisition of the lands does not cause or require any specific subsequent action by the Assembly.

This matter was considered at the Joint Docks and Harbors/Assembly meeting on January 30, 2020, and by the Assembly Committee of the Whole on February 10, 2020. The Assembly Committee of the Whole recommended CBJ staff pursue a lease from the State to satisfy AS 38.05.825(a)(6)(B) or (C). However, on February 11, staff at DNR indicated reference to the CBJ Long Range Waterfront Plan likely provided sufficient authority to satisfy AS 38.05.825(a)(6)(A).

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. **Multiple Liquor License Renewals & One Transfer of Ownership for License 2533**

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

Transfer of Ownership for Liquor License #2533

License Type: Beverage Dispensary, License #2533

Transfer From: Jack D & Arlene D Tripp, d/b/a Viking Restaurant & Lounge

Transfer To: The Viking Lounge LLC, d/b/a The Viking Lounge

Location: 216 Front Street, Juneau

2020-2021 Renewal of Liquor Licenses

License Type: Beverage Dispensary-Tourism, License #175

CHN Holding LLC, d/b/a Breakwater Inn Restaurant & Lounge

Location: 1711 Glacier Ave., Juneau

License Type: Beverage Dispensary-Tourism, License #5430
Mac Ventures, LLC, d/b/a McGivney's Sports Bar and Grill
Location: 51 Egan Drive, Juneau

License Type: Beverage Dispensary, License #728
JD Entertainment, Inc., d/b/a The Island Pub
Location: 1102 2nd Street, Douglas

License Type: Beverage Dispensary, License #1166
Triangle Club Inc., d/b/a Triangle Club
Location: 251 Front Street, Juneau

License Type: Brewery, License #2534
Alaskan Brewing LLC, d/b/a Alaskan Brewing Co.
Location: 5429 Shaune Drive, Juneau

License Type: Restaurant/Eating Place, License #4192
Jeong Hee Kim d/b/a Seong's Sushi Bar
Location: 740 W 9th Street, Juneau

License Type: Restaurant/Eating Place, License #4405
Tides Complex, Inc., d/b/a Dragon Inn
Location: 5000 Glacier Hwy., Juneau

License Type: Restaurant/Eating Place, License #5153
Midnight Ninja Ventures Inc., d/b/a The Rookery Cafe
Location: 111 Seward Street, Juneau

License Type: Restaurant/Eating Place, License #5278
Abigail May LaForce Roha d/b/a Zerelda's Bistro
Location: 9351 Glacier Hwy., Juneau

License Type: Wholesale-General, License #4943
Specialty Imports, Inc., d/b/a Specialty Imports
Location: 540 W 8th Street, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest the applications. Copies of the documents associated with this license are in the Assembly's e-packet or available in hardcopy upon request to the Clerk's

office.

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

4. Other Items for consent

a. **City Project Review: Aspen Avenue Reconstruction**

Aspen Avenue Reconstruction rebuilds and resurfaces Aspen Avenue between Mendenhall Boulevard and Taku Boulevard. Valley curb and gutter will route surface drainage to ground-infiltration outfalls on Mendenhall Boulevard, mitigating urban impacts to Duck Creek water quality. The sewer system, in place since development of the neighborhood, will be replaced. The north 20 feet of the water system will be replaced – the rest was replaced in 1996 and is functioning well. The project is funded through \$1.1 million from the Areawide Street Sales Tax and \$150 thousand from the Wastewater Enterprise Fund. The Planning Commission's Notice of Recommendation is included in your agenda packet.

b. **City Project Review: Hospital Drive Reconstruction**

Hospital Drive Reconstruction rebuilds and resurfaces Hospital Drive from Old Glacier Highway past the Johnson Youth Center, then to the north end of the hospital driveway. A sidewalk will be constructed between the Salmon Creek Lane bus stop and Old Glacier Highway. Existing sidewalk along the rest of the route will be replaced. The driveway from the surgery center on the corner of Old Glacier Highway and Hospital Drive will be relocated further up the street to mitigate traffic conflicts. The water system is of an undetermined age and will be replaced. The sewer system does not need replacement at this time. This project is currently funded with \$800 thousand from Areawide Street Sales Tax and \$150 thousand from the Water Enterprise Fund. Design and construction will be broken into two phases to accommodate the results of the ongoing Bartlett Master Planning effort.

The Planning Commission's Notice of Recommendation is included in your agenda packet.

VIIIPUBLIC HEARING

- A. **Ordinance 2019-06(S) An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for the Centennial Hall Renovation Phase II Capital Improvement Project; Funding Provided by the Hotel Tax Fund's Fund Balance.**

This ordinance would appropriate \$200,000 from the Hotel Tax Fund to begin design work on Centennial Hall renovations and upgrades. These funds will allow design work to begin ahead of anticipated construction in the summer or fall of 2021. The scope of work will include items 1-4 as discussed at the December 9, 2019 Public Works and Facilities Committee meeting, which specifically includes upgrades to mechanical and electrical systems, renovation of ballrooms, and renovation and expansion of the building foyer. The source of the funds is the additional 2% hotel tax enacted on January 1, 2020 for the purpose of improvements to Centennial Hall, which is expected to generate new revenue of \$210,000 in FY2020.

The City Manager recommends the Assembly adopt this ordinance.

- B. Ordinance 2019-06(T) An Ordinance Appropriating to the Manager the Sum of \$4,000,000 as Funding for Douglas Highway – David to I Street Water System Replacement Capital Improvement Project; Loan Funding Provided by the State of Alaska Department of Environmental Conservation, Alaska Drinking Water Fund State Revolving Fund.**

This appropriating ordinance provides \$4 million for the replacement of the water system in Douglas Highway between David Street and I Street, including a segment down Capital View Avenue to 2nd Street Douglas. The water system was constructed in the early 1980's, is past its useful life and prone to leaks and failures. This work is scheduled to occur during the 2020 construction season, prior to the Alaska Department of Transportation rehabilitating Douglas Highway during the next couple of years.

The Public Works and Facilities Committee moved the appropriation forward at its meeting of September 23, 2019.

The City Manager recommends the Assembly adopt this ordinance.

- C. Ordinance 2020-02(b) An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.**

Ordinance 2020-03 extended the moratorium for certain micromobility devices through July 9, 2020.

This ordinance would prohibit commercial rental or use of micromobility devices on the docks, seawalk, streets, and sidewalks of downtown Juneau. Micromobility devices include bikes, e-bikes, scooters, segways, and e-scooters. This ordinance would not regulate private use of bikes or use of micromobility devices on private property.

The Assembly Committee of the Whole discussed this ordinance on December 2, 2019. After public hearing on January 13, 2020, the Assembly referred this ordinance back to the Committee of the Whole. On February 10, 2020, the

Assembly Committee of the Whole reduced the size of the prohibition area and explicitly clarified that segways are considered micromobility devices. Version (b) of the ordinance reflects those amendments.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS

A. Torrey Pines Grant Agreement

XII.ASSEMBLY REPORTS

A. Mayor's Report

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

C. Presiding Officer Reports

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

A. Litigation Strategy re Adams v CBJ, 1JU-19-01014CI

XV. ADJOURNMENT

XVISUPPLEMENTAL MATERIALS

A. Coronavirus Flyer

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

DRAFT**THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Meeting Minutes - December 16, 2019

MEETING NO. 2019-38: The Regular 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**

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

Assemblymembers Absent: None

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Finance Director Jeff Rogers, CDD Director Jill Maclean, Interim Engineering/Public Works Director Robert Barr, Port Director Carl Uchytel, Bartlett Hospital Administrator Chuck Bill, Lands Manager Greg Chaney

III. SPECIAL ORDER OF BUSINESS

Mayor Weldon honored outgoing Planning Commission Chair Ben Haight. She said that she met Mr. Haight when he was serving on the CBJ Fire Department and after retiring from the fire service, he volunteered and served on the Planning Commission for the past ten years. He was initially appointed to a one year term and subsequently was reappointed for three more consecutive terms. Mr. Haight served in a variety of ways on the Planning Commission, including as Chair for the last four years. The Assembly and his fellow Planning Commissioners thanked him for his service and wished him well.

Mr. Haight thanked the Assembly for the opportunity to serve and shared some of the highlights from his time on the commission.

IV. APPROVAL OF MINUTES

MOTION by Ms. Hale to approve the minutes of the August 19, September 5, and September 16 with minor corrections. *Hearing no objection, the minutes were approved.*

A. August 19, 2019 Regular Assembly Meeting #2019-29 DRAFT Minutes

B. September 5, 2019, Special Assembly Meeting #2019-30 DRAFT Minutes

C. September 16, 2019 Regular Assembly Meeting #2019-31 DRAFT Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Vikki Jo Kennedy said she was frustrated that she, as a citizen, could not call in to participate in Assembly meetings telephonically. She also expressed her concerns that the police scanners are presently open to anyone wishing to listen in on radio calls so that when a call is made to JPD and police are sent out, the people they are trying to catch are hearing the radio communications and fleeing from the scene before the police arrive. She suggested that JPD switch to secure channels for their communications.

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the motion passed with unanimous consent.*

1. Ordinances for Introduction

- a. Ordinance 2019-06(P) An Ordinance Appropriating to the Manager the Sum of \$10,000 as Partial Funding for the Housing and Homelessness Services Coordinator Project; Grant Funding Provided by the Alaska Mental Health Trust Authority.

The Alaska Mental Health Trust Authority approved a \$110,000 Housing and Homelessness Services Coordinator Grant to better coordinate local housing and homelessness services that assist persons experiencing homelessness in the Capital City, including the chronically homeless, youth, veterans, families, and victims of domestic violence.

The original award was for \$100,000 a year for up to three years, beginning in FY18. In FY20 the Trust included \$10,000 in travel and training dollars for the Housing and Homelessness Services Coordinator and the Chief Housing Officer to participate in homelessness-related

training and conferences. Rather than approve requests individually, the Trust requested they be submitted as a plan.

CBJ's FY20 budget was set at \$100,000. This ordinance is for the remaining \$10,000. The FY21 renewal grant is estimated to be \$110,000, and will be included in next year's budget request.

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

- b. Ordinance 2019-06(O) An Ordinance Appropriating to the Manager the Sum of \$250,000 as Funding for the River Road Car Cleanup; Funding Provided by the Waste Management Fund's Fund Balance.

A property owner on River Road established an illegal junk yard with approximately 350 vehicles. The Community Development Department initiated a code enforcement action. A series of court orders authorized the CBJ to hire a contractor to clean up the junkyard with all costs paid by the property owner. This ordinance would temporarily fund the cleanup costs from the Waste Management fund. Through the court, an escrow account is intercepting \$10,000 per month from the sale of the property owner's business to fully reimburse the CBJ.

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

- c. Ordinance 2020-02 An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

This ordinance would prohibit commercial rental or use of micromobility devices on the docks, seawalk, streets, and sidewalks of downtown Juneau. Micromobility devices include bikes, ebikes, scooters, and e-scooters. This ordinance would not regulate private use of bikes or use of micromobility devices on private property.

The Assembly Committee of the Whole discussed the underlying policies at its meeting on December 2, 2019.

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

- d. Ordinance 2020-03 An Ordinance Extending the Sunset Date Relating to the Prohibition of Commercial Rental or Provision of Dockless Vehicles and the Imposition of a Permit Moratorium.

Ordinance 2019-12 imposed a temporary moratorium related to dockless

vehicles through February 1, 2020. On December 2, 2019, the Assembly Committee of the Whole discussed regulating dockless vehicles and provided recommendations to the Assembly, which resulted in Ordinance 2020-02. Given the breadth of the draft regulations in Ordinance 2020-02 and the upcoming expiration of the moratorium imposed by Ordinance 2019-12, this ordinance would give the Assembly additional time to discuss Ordinance 2020-02. If Ordinance 2020-02 is adopted on January 13, 2020, this ordinance is not necessary.

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

2. Resolutions

- a. Resolution 2876 A Resolution Adopting an Alternative Allocation Method for the FY20 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

This resolution would facilitate the CBJ's participation in the State's FY2020 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2018 from fisheries business activities within the CBJ's qualifying area.

Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area.

It is anticipated that the CBJ's share will be approximately \$2,133.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

- a. Bid Award - Bid No. 20-114 - Term Contract for CBJ Paratransit Services Contractor

The intent of this bid is to enter into a five year term contract with a qualified contractor who, under the direction of CBJ Capital Transit, will operate the CBJ CAPITAL AKcess services program (formerly known as Care-A-Van).

Four bids were received on December 10, 2019 and the results are as follows:

Bidder

Total Bid

Catholic Community Services, Inc.	\$912,010.00
Juneau Taxi	\$919,500.00
First Student, Inc.	\$1,203,060.00
Juneau Limousine Services, LLC	\$5,200,000.00

The protest period ended December 12, 2019. The estimate for this project is \$925,000. The City Manager recommends award of Bid No. 20-114 to Catholic Community Services, Inc. in the amount of \$912,010.00 per year (five year term contract).

4. Liquor License

- a. Package Store Renewals for Liquor Licence #271 & Liquor License #2976

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

2020-2021 Renewal of Liquor Licenses

License Type: Package Store, License #271

Alaska Cache Liquor, Inc. d/b/a Alaska Cache Liquor

Location: 156 S Franklin St., Juneau

License Type: Package Store, License #2976

No Creek Jack, Inc. d/b/a Duck Creek Market

Location: 9951 Stephen Richards Dr., Juneau

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

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

VIIIPUBLIC HEARING

- A. Ordinance 2019-06(L) An Ordinance Appropriating to the Manager the Sum of \$175,000 as Funding for Snow Removal Equipment for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate \$175,000 for the purchase of snow removal

equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of \$140,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$35,000 funded from Equipment Replacement Reserve Fund Balance.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2019-06(L) and asked for unanimous consent.

Objection by Mr. Jones for purposes of asking questions.

Mr. Jones said that his question has to do with this ordinance and the next one [2019-06(M)]. He asked why \$395,000 was needed for snow removal equipment to keep the bus stops open. He said he would think that two people and a shovel should do the trick.

Mr. Watt explained that most of our bus stops are on DOT roads. When we get the bus stops permitted, DOT makes it a condition that CBJ maintains them and we do the snow removal. When DOT plows the highways, they generally do it without regard for driveways, mailboxes, bus stops, and leave that to the adjacent property owners to deal with. In this case, if it is a light snow, Mr. Jones would be correct that a person and hand equipment would be appropriate. He said that is often not the case.

Ms. Hale said that as a bus rider, there are a lot of bus stops all over town, when it is plowed and there is a berm, the berm is bermmed into the entry into the bus stop and if it freezes, there are little mountains that the riders need to climb. There are persons with disabilities who rely on the bus and many of those bus stops are completely inaccessible when there are heavy snows, especially with freeze/thaw cycles.

Mr. Edwardson asked if we have the FTEs for this. Mr. Watt said that they do have service technicians who go out and clean bus stops, empty trash, fix vandalism and hand-plow snow. As Ms. Hale noted, there are many stops and during a heavy snow fall, the better equipment they have, the faster they are able to do their jobs.

Mr. Jones said his follow-up question is that this is now December 2019 and this issue was referred to the Public Works and Facilities Committee a year ago and he asked what

caused the delay and why the equipment wasn't ordered in the summer.

Mr. Watt explained that the typical practice on grants from DOT or pass through grants from FDA is to advise the Assembly when we are notified of the grant award. They then wait for the actual grant documents before moving forward with the appropriation. In this case, we received notification that we would be receiving the funds last fall but DOT had some staffing issues and it took them a long time to get the grant documents to CBJ. Mr. Watt said they had hoped to be able to purchase the equipment for use this winter but it is likely that when this equipment comes, it would be for next winter.

Mr. Bryson asked what the equipment is that is being purchased.

Mr. Watt said he doesn't know exactly but that staff can follow-up with additional information to the Assembly. He said he doesn't consider this a time critical issue as they won't be using the equipment until next winter. If the Assembly wished, it could wait on the appropriation if they want to have additional information. Otherwise, they can pass the appropriation and staff can provide follow-up information as requested.

Mr. Edwardson asked what the life cycle is on the equipment and who pays for replacement of the equipment. Mr. Watt said that it would be handled the same as all of our grants from DOT for Transit equipment. We get Transit grants that allow us to purchase buses, cars, and paratransit vehicles. CBJ is required to maintain all that equipment and at end of life, if we have an avenue to get more grants to replace it, that is generally what we do.

Mr. Jones removed his objections.

Hearing no other objections, the motion passed with unanimous consent.

- B. Ordinance 2019-06(M) An Ordinance Appropriating to the Manager the Sum of \$220,000 as Funding for Snow Removal Equipment for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate \$220,000 for the purchase of snow removal equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of \$176,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$44,000 funded from Equipment Replacement Reserve Fund Balance.

This ordinance is nearly identical to the ordinance above; the only differences are the dollar amounts and the fact that two different grants were received from ADOT for this purpose.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Smith to adopt Ordinance 2019-06(M) and asked for unanimous consent. *Hearing no objection, the motion passed with unanimous consent.*

- C. Ordinance 2019-06(N) An Ordinance Appropriating to the Manager the Sum of \$270,000 as Funding for the Replacement of Three Paratransit Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate \$270,000 for the purchase of three paratransit buses for Capital Transit. Grant funding in the amount of \$216,000 is provided by federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$54,000 funded from Equipment Replacement Reserve Fund Balance. This funding will replace three paratransit buses that have exceeded their useful life and are scheduled for replacement. The funds are from the Federal Transit Administration and come through the State of Alaska Department of Transportation and Public Facilities.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Ms. Vikki Jo Kennedy expressed her frustration with the fact that there have been 10 new vans sitting on a lot rusting in the rain for a year. She said the contract went out and Juneau Taxi won the contract but then they backed out of the contract. Then it was rebid and it went to Catholic Community Services. Instead of the bid being awarded to the second highest bidder, they had to go through the bid process all over again. She said the vans are sitting there and they need to get on the road before Christmas. She said they are unsafe at times and they have had to be benched at times due to the lifts rusting away. She said the new vans just need to get on the roads. She thanked the drivers, dispatch, and the Assembly for all their work and service.

Assembly Action:

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2019-06(N) and asked for unanimous consent.

Mr. Smith noted that if anyone was looking in the budget for the equipment replacement reserve fund, it was listed under the category "equipment acquisition fund."

Mr. Jones said that there was work done a few years ago to retrofit the paratransit buses to retrofit the electric chair lifts as some of the scooters/electric wheelchairs were too heavy for the lifts. He asked to make sure the new vehicles are equipped to sufficiently handle the weight. Mr. Watt said he believes the new vehicles are up to meeting the current standards and community's needs.

Hearing no objection, the motion passed with unanimous consent.

D. Ordinance 2019-40 An Ordinance Repealing the Waste Management Utility Code.

This ordinance would repeal the CBJ Code provisions that impose a \$4 monthly charge for household hazardous waste and \$100 annual fee for businesses that recycle at the landfill. The costs to administer the fee exceeded the revenue collected, the fee was challenging to equitably enforce, and the fee discouraged businesses from recycling. The CBJ will continue to provide recycling and household hazardous waste collection services to extend the life of the landfill and protect the environment.

This ordinance was discussed at the Assembly Finance Committee on September 25 and November 6, 2019.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Triem to adopt Ordinance 2019-40 and asked for unanimous consent. *Hearing no objection, the motion passed with unanimous consent.*

E. Ordinance 2019-41(b) An Ordinance Increasing the Motor Vehicle Registration Tax.

State law authorizes municipalities to impose a motor vehicle registration tax by ordinance. This ordinance would increase the biennial motor vehicle registration tax in the CBJ from \$44 to \$70 for non-commercial vehicles and from \$4 to \$10 for motorcycles and non-commercial trailers commencing on January 1, 2021.

Commercial vehicles remain exempt because some commercial vehicles may be taxable through the business personal property tax and state law prohibits a municipality from imposing a motor vehicle registration tax and assessing a business personal property tax. The increase in revenue created by this ordinance is

intended to support the costs to maintain CBJ streets.

Version (b) of the ordinance adds the automatic \$1 and \$5 fee escalators after the initial five year term.

This ordinance was discussed at the Assembly Finance Committee on September 25, November 6, and December 4, 2019.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2019-41(b) and asked for unanimous consent.

Ms. Triem asked Mr. Palmer about the language related to "commercial vehicles" and asked if "commercial vehicles" was defined in statute and if the ordinance is following the state statute definition since the definition was not included in the ordinance. Mr. Palmer said that yes, the ordinance does follow state statute and the state definition if followed in the ordinance by reference. Ms. Triem said that was good enough for her.

Hearing no objection, the motion passed with unanimous consent.

F. Ordinance 2019-47 An Ordinance Authorizing Vacation of Right-of-Way at Lot 10, Evergreen Heights Subdivision, Located at 1706 Willow Drive.

This ordinance would authorize the vacation of 444 square feet of a right-of-way. The right-of-way was created by a plat in 1958, does not benefit the public, and is not anticipated to benefit the public. Because this right-of-way was created by a dedication in a subdivision process, the municipality cannot charge for vacating it.

On October 29, 2019, the Planning Commission and on December 9, 2019, the Lands Committee recommended the Assembly approve the vacation of this right-of-way.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Edwardson to adopt Ordinance 2019-47 and asked for unanimous

consent.

Hearing no objection, the motion passed with unanimous consent.

- G. Ordinance 2019-48(b) An Ordinance Authorizing the Manager to Convey Lot 3, Bonnie Subdivision, Located at 11031 Mendenhall Loop Road, to Margaret Tharp and David Lendrum for Fair Market Value.

Margaret Tharp and David Lendrum applied to purchase CBJ property adjacent to their property. On September 17, 2018, the Assembly authorized the Manager to negotiate the sale of property with the original applicants. During the negotiations, the applicants agreed to grant the CBJ an access and utility easement, which will provide a 60-foot corridor for a future right-of-way to access hundreds of acres of CBJ property in the Goat Hill and Pederson Hill regions. The applicants recently requested CBJ financing of ten percent down for ten years at a ten percent interest rate, which has been an option for other similar CBJ land sales. Version (b) of the ordinance adds the requested CBJ financing provision.

The Planning Commission reviewed this proposal at its November 13, 2018 meeting and recommended the Assembly sell the property. The Lands Committee reviewed the proposal and passed a motion of support for the Assembly to complete the sale at its meeting on August 6, 2018.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Jones to adopt Ordinance 2019-48(b) and recommended a "No" vote.

Ms. Hughes-Skandijs asked the Manager asked what has been happening during the length of time between now and the dates that the Lands Committee and Planning Commission reviewed this ordinance.

Mr. Watt explained that there was information in the packet starting at page 90 and that Mr. Chaney was present and could speak in more detail to those questions. Mr. Watt said that basically, it took a while to get an appraisal, negotiate the new right-of-way easement that parallels an old property line, and get the survey done. He said that Mr. Chaney could provide additional information.

Mr. Chaney said that land transactions take time and they are changing an easement so they had to replat the existing easement. He explained that CBJ owns 30 feet of frontage

now and will get a 60 foot easement as a result of this transaction. He said they had to work with a surveyor and then an appraiser and they worked closely with the Law Department throughout the process. He said they wanted to ensure everything was done correctly as this was a contentious issue initially in the neighborhood.

Ms. Gladziszewski asked what was done to make it no longer contentious. Mr. Chaney deferred to the City Attorney to answer that question.

Mr. Palmer explained that there was a contentious dispute that arose approximately five years ago when Landscape Alaska relocated their business to the property next to where this land is located. He then gave the history of the Landscape Alaska conditional use permit process before the Planning Commission that was appealed by some of the neighbors to the Assembly which ended up going all the way to the Alaska Supreme Court at which point the case was resolved. However, this was one of the remaining components of that initial transaction for Landscape Alaska and it has taken awhile to get to the Assembly, in part due to the appeal to the AK Supreme Court. What is currently in front of the Assembly was never subject to that appeal and depending on what the Assembly chooses to do at this time, it may be a non-issue or it may cause contention with the neighbors. Mr. Palmer said he doesn't have any sense on where the neighbors stand on this.

Mr. Jones said that he was the presiding officer on the Assembly for that case and what had prompted some of his questions.

Additional discussion took place related to the differences between the Planning Commission's review and action on the conditional use permit vs. the land acquisition ordinance before the Assembly at this time.

Mr. Chaney drew a rough map/diagram on the board to illustrate the proposed right-of-way if this ordinance is adopted and answered a series of questions from Assemblymembers.

ROLL CALL VOTE on the motion to adopt Ordinance 2019-48(b).

AYES: Bryson, Edwardson, Gladziszewski, Hale, Hughes-Skandijs, Smith, Triem, Mayor Weldon

NAYS: Jones

MOTION passed 8:1

IX. UNFINISHED BUSINESS

A. Alaska Department of Transportation & Public Facilities' Request to Purchase CBJ Property for the Mendenhall Loop Road Improvement Project

The Alaska Department of Transportation and Public Facilities submitted a request to acquire two fractions of CBJ property and associated easements to improve

Mendenhall Loop Road:

A. 0.18 acres of Block A, Field Acres Subdivision (Stephen Richards and Loop Road intersection)

B. 0.39 acres of Lot 1A, USS 2084 (Floyd Dryden and Loop Road intersection)

CBJ code empowers the Assembly to decide if the land disposal request should be considered and, if so, whether by direct negotiation with the original proposer or by competition with other proposals. (CBJC 53.09.260).

At the Assembly meeting on November 25, 2019, there was confusion about whether the Planning Commission had reviewed this land disposal, which resulted in the Assembly not authorizing the Manager to negotiate the requested land disposals. On June 13, 2019, the Planning Commission reviewed this project and recommended the Assembly approve it. The School District, Capital City Fire and Rescue, CBJ Streets, and CBJ Engineering all provided comments prior to the Planning Commission meeting and support the project. If the Assembly authorizes the Manager to negotiate the land disposals, the Assembly Lands Committee would review the results of the negotiations.

The Assembly Committee of the Whole discussed this matter at its meeting on December 2, 2019.

With that new information, the Manager recommends the Assembly adopt the following motions:

1. **Rescind the previously adopted motion related to the land disposal of 0.18 acres of Block A, Field Acres Subdivision that was adopted on November 25, 2019. (Requires 6 votes to rescind)**
2. **Authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.**

MOTION by Ms. Gladziszewski for the Assembly to rescind the previously adopted motion related to the land disposal in Block A, Field Acres Subdivision that happened on November 25, 2019 and asked for unanimous consent.

Mr. Jones asked the City Attorney to explain the difference between rescinding the previously adopted motion vs. a reconsideration since notice of reconsideration was not given at the last Assembly meeting.

Mr. Palmer explained that Mr. Jones is correct that no one gave notice of reconsideration at the November 25 meeting so reconsideration is not available for the Assembly to act upon at this time. However, he said there is another legislative tool, the motion to rescind, which does require public notice which has been satisfied and like the motion to reconsider, it does require a super majority, in this case six votes, to pass.

Mr. Bryson objected. He said the most troubling part about this is that this matter never came to the Assembly. He said they should have seen it sometime over the summer and

had an opportunity to discuss this. He said that while the Planning Commission made sure that it technically satisfied the conditions, anyone who drives Mendenhall Loop Road and has a good understanding of what two roundabouts and all the other plans will mean, that should have been discussed as an Assembly. It will change the transportation corridor of the valley and he said he doesn't feel it will be a positive addition to our transportation and he thinks it will hamper traffic flow.

Mr. Edwardson said the last time Mr. Bryson brought this up, he supported Mr. Bryson but won't be this time but for very different reasons. He said he does agree with him on process. He said he was unaware of the 90-day window but that he did understand the issue and thought the Assembly should have talked about this and his objection is with the characterization that the Assembly was confused and it makes it look as though they didn't do their homework. He said he feels they have and that they should have heard it within the 90-day window and what he is worried about is that if that isn't in any of the documentation that it will happen again.

Mayor Weldon said she believes they have closed that loophole and asked the City Manager to speak to that process. Mr. Watt explained that at the last Lands Committee meeting, they provided a process flow chart that is designed to ensure we don't have that lack of transfer of decision by the Planning Commission to the Assembly. He said there is a new business practice being implemented in which all Planning Commission Notices of Decision and Notices of Recommendation will be on the Assembly's Consent Agenda. That is a much better process than the ad hoc process which was previously in place.

Mr. Edwardson suggested that it be done early enough to ponder it at one meeting and then talk about it again at the next meeting based on public comment and not have it towards the end of the 90-days.

ROLL CALL VOTE on the motion to rescind the motion previously adopted on November 25, 2019.

AYES: Gladziszewski, Edwardson, Hale, Hughes-Skandijs, Smith, Triem, Mayor Weldon

NAYS: Bryson

MOTION passed 8:1

Mayor Weldon noted they would continue with the remainder of this agenda item. Mr. Palmer asked that she ask for any public testimony on this matter before moving forward. Mayor Weldon asked if anyone from the public wished to testify on this matter. Hearing none, public comment was closed.

MOTION 2 by Ms. Gladziszewski to authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.

Mr. Bryson asked if it would be possible to request that when the Manager is negotiating the sale of these two requested parcels that he negotiate in right hand turns onto Stephen Richards to satisfy not only the residents of that neighborhood but the business that had extreme hardships during the last remodel. He said the understanding is that there will be no access into their business from Mendenhall Loop Road. He asked if the manager could negotiate right turn access in and out of that business during the road construction period.

Ms. Hale asked if that needed to be considered an amendment to the motion to be voted upon. Mayor Weldon asked the City Attorney or City Manager if that is even something that could be done.

Mr. Watt said he thought they were two separate issues - 1) the land sale and 2) put a municipal effort into working on the management of the construction of the project. He said the second matter is a separate issue from the sale of the land and it doesn't belong as a permanent piece of the land sale.

Ms. Gladziszewski said we talked about that at the Committee of the Whole meeting and to let it be known that they were concerned about it to be managed in a way that would be more helpful to the property owners affected by the construction. Mr. Watt said that was correct and that the Planning Commission had made a non-specific recommendation that construction access be maintained as much as possible. He said there are property owners on Stephen Richards Drive that are concerned about DOT's stated traffic management approach that they believe they will not be able to maintain multiple traffic movements in and out of Stephen Richards Drive during construction.

Mr. Edwardson said he didn't feel that Mr. Bryson's comments should be an amendment, nor did he think it was separate from the land sale. It is leverage in the land sale to ensure that CBJ looks out for businesses and citizens who live on a certain drive that will be cut off for a project that, if it were federally funded, probably wouldn't meet federal requirements just because of that. He said he supports allowing the Manager to negotiate a land sale using the land sale as leverage to make sure the construction project allow access to the people in that area and to include that in the delegation to the Manager.

Ms. Hale said she feels that would be an amendment and she doesn't agree that they should use the sale of the land to essentially redesign a project that has gone through years of public process.

Mayor Weldon informed Mr. Bryson that it would be up to him to decide whether he wanted to make his request an amendment or not.

AMENDMENT 1 by Mr. Bryson for the Manager to include language that allowed for

better access for the business and the citizens, not to change the design of the project, but to allow access to the business and citizens during the project.

Ms. Hale objected. She said she agrees with Mr. Bryson that they wish to include as much access as we can. However, this project has gone through a year's long public process and has had designers working on it and after much work, this is the option that has been arrived at. She said we don't have that benefit at the Assembly level and she agrees with the Manager that the sale of the land is the sale of the land and that doing a modification of how the project is conducted is a separate thing.

Ms. Hughes-Skandijs said this project has had extensive public process and she supports the manager doing what he can to mitigate the concerns of the citizens affected but the Assemblymembers are not traffic planners and not construction project managers and she objected to the amendment.

Mr. Bryson said that during the public comment period and during the testimony during the Planning Commission, the business owner did state quite clearly the negative impacts that the previous project four years ago had on their business. When they found out there would not be access to their business for extended periods of time, they made it clear the negative impact that would have on their business and that comment was ignored. That is why he feels it is the job of the Assembly to look out for one of our business owners and why he feels this amendment needs to pass.

Mr. Edwardson said the Assembly is not transportation planners but they are Assemblymembers and they are charged with looking out for its citizens. He said he would like there to be access to the properties during the project.

Mr. Smith said he reviewed the Planning Commission minutes and his sense is that they did hear the concerns of the business owners. He went on to state that when they are constructing a roundabout in an already heavily populated area, there are some things that just cannot be avoided. He asked the Manager how this amendment might affect the land sale negotiations with DOT.

Mr. Watt explained that this is a motion to authorize the Manager to negotiate and it would come back to the Assembly as an ordinance and the Assembly would see the fruits of that labor. Whatever direction the Assembly gives, he will do the best that he can.

Additional discussion took place regarding the pros and cons of the project and public comments received on both sides.

ROLL CALL VOTE on the Amendment 1 by Mr. Bryson.

AYES: Bryson, Edwardson

NAYS: Gladziszewski, Hale, Hughes-Skandijs, Jones, Smith, Triem, Mayor Weldon

AMENDMENT 1 failed 2:7

ROLL CALL VOTE on the MOTION 2 by Ms. Gladziszewski to authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.

AYES: Gladziszewski, Edwardson, Hale, Hughes-Skandijs, Jones, Smith, Triem, Mayor Weldon

NAYS: Bryson

MOTION passed 8:1

X. NEW BUSINESS

A. BRH Provider Network Development Analysis Solicitation

Mr. Watt explained that the packet contained the draft scope of work that the BRH staff and board has been working through as they seek to analyse potential options for their future. BRH CEO Chuck Bill was present to answer questions and provide information to the Assembly. Mr. Watt said it is likely the Assembly will want to track this issue and possibly discuss it at the joint board meeting with the BRH Board. Mr. Watt said that no action is needed at this time but they may choose to refer this to committee for additional work.

Mr. Jones suggested that the wording in the draft scope of work under item "f." should include language that compares other hospitals that are also owned by government entities. He then said that he didn't understand what the language under item "i" meant when it said "all relevant transactions forms."

Ms. Hale, as BRH liaison, noted that she has brought this up at previous meetings. She said this is a sketch of an RFP and the intent is to perform a S.W.O.T. analysis, especially since across the nation and even in Alaska, hospital mergers are occurring. She said that is leading to some hospitals closing and that is a very dynamic and pretty scary landscape out there right now so the BRH Board and Mr. Bill have taken this up to help them understand the landscape to ensure that BRH remains competitive. Ms. Hale said she did call Mr. Bill and asked what the language in item "i" meant and he explained that it means all types of business transactions.

Mr. Edwardson said he appreciates this but doesn't know why the Assembly is looking at this since the Hospital Board is empowered to hire an analyst or contractor to look at the things they are tasked to look at. He asked if they were required to bring this to the Assembly or just giving them a heads up on what they are considering. He said if BRH just wants to give the Assembly a heads up, he doesn't think it would be appropriate to send it to an Assembly committee.

Ms. Gladziszewski said there are sections that aren't clear to her in the draft scope of

work and she would hope they might provide more clarity in the final language.

Mr. Bill came forward and said that the draft RFP is a lot longer than the pages in the packet. He said their intent is to do due diligence as a board and look at what the alternatives are as they look at strategic planning. There is a lot going on in the industry as evidenced by the Sitka Hospital merging with SEARHC. He said they already have a number of affiliations such as Virginia Mason for medical oncology, with Presbyterian that they do their electronic ICU services with. The question is if they can leverage those relationships and improve the value to Juneau by strengthening those relationships. He said that earlier in the document, there is language included that references the contingency of maintaining local control. Beyond that, there are wide range of arrangements that could fit under that scenario. He said they don't want to limit that as they want to hear what the best options are as they work through their strategic planning process. He said he agrees with Mr. Edwardson that this is unusual to have an RFP before the Assembly. It is the first one since he's been with the city during the last five and half years.

Mayor Weldon asked for any further questions. Hearing none, she said they will check in again with the board when they have their joint meeting in January with the Assembly.

Mr. Jones said that while it may be unprecedented for this Assembly and Hospital Board, it is not entirely unprecedented as there were instances in which the Assembly ordered the BRH Board to do a review of its purchasing agreement, which ended up costing \$100,000. When that report was provided to the Assembly, the Assembly then ordered another audit on how it might reduce staffing and that audit cost the hospital another \$100,000.

Mr. Smith asked Mr. Bill if they anticipate asking the Assembly to fund this analysis.

Mr. Bill said that it would be fully funded out of the Hospital's operations budget.

XI. STAFF REPORTS

None.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon thanked everyone for showing up to the Assembly retreat. She appreciated everyone's time and effort and she noted that Ms. Cosgrove sent the updated draft of the goals electronically early in the day and they will be taking those up again for action on the January 6, 2020 Assembly Committee of the Whole meeting.

Mayor Weldon reported on attending the following events that she enjoyed very much:

- Capital City Fire/Rescue Fireman's Ball

- U.S.Coast Guard Chief Petty Officer's holiday dinner
- She is in the process of touring schools and has been to seven so far. She invited any other Assemblymembers who wanted to join her to let her know.
- Juneau-Douglas City Museum to see the new Rie Munoz collection donation

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

Human Resources Committee - Chair Bryson reported that the full Assembly sitting as the HRC met on December 5 to interview applicants for the Bartlett Regional Hospital Board. The Assembly reappointed two incumbents and a new member of the board. Mr. Bryson said the regular HRC meeting was held just prior to this Assembly meeting. During that meeting, they discussed the Juneau board survey recruitment efforts and CBJ's 50th anniversary coming up on July 1, 2020 and they will be working on planning for that.

Mr. Bryson reminded Assemblymembers that the full Assembly sitting as the HRC will meet on Wednesday, December 18 at 5:30p.m. in the City Hall Conference Room #224 to interview Planning Commission and Docks & Harbors applicants.

Lands Committee - Chair Edwardson said they took up most of the Lands Committee work earlier in the meeting. He thanked Lands Division staff Greg Chaney, Dan Bleidorn, and Roxie Duckworth who went over a Lands 101 session to educate the new and continuing members on process. He said they covered the flow chart about the Planning Commission process that Mr. Watt referenced and he found that very helpful.

Public Works and Facilities Committee - Chair Hale reported that the committee met on December 9 and they had a public participation on non-agenda item that was a taxi rate increase request that was a petition signed by taxi drivers asking for a 20% increase. The last time they had an increase was 11 years ago. She said the City Manager will be working on bringing that back before the Assembly. She reported that the PWFC forwarded a proposal relative to Centennial Hall on the first four items. The PWFC forwarded that to the Assembly Finance Committee to make sure the Assembly agrees with that proposal and then determine the financing and timing. Timing is critical if they want to get moving on this, they need to actually get moving on it.

Ms. Hale reported that the committee discussed an airport request for a supplemental agreement on a contract that exists to demolish the sand building. The committee voted against moving it on. It turns out that the Manager needs to make a recommendation. Mr. Jones dug into the code and determined that and the Manager did not agree with that and was not intending to make a recommendation. Ms. Hale noted that they received an update on electric buses from Ed Foster. It keeps being pushed out but they are shooting to get one by next summer. They also received a quick dock electrification update from Mr. Uchtyl. They have been short staffed since Gary Gillette retired but hope to pick that up again when staffing is back up.

Ms. Hale said the next meeting of the PWFC is on Wednesday, January 15 due to travel schedules rather than the usual Monday meeting schedule.

Committee of the Whole - Chair Gladziszewski reported that since the last Assembly meeting they have held two COW meetings. They discussed the Mendenhall Loop Road project which was acted upon earlier in the meeting. They heard about Child Care follow-up, Dockless Transportation which was introduced at this meeting and a brief update about Blueprint Downtown. She noted that on December 9, they talked about the public nuisance property ordinance and took public testimony on that. They talked about the non-conforming ordinance, they heard about the senior assisted living sealed competitive bid results. They also heard from the Manager on the waterfront museum concept downtown waterfront improvements phase I and asked the Manager to continue to work on that. The next COW meeting is scheduled for January 6.

Assembly Finance Committee - Chair Jones reported that the last AFC meeting was on December 4 and he appreciated everyone's hard work. The next AFC meeting will be held on January 8, 2020.

Assembly/School Facilities, CIP, Maintenance Committee - Chair Jones reported that they held their first meeting on December 10 and reviewed their Charter requirements as well as reviewed the current projects under the 1% sales tax. They also reviewed the long-term large scale projects that they submitted to the Department of Education. They tried to get consensus so they all understood what projects were being funded, which ones were being done in which years, etc... They are going to be going back and reviewing parts of that to clarify which year they are planning on spending which funds. The next meeting of the committee will be sometime in February. He said that related to this, the School Board has its own Facilities Committee that met on December 13. They reviewed the projects mainly for priority ranking and they will be meeting again on January 24.

Mayor Weldon said she was skipping the Eaglecrest Summer Operations Task Force because they haven't yet met and their first meeting is scheduled for Thursday, December 19 at noon.

Visitor Industry Task Force - Chair Triem reported that the VITF met on December 3 and discussed historical efforts to address tourism. They also set dates for meetings at which to take public comment. Those meetings will be Saturday, January 10 at 10a.m. and Thursday, January 16 at 5:30p.m. and both those meetings will be held in the Assembly Chambers. Speakers should come prepared with their bullet points and have two minutes to speak. The next meeting is December 17 at Noon in the Assembly Chambers and they will be discussing current management efforts.

- **Assembly Liaison Reports, Comments and Questions:**

Mr. Bryson reported that he met with the Parks & Recreation Advisory Committee

(PRAC) on December 3. There was a suggestion of a new hiking trail through Basin Road which might alleviate some congestion. Kollin Monahan reported that they had 80,000 visits to the pools last year. PRAC has simplified the permitting process for events at which someone is applying for an alcohol permit at a CBJ Parks & Recreation facility.

Mr. Bryson reported that Juneau Economic Development Council (JEDC) met on December 6 and had their new board members and some new employees and they appointed officers.

Mr. Bryson said that he also met with the DOT Commissioner on December 6 and received some education on ferries, roads, and they discussed the roundabout project somewhat. He also went to the Governor's Open House on December 10.

Mr. Bryson reported that the Eaglecrest Board met on December 12 and they received a request from someone wanting to do a snowmachine event after Eaglecrest closed. They were going to try to find a way to ask the Assembly because they know that is currently against the park rules but they wanted to explore if that would even be a possibility. He said Eaglecrest also gave a CIP list. They have traditionally received \$225,000 and they are upping their request over the next few years to \$500,000/year for their CIPs. They are about to expire the contract for the Dimond Park Field House management.

Mr. Jones asked Mr. Bryson where Eaglecrest was at with their alcohol sales.

Mr. Bryson said they had some very insignificant sales to start with that were put on by outside vendors. Ms. Gladziszewski said she was told by folks who had gone up to Eaglecrest that there is a bar there now and they were selling beer and wine. Mr. Bryson said he didn't have numbers but they were only open for one or two days and the sales were pretty insignificant. Mr. Jones said that he knew that the ABC board had turned down the liquor license application for a recreational license last year. He said that he had not heard that they had reapplied, under what license or how, and he hadn't heard that they were actually open. He said that was an issue that was near and dear to people on North Douglas, especially as it related to people driving and he was curious to know if the alcohol sales was actually open or not. He asked if we had the liability issues settled with Law and if it was under contract.

Mr. Watt said they would do some research and get back to the Assembly on that topic.

Mr. Smith reported that he attended his first Sister Cities Committee meeting on November 26. They are working on a Sister Cities Hockey event but the ferry schedule could be a hindrance. He said they would be interested if the Assembly or others hear of any other potential sister cities connections to let them know. He said there may be some interesting sister cities connections related to electric vehicles with Whitehorse.

Mr. Smith reported that the Planning Committee Committee of the Whole met on November 26 working on a letter about CIP recommendations which the Planning Commission passed at its December 10 meeting. He said they are trying to work on their process and to be more effective and include more of a public process. They have sent letters in the past, they wanted to highlight the re-pavement of Capital Avenue, and design implementation of projects from Lemon Creek and Auke Bay area plans. At the November 26 COW meeting, they recommended adoption of the Historic and Cultural Preservation Plan.

Mr. Smith said the Planning Commission, at its December 10 meeting, also approved a Marijuana Cultivation Conditional Use Permit in a warehouse by the Airport, and a new Heritage Coffee stand by ACS and a record of decision regarding a residential variance out in North Douglas.

Mr. Smith said he attended many of the same events the Mayor did and spoke with JDHS students during their monthly recognition ceremony.

Ms. Hughes-Skandijs reported that she was not able to attend the last Juneau Commission on Sustainability meeting but she met with the Chair to get up to date on JCOS prior to the Assembly's retreat. They are currently working on a water bottle refilling station for use by cruise ship passengers. They have reviewed the CIP list. She said she has not yet been able to attend a meeting of the University Campus Council but looks forward to attending that group's meeting as her schedule permits. She attended a Docks & Harbors meeting. She thanked the Mayor for letting her and Mr. Smith light the Douglas Community Christmas Tree on behalf of the Mayor and Assembly.

Ms. Triem reported that the Aquatics Board, Chamber of Commerce, and Travel Juneau boards have not met since the last Assembly meeting. She said that the Aquatics Board does have an Outreach and Programs Committee meeting December 17 and will be discussing items related to the Augustus Brown Pool renovation and their next regular board meeting is January 21.

Ms. Hale reported that she attended meetings of the Bartlett Regional Hospital Board, Downtown Business Association (DBA), and Juneau Commission on Aging (JCOA). The highlights of the DBA meeting were that JPD Chief Mercer and Deputy Chief and other officers came and talked to the DBA about homelessness. It was an in depth conversation and had tips and ideas. The comment that the Chief said that struck her was that we aren't going to arrest our way out of this. She said the focus is to address homelessness as a community issue.

Ms. Hale said that some of the discussion at the JCOA was about the property being purchased out by Smith Hall by the Glory Hall. She also noted discussion of a group of agencies who will be co-locating social services next to the Glory Hall out there.

Ms. Hale said she will be on vacation December 31 - January 11 and will not be calling in to any meetings during that time.

Mr. Edwardson reported that he did a bunch of cool stuff, spoke to a bunch of people, went to a bunch of things, and one of those was an Airport Board meeting. He touched on the Coastal Helicopter flight fundraiser which is their 29th annual Christmas lights fundraiser on December 20 from 4:30-7:30 and all proceeds and benefits are to the Children's Tumor Foundation and Lions Sight Projects. Flights will depart from the north wing of the airport terminal and the airport will provide free parking in the parking lot for this event. This is weather permitting as always. He reported that the next Airport Board meeting is December 14. He missed the LEPC meeting due to a conflicting meeting and their next meeting is January 15.

Mr. Jones reported that the School Board meets December 17 and they have a brief agenda which includes the letter to the Assembly regarding funding to the cap, their legislative priorities, and the first reading on the 2020-2021 school calendar. They will also hold an executive session for a mid-session evaluation of the superintendent.

Mr. Jones reported that he also attended many of the same events as other members. Other events that he attended where no other Assemblymembers were present included the Historic Resources Advisory Committee second meeting reviewing the Archipelago project and whether or not it met historic guidelines. He said it was an interesting discussion since half of the building is in the Historic District and the other half faces the waterfront. He also attended the Chamber of Commerce lunch with Norwegian Cruise lines. He spent all day on Saturday at the First Lego League judging. This is his fourth year judging elementary and middle school kids who do lego robots. They have project core values with robots designs and this year's theme was "City Shaper" and there were some very interesting projects. Several of them dealt with homelessness in Juneau. Several dealt with transportation to get tourists off the sidewalks on an elevated tram up and down S. Franklin. One of the groups had old school and tour buses being converted to mobile shower and water facilities to allow homeless persons to take showers. He suggested talking with their leaders to bring a summary back to the Assembly for a presentation. He encouraged any Assemblymembers interested in volunteering next year that it is a great opportunity.

Mr. Jones said he also attended the Downtown Blueprint meeting and while they may not have enough time to come to a group consensus on the VITF work, they are watching the VITF progress intently and many of them are likely to bring their individual comments forward as well.

Ms. Gladziszewski reported that she also attended the NCL presentation at the Chamber of Commerce. She also went to the tourism neighborhood meeting at which there were approximately 40 people there. She didn't stay the whole three hours but they had a facilitator and good discussions.

Ms. Gladziszewski asked if staff could provide an update on the Care-A-Vans as related to Ms. Kennedy's comments earlier in the meeting.

C. Presiding Officer Reports

None.

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV.EXECUTIVE SESSION

None.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:27 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

DRAFT

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - January 13, 2020

MEETING NO. 2020-01: The Regular 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

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

Assemblymembers Absent: Alicia Hughes-Skandijis

Staff Present: City Manager Rorie Watt, Acting City Attorney Teresa Bowen, Deputy City Manager Mila Cosgrove, Acting Municipal Clerk Diane Cathcart, Port Director Carl Uchytel

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

MOTION by Ms. Triem to approve the minutes of the October 28, 2019 and December 7, 2019 meetings with minor corrections and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

A. October 28, 2019, Special Assembly Meeting #2019-33 DRAFT Minutes

B. December 7, 2019, Special Assembly Meeting (Retreat) #2019-37 DRAFT Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested that a staff report be added at the end of the meeting. Port Director Carl Uchytel plans on being present later in the meeting and will be providing an update on the status of the tug boat *Lumberman* now that it has shifted location.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Lisa Daughtery spoke about her experience trying to build an affordable home for the last two years on a lot in North Douglas and how the Community Development staff wouldn't grant a variance for a 9 inch projection into a 17 foot set back for them but they did grant a similar variance to a developer. She asked the Assembly to investigate biases of CBJ staff towards developers and against individuals. She asked that they look at

making changes to the regulatory process so people can develop their lots in practical ways.

Emily Ferry echoed Ms. Daughtery's comments about the inequality of the rules being applied differently to developers and slum lords than those applied to individuals and families. She spoke about how her property is treated differently from a neighboring property which is owned by a landlord that has many other properties and how the known problems of the neighboring property are not addressed. She said that she believes most people involved have good intentions but her main concern is that the rules are not applied equally to everyone.

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda and asked for unanimous consent. *Hearing no objection, the Consent Agenda was adopted.*

1. Ordinances for Introduction

a. Ordinance 2019-30 An Ordinance Related to the Regulation of Nuisance Properties.

Over the last five years, the City and Borough of Juneau has dealt with multiple properties that received an inordinate amount of City resources. These properties have required years of time, attention, and resources from entities including Community Development, Engineering and Public Works, the Law Department, the City Assembly, and first responders like the Police Department and Capital City Fire/Rescue in an effort to abate the problem. Neighborhoods affected by these problem properties feel the process is inefficient and resolutions are far too slow. The Chronic Nuisance Ordinance will give the City a tool to ensure neighborhoods are not subject to problem properties for extended periods of time and to hold landlords and tenants accountable for their actions.

The chronic nuisance concept was presented to the Assembly Committee of the Whole on May 20, June 10, and September 23, 2019. Public testimony regarding the ordinance was taken at the Committee of the Whole on December 9, 2019, and the ordinance was recommended to be

forwarded to the Assembly.

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

- b. Ordinance 2020-01 An Ordinance Amending Title 69 of the City and Borough Code by Adopting the Uniform Alaska Remote Seller Sales Tax Code.

In 2018, the United States Supreme Court decided *South Dakota v. Wayfair*, allowing states to assess and collect sales tax on remote sales (i.e. internet, mail, catalogue, phone). Alaska is one of only five states that does not have a statewide broad-based sales tax; however, local municipalities in Alaska are empowered to assess sales taxes within their local boundaries. In order to create a system that would be compliant with the *Wayfair* decision, local taxing jurisdictions in Alaska banded together and have been working since June 2019 to develop a unified streamlined program to assess remote sales taxes. As part of this process, the local taxing jurisdictions created the Alaska Remote Sellers Sales Tax Commission, an intergovernmental entity of which the City and Borough of Juneau is a member. The Commission was charged with adopting and administering the Uniform Alaska Remote Seller Sales Tax Code, which is intended to streamline the collection of remote sales tax throughout the State of Alaska as required by the *Wayfair* decision. The Commission adopted this code on January 6, 2020. Pursuant to its membership agreement with the Commission, the CBJ is required to adopt the Uniform Remote Sales Tax Code in order to retain its membership. While the CBJ's authority to assess, collect, and remit remote sales tax will be delegated to the Commission, the CBJ will retain its authority to establish and modify sales tax rates and exemptions within its jurisdiction.

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

- c. Ordinance 2020-05 An Ordinance Authorizing the Manager to Dispose of Eight Lots in the Vintage Business Park, Located near 3041 Clinton Drive, to Torrey Pines Development for Fair Market Value.

In August 2019, CBJ acquired eight lots located in Vintage Business Park for \$1.519M, for the purpose of developing assisted living housing primarily for seniors. The CBJ solicited proposals to develop the proposed housing and Torrey Pines Development was determined to be the best and most qualified bidder. During negotiations, a proposal was

made for Torrey Pines to purchase the eight lots for fair market value for the construction and operation of 80 units of senior housing, assisted living, and memory care. The Assembly Committee of the Whole heard the proposal on January 6, 2020, and recommended that the Manager proceed with negotiations for the sale.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Lands Committee and Planning Commission for review.

- d. Ordinance 2019-06(Q) An Ordinance Appropriating to the Manager the Sum of \$2,000,000 as Funding for the Assembly's Senior Assisted Living Grant; Funding Provided by the General Fund's Fund Balance, and the Juneau Affordable Housing Fund's Fund Balance.

Torrey Pines Development requests a \$2 million grant to assist with overall construction costs, to help attract equity capital, and to ensure that rental rates for seniors remain low for potential residents. The grant would assist the overall viability of the project. Without the grant, it is estimated that in order to meet financial projections, room rental rates would be 20-25% higher than indicated in the proposal. If this happened, the rates would be too high for most prospective tenants and development of the project would not proceed.

Staff recommend that the source of the \$2 million grant be split between General Fund dollars and the Juneau Affordable Housing Fund.

- i. \$1.6 million in General Fund; and
- ii. \$400,000 grant from the Juneau Affordable Housing Fund covering the 8 Medicaid eligible beds at \$50,000 per unit.

At its January 8, 2020 meeting, the Assembly Finance Committee approved this action.

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

- e. Ordinance 2019-06(R) An Ordinance Appropriating to the Manager the Sum of \$1,000,000 as Funding for the Recycleworks Consolidated Facility Capital Improvement Project; Funding Provided by the Waste Management Fund's Fund Balance.

CBJ Engineering estimates an additional \$1,000,000 is necessary to complete the construction of the Recycleworks Consolidated Facility. It is anticipated that the eventual sale of the existing Household Hazardous Waste (HHW) building on Shaune Drive will more than cover this cost;

however, the sale of that building will not be complete prior to when funds are needed to award a construction contract. This ordinance would transfer the necessary amount from the Waste Management Fund's Fund Balance which will later receive the proceeds from the HHW building sale.

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

2. Liquor License

a. 2020/2021 Liquor License Renewals

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

2020-2021 Renewal of Liquor Licenses

License Type: Package Store, License #1129

Thibodeau's Market Inc, d/b/a Liquor Barrel

Location: 5235 Glacier Hwy., Juneau

License Type: Package Store, License #4422

Thibodeau's Market Inc., d/b/a Thibodeau's Valley Liquor

Location: 9106 Mendenhall Mall Rd., Juneau

License Type: Package Store, License #661

Thibodeau's Market Inc., d/b/a Kenny's Liquor Market

Location: 619 Willoughby Ave., Juneau

License Type: Beverage Dispensary, License #550

Imperial Bar, Inc., d/b/a Imperial Bar

Location: 214 Front St., Juneau

License Type: Beverage Dispensary-Tourism, License #1378

Alaskan Hotel & Bar Inc., d/b/a Alaskan Hotel

Location: 167 S. Franklin St., Juneau

License Type: Beverage Dispensary-Tourism, License #3824

Hospitality Group LLC, d/b/a Frontier Suites Hotel

Location: 9400 Glacier Hwy., Juneau

License Type: Beverage Dispensary-Tourism, License #2541

MGO Inc., d/b/a Juneau Airport Travelodge

Location: 9200 Glacier Hwy., Juneau

License Type: Restaurant Eating Place License #5482

Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave's

Location: 356 S. Franklin St., Juneau

License Type: Restaurant Eating Place License #5231

Alaska Sustainable Seafoods, LLC d/b/a Deckhand Dave's

Location: 127-139 S. Franklin St., Juneau

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

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

3. Other Items for consent

a. CSP2019-0011 DOT Glacier Highway Project

On January 8, 2020, the Planning Commission approved CSP2019 0011 with one condition. The Planning Commission's decision is issued in the attached notice of decision.

Per CBJ 49.15.580, the notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the Assembly.

CBJ 49.15.580, The commission shall review proposed Alaska State capital improvement projects for consistency with this title pursuant to AS 35.30.010 and may impose conditions on and modifications to such projects. If the commission approves or approves with conditions or modifications, a notice of decision shall be issued. A notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the assembly. If the commission disapproves, a notice of recommendation and draft resolution shall be forwarded to the assembly for further action.

VIIIPUBLIC HEARING

- A. Ordinance 2019-06(P) An Ordinance Appropriating to the Manager the Sum of \$10,000 as Partial Funding for the Housing and Homelessness Services Coordinator Project; Grant Funding Provided by the Alaska Mental Health Trust Authority.

CBJ's FY20 budget was set at \$100,000 for the Housing and Homelessness Services Coordinator Grant. However, the Alaska Mental Health Trust Authority approved a grant award of \$110,000 to better coordinate local housing and homelessness services. This ordinance is for the remaining \$10,000. The FY21 renewal grant is estimated to be \$110,000, and will be fully included in next year's budget request.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2019-06(P) and asked for unanimous consent. *Hearing no objection, the motion passed.*

- B. Ordinance 2020-02 An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

This ordinance would prohibit commercial rental or use of micromobility devices on the docks, seawalk, streets, and sidewalks of downtown Juneau. Micromobility devices include bikes, ebikes, scooters, and e-scooters. This ordinance would not regulate private use of micromobility devices.

The Assembly Committee of the Whole discussed the underlying policies at its meeting on December 2, 2019.

The City Manager recommends the Assembly adopt this ordinance.

Mr. Watt explained that the Assembly COW recommendations from its meeting on December 2, 2019 resulted in the drafting of Ordinance 2020-02. He said that the subsequent ordinance on the agenda, Ordinance 2020-03, is an optional choice for the Assembly. Mr. Watt recommended that the Assembly either pass Ordinance 2020-02 or refer it to committee and extend the moratorium by adopting Ordinance 2020-03.

Mayor Weldon said that she thought they needed to adopt the sunset ordinance anyway and asked for clarification from the City Attorney.

Ms. Bowen explained that if the Assembly does not pass Ordinance 2020-02, then there is an option of extending the sunset date on a prior ordinance, Ordinance 2019-12 which has a sunset date of February 1, 2020. That is to prohibit dockless vehicles within Juneau. Ordinance 2020-03 is the extension of the moratorium sunset date to keep the

status quo to allow for more time to deliberate the Ordinance 2020-02. She said this is the first time the Assembly is discussing Ordinance 2020-02 following the December Committee of the Whole meeting.

Mayor Weldon said that if the Assembly wants to continue to work on Ordinance 2020-02 back in a Committee of the Whole meeting, they would need to approve the sunset date extension in Ordinance 2020-03. Ms. Bowen agreed that would be the action to take unless the Assembly chooses to let the moratorium expire.

Public Comment

Mr. Cedar Stark is a North Douglas resident and requested that the Assembly reconsider Ordinance 2020-02 and eliminate or change some of the language. He specifically referred to section 20.20.020(a) and 20.20.020(b) which says that "no person or business can offer or lead tours with micromobility devices or engage in the commercial business of renting or providing for use of a micromobility device"...within the proposed described prohibited downtown area. He said that he and his partner Nate Soboleff were both born and raised in Juneau and they understand and appreciate the concern for preventing congestion in the downtown area. He said they support a ban on docked and dockless vehicles in the downtown area.

Mr. Stark said they are however starting an e-bike tour rental business and their headquarters are going to be within the proposed prohibited area. They will be offering tours outside of the prohibited area but part of their business mission is to promote a reduction in people's carbon footprint which they feel aligns with CBJ's goals also. They want to do that by promoting the use of electric vehicles and e-bikes specifically and they want to be able to offer their visitors a way to get outside and explore the city without the use of fossil fuels. He said that by closing that whole area to rentals, e-bikes and guided e-bike tours, the Assembly is preventing access to Thane Road and other parts of town. He said they feel they can educate their clients about places to avoid in order to prevent congestion. He said their guides can help prevent groups from stopping in problem areas and they ask that the Assembly not shut the door on a green mode of transportation at a time when every little bit counts.

Mr. Stark said they appreciate all the work of the Assembly in making Juneau a progressive and sustainable place to live and asked that they allow a corridor along that area at least to be able to access certain parts of the town or take more time to consider it.

Mr. Bryson asked where their base of operations was located. Mr. Stark said that it would be located on S. Franklin just south of the tram a little ways. Mr. Bryson asked if they anticipated that would be the origination of tours from that location.

Mr. Stark said that they want to offer rentals from there for people to come and rent bikes from them and take it out Thane Road or through town. He said they would also

pick people up from the waterfront area with a van and trailer and shuttle them to other locations outside the area for their main tours but they want the option to maybe offer guided tours through town as well and they are willing to avoid certain areas of that would help.

Mayor Weldon thanked Mr. Stark for his testimony and asked if any other members of the public wished to speak to this ordinance. Seeing and hearing none, she brought it back to the Assembly for action.

Assembly Action

MOTION by Ms. Gladziszewski to refer Ordinance 2020-02 to the Assembly Committee of the Whole. She said they spent quite a bit of time talking about dockless vehicles and scooters but this is the first time they've seen this language and she said that she has numerous questions and they could spend some time in the COW to figure out what exactly some of these things mean, especially in light of the testimony that they just heard.

Mr. Bryson recused himself from further consideration of this ordinance due to a conflict of interest.

Hearing no objection to Ms. Gladziszewski's motion, Ordinance 2020-02 was referred to the Assembly Committee of the Whole.

C. Ordinance 2020-03 An Ordinance Extending the Sunset Date Relating to the Prohibition of Commercial Rental or Provision of Dockless Vehicles and the Imposition of a Permit Moratorium.

Ordinance 2019-12 imposed a temporary moratorium related to dockless vehicles through February 1, 2020. On December 2, 2019, the Assembly Committee of the Whole discussed regulating dockless vehicles and provided recommendations to the Assembly, which resulted in Ordinance 2020-02. Given the breadth of the draft regulations in Ordinance 2020-02 and the upcoming expiration of the moratorium imposed by Ordinance 2019-12, this ordinance would give the Assembly additional time to discuss Ordinance 2020-02. If Ordinance 2020-02 is adopted on January 13, 2020, this ordinance is not necessary.

The City Manager recommends the Assembly adopt this ordinance.

Mr. Watt explained that passed of this ordinance would provide the Assembly with additional time to consider Ordinance 2020-02 while maintaining the moratorium.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2020-03 and asked for unanimous consent. Ms. Hale objected for purposes of a question.

Ms. Hale asked about the effective date taking place 30 days after the adoption of the ordinance but that ordinance it is replacing has a moratorium that goes through February 1, 2020 so there is a gap there. She asked if that gap will cause a problem.

Ms. Bowen said that there is a twelve-day gap but right now, no one could apply for a permit until February 2 and then they would be able to receive a permit between then and February 12, as they would be on notice during that period. Ms. Hale removed her objection.

Hearing no further objections, Ordinance 2020-03 was adopted.

D. Ordinance 2019-06(O) An Ordinance Appropriating to the Manager the Sum of \$250,000 as Funding for the River Road Car Cleanup; Funding Provided by the Waste Management Fund's Fund Balance.

A property owner on River Road established an illegal junk yard with approximately 260 vehicles. The Community Development Department initiated a code enforcement action. A series of court orders authorized the CBJ to hire a contractor to clean up the junk yard with all costs paid by the property owner. This ordinance would temporarily fund the cleanup costs from the Waste Management fund. Through the court, an escrow account is intercepting \$10,000 per month from the sale of the property owner's business to fully reimburse the CBJ.

The City Manager recommends the Assembly adopt this ordinance.

Mr. Watt explained that later in the meeting packet, there is a staff report with more detail on the situation entitled "River Road Clean-up." Mr. Watt recommended that the Assembly take public testimony on this topic before adopting this ordinance.

Public Comment

Mr. Kim Titus, a resident of River Road immediately adjacent to the junk yard property which is the subject of this ordinance, commented on Ordinance 2019-06(O). He expressed his thanks to Nate Watts, Jill Maclean, and the City Manager and City Attorney's staff who have worked on this issue for the past few years. He said the property in question is the home of Capital Towing, Juneau's largest car towing company and said that this property is more than a car storage area, it contains connex trailers, buses, heavy equipment and a lot of "stuff" including what seems to be a car repair business of sorts. He said he has endured a lot of pain and suffering due to all the 24/7 traffic and other business practices on the property. He said that presently the property is mostly quite, most of the time. He said that he and their neighbors have brought this issue to CBJ a number of times over the years in the form of calls, letters, and formal complaints. He said that in April 2019, a lawsuit was filed and it continues in small steps. He has gone to a number of the court proceedings. He said that unfortunately from

his perspective, most of the legal requirements have not been met month after month. He said the CBJ Law Department and the court have been very patient.

Mr. Titus said he has some concerns regarding the appropriation. This clean-up continues to drag on. Despite a multitude of court orders, there seems to be no consequences to the slow pace of action. He said that few, if any, court requirements have been met. Having said that, he does support the 30-day extension from the defendant in this case as long as the court and CBJ impose hours of operations, etc... He just doesn't want to see more midnight heavy equipment operations.

Ms. Gladziszewski asked him to clarify his thoughts about the 30-day extension. Mr. Titus explained that he has waited for five/six years so 30 days is fine. He said he is concerned that CBJ will never recover the cost. He is also concerned that the \$10,000 mentioned in the escrow account, as of last Friday, there is \$0 put into the escrow account. He is concerned about the liability that CBJ will have down the road in this issue and they will never get their money back. He said that is something he and his neighbors as taxpayers have discussed.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2019-06(O) and asked for unanimous consent.

Ms. Gladziszewski objected. She said that she is concerned about not getting this money back. She said the neighbors have been patient and if it is even possible that the responsible party can get more cars off the property and reduce that cost, she thinks it will be hard for CBJ to get its money back. She said she wants to keep pressure on the property owner. She doesn't want them to think they are going to do this again. She said that she would like the Assembly to not do one of two items - either the appropriation or the River Road clean-up bid but she wants to see if they could wait for 30 days to get more cars off the property to reduce the cost to CBJ.

Mr. Smith asked the Manager to explain if there is a way to keep the pressure up and keep things moving while also allowing the land owner to do the right thing and take action.

Mr. Watt explained that the City Attorney's and CDD staff have been appearing regularly in court and asking the judge to ask for status updates. They understand that strategy and everyone understands that the best option is that the property owner clean the property up themselves. He said he thinks they should maintain that legal strategy. He said that appropriating the \$250,000 to the Manager keeps the ball moving but it doesn't expend the funds. They can always be de-appropriated later. He said that the more pivotal decision is authorizing the manager to award the contract for the contractor to enter the private property and spend the public funds to clean it up.

In depth discussions took place regarding the past history of the property, the enforcement efforts and court efforts that have been underway including the total number of cars as of July 2019 being at 470 and that number is now down to 260.

Assemblymembers expressed their concerns with the potential for similar behaviors to continue from the property owner and asked what the legal recourse might be. Mr. Watt explained that the towing business is no longer owned by the property owner and so they do not anticipate any more cars being taken into the property. As for legal recourse, the Law department has been in court regarding this matter and Ms. Bowen and Ms. Emily Wright explained the variety of options available including placing a lien on the property, getting a judgment and going after accounts.

Mr. Jones expressed his concerns that if we don't address this issue now, they will be back having this same conversation six months later, one year later, or longer similar to what happened with the Assembly with respect to the Bergman and the Gastineau Apartments properties. Other members expressed their concerns about this problem potentially spreading out across the town.

Ms. Gladziszewski removed her objection.

Hearing no further objection, the motion passed.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Hardship Late-Filed Real Property Tax Exemption Application: J. Miller

Public Comment

None.

Assembly Action

MOTION by Mr. Edwardson to accept the hardship late-filed real property tax exemption application from J. Miller. *Hearing no objection, the motion passed.*

B. Juneau Historic and Cultural Preservation Plan

This Plan is being provided for informational purposes.

The City Manager recommends the Assembly forward the plan to the Committee of the Whole at a later date.

Mr. Watt said this is an information item only and there is a copy of the draft plan in everyone's packet and they will be scheduling this matter for a Committee of the Whole meeting.

Mr. Edwardson said he is looking for the plan electronically and was not able to find it. Mr. Watt said he will be sure to forward a link to the electronic plan to the Assembly.

C. Bid No. 20-128 - River Road Clean-Up

CBJ Public Works' RecycleWorks program requested bids from qualified persons or firms to provide clean-up of a private property located on River Road, in Juneau, AK. Contractor will collect, process, package, transport, and dispose of approximately 260 vehicles and associated debris to a properly licensed and permitted facility located outside of the City and Borough of Juneau. Contractor will process vehicles to remove fluids, tires and batteries and dispose of them as appropriate. Bids were opened on December 10, 2019. The protest period ended on December 12, 2019.

Two bids were received and the results are as follows:

Bidder	Total Bid
Island Contractors, Inc.	\$330,000.00
Tideline Contractors, LLC.	\$390,060.00

The City Manager recommends award of Bid No. 20-128 to Island Contractors, Inc. in the amount of \$330,000.00.

Public Comment

None.

Assembly Action

MOTION by Mr. Jones to approve Bid 20-128 to Island Contractors in the amount of \$330,000 and asked for unanimous consent.

Mayor Weldon objected for purposes of a question. She said that earlier Mr. Watt stated that the number of cars on the property have been going down and she asked if the total bid amount will be negotiated lower to reflect the reduced number of vehicles. Mr. Watt said that like all public procurement, they will need to negotiate any changes to the contract depending on what happens. Mayor Weldon removed her objection.

Ms. Gladziszewski objected and said she is still worried about getting the money back and she is willing to wait a month to try to get more cars off the property in order to try to reduce the amount of public money being spent on this.

Additional discussion took place regarding the sale of the towing business and the nature of the contract and whether the contract would prevent the current property owner from removing vehicles from the property. Ms. Wright explained that the contract negotiations will take a little time and there is nothing in the contract provisions that would prevent the property owner from moving forward and removing vehicles from the property. Members expressed their concerns that the vehicles may just be moved from this

property to another property within the borough and not disposed of properly.

ROLL CALL VOTE

AYES: Jones, Edwardson, Bryson, Triem, Hale, Smith, Weldon

NAYS: Gladziszewski

Motion passed 7:1

XI. STAFF REPORTS

A. River Road Clean-Up

Mr. Watt said he had no further staff report since this topic was addressed earlier.

Mr. Watt noted that Mr. Uchtyl was here to provide a staff report on the M/V Lumberman.

Mr. Uchtyl reported that the Lumberman moved on Saturday night. He said that they had received word that with the high tide and the winds, it had drug anchor and it was 100 yards off Norway Point. At that point, CBJ staff had conversations with the Coast Guard, the Marine Exchange of Alaska, Emac Towing, and he and the Harbormaster had discussions to come up with a game plan. He said that the Coast Guard opened up the Oil Spill Liability Trust Fund yesterday and took money from that fund. That is a nationally managed fund from OPA90 and they have the ability to draw from that fund. They used those funds to hire Emac Towing to bring it to the inside of the CT dock which is the cruise ship dock closest to the Twisted Fish. They are going to store it at that inside berth for small cruise ships until Docks & Harbors can dispose of it. They will begin the process to impound it legally which includes impoundment of the vessel if the responsible party does not come forward and offer it for sale. In the offer for sale, there will be stipulations placed on it requiring that it is moved out of CBJ waters and it cannot be placed on DNR waters. He said they will see where that goes. He told his staff that they will have it either scuttled, demolished or relocated by April 15 in time for that berth to be freed up for the cruise season. He said they have a plan and they have received unsolicited proposals to demolish it. It will be several hundred thousands of dollars so they need to be smart about how they will move forward with this project. He said it was on CBJ's submerged lands as of Saturday and we will take responsibility for it and deal with it.

Ms. Hale asked if it is a steel boat. Mr. Uchtyl said that it is steel and there were Coast Guard and Army divers that were in town last fall who took a look at it and they think the hull is in fairly good shape. There are other stakeholders who helped Docks & Harbors along the way. DIPAC loaned them an anchor and that anchor will be returned to DIPAC. Now that it is moored at one of our facilities, Docks & Harbors will be removing all the debris. He said there is a lot of trash on it but they can use their boom truck and remove the trash on it. They will be monitoring it closely to make sure it

doesn't sink at our facility.

Ms. Gladziszewski asked if the owner just walked away. Mr. Uchytel said they know who the owner is and the last known address is the Glory Hall and has no means.

Mr. Smith asked if now that it is at the dock if it will solely be a CBJ expense or if any of the federal funds Mr. Uchytel referred to would be available. Mr. Uchytel said there is no other funding available outside of CBJ. The Coast Guard opened up the Oil Spill Liability Trust Funds on Saturday because it caused a navigational risk. They had previously used those funds approximately two years ago and spent approximately \$60,000 to pump off all the hazardous waste at that time. This is an issue throughout the maritime states that there are no funds available to take care of derelict vessels so the last municipality standing has that responsibility.

Mr. Edwardson shared his experience with DNR and how this is a common problem across the coastal states and communities and estimates there are approximately 800-900 derelict vessels in Southeast Alaska.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon distributed the final copy of the Assembly's 2020 goals and thanked Ms. Cosgrove for all her work on these. She asked the Assembly if anyone had any further changes to make before these goals were adopted.

MOTION by Ms. Gladziszewski to approve the Assembly Goals 2020 as distributed and asked for unanimous consent. Hearing no objection, the goals were approved.

Mayor Weldon noted that there is a breakfast special Assembly meeting with the Legislative Delegation on January 15 at 8:00a.m. in the Assembly Chambers. There is also a joint meeting with the Bartlett Regional Hospital Board and Special Assembly meeting at 5:30p.m.

[Clerk's Note: There was some confusion as to the location of the joint meeting and it was determined after this meeting that the location of the joint meeting would be held at the BRH Admin Boardroom.]

Mayor Weldon noted that Martin Luther King Jr. Day is on Monday, January 20 and she was invited to be a speaker at the commemoration event. She will be out of town visiting her Marine and she asked if any of the Assemblymembers wished to speak on behalf of CBJ at the MLK event.

Mayor Weldon wished a happy 50th Anniversary to Loren and LaRae Jones.

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

Human Resources Committee - Chair Bryson reported that the full Assembly met as the HRC to interview applicants for the Docks & Harbors Board and Planning Commission. The Assembly then met and made the following appointments:

- Docks & Harbors Board - James Houck to a term beginning immediately and expiring June 30, 2021.
- Planning Commission - reappointment of Dan Hickok and Ken Alper and appointment of Josh Winchell to terms beginning January 1, 2020 and expiring December 31, 2022.

Lands Committee - Chair Edwardson had no report.

Public Works & Facilities Committee - Chair Hale reported that the next PWFC meeting will be held on Wednesday, January 15 at Noon.

Committee of the Whole - Chair Gladziszewski reported that the COW met on January 6 and talked about senior housing, the Assembly's 2020 goals, and waterfront leasing process. They didn't hear from the Lego Robotics group and are hoping to hear from them at a future meeting. The next COW meeting is February 10.

Assembly Finance Committee - Chair Jones reported that the AFC met on January 8 with four members attending in person, two people on the phone and three people not in contact at all. They had a review of the Risk Fund. They moved the ordinance regarding the sales tax code to the Assembly which was introduced on this agenda. They instructed staff to develop the ordinances to pay for the school bond debt for FY20 from the fund balance. They decided that the FY21 and on would be dealt with during the budget cycle. They also discussed Centennial Hall and asked the administration to bring back what is necessary for \$7,000,000 for Centennial Hall to use the \$4,500,000 in sales tax and the \$2,500,000 to come from the central treasury to be paid back by the hotel bed tax. The next AFC meeting is on February 5.

Assembly/JSD Facilities, CIP, Maintenance Team - Chair Jones said they have not held another meeting but he is trying to schedule one for February 16.

Eaglecrest Summer Operations Task Force - Chair Gladziszewski reported that the committee met the first Thursday of the month and that is the time it will be scheduled to meet for February as well starting at 12:05p.m. They talked about the process for deciding the next steps and the Eaglecrest Manager and the City Manager will work together to get out an RFP for a financial analysis.

Visitor Industry Task Force - Chair Triem reported that they held a regular meeting on January 7 and they heard from USCG Captain White on what kinds of things fall under the jurisdiction and authority of the Coast Guard. They continued their discussion on management approaches. They held their first public comment meeting on Saturday, January 11 and they had a packed room with 25 people testifying. They will be holding

another one of those this Thursday (January 16) at 5:30p.m. in the Assembly Chambers and the time limit for speakers will be three minutes. She said that the next regular meeting will be on January 21 at 7:00p.m. and they are moving those meetings to the evenings so they can have their conversations without time pressure.

Liaison Reports and Assembly Comments:

Mr. Bryson wished Mayor Weldon a belated happy birthday.

Mr. Bryson reported that the Eaglecrest Board met and they have a new videographer and they discussed ongoing negotiations as to whether Mr. Scanlan is the most appropriate person to manage the Dimond Park Field House contract. He said that staff moral is up at Eaglecrest with the exception of the lift operators who are a bit cold these days.

Mr. Bryson reported that at the Parks and Recreation Advisory Committee (PRAC), State DOT wants to purchase more land for the Mendenhall Loop roundabout project. They are buying 7800 square feet of land for conservation purposes. He said that DOT has not received all the funding it was expecting for that project so they are removing the Floyd Dryden roundabout from that project so they are only doing one roundabout on the Mendenhall Loop Road. Mr. Bryson said he spent the weekend in Anchorage where it was even colder than in Juneau.

Mr. Smith said he attended the Planning Commission meeting last week at which they elected the following new officers: Chair Mike LeVine, Vice-Chair Nathaniel Dye, Clerk Paul Voelckers, and Vice-Clerk Travis Arndt. He said they did a decision about Lemon Creek/Glacier Hwy. improvements which include a round about and that was on this Assembly meeting's consent agenda. He said they also gave an update that there is a West Juneau/Douglas plan kickoff meeting on Wednesday, January 15 at the Douglas Library meeting room starting at 5:30p.m.

Mr. Smith reported that other dates of interest coming up include the Juneau Community Welcome Reception on Wednesday, January 22 beginning at 5p.m. at Centennial Hall and that is the day after the legislature convenes again. He said another opportunity for folks to get in touch with their legislators, on Wednesday, January 15 at 5p.m., the Juneau Legislative Delegation is holding a town hall meeting at the Mendenhall Library.

Mr. Smith reported that last month, Ms. Hughes-Skandijs and he visited Haven House which is a home for women coming out of incarceration. They got to speak with the women and hear their stories and he commended them for doing the hard work it takes to come out and reenter into society.

Ms. Triem reported that both Travel Juneau and the Chamber of Commerce have board retreats this month but neither of those have yet taken place. She said the Aquatics

Board will be meeting on January 21. Ms. Triem said that she was in Fairbanks the previous week where the temperatures were -40 degrees. She was attending a conference focused on shifting Alaska's economy from a resource-based economy to a regenerative economy. It was a fabulous conference and she brought back a handout booklet to share with the Assembly on the strategic framework for just transitions.

Ms. Hale said she had a relaxing vacation. She was sick during part of it but told her friend that it was better to be sick on a lanai in Hawaii than it is to be sick at home in the cold. She reported that the Hospital Board met on December 19. The Juneau Commission on Aging meets tomorrow, January 14.

Mr. Edwardson said that he does not have anything to report on the Airport Board. He said the Local Emergency Planning Committee have a few training opportunities coming up in February. He noted upcoming events include the Women's March on January 18, AML will be sponsoring a rally for the Alaska Marine Highway system on January 22. The Friends of AMHS are planning a rally for sometime February 10-12.

Mr. Jones reported that the School Board has not met since the last Assembly meeting but will be meeting on January 14. They are still working on their strategic plan and starting into their budget process. He said he attended a lot of community meetings after the first of the year and unlike Ms. Hale, he spent his new year here in Juneau being sick but he had his family here and it was nice to enjoy their company.

Mr. Jones said that he had been working with Mr. Rogers and the attorney to look at Assembly compensation as it was one of outgoing Assemblymember Mary Becker's comments as she was stepping down. The last time the Assembly compensation was changed was in 1986 and the last change to the Mayor's compensation was 1994 and the Planning Commission change was 1998 and the Board of Education change was 1999 and then they changed it voluntarily in 2013 downwards. He said that he is asking for concurrence from the Assembly to work with the attorney and come back with a proposal for changes. He said whether or not they would move changes forward would be another question but he feels it is time that they look at that, especially in light of the new budget process coming up. If they do make any changes at all, it would not take effect until after the October 2020 election for any of those who are currently on the Assembly. Hearing no objection, Mr. Jones will work with staff to draft an ordinance to be brought back to the Assembly for assignment to a committee or consideration by the full Assembly.

Mr. Jones then reported that in addition to the Juneau Legislative Welcome Reception on Wednesday, January 22 from 5-6:30p.m. there are two meetings being held. Downtown Blueprint starts at 6:00p.m. in the Assembly Chambers and Parks and Recreation public meeting on Chicken Yard Park starts at 6:30p.m. at McPheter's Hall.

Ms. Gladziszewski said that she appreciates everyone talking about future events that she may try to attend. Ms. Gladziszewski provided a Presiding Officer's report (see

below).

Ms. Gladziszewski commented that at the beginning of the meeting they heard testimony from members of the public talking about CDD processes and she asked that the City Manager provide information to the Assembly about those concerns.

C. Presiding Officer Reports

Ms. Gladziszewski provided a report on the Mountainside Estate Neighborhood Association, et. al, vs. the Planning Commission appeal. On August 19, she issued a stay of the proceedings at the request of both parties to while the applicant went through to the Planning Commission with a negotiated project. That went to the Planning Commission in November and it was approved. They waited 60 days for the appeal window to close. On December 27, she signed an order dismissing the appeal. That appeal is over and the Assembly does not have to read any documents related to that appeal. The neighborhood and the developer worked it out.

XIII CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 8:27 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

DRAFT

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

Meeting Minutes - January 15, 2020

MEETING NO. 2020-02: 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 8:00 a.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Maria Gladziszewski, Loren Jones, Wade Bryson, Carole Triem, Michelle Hale, and Greg Smith

Assemblymembers Absent: Alicia Hughes-Skandijs, Rob Edwardson

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Acting Municipal Clerk Diane Cathcart, Port Director Carl Uchytel, Finance Director Jeff Rogers, Interim Engineering/Public Works Director Robert Barr, Lands Manager Greg Chaney, Community Development Director Jill Maclean, Management Information Systems Manager Matt Scranton, and Mayor/Manager Executive Assistant Susan Phillips

Special Guests present: Senator Jesse Kiehl, Representative Sarah Hannan, Representative Andi Story, CBJ's Washington D.C. Lobbyists Katie Katchel and Mara Stark Acala, CBJ's Alaska Lobbyist Kevin Jardell, Dana Herndon staff member to US Senator Lisa Murkowski and US Senator Dan Sullivan

II. APPROVAL OF AGENDA

III. AGENDA TOPICS

A. Updates from Senator Kiehl and Representatives Hannan and Story

Senator Kiehl, Representative Hannan, and Representative Story introduced their staff and thanked the Assembly and lobbyists for their work on behalf of Juneau.

All three legislators said that the focus this upcoming session will be on the state's budget and how to find solutions to meet all the needs with the revenues available as well as finding new revenues that can be agreed upon without being vetoed by the Governor. They talked about the work they are doing with respect to the Alaska Marine Highway system and that they are hearing more support from people across the state to find the needed funding for the ferries to keep running.

All three legislators emphasized the need to find solutions for the permanent fund and

how much of the permanent fund earnings reserve can be used for state services vs. placing that in jeopardy by drawing down too much of the reserve. They also talked about not drawing down the states Constitutional Budget Reserve (CBR) any further since that is also used for cash flow purposes for paying for the bills of all the state agencies until the budgeted revenues catch up to the spending.

Representative Story emphasized the importance of Juneau being welcoming as the capital city and that we need to continue to be welcoming. She said they have been working on helping legislators secure housing and their staff in settling into Juneau as their second home and community. She and Senator Kiehl noted that this governor has removed all the restrictions of moving state jobs outside the capital city and the delegation has been working diligently on trying to stem that tide.

Representative Story mentioned a press conference to be held at 2:30p.m. with the Commissioner of Education, the Governor, and Senator Begich related to literacy and early learning information. She said she thinks that will be positive for Juneau and our young kids.

Representative Story said she serves as the Co-Chair of the Education Committee as well as the Transportation & Public Facilities Committee and both those committees will be bringing forward some important issues to Juneau. She also serves on the House State Affairs Committee since everything that has to do with the capital goes through that committee. Rep. Story mentioned they all have many assignments, other than committee assignments and one of those she serves as a liaison on the Alaska Native Language Preservation Task Force. There are some recommendations coming out of that committee this year that she will advance.

Representative Hannan said she serves on the House Resources Committee and she is expecting some more animated meetings this year where some of the major policy questions will be talked about. She Co-Chairs the Community and Regional Affairs Committee with Representative Drummond and she Chairs the Special Committee on Arctic Policy, Economic Development and Tourism. She also serves on the Labor and Commerce Committee. She said that between the committee she chairs and co-chairs, she has been hearing from people across the state about the impacts of changing weather patterns in Alaska (aka: Climate Change) from wildfires to droughts in Southeast that affect hydropower generation. She said that local governments are seeing the impacts of weather change and what that means. Nome has had major infrastructure collapse because of permafrost melt. There were droughts in Southwest Alaska and Seldovia was without municipal water for a 3 to 4 month period.

Senator Kiehl serves on the Senate Transportation Committee which looks at everything from ports to airports, asphalt highways to marine highways, and occasionally they dabble in the railroad. He also serves on the Resources Committee and on the Judiciary Committee. He said that as a delegation, this wide range of committee representation by

the three of them helps Juneau have a wide representation and there is very little duplication of committee assignments. He said that he very much appreciates the team approach the three of them have to address issues that face Southeast Alaska. There are other areas of the state in which delegations don't work so harmoniously together on behalf of their constituents.

B. Update from CBJ State Lobbyist Kevin Jardell

Mr. Watt offered words of appreciation for our lobbyist team and how much they do for Juneau. He introduced the lobbyist to the state legislator, Kevin Jardell, and Washington D.C. lobbyists Katie Kachel and Mara Stark-Alcala. He said we give them a broad scope of issues to pay attention to and work on our behalf such as the Airport, Docks & Harbors, the Hospital, School funding, and sometimes things under core municipal control such as Police, and Fire. They do a lot for Juneau in finding grant opportunities and tracking a wide variety of issues.

Mr. Jardell thanked the Juneau delegation, and the legislature in general for their work. The Governor started off with a \$1.5 Billion deficit that he is proposing be paid for out of the CBR. He said that is very unlikely to be sustained by the legislature. He said the legislature gets a lot of criticism or blame in the media over not being able to solve the fiscal problem or restructure things. He said that if you look at how large of an issue it is and look back over time and went back four years ago and compared it to today, the difference in the mentality of the legislature and the viewpoint for where they are looking, the majority in the House and Senate are looking at solutions. They have moved substantially and he anticipates they will reach agreement soon on solving the systematic failure of our fiscal system right now and meet the needs of the state. He said that to their credit, even though people have said they can't touch the permanent fund dividend, they have used some of those monies for essential government services. That has really protected their savings and it was the right thing to do.

With respect to the budget, they are likely looking at a \$500 Million +/- \$150 Million deficit which is substantial and real and needs attention and will likely drive some talk about new revenues. He said whether they get there this year or next, new revenue is coming. He said the good news is that the state's success is achievable and the majority of the House and Senate agree that it needs to be done. They just don't agree on what that solution looks like today but is moving in the right direction.

He said that some of the key things he will be paying attention to is the Alaska Marine Highway System which is critical to our hub community and our neighbors. He said that PERS is always a big factor. He said that the deal that was made in which the state and the municipalities agreed to co-mingle PERS. He said that was a deal that only one sitting member really remembers that deal and that is Senator Bert Stedman who was around when that deal was made. He said that the cities gave up a lot. They were supposed to have individual separate accounting for their PERS systems and the cities

came forward to help the state out on some liability issues and agreed to co-mingle it. In return, the state would pay us the 22.5% on behalf of payments. He said that is a deal they want to maintain and it is important to the state but from the state's perspective, it is an easy grab with a lot of money and shifting costs to local municipalities.

Mr. Jardell said that another big issue is the School Bond Debt Reimbursement at half funding is still a concern to us since it was the state's word and we think that was a deal and they should honor that. He said there is some momentum for a G.O. Bond in the legislature.

He said that they are constantly looking at the areas of cost shifts from the state to municipalities such as road plowing.

He said another issue that will be growing this year is alcohol in general, whether it is distilleries and breweries or the complete rewrite of Title IV. Generally the city in the past has allowed the state to write that policy. There are certainly things in there that could impact our tourism industry and others so he will be watching that to see what will be coming out of that.

Mr. Jardell said that homelessness and housing is a priority/goal of the Assembly and last year there were some fairly substantial cuts to some of those programs. The budget had some of those restored and that will be something he will be watching again this session.

He said that the other focus is in trying to maintain Juneau as the capital. He said that the efforts of the Mayor to walk around and meet with every legislative office a couple of times each session, to be seen in the building has been very successful. He said that Mayor Koelsch started that as a routine basis and Mayor Weldon has continued that tradition. He said that it is surprising how many people come up with issues and problems when they see the Mayor vs. picking up the phone and call. They don't want to go to that level but when they see the Mayor they will share their issues.

Lastly, Mr. Jardell said how efficient and rewarding it has been to be able to work with a delegation that works so well together for Juneau. He said that it isn't only the Juneau's elected leaders but their staff as well. Juneau is very lucky to have such professional staff in their offices and that helps all of us in our community.

C. Updates from CBJ DC Lobbyists Katie Kachel and Mara Stark-Alcala

Ms. Katie Kachel started off by sharing some recent wins for Juneau with federal dollars:

- \$2.6 Million grant to purchase electric buses and associated infrastructure,
- \$21.5 Million for the Airport's taxiway rehabilitation project,
- \$2 Million in Payment In Lieu of Taxes (PILT) that goes straight to the city and not

through the state, and

- \$500,000 in Secure Rural Schools (SRS) funding.

She said that the PILT and SRS funding are to compensate state and local governments for all the federal land they have.

Ms. Mara Stark-Alcala said that while there is a lot of tension going on right now in Washington D.C. due to the impeachment proceedings going on, they have also seen a lot of bi-partisanship on other issues and the ability to move forward on a number of funding and policy issues. She said that they were able to pass two big funding packages at the end of last year. That was earlier than the previous year and they had started a bad trend over the past few years of letting it get later and later into the fiscal year. She said that one of the things they have seen over the last few years is an increase in top line numbers. They were able to reach a deal to keep the funding levels high.

Ms. Stark-Alcala said that there has been a renewed focus on homelessness and adjusting affordable housing. Those programs have seen a lot of increases and she wants to work with Juneau to try to identify programs that might be involved.

There are transportation and general infrastructure funding such as TIGER grants and packages for transportation, roads, and port infrastructure development which has been funded. She said that the Army Corps, US Forest Service and USCG all have increased funding which is encouraging and they will be working to try to tap into those for Juneau specifically.

Ms. Stark-Alcala said that they did include PILT and SRS funding in the appropriations bills this year and there is bi-partisan agreement to set the top lines for FY20-21 smooth and on time. She said smooth and on time these days translates to December rather than in the past when it was October.

Ms. Kachel said that with respect to tourism and travel issues, the appropriations bill did reauthorize "Brand USA" which is the marketing agency which promotes travel in the US. There is also language in that bill that directs the Secretary of Transportation to do a study on tourism and travel infrastructure. She said that will be something they will be following closely for Juneau. She said that separately, Senator Sullivan has a tourism bill that he is working on that was either just introduced or is about to be introduced. That would create a cabinet level position looking at travel and tourism. They have national advisory committees and lower level positions. She has seen the first drafts and the bill does a lot with the visa situation and not necessarily infrastructure but she is looking at what they can do to make that bill better for Juneau if there is any way they can influence that legislation.

Ms. Stark-Alcala said another issue being worked on relates to marijuana, especially as it relates to banking. She said they don't anticipate it moving quickly through the house but there are other bills also being proposed that will help with regulations and safety

around marijuana issues.

Ms. Kachel said some of the projects they will be working on in the year ahead include:

- Trying to get a wave attenuator in Auke Bay,
- Changing a \$200 Million federal grant program so that the port of Juneau is eligible for it,
- A new loan program so Capital Transit can purchase electric buses more than just one at time,
- Continue to lay the ground work for important issues such as passenger facility charges and lighting systems.

Ms. Stark-Alcala said that Rorie Watt asked about the big infrastructure bill that was mentioned a couple of years ago. Some of the recent projects that came out of those infrastructure funds included almost \$10 Million for the airport sand/chemical building and additional funding that came for the low or no emission bus facility grants. She said that the higher funding levels have set a higher baseline and that is promising for Juneau.

Following the lobbyists reports, Assemblymembers, lobbyists, legislators and staff engaged in dialogue diving deeper into some topics including:

- Alaska school bond debt reimbursement program and BSA formula,
- Alaska Marine Highway System,
- Addiction treatment for opioids, alcohol, other drugs, etc...
- Mental Health issues and behavioral health funding,
- Special Education funding at the federal level,
- Early Childhood Education and Head Start,
- Medicare and Medicaid,
- Suicide prevention,
- Discussions of a possible attempt at a veto override by the end of the first week of the legislature,
- Encouraging increase of federal jobs to Juneau such as NOAA and others,
- Issues related to federal banking and federal testing (FDA) rules and regulations pertaining to Marijuana,
- PERS/TERS unfunded liability cost shifts from the state to municipalities,
- Cost shifts of public safety from the state to municipalities,
- Federal government looking at tourism and carbon offsets and weather pattern changes,
- Hydroelectric power and green energy issues,
- Derelict vessels including an update from Mr. Uchytel on the M/V Lumberman.

They concluded the meeting with Representative Hannan sharing her appreciation for Mr. Jardell's work in sheparding the liquor license bill last session that allowed Eaglecrest to get a liquor license. She said that everyone in the capital building from all sides of the aisle came out and were in favor of Eaglecrest getting a liquor license.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ADJOURNMENT

Mayor Weldon recognized staff and thanked Susan Phillips and Diane Cathcart for their work in setting up the meeting and providing breakfast.

Mayor Weldon extended her thanks to the legislative delegation and the lobbyists for all their work and how well they all work together.

There being no further business to come before the Assembly, the meeting was adjourned at 9:40 a.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

DRAFT

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

Meeting Minutes - January 30, 2020

MEETING NO. 2020-04: The Special Meeting of the City and Borough of Juneau Assembly and the Docks and Harbors Board held in the Assembly Chambers of the Municipal Building, was called to order at 7:05 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assemblymembers Absent: None.

Docks & Harbors Board Present: Don Etheridge, Jim Becker, James Houck, Bob Wostmann, Mark Ridgway, Steven Guignon, Chris Dimond

Docks & Harbors Board Absent: Budd Simpson, Annette Smith

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Port Director Carl Uchytel (telephonically), Port Engineer Eric Schaal, Deputy Harbor Master Matthew Creswell and Docks and Harbors Administrative Officer Teena Larson

II. APPROVAL OF AGENDA

The agenda was approved as presented.

III. AGENDA TOPICS

- A. Joint Meeting with the Docks & Harbors Board
 - A. Port Development Project Updates
 - B. Harbor Project Updates
 - C. Board Priorities
 - D. Tideland Leasing Process
 - E. South Franklin Dock Tideland Lease Request
 - F. Study/Planning Updates
 - 1. Small Berth Planning
 - 2. Dock Electrification
 - 3. NCL
 - 4. Museum Concept

Mayor Weldon extended her gratitude to the Docks and Harbors Board for all the work

that they do and she turned that portion of the meeting over to Docks and Harbors Board chair Don Etheridge to lead. Mr. Etheridge asked staff to lead the presentation and Mr. Etheridge facilitated questions from Assembly and board members.

Port Engineer Eric Schaal gave an update on the work going on at Aurora Harbor in Phases II and III and explained the difficulties that they have had continuing to do the work while looking for enough funding to fund the projects. They have been exploring grants and other funding options and will continue to try to balance the funding to the project needs. They currently have \$2 Million for the project but it will take \$7 Million to complete the project. The work on the north end of Aurora Harbor has been held up by both the dredging schedule as well as the funding challenges they face.

Mr. Schaal then provided an overview of the Auke Bay/Statter Harbor project and the various phases they have planned for. The Army Corps of Engineers will be doing a new breakwater project which will include dredging in the harbor.

The last project he touched on was the plan and improvements the board has been looking at for the North Douglas launch ramp area. Mr. Schaal answered a number of questions from Assemblymembers about portions of the plan and Mayor Weldon cautioned them to keep in mind that area was identified as a possible second crossing location.

Mr. Schaal provided updates on the port development projects as well as an update on the Archipelago Group construction project and anticipated timelines.

Assemblymembers asked questions related to the construction on the Archipelago lot, especially in light of the potential changes if the museum proposal will be moving forward. Mr. Watt said he anticipates providing an update on the museum proposal to the Assembly in March.

Mr. Wostmann provided an overview of the Docks and Harbors Board priorities. Assembly and board members discussed the security concerns down at the harbors and the investigations they have done in looking at potentially purchasing more security camera systems vs. in person patrols. Mr. Etheridge and others have been doing citizen patrols to ensure safety on the docks and that has been the most effective method to date. Matt Creswell has held multiple meetings with live-aboards and has been trying to get residents to form neighborhood watch groups.

Board members then discussed the various budgetary issues they have been having, including the various fees and what those fees could be used towards. That led to discussions of the M/V Lumberman status and what the options for disposal and how much it might cost as well as the various permits, and clean up efforts needed to be able to dispose of the vessel.

Mayor Weldon noted that there are times when tidelands leasing issues come up that

tend to be political hot potatoes and it is up to the Assembly as the elected body to make the hard policy decisions so she said that they have come up with a plan for when and how these matters will be dealt with by the Assembly and when they will fall to the Docks and Harbors Board. She asked City Manager Watt to provide information on how that process would work. Mr. Watt distributed a draft flowchart outlining a proposed process with four different paths that any downtown tidelands lease might take. The four proposed paths would be:

- When a lease application comes in it is distributed to both the Port Director & City Manager.
- The Docks & Harbors Board is advised and the issue is elevated to the Assembly and the Manager schedules it before the Assembly in consultation with the Mayor.
- The Assembly then sets it on one of the following four courses:
 1. Hold - Do Not Proceed.
 2. Wait and not make those decision at that time but possibly look at other factors before proceeding forward.
 3. Give Docks & Harbors the green light to proceed working with the Port Director and to bring something back to the Assembly for final approval.
 4. The big issues go through the City Manager and Port staff work with the Assembly on those in more depth and likely refer them to the Assembly Lands Committee or Committee of the Whole as directed by the Assembly.

Mr. Watt said that when they are discussing big things under #4 above, it will be essential to have the Port Director and Port Engineer participating in those discussions since that is the area of expertise in the city on marine infrastructure and marine issues. He said that even if the Assembly chooses to take a primacy policy role in those decisions, it is the Port Director and his staff who will help guide the City Manager in his advice to the Assembly.

Mr. Edwardson asked about the important public participation pieces in the lease process - public comments on a lease and secondly the appeal process on leases and he said that he didn't see those processes. Mr. Watt said that anytime there is a lease, there will be an ordinance before the Assembly and there will be public notice and an opportunity for public comment. Mr. Palmer said that as for appeal issues, as a general matter, if the Docks & Harbors Board is making a recommendation and the Assembly is deciding whether to approve an ordinance, those are legislative matters so there is no appeal options on our process.

Additional discussion took place regarding the lease process, the levels at which the Assembly and Docks & Harbors Board would be involved and also finalizing any changes to the process and tweaking the draft graphic to reflect those processes. The Mayor clarified that this would be related to lease applications for both tidelands and uplands for the downtown geographic area. She also said that this is the first draft of the proposal and it may get changed based on final Assembly decisions.

Mr. Schaal then gave an overview of the current request from the South Franklin Dock

for a tidelands lease. Their request is to expand their dock and their current lease does not include the tidelands in the area covered by that expansion and they are requesting the city apply on their behalf for the tidelands lease adjacent to their dock area. Page 15 of the packet contains an outline of the tidelands lease area under question. Mr. Schaal explained that this project would not only benefit the Franklin Dock but also would allow for expansion of the seawalk in that area. DNR wants to see a resolution of support from CBJ stating that they support this request. Mr. Watt explained the complexities of the entities and lands involved in this process.

Mr. Edwardson said that while he supports what Docks & Harbors is trying to do with this, he cannot support the resolution as it is written because it is not accurate. In order for the statute 38.05.825 to be triggered, the city would have to meet all six conditions in that statute and also one of the three sub conditions under paragraph 6. He said it does not meet them. He said that he was, at one time, in charge of the office that this would have gone to at DNR and he worked on some of these things and he was the one who made those decisions. He then went on to explain the decision making process and what needs to be in place with the application before it would even be considered by DNR. He noted that what they have now will go to the bottom of the decision pile because it is not yet ready and does not yet have the necessary elements in place. He suggested changing the resolution to come up with a clear path to get this land for CBJ.

Mr. Schaal gave an update on the Small Berth plan. The McDowell Group is in the process of coming up with a draft report on this that will be coming back to the board in the next couple of months. Additional discussion took place regarding the public comment period, which has not yet been set, on the draft plan and that will be built in as the draft plan develops.

Next discussed was dock electrification. Mr. Schaal noted that project is waiting until the position of the Deputy Port Engineer is filled as that will be a major responsibility of that position. The Port Director will be overseeing the RFP production and they will include a broader look at what the generation capacity within Juneau is and it is important to look at where all the possible electrification locations might be, including whatever Norwegian Cruise Lines (NCL) is looking at planning.

Additional discussion took place regarding the electrical supply and meetings that the Mayor and Manager have been having with the AEL&P CEO. Mr. Watt explained that these are technically very complicated issues and the infrastructure costs are likely to be large. The public has expressed no small amount of support and he thinks part of the burden will be explaining to the public the complexity of the issues. There are likely to be large dollar amounts involved as well as complicated policy issues that may or may not affect the ratepayers.

Mayor Weldon said that NCL is waiting to hear what the recommendations will be moving forward from the CBJ Visitor Industry Task Force (VITF) before they go much

further in developing their plans and going forward for public comment. Mr. Etheridge said that their main concern is that the board be kept in the loop of whatever might be going on.

Ms. Triem commented that the VITF meeting is being held on Saturday, February 1 with public hearing starting at 10a.m. and after the public hearing they will be going directly into their worksession.

Museum Concept - Mr. Watt reported that they hope to try to get an update to the Assembly and the board on that project. Mr. Watt said that something he feels the Docks and Harbors Board has done well is to try to get more space on the waterfront. He said if the museum concept moves forward, it will be a competitor for open space. He said that during the planning process, they heard a lot from the public about open space. He said that siting the museum, if the project does move forward, the open space that it occupies will likely trigger an area of interest to the board and the Assembly. He will be looking to the Port Director to try to give an update at one of the board's meetings in March.

Mayor Weldon opened it up for anyone who had not yet had a chance to speak to add any parting comments. Mr. Houck thanked the Assembly for appointing him to the board and said he is getting up to speed on a wide variety of areas that touch the board and he is honored to serve.

Mayor Weldon thanked the board for their service and for coming to the meeting to discuss these important topics with the Assembly.

B. Ordinance 2020-05 An Ordinance Authorizing the Manager to Dispose of Eight Lots in the Vintage Business Park, Located near 3041 Clinton Drive, to Torrey Pines Development for Fair Market Value.

In August 2019, CBJ acquired eight lots located in Vintage Business Park for \$1.519M, for the purpose of developing assisted living housing primarily for seniors. The CBJ solicited proposals to develop the proposed housing and Torrey Pines Development was determined to be the best and most qualified bidder. During negotiations, a proposal was made for Torrey Pines to purchase the eight lots for fair market value for the construction and operation of 80 units of senior housing, assisted living, and memory care.

The Assembly Committee of the Whole heard the proposal on January 6, 2020, and recommended that the Manager proceed with negotiations for the sale. This ordinance was introduced at the Assembly meeting on January 13, 2020 and referred to the Planning Commission for review.

Your packet contains additional information as requested by the Assembly related to this project.

The Planning Commission reviewed this project at its meeting on January 28 and is

forwarding its recommendation to the Assembly for consideration. It would be appropriate for the Assembly to make a motion to set Ordinance 2020-05 for public hearing at its meeting of February 3, 2020.

The City Manager recommends the Assembly pass a motion to set this ordinance for public hearing at the February 3, 2020 Assembly meeting.

Manager Watt explained that Ordinance 2020-05 was reviewed by the Planning Commission at its meeting on January 28 and is forwarding its positive recommendation to the Assembly. He said it would be appropriate for the Assembly to make a motion to set Ordinance 2020-05 for public hearing at its meeting on February 3, 2020.

Assembly Action:

MOTION by Ms. Gladziszewski to set Ordinance 2020-05 for public hearing at the meeting of February 3, 2020 and asked for unanimous consent but she also wanted to object for purposes of a question.

Ms. Gladziszewski said that on page 2 of 3, section 2(A)(1) talks about Access Easement and Option Agreement between Pacific Investment Group LLC and Juneau Senior Housing Partners Limited Partnership. She said that she doesn't know what that is and asked if when this came back to the Assembly at the February 3 meeting if the manager could provide additional information about that agreement. Mr. Watt said that he would send an email with additional information about that prior to the meeting and be prepared to follow up on any questions they might have.

Ms. Gladziszewski removed her objection.

Hearing no objection, the motion passed.

- C. Resolution 2878 A Resolution in Support of the City and Borough of Juneau's Application to Acquire Tideland from the State of Alaska.

This resolution would support the CBJ's request to the Alaska Department of Natural Resources for the conveyance of tidelands along the downtown waterfront to the municipality. These tidelands could be managed to facilitate development of the Port of Juneau by supporting the development of a floating berth at Franklin Dock and continuation of the development of the seawalk.

Lease of tidelands to the Franklin Dock and negotiation for land rights for the seawalk extension would require subsequent Assembly process and approvals, including an ordinance authorizing the lease of municipal tidelands to the Franklin Dock and appropriation of funding for a seawalk project or projects. Acquisition of these tidelands would put these issues before the Assembly. If the CBJ does not acquire the tidelands, Franklin Dock would simultaneously negotiate with both CBJ and DNR for tideland rights necessary for the development of their proposed floating berth. Acquisition of the tidelands does not cause or require any specific

subsequent action by the Assembly.

The City Manager recommends that the Assembly place this resolution on the agenda for the February 3, 2020, regularly scheduled Assembly meeting.

Mayor Weldon stated that in light of earlier discussion, that the Manager and City Attorney would likely be making changes to the resolution to reflect the concerns expressed by Mr. Edwardson and Ms. Hale.

Assembly Action:

Mr. Jones said that his concern is that resolutions go on the consent agenda and get pulled if changes are needed. He said that in light of the earlier discussion, he would suggest it be referred directly to the Assembly Committee of the Whole for additional work.

MOTION by Mr. Jones to refer Resolution 2878 directly to the Assembly Committee of the Whole and bring it back to the Assembly when the work is done and asked for unanimous consent.

Mayor Weldon asked Mr. Palmer if they could do that.

Mr. Palmer asked that the Mayor open it up for public comment before they get into any discussion on the matter.

Mayor Weldon called for public comment on the resolution. Seeing and hearing none, she closed public comment and asked Mr. Palmer if Mr. Jones' motion was in order.

Mr. Palmer said that yes, if that was their desire, they could refer it directly to the COW.

Mayor Weldon asked for any objections to Mr. Jones' motion to move Resolution 2878 to the Committee of the Whole. *Seeing and hearing no objection, the motion carried.*

D. Staff Reports: Senior Housing

Mr. Watt said that the packet contained information that had been requested that is germane to some of the business that will be on the Monday, February 3 agenda. He said if the Assemblymembers have any questions, they can get back to him with them or they can discuss it Monday at the meeting.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ADJOURNMENT

Mayor Weldon thanked the Docks and Harbors Board for their service and the work they do and she encouraged any member of the Assembly who wants to walk the docks on nighttime patrol with Mr. Etheridge to get a hold of him. Mr. Etheridge said they appreciate the opportunity to sit and meet with the Assembly and get their feedback on the issues the board deals with and he thanked the Assembly for the opportunity. He also invited anyone to come along with him on his night security rounds.

There being no further business to come before the Assembly, the meeting was adjourned at 8:47 p.m.

Signed: _____
 Elizabeth J. McEwen
 Municipal Clerk

Signed: _____
 Beth A. Weldon
 Mayor

Presented by: The Manager
Introduced: 02/24/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-37

An Ordinance Amending the Land Use Code Related to Nonconforming Development.

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

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

Section 2. Amendment of Section. CBJ 49.25.300 Determining uses, is amended to read:

49.25.300 Determining uses.

- (a) (1) *Listed uses.* There is adopted the table of permissible uses, table 49.25.300. The uses permitted in a zoning area shall be determined through the table of permissible uses by locating the intersection of a horizontal, or use axis and a vertical, or zone axis. The conditions and procedures applicable to the use in the zone thus located shall be as indicated thereat by the digits "1," "2" or "3" as more fully set out in this section and by letters of the alphabet as more fully set out by footnotes in the table. The absence of a digit at the intersection of use and zone axes means that the identified use is not permitted in the identified zone.
- (2) *Unlisted uses.* The permissibility ~~allowability~~ of a use not listed shall be determined pursuant to section 49.20.320.

(3) *Uses listed more than once.* Where a use might be classified under more than one category, the more specific shall control. If equally specific, the more restrictive shall control.

(4) *Accessory uses.* Uses constituting an incidental or insubstantial part of a permissible use and commonly associated with the permissible use may be allowed as an accessory use.

(5) *Nonconforming uses.* Nonconforming uses, including nonconforming residential densities, are subject to chapter 49.30.

...

Section 3. Amendment of Section. CBJ 49.25.430 Yard setbacks, is amended to read:

49.25.430 Yard setbacks.

...

(M) *Additional stories.* The commission, through the conditional use permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either ~~lawfully~~ nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.

...

- (5) *Replacement and reconstruction of ~~certain nonconforming buildings structures~~.* The replacement and reconstruction of ~~certain nonconforming buildings structures~~ in residential districts shall be governed by ~~subsection 49.30.500(b)~~ chapter 49.30.

Section 4. Amendment of Section. CBJ 49.25.510 Special density considerations, is amended to read:

49.25.510 Special density considerations.

...

- (f) Reserved. ~~Replacement and reconstruction of certain nonconforming buildings.~~ The replacement and reconstruction of ~~certain nonconforming buildings in residential districts shall be governed in part by subsection 49.30.500(b).~~ The replacement and reconstruction of multifamily dwellings in all multifamily residential districts shall be governed in part by ~~subsection 49.30.500(c).~~

...

Section 5. Amendment of Chapter. Chapter 49.30 Nonconforming Development is repealed and replaced to read:

Chapter 49.30

NONCONFORMING SITUATIONS

ARTICLE I. GENERAL

49.30.110 Purpose.

The purpose of this chapter is to create processes and standards to review nonconforming situations.

49.30.120 Applicability.

(a) This chapter applies to the following nonconforming situations:

- (1) Nonconforming uses (49.30.230);
- (2) Nonconforming residential densities (49.30.240);
- (3) Nonconforming structures (49.30.250);
- (4) Nonconforming lots (49.30.260); and
- (5) Nonconforming parking (49.30.270).

(b) A property with more than one nonconforming situation is governed by each type of nonconforming situation.

(c) This chapter does not apply to nonconforming signage, which is addressed in chapter 49.45.

ARTICLE 2. STANDARDS

49.30.210 Nonconforming situations in general.

(a) *Continuation of nonconforming situations.* Except as otherwise provided in this title, situations made nonconforming by this title may remain.

(b) *Change of nonconforming situation to comply with this title.* Any nonconforming situation may be changed to comply with this title. Once a nonconforming situation becomes conforming, the nonconforming rights under this chapter are relinquished with respect to that nonconforming situation, and the nonconforming situation must not be re-established.

(c) *Ownership.* Change in property ownership does not alter the legal status of any nonconforming situation.

1
2 (d) *Routine maintenance and repair.* Nothing in this chapter prohibits normal maintenance or
3 routine repairs, which includes but is not limited to, roofing repair or replacement, window
4 replacement, and other similar minor structural repairs.
5

6 **49.30.215 Accidental damage or destruction.**
7

8 (a) *Building official determination.* The building official shall determine the extent and
9 cause(s) of damage and/or destruction under this chapter, pursuant to CBJ Title 19.

10 (b) *Continuation of nonconforming rights.* Except as provided in this section, the cost to
11 replace a nonconforming structure or a structure containing a nonconforming use that is
12 damaged accidentally less than or equal to 75 percent of the assessed building value, exclusive
13 of foundation(s), maintains the nonconforming rights.

14 (c) *Loss of nonconforming rights.* Except as provided in this section, a nonconforming
15 structure or a structure containing a nonconforming use is deemed destroyed when damaged
16 accidentally and the cost to replace the structure is more than 75 percent of the assessed
17 building value, exclusive of foundation(s). A structure that is deemed destroyed loses all
18 nonconforming rights.
19

20 (d) *Exceptions.*

- 21 (1) *Residential use in non-industrial districts.* In non-industrial districts, a
22 nonconforming situation containing exclusively residential use that was damaged
23 or destroyed accidentally, or by any means beyond the control of the owner or the
24 authorized agent of the owner, may be reconstructed regardless of the cost of
25 replacement of the structure subject to the following:

- (A) The nonconforming situation is or has been certified pursuant to section 49.30.310 prior to any work that requires a building permit;
 - (B) Written notice of intent to reconstruct is provided to the department within 365 days of the date the damage or destruction occurred;
 - (C) The total number of dwelling units established by the certification of nonconforming status is not increased;
 - (D) A temporary certificate of occupancy for the structure has been obtained within three years of issuance of the building permit; and
 - (E) Upon a written request demonstrating good cause, the director may approve one 18-month extension for the reconstruction or for obtaining the temporary certificate of occupancy.
- (2) *Residential use in industrial districts.* On property in industrial or waterfront industrial districts, if a structure containing a nonconforming residential use was damaged or destroyed accidentally, or by any means beyond the control of the owner or the authorized agent of the owner, the following applies:
- (1) Nonconforming residential use is maintained and the structure may be rebuilt within three years if all of the following are met:
 - (i) Nonconforming residential use is or has been certified pursuant to the procedures set forth in section 49.30.310;
 - (ii) The cost to replace the structure is less than 75 percent of the assessed building value, exclusive of foundation(s);

- (iii) Written notice of intent to reconstruct is provided to the department within 365 days of the date the accidental damage or destruction occurred as determined by the building official;
 - (iv) The reconstruction complies with applicable zoning district dimensional, development, and design standards, including but not limited to: setbacks, parking, and landscaping that apply to new development.
 - (2) If a temporary certificate of occupancy for the structure has not been obtained within three years of issuance of a building permit, the nonconforming residential use rights are relinquished.
 - (3) Upon a written request demonstrating good cause, the director may approve one 18-month extension for the reconstruction or for obtaining the temporary certificate of occupancy.
- (e) *Reconstruction footprint.* Reconstruction allowed pursuant to this section may be in the existing footprint except for encroachments into rights-of-way or adjacent property.

49.30.220 Abandonment of a nonconforming situation.

- (a) The abandonment of a nonconforming situation relinquishes all nonconforming rights associated with that situation. The existence of an abandoned nonconforming situation becomes a noncompliant situation and subjects the property to enforcement actions consistent with this title.
- (b) A nonconforming situation is abandoned if any of the following events occur:

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;
- (2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;
- (3) The nonconforming structure is moved;
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.

(c) Determination of abandonment shall be made by the director and supported by written findings. An abandonment determination may be reconsidered within 20 days of the date of the determination. No appeal of an abandonment determination may be made unless reconsideration is first sought.

49.30.225 Reconsideration of abandonment determination.

(a) A director's determination of abandonment under 49.30.220 may be reconsidered if information submitted establishes all of the following:

- (1) The owner has been maintaining the land and structure(s) in accordance with applicable building, fire and other codes and regulations;

(2) The owner has been maintaining or pursuing applicable permits and licenses; and

(3) The owner has filed applicable tax documents.

(b) Other factors that may be considered include whether:

(1) The applicant has been engaged in activities that are consistent with or would affirmatively prove there was no intent to abandon, such as actively and continuously marketing the land, business or structure for sale or lease; and

(2) The applicant has applied for a nonconforming certificate in accordance with section 49.30.310.

(c) The burden of proof for overcoming a determination of abandonment is on the applicant.

49.30.230 Nonconforming uses.

(a) *Expansion of nonconforming use.* A nonconforming use within a structure may not be expanded to other structures or to other land beyond the original structure. A nonconforming use of land may not be increased or extended.

(b) *Modifications to nonconforming use.* Modifications to a nonconforming use are permissible and do not constitute a change or expansion of the nonconforming use provided the modification does not impose a significant or new impact that is out of harmony with the neighborhood, as determined by the director.

49.30.240 Nonconforming residential densities.

(a) *Applicable zoning districts.* This section applies only to nonconforming residential density situations on property located in zoning districts other than industrial and waterfront industrial.

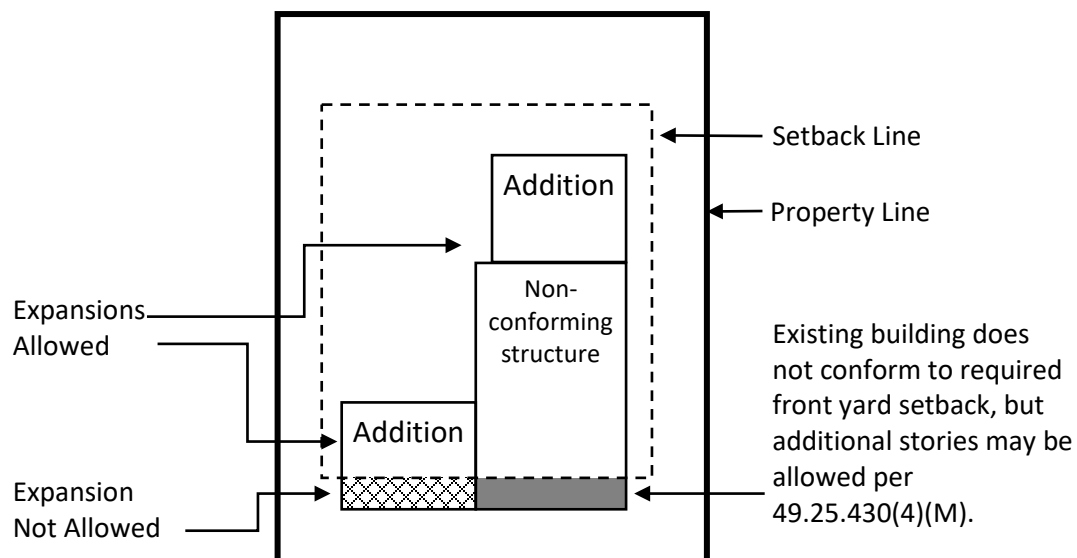
(b) *Modification of existing dwelling units.* A structure containing nonconforming residential density may be modified subject to the following:

- (1) The nonconforming residential density is certified pursuant to the procedures provided in section 49.30.310 prior to commencing any modification that requires a building permit; and
- (2) Applicable dimensional standards and parking requirements are met unless otherwise provided in this title.

49.30.250 Nonconforming structure.

(a) Except as otherwise provided in this chapter, a nonconforming structure may be enlarged, altered, or reconstructed as long as the enlargement, alteration, or reconstruction does not increase or aggravate the nonconforming situation and complies with other dimensional and parking standards of this title. (See Figure 1)

Figure 1 (plan view)



(b) Certification of nonconforming status pursuant to section 49.30.310 must be obtained prior to any enlargement, alteration, or reconstruction of a nonconforming structure.

(c) Renovations within an existing structure shall not be considered an enlargement, alteration, or reconstruction for purposes of this section.

(d) Projections allowed in yard setbacks under CBJ 49.25.430(4) shall not be considered to increase or aggravate a nonconforming situation.

(e) This subsection shall not be interpreted to allow the expansion of a nonconforming use or nonconforming residential density, which are governed by sections 49.30.230 and 49.30.240.

49.30.260 Nonconforming lots.

(a) A property owner of a nonconforming lot has the same development rights as a property owner of a conforming lot, provided the owner first obtains nonconforming certification pursuant to section 49.30.310.

(b) An undeveloped nonconforming lot that adjoins one or more lots under common ownership and each lot has frontage on a right-of-way, the undeveloped lot(s) may each be developed with a single-family dwelling or as otherwise provided in this title.

49.30.270 Nonconforming parking.

(a) A nonconforming parking situation may be reconstructed if:

- (1) The number of parking spaces does not decrease;
- (2) The type of parking spaces remain the same or become more conforming; and
- (3) The government entity that controls the right-of-way determines the reconstruction does not endanger public health, safety, or welfare.

(b) When a nonconforming parking situation is changed to become more compliant with 49.40, the provided off-street parking may not be removed. This section does not preclude the applicant's right to obtain a parking waiver or variance in accordance with this title.

ARTICLE 3. REVIEWS

49.30.310 Nonconforming certification review by the director.

(a) *Purpose.* The purpose of nonconforming certification review is to determine whether nonconforming status under this chapter exists, and whether nonconforming certification is justified.

(b) *When to seek certification of nonconforming status.* An owner may apply for a nonconforming certificate at any time, but an owner must apply for a nonconforming certificate prior to seeking nonconforming situation review.

(c) *Nonconforming certification review prior to issuance of permit.* Prior to the issuance of a permit for development related to a nonconforming situation, a nonconforming certification must be obtained pursuant to this section.

(d) *Certification.* Upon finding the applicant's information establishes all of the following, the director must issue the nonconforming certificate:

- (1) When there is a nonconforming situation; and
- (2) The nonconforming situation has not been abandoned.

(e) *Application.* An application for nonconforming certification shall be submitted to the department on forms approved by the director with relevant information establishing the factors set out in subsection (d). The application should identify and include each nonconforming situation known to exist on the subject property.

(f) *Relevant information.* The following information may be relevant for the director's review:

- (1) Building, land use, or development permits;
- (2) Zoning codes or maps;
- (3) Recorded plats;
- (4) Dated photographs;
- (5) Insurance records and maps that identify use or development, e.g. Sanborn Maps;
- (6) Utility bills;
- (7) Property tax records;
- (8) Business licenses;
- (9) Telephone listings;
- (10) Advertisements in dated publications; or
- (11) Leases.

(g) *Decision.* The director shall review the applicant's information and issue a written decision that includes separate certification findings on each nonconforming situation included in the application.

(h) *Burden of proof.* The burden of proof is on the applicant.

(i) *Fee.* An application for a nonconforming certification shall include a fee as established by chapter 49.85.

(j) *Failure of a situation to qualify for nonconforming certification.* If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

Section 6. Amendment of Section. CBJ 49.40.210 Minimum space and dimensional standards for parking and off-street loading, is amended to read:

...

(d) *Exceptions.*

...

(4) *Replacement and reconstruction of certain nonconforming structures ~~buildings~~.* Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures ~~buildings~~ in residential districts shall be governed by chapter 49.30 ~~subsection 49.30.500(b) and (c).~~

...

Section 7. Amendment of Section. CBJ 49.80.120 Definitions, is amended to read:

49.80.120 Definitions.

Nonconforming situation means a nonconforming use, a nonconforming residential density, a nonconforming structure, a nonconforming lot, and nonconforming parking, whether existing alone or in any combination. ~~means a nonconforming lot, use or structure, or any combination thereof.~~

Nonconforming lot means a lot, or lot fractions, that

(1) Was allowed or not prohibited by law when established; and

(2) Due to the subsequent adoption or amendment of a zoning ordinance, the lot(s) fails to conform to this title. ~~*Nonconforming lot* means a lot, the area, dimensions or location of which was lawful prior to the adoption, revision, or amendment of this~~

~~Code, but which fails by reason of such adoption, revision or amendment to conform to present requirements.~~

Nonconforming parking means dimensional standards and types of off-street parking and loading that were not in effect when the development was established, and due to the subsequent adoption or amendment of a zoning ordinance, are now required under this title.

Nonconforming residential density means

- (1) Residential development of a density that was allowed or not prohibited by law when constructed; and
- (2) Due to the subsequent adoption or amendment of a zoning ordinance, is of a greater density than allowed under this title.

Nonconforming structure means a structure that

- (1) Was allowed or not prohibited by law when constructed; and
- (2) Due to the subsequent adoption or amendment of a zoning ordinance, fails to conform to this title. ~~the size, dimensions or location of which was lawful prior to the adoption, revision, or amendment of this Code, but which fails by reason of such adoption, revision, or amendment, to conform to present requirements.~~

Nonconforming use means a use that

- (1) Was allowed or not prohibited by law when established; and

(2) Due to the subsequent adoption or amendment of a zoning ordinance fails to conform to this title, or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Section 8. Amendment of Section. CBJ 49.85.100 Generally, is amended to read:

49.85.100 Generally.

...

(20) Certification of nonconforming status, \$150.00; fee is waived if applied for in conjunction with a development permit.

Section 9. 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

Presented by: The Manager
Introduced: 2/24/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-06

An Ordinance Amending the Land Use Code Repealing the Subdivision Review Committee.

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 Chapter. Chapter 49.10.400 Subdivision review committee is repealed as follows:

49.10.400 Reserved. ~~Subdivision review committee.~~

~~(a) *Establishment and purpose.* There is established a subdivision review committee, as a standing committee of the planning commission, for the City and Borough whose purpose is to provide comments on subdivisions and to assist the department staff in review of subdivisions.~~

~~(b) *Membership.* Membership shall consist of a minimum of four members of the planning commission appointed by the chair of the commission.~~

~~(c) *Officers.* The committee shall elect a chair to conduct the meetings and a vice chair to serve in the chair's absence.~~

~~(d) *Meetings.* Meetings shall be held as necessary, and shall be preceded by at least three days' public notice.~~

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

Presented by: COW
Introduced: 2/24/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-07

An Ordinance Amending the Comprehensive Plan Related to Historical and Cultural Preservation.

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

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

Section 2. Amendment of Section. CBJ 49.05.200 Comprehensive plan, is amended to read:

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

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

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- (1) *Plan adopted.* There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:
- (A) The Juneau Coastal Management Program, Volumes 1 and 2, dated February, 2008;
 - (B) The City and Borough of Juneau's Historic and Cultural Preservation Plan, dated February 2020 ~~Downtown Historic District Development Plan, dated December 1981; provided that the proposed district boundaries shall be those established by the assembly under a separate ordinance;~~
 - (C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended;
 - (D) The Last Chance Basin Land Management Plan, dated May 1978, updated November 1994;
 - (E) Watershed Control Program - Salmon Creek Source, dated April 1992;
 - (F) Watershed Control and Wellhead Protection Program - Gold Creek Source, dated November 1994;
 - (G) Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997;
 - (H) Juneau Non-Motorized Transportation Plan, dated November 2009;
 - (I) 2010 Downtown Parking Management Plan;
 - (J) Chapter 5 of the Willoughby District Land Use Plan, dated March 2012;
 - (K) Municipal Drinking Water Supply Plan, dated June 5, 2012;
 - (L) Wireless Telecommunication Master Plan, dated May 2014;
 - (M) Juneau Economic Development Plan, dated January 28, 2015;

- (N) Auke Bay Area Plan, dated March 16, 2015; and
- (O) Lemon Creek Area Plan, dated December 18, 2017.

...

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



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

Date: February 20, 2020

To: Mayor Beth Weldon and Assembly

From: Brenwynne Grigg, CDD Administrative Officer

Regarding: Changes to Historic and Cultural Preservation Plan, Ordinance 2020-07

Since the Assembly Committee of the Whole meeting on Monday, February 10, corrections were made by CBJ Departments, Community Development and Law. All corrections are listed below.

- PAGE i: Ordinance and date were changed from, "Adopted [Month, Date, Year] ... Ordinance 2020-XX", to "Anticipated Adoption March 16, 2020 ... Ordinance 2020-07".
- PAGE iii: Greg Smith's name was added under the listing of members of Assembly.
- PAGE 1, 2nd column, 10th line from the top: originally read, "...and goals in the 1997 Preservation Plan, to determine...", and changed to, "...and goals in the 1997 Preservation Plan (not adopted), to determine..."
- PAGE 18, bottom left workflow: Workflow item, "APPROVED", changed to, "RECOMMEND APPROVAL". Notes under workflow item read, "The proposed work is determined to be compliant with standards, and a letter is sent to the applicant confirming approval", and changed to, "The proposed work is consistent with the design standards and guidelines, and a letter is sent to the applicant".
- PAGE 18, bottom left workflow: Workflow item, "BUILDING PERMIT", changed to, "DIRECTOR/PC REVIEW". Notes under workflow item read, "Applicant applies for a building permit with the approved construction plans, and continue through the standard building permit review process", and changed to, "Applicant applies for a development permit with the reviewed plans and continues through the review process".
- PAGE 18, bottom right workflow: Workflow item, "DENIED", changed to, "RECOMMEND DENIAL". Notes under workflow item read, "The proposed work is determined to be noncompliant, and a letter is sent to the applicant stating so, and recommending changes", and changed to, "The proposed work is inconsistent with the design standards and guidelines, and a letter is sent to the applicant with recommended changes. Applicant can modify the plans or proceed to Director/PC review".

- PAGE 18, bottom right workflow: Workflow item, “CHANGE TO PLANS”, changed to, “PLANS MODIFIED”.
- PAGE 18, bottom right workflow: Workflow item, “APPROVED”, changed to, “RECOMMENDATION”. Notes under workflow item read, “The revised proposal is determined to be compliant with standards, and a letter is sent to the applicant confirming the approval”, and changed to, “The revised work is consistent with the design standards and guidelines, and a letter is sent to the applicant. Or, the proposed work is inconsistent with the design standards and guidelines, and a letter is sent to the applicant with recommended changes”.
- PAGE 18: New dashed arrow drawn from workflow item, “RECOMMENDATION”, pointing back to, “RECOMMEND DENIAL”.
- PAGE18: New dashed arrow drawn from workflow item, “RECOMMEND DENIAL”, pointing to, “DIRECTOR/PC REVIEW”.
- PAGE 51, 1st column, 4th line from top: read, “CDD staff will coordinate...”, and changed to, “CDD staff should coordinate...”
- PAGE 51, 1st column, 6th line from top: read, “Staff will prepare a...”, and changed to, “Staff should prepare a...”
- PAGE 51, 1st column, 8th line from top: read, “This report will be...”, and changed to, “This report should be...”
- PAGE 51, 1st column, 10th line from top: read, “HRAC will recommend key action...”, and changed to, “HRAC should recommend key action...”
- PAGE 51, 1st column, lines 11 and 12 from top: read, “...this work plan will be included...”, and changed to, “...this work plan should be included...”

Presented by: The Manager
Introduced: 2/24/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-12

An Ordinance Authorizing the Manager to Convey City and Borough Property Located in Lemon Creek to the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Manager received an application for a negotiated sale under CBJ 53.09.260 from the Alaska Department of Transportation and Public Facilities (ADOT&PF) for four fractions of City and Borough property totaling 2,368 square feet; and

WHEREAS, the application requests 1,419 square feet of Lot 1A, U.S.S. 2137 (Acquisition 24); 398 square feet of Tract 1, U.S.S. 2121 (Parcel 26); 172 square feet of Lot 1, Block A, Pinewood Park Subdivision (Parcel 27); and 379 square feet of Lot 2, Block A, Pinewood Park Subdivision (Parcel 28); and

WHEREAS, the Alaska Department of Public Transportation and Public Facilities is implementing a road reconstruction project along Glacier Highway; and

WHEREAS, the project includes resurfacing the pavement, improving intersections, and upgrading intersection and pedestrian facilities; and

WHEREAS, in order to complete the project the ADOT&PF needs the subject parcels, permanent easements, and temporary construction easements; and

WHEREAS, the ADOT&PF is required to identify the fair market value of any property interest that must be acquired and has provided a valuation for Lot 1A, U.S.S. 2137, as it currently functions as a right-of-way and is not a developable lot; and

WHEREAS, the ADOT&PF is required to identify the fair market value of any property interest that must be acquired in relation to projects and has included an appraisal report for Tract 1, U.S.S. 2121; Lot 1, Block A, Pinewood Park Subdivision; and Lot 2, Block A, Pinewood Park Subdivision; and

WHEREAS, the Parks and Recreation Advisory Committee passed a recommendation to the Assembly at its meeting on November 2, 2019; and

WHEREAS, the Planning Commission reviewed this project at its meeting on January 8, 2020, and found it consistent with City and Borough of Juneau adopted plans; and

WHEREAS, the Lands Committee reviewed the request on February 10, 2020, and provided a motion of support to the Assembly; and

WHEREAS, an appraisal and valuation were complete on June 6, 2019, which calculated the fair market value of the acquisitions to be \$1,070.00.

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. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a fraction of Lot 1A, U.S.S. 2137; a fraction of 1, U.S.S. 2121; a fraction of Lot 1, Block A, Pinewood Park Subdivision; and a fraction of Lot 2, Block A, Pinewood Park Subdivision.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by appraisal to be \$1,070.00.

Section 4. Other Terms and Conditions. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

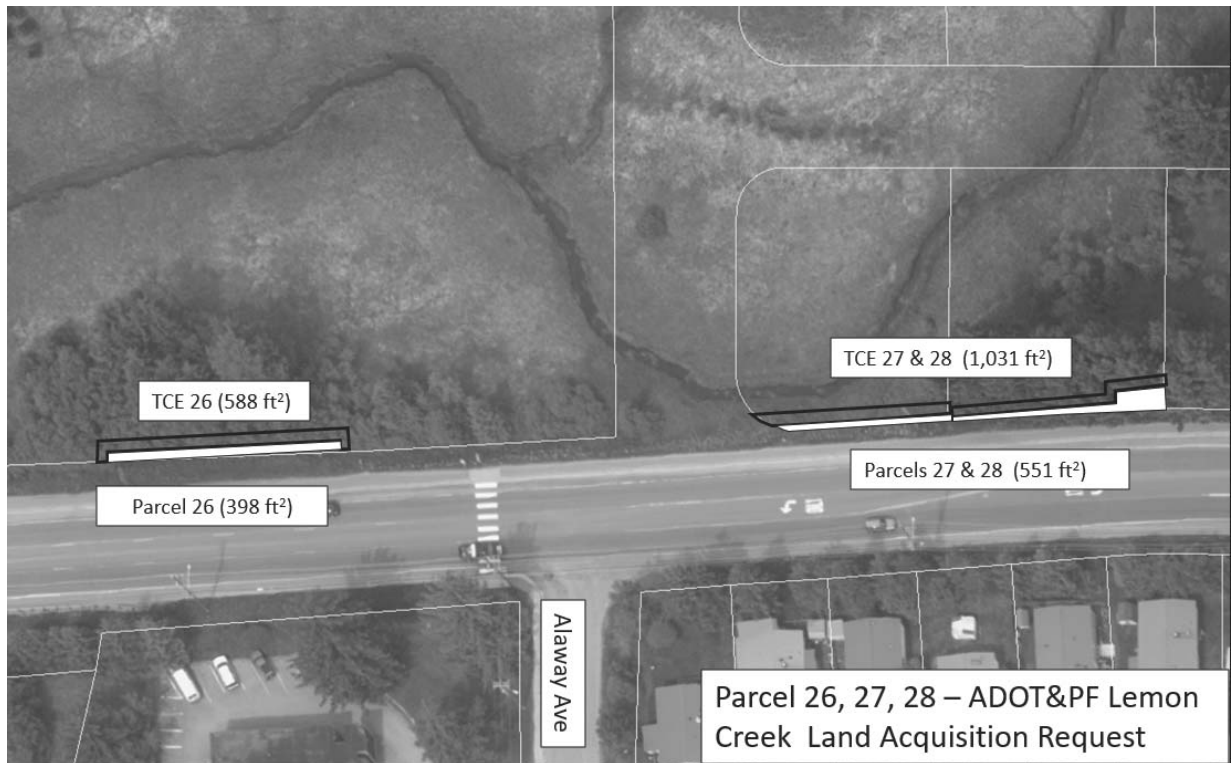
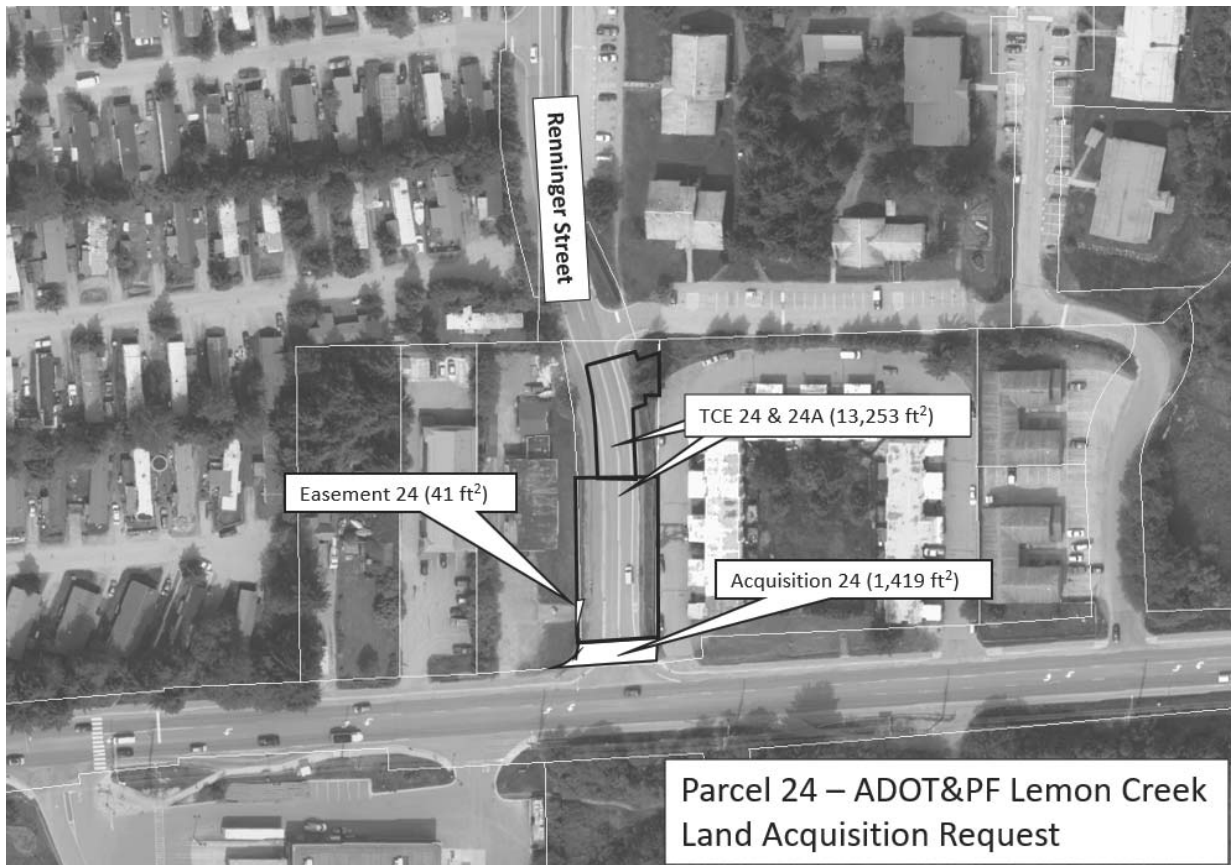
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Attachment 1 - 02-10-2020 Lands Committee ADOT Lemon Creek Request
Exhibit A - Ordinance No. 2020-12

Presented by: The Manager
Introduced: 2/24/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-13

An Ordinance Authorizing the Manager to Convey City and Borough Property Located in the Mendenhall Valley to the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Manager received an application for a negotiated sale under CBJ 53.09.260 from the Alaska Department of Transportation and Public Facilities (ADOT&PF) for a fraction of Block A, Field Acres Subdivision located at the Northwest corner of the intersection of Stephen Richards Memorial Drive and Mendenhall Loop Road and for a fraction of Lot 1A, U.S.S. 2084 located at the intersection of Mendenhall Loop Road and Floyd Dryden Middle School; and

WHEREAS, the Alaska Department of Public Transportation and Public Facilities is implementing a road reconstruction project along Mendenhall Loop Road; and

WHEREAS, the project includes resurfacing the pavement, improving intersections, and upgrading intersection and pedestrian facilities; and

WHEREAS, in order to complete the project the ADOT&PF needs the subject parcels, permanent easements, and temporary construction easements; and

WHEREAS, the ADOT&PF is required to identify the fair market value of any property interest that must be acquired in relation to projects and has included an appraisal report; and

WHEREAS, the Parks and Recreation Advisory Committee (PRAC) passed a recommendation that the Assembly approve this conveyance at its meeting on January 10, 2020, and included the following four conditions in their recommendation:

1. Any fill placed in this area will be placed at a 1:1 slope to minimize the fill footprint and loss of habitat.
2. Construct a shallow wetland pond area to provide rearing and overwintering juvenile Coho and other fish habitat adjacent to the creek with surface connection to the creek. This pond can be on CBJ property and it will serve to mitigate the loss of habitat in impacted areas.
3. Remove pavement and fill in the road corridor along the north end of the property in the area where the permanent easement is being requested. A six-foot wide gravel trail can be maintained. Topsoil shall be placed in the remaining disturbed areas and native vegetation appropriate for the anadromous stream corridor shall be planted and maintained for a calendar year to establish growth.

4. Implement green infrastructure for stormwater control along this park property. No piped stormwater shall enter the property from the road; and

WHEREAS, the ADOT&PF has provided an updated construction plan to include conditions 1 and 4 from the PRAC and will provide an additional administrative settlement to cover the costs of completing conditions 2 and 3; and

WHEREAS, the Lands Committee unanimously passed a motion of support for the disposal, and for granting the permanent and temporary construction easements to the DOT&PF at the meeting on February 10, 2020, which included the four conditions from the PRAC; and

WHEREAS, the Planning Commission, at its meeting on June 11, 2019, recommended that the City and Borough Assembly approve the project with the following condition:

1. Applicant shall make all reasonable efforts during construction to alleviate the economic impact on businesses and residents affected by construction activities. (Notice of Recommendation CSP2019 0004)

WHEREAS, an appraisal was complete on October 3, 2019, which calculated the fair market value of the acquisitions to be \$53,191.00.

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. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a fraction of Block A, Field Acres Subdivision and a fraction of Lot 1A, U.S.S. 2084, totaling approximately 25,050 square feet as depicted in Exhibit A.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by appraisal to be \$53,191.00.

Section 4. Other Terms and Conditions.

- A. A fraction of Block A, Field Acres Subdivision is designated Duck Creek greenbelt in the 2016 Land Management Plan as part of this acquisition the ADOT&PF is providing the City and Borough with an additional administrative settlement of \$24,175.00 in order for the City and Borough to meet the conditions requested by the PRAC. The ADOT&PF will also provide \$15,000.00 for the Juneau School District to move the electric sign at the entrance to the Floyd Dryden Middle School. These amounts will in addition to the fair market value of the land.
- B. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

Section 5. 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



Exhibit A - Ordinance No. 2020-13

Presented by: The Manager
Presented: 2/24/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2878

**A Resolution in Support of the City and Borough of Juneau's
Application to Acquire Tide and Submerged Land from the State of
Alaska between the Franklin Dock and the AJ Dock.**

WHEREAS, the City and Borough of Juneau (CBJ) constructed the Seawalk as a public walkway intended to provide a continuous pedestrian path along the downtown waterfront area; and

WHEREAS, the Seawalk currently extends from Marine Park to the Franklin Dock on South Franklin Street; and

WHEREAS, the CBJ desires to potentially extend the Seawalk from the Franklin Dock to the AJ Dock located on Jacobsen Drive; and

WHEREAS, in order to extend the Seawalk, the CBJ will need to acquire an interest in certain lands and tidelands, which includes unsurveyed tide and submerged lands currently owned by the State of Alaska; and

WHEREAS, the requested land is within and contiguous to the boundaries of the municipality; and

WHEREAS, the use of the land would not unreasonably interfere with navigation or public access; and

WHEREAS, under AS 38.05.825 the municipality of the City and Borough of Juneau has applied to the Commissioner of the Department of Natural Resources for conveyance of tidelands adjacent to ADL 108124 and ADL 106678, both of which are owned by the CBJ; and

WHEREAS, the land is not subject to a shore fisheries lease under AS 38.05.082; and

WHEREAS, the land is classified for waterfront development consistent or compatible with a land use plan adopted by CBJ; and

WHEREAS, the land is required for the accomplishment of a public or private development previously approved by CBJ in the Long Range Waterfront Plan, namely extending the Seawalk; and

WHEREAS, the area requested for conveyance is depicted on Exhibit A; and

WHEREAS, acquiring these tide and submerged lands could also further support the CBJ's current lease to Franklin Docks Enterprises of the southerly fraction of Block 87, ATS 3; and

WHEREAS, if the CBJ's application is approved, the CBJ will conduct a survey of the area to provide legal boundaries.

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

Section 1. Request. The Assembly of the City and Borough of Juneau requests that the State of Alaska Department of Natural Resources approve the CBJ's application to acquire the tidelands depicted in Exhibit A pursuant to AS 38.05.825.

Section 2. Acceptance. Upon conveyance by the State of Alaska, the Manager is authorized to accept any land identified in Exhibit A.

Section 3. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

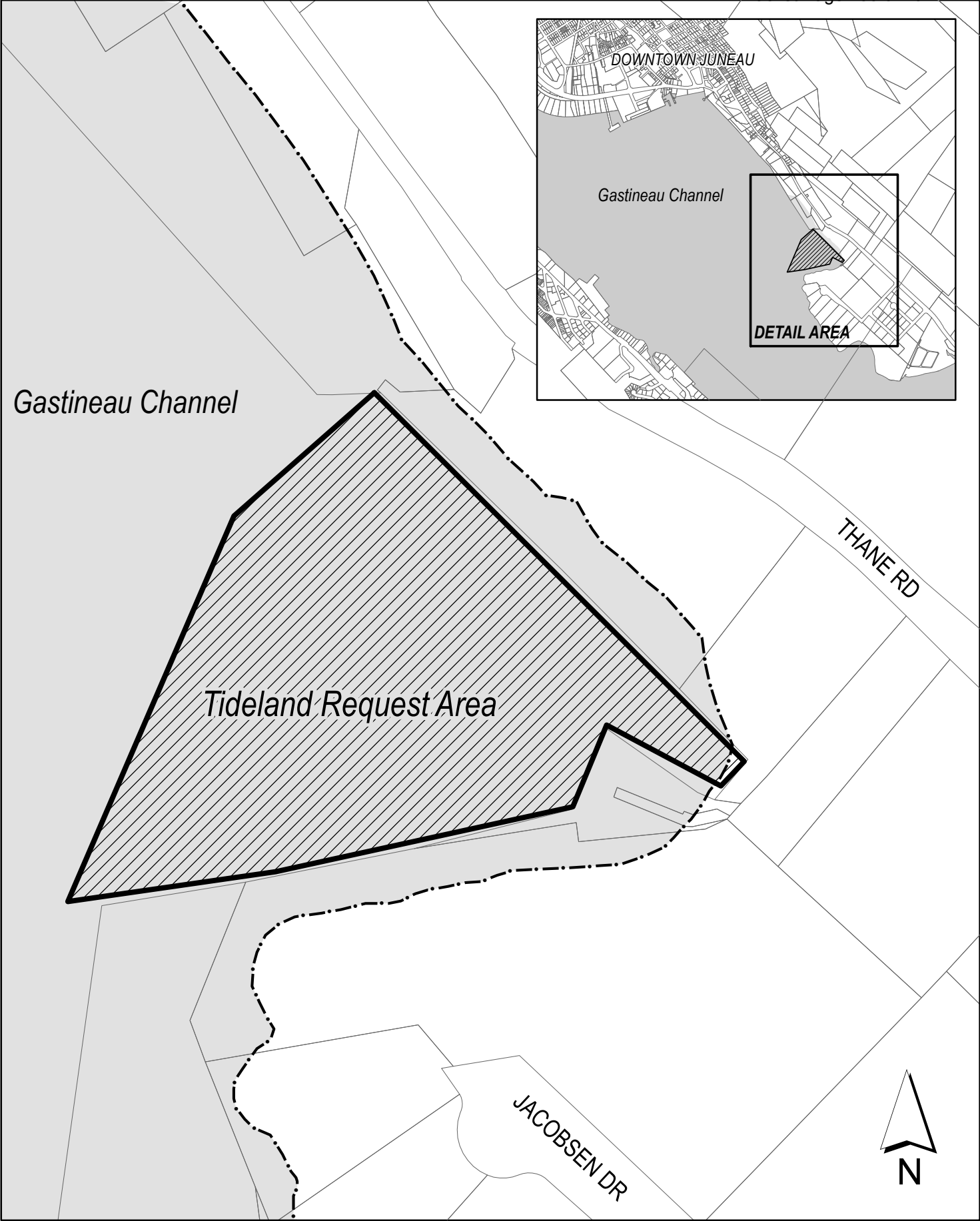
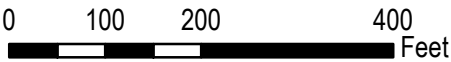


EXHIBIT A - Resolution 2878



AS § 38.05.825 Conveyance of tide and submerged land to municipalities

(a) Unless the commissioner finds that the public interest in retaining state ownership of the land clearly outweighs the municipality's interest in obtaining the land, the commissioner shall convey to a municipality tide or submerged land requested by the municipality that is occupied or suitable for occupation and development if the

(1) land is within or contiguous to the boundaries of the municipality;

(2) use of the land would not unreasonably interfere with navigation or public access;

(3) municipality has applied to the commissioner for conveyance of the land under this section;

(4) land is not subject to a shore fisheries lease under [AS 38.05.082](#), or, if the land is subject to a shore fisheries lease, the commissioner determines it is in the best interests of the state to convey the land;

(5) land is classified for waterfront development or for another use that is consistent or compatible with the use proposed by the municipality, or the proposed use of the land is consistent or compatible with a land use plan adopted by the municipality or the department; and

(6) land

(A) is required for the accomplishment of a public or private development approved by the municipality;

(B) is the subject of a lease from the state to the municipality; or

(C) has been approved for lease to the municipality.

(b) The commissioner may not convey land under this section that has been designated by statute unless the commissioner determines that the proposed use is consistent or compatible with the purpose of the statutory designation. Land designated as a state game refuge, game sanctuary, or critical habitat area may not be conveyed unless the commissioner of fish and game also determines that the proposed use is consistent or compatible with the purpose of the designation. If land designated by statute is conveyed, uses of the land after conveyance are restricted to those uses determined by the commissioner of natural resources to be consistent or compatible with the purpose of the designation.

(c) Upon receipt of an application, the commissioner shall determine whether the requested conveyance meets the requirements of this section and issue a written decision regarding that determination. Upon a determination that the requirements have been met, the commissioner shall approve the conveyance of the land to the municipality. After conveyance to the municipality is approved, the municipality has management authority of the land and may lease the land, but may not sell it. The cost of the survey and all subdivision or other platting required for conveyance shall be borne by the municipality.

(d) A conveyance under this section may contain only those restrictions required by law, including [AS 38.05.127](#) and (b) of this section, or required to support a finding that the conveyance is in the best interest of the state. Land conveyed is subject to the public trust doctrine that may be enforced by the state in a court of competent jurisdiction. The municipality shall be required to ensure that reasonable access to public waters and tidelands is provided. The municipality may not lease land conveyed under this section for shore fisheries, but after conveyance, the land may be leased by the state for shore fisheries under [AS 38.05.082](#) if the commissioner determines that the lease is compatible with the municipality's use of the land. Title to land conveyed under this section that is retained by the municipality reverts to the state upon the dissolution of the municipality.

(e) This section does not enlarge or diminish the general grant land entitlement of a municipality under AS 29.65, nor is a conveyance under this section counted against the municipality's general grant land entitlement.

Credits

[SLA 1995, ch. 95, § 2](#); [SLA 2003, ch. 24, § 2](#).

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

December 27, 2019

City & Borough of Juneau

Attn: Beth McEwen

VIA Email: beth.mcewen@juneau.org
City.clerk@juneau.org

License Type:	Beverage Dispensary	License Number:	2533
Licensee:	The Viking Lounge, LLC		
Doing Business As:	The Viking Lounge		
Premises Address:	216 Front Street		

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

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Interim Director

amco.localgovernmentonly@alaska.gov



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

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

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

January 13, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Application

175	Breakwater Inn Restaurant & Lounge	Beverage Dispensary -Tourism
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We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



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

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

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

January 15, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Applications

4943	Specialty Imports	Wholesale - General
5278	Zerelda's Bistro	Restaurant/Eating Place
5430	McGivney's Sports Bar and Grill	Beverage Dispensary - Tourism
5153	The Rookery Cafe	Restaurant/Eating Place

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



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

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

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

January 24, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Applications

728	The Island Pub	Beverage Dispensary
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We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

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

December 31, 2019

City & Borough of Juneau

Via Email: beth,mcewen@juneau.org
City.clerk@juneau.org

Re: Notice of 2020/2021 Liquor License Renewal Application

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

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim-Director
amco.localgovernmentonly@alaska.gov



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

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

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

January 3, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Application

License #	DBA	License Type
2534	Alaskan Brewing Co	Brewery
4405	Dragon Inn	Restaurant/Eating Place

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



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

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

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

January 15, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Applications

4192	Seongs Sushi Bar	Restaurant/Eating Place
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We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



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

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

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

January 3, 2020

City and Borough of Juneau

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

Re: Notice of 2020/2021 Liquor License Renewal Application

License #	DBA	License Type
2534	Alaskan Brewing Co	Brewery
4405	Dragon Inn	Restaurant/Eating Place

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

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

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



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: January 28, 2020
File No.: CSP2019 0013

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

Proposal: Roadway resurfacing maintenance, drainage improvement, and underground utility repairs and replacement as necessary on Aspen Ave (Mendenhall Blvd to Taku Blvd)

Property Address: Aspen Avenue, from Mendenhall Boulevard to Taku Boulevard

Legal Description
or ROW name: Not applicable

Parcel Code No.: Not applicable

Hearing Date: January 28, 2020

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 13, 2020, and recommended that the City Manager direct CBJ staff to design and build the project.

Attachments: January 13, 2020 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2019 0013.

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 0013
January 28, 2020
Page 2 of 2

Project Planner:



Irene Gallion, Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With Municipal Clerk

1/29/2020

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: January 13, 2020

TO: Planning Commission

FROM: Irene Gallion, Planner
Community Development Department

A handwritten signature in black ink, appearing to read 'Irene M. Gallion', is positioned to the right of the 'FROM:' field.

FILE NO.: CSP2019 0013

PROPOSAL: **Aspen Avenue:** Roadway resurfacing and maintenance, drainage improvements, and underground utility repairs and replacements where necessary on Aspen Avenue.

GENERAL INFORMATION

Applicant: CBJ Engineering and Public Works

Property Owner: City and Borough of Juneau

Property Address: Aspen Avenue

Legal Description: N/A

Parcel Code No.: N/A

Site Size: Approximately 1,500 linear feet

Comprehensive Plan Future
Land Use Designation: Urban Low Density Residential

Zoning: D5

Utilities: CBJ Water/Sewer

Access: Via Mendenhall Boulevard or Taku Boulevard

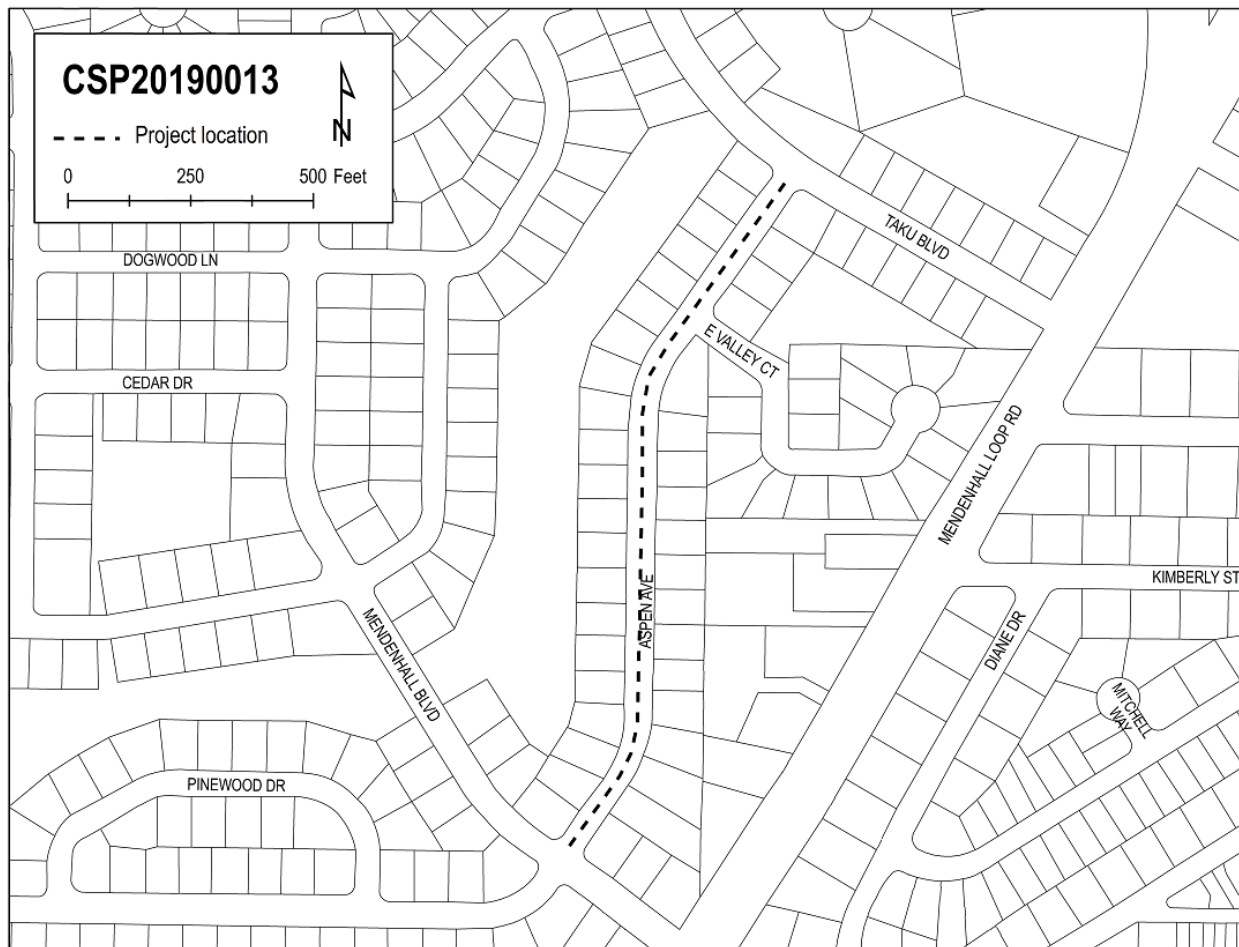
Existing Land Use: Access for residential

Planning Commission
File No.: CSP2019 0013
January 13, 2020
Page 2 of 6

Surrounding Land Use:

North	- Taku Boulevard
South	- Mendenhall Boulevard
East	- Residential
West	- Residential

VICINITY MAP



ATTACHMENTS

Attachment A: Application
Attachment B: Comment from John Hudson of the Southeast Alaska Watershed Coalition

Planning Commission
 File No.: CSP2019 0013
 January 13, 2020
 Page 3 of 6

PROPOSAL

Staff recommends APPROVAL of this resurfacing, restoration and rehabilitation project.

The roadway base will be excavated and replaced with shot rock to improve drainage under the roadway, and new asphalt will be applied. The sewer system will be replaced, and surface drainage in the area will be improved and reconstructed.

BACKGROUND

The current roadway consists of two 11-foot lanes with valley gutter on both sides and underground drainage, all in a 60-foot right-of-way. Current pavement conditions include high severity transverse cracking. Aggregate and binder have worn away significantly, creating pitting about ½ inch deep. This is called “raveling,” and could be from blade-repair patching.



Left: Severe transverse cracks on Aspen Avenue near East Valley Court are packed with snow.

Right: Evidence of severe raveling on Aspen Avenue.

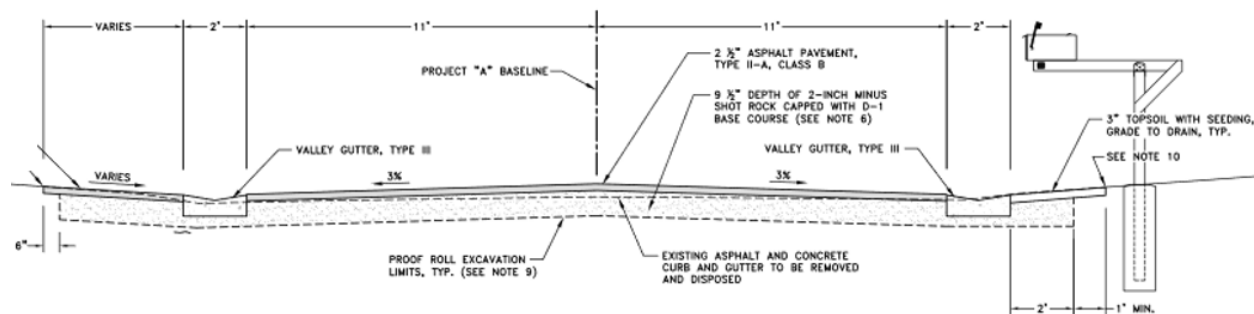
Roadway	Functional Classification	AADT, 2018
Taku Boulevard	Local	763
Aspen Avenue (this project)	Local	Est. 534
Mendenhall Boulevard	Minor Collector	2287

Functional Classification is a nationally-standardized way of grouping roads according to function. “Local roads” primarily provide access to property, while “minor collectors” provide access to land, but also move more traffic at higher speeds. Alaska Department of Transportation and

Planning Commission
 File No.: CSP2019 0013
 January 13, 2020
 Page 4 of 6

Public Facilities (DOT) provides Average Annual Daily Traffic (AADT) counts yearly for most higher-volume roads. For Aspen Avenue, traffic is estimated using the Institute of Transportation Engineer's Trip Generation Manual. With 39 homes on Aspen Avenue and 19 on East Valley Court, each home would generate 9.2 trips per day (24-hour period), or 534 trips a day on Aspen Avenue.

The proposed project would replace roadway in kind. Original pavement from the 1960s or 1970s shows patching evident from a 1996 water system replacement. The north 20 feet of the water system connecting to Taku Boulevard was not replaced at that time, so will be replaced as part of this project. The 1,200 linear feet of Aspen Avenue to the southwest of the project were reconstructed under a 2017 contract with similar scope.



This typical section from the 2017 Aspen Avenue Pavement and Drainage Improvements project is similar to what CBJ's Engineering Department would like to construct for this project.

Sanitary sewer on Aspen Avenue is from original construction of the subdivision in the 1960s or 1970s, and will be replaced.

Valley gutter routes surface drainage towards Mendenhall Boulevard. Soil-infiltration-style roadway drainages on Mendenhall Boulevard limit debris and chemicals entering Duck Creek. At this time CBJ Engineering believes Aspen Avenue surface drainage does not drain directly into Duck Creek. The 1960s-era subdivision may yield some unforeseen issues in which case an appropriate drainage structure would be constructed. The appropriate structure may depend on the details and limitations of any easements existing across the property.

This project is funded through \$1.1 million from area-wide street sales tax and \$150 thousand from the Wastewater Enterprise Fund. A request for proposals for design services has not been issued.

According to Assessor's data, the average home cost on Aspen Avenue and East Valley Court is \$330,160. The median sales price of a single family home in Juneau was \$429,450 according to the Juneau Economic Development Council's Economic Indicators and Outlook, August 2019.

Planning Commission
File No.: CSP2019 0013
January 13, 2020
Page 5 of 6

AGENCY REVIEW

We received one comment from John Hudson of the Southeast Alaska Watershed Coalition (Attachment B). He recommends that storm water runoff be directed into the water table, which would reduce run-off and associated pollutants discharging into waters that feed the Mendenhall Wetlands. By channeling surface drainage to Mendenhall Boulevard and the ground-infiltration storm drainage discharges, CBJ Engineering incorporates this recommendation.

CBJ Engineering and Public Works does not anticipate establishing underground drainage. If underground catch basins do become needed, Hudson requests considering interception of runoff into infiltration basins before it goes into catch basins. These curb cuts would be placed “upstream” of catch basins. If water flow to the basins becomes blocked or if runoff is heavy, the infiltration basins would create an alternative route for drainage. Hudson notes that similar systems constructed in Skagway are “working well.”

CBJ’s Engineering and Public Works Department and Capital City Fire and Rescue had no comments on the project.

PUBLIC COMMENT

We have had no public comments at this time.

ANALYSIS

Conformity with Adopted Plans

There is no area plan for Mendenhall Valley at this time.

Comprehensive Plan of the City and Borough of Juneau (2013 update): This plan says little about the granular details of neighborhood transportation beyond encouraging bike and pedestrian accommodations. Aspen Avenue is a low-volume road which is able to accommodate bikers and pedestrians. Mendenhall and Taku Boulevards are higher volume roads at either end of Aspen, and both have sidewalks.

Juneau Renewable Energy Strategy (2018): This plan recognizes improved efficiency of LED lighting over conventional lighting (page 28, side bar). AEL&P upgrade schedule for the lighting on Aspen Avenue remains undetermined. CBJ estimates costs of \$7 per month for current lighting. With installation of new LED lighting, the City will ask AEL&P to install metering. New LEDs can be installed in the future without disturbing this new construction.

Juneau Climate Action and Implementation Plan (2011): One plan goal is to install energy efficient street lamps (page 52, U4-A). Per goal parameters, CBJ will work with AEL&P to upgrade to energy efficient fixtures and bulbs.

Planning Commission
File No.: CSP2019 0013
January 13, 2020
Page 6 of 6

Habitat

Duck Creek is in the greenbelt to the east of Aspen Avenue. The Comprehensive Plan recognizes the greenbelt as part of a CBJ Conservation Area. CBJ Conservation Areas recognize high-value environmental qualities worth setting aside, including non-anadromous fish watercourses, greenbelts, or high-value wetlands. Any development should be for the maintenance or protection of the resource (page 144). Improvement and maintenance to this section of Aspen Avenue and its drainage features mitigate urban impacts to the creek. Maintaining current drainage to Mendenhall Boulevard directs water to ground-infiltration-style outfalls that improve drainage quality into the creek.

The Alaska Department of Environmental Conservation listed this section of Duck Creek as an Impaired Water Body in 1999. Impairments include inadequate dissolved oxygen, debris, metals, fecal coliform, habitat modification and turbidity. Sources include urban runoff, road runoff, and land development.

This section of Duck Creek was part of a 1996-1998 project to improve conditions for spawning Coho. The project included reconfiguring the stream channel, removal of fine sediment, and increase of dissolved oxygen. High pressure jet pumps and suction dredges removed fine sediment while gravel ¼ inch or more was returned to the streambed. Sediment was used to fill burlap bags and develop a new stream channel. Mendenhall and Taku Boulevards have had projects to update and improve storm drainage infrastructure (1998-2000).

Natural impacts to the water body include isostatic rebound and decreased water recharge.

More information is available in Juneau's "Coastal Management Plan Volume 1" (2008) and the Juneau Watershed Partnership's June 2007 "Duck Creek Restoration Assessment Report, Mendenhall River Watershed in Juneau, Alaska."

FINDINGS

This project resurfaces, restores, and rehabilitates existing road and utility infrastructure for residents accessing their property. Repairs and upgrades will continue mitigating roadway drainage impacts to Duck Creek.

RECOMMENDATION

Staff recommends APPROVAL of this project.



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 Aspen Ave (Mend Blvd to Taku), Hospital Drive, River Rd		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) see Attached Location Maps		
	Parcel Number(s) 0		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner CBJ	Contact Person Bohan	Phone Number(s) 0876
	Mailing Address		
	E-mail Address john.bohan@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  Landowner/Lessee Signature		12/16/19 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 CBJ Engineering - BOHAN	Contact Person "SAME"	Phone Number(s) "SAME"	
Mailing Address 155 S. Seward St. Juneau, AK 99801			
E-mail Address "SAME"			
X  Applicant's Signature		12/16/19 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.

Case Number CSP20190013 Aspen Ave	Intake Initials AL
	Date Received 12/16/19



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			
	Complete roadway resurfacing maintenance and underground utility repairs and (replacements as necessary) on the following streets: *Aspen Avenue (Mendenhall Blvd to Taku Blvd), Hospital Drive and River Road - including adjacent streets (Tamarack Ct, Whitewater Ct, Kelly Ct, Sawa Ct, Riverbend Ct)			
	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) * Asp.: R72-143, Hosp.: R72-141, River: R72-120 _____ Local Improvement District # (LID) River Rd is a potential LID - no # yet _____ State Project # _____			
	ESTIMATED PROJECT COST: \$ see attached narrative			
	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	\$ _____			



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 CSP20190013 Aspen Ave	Date Received 12/16/19
---	---------------------------

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.

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

CIP Street Projects Narrative for CSP – December 2019

Aspen Avenue –Mendenhall to Taku (approx. \$1mil): this maintenance project will update the sewer system, storm drainage system and roadway structure within the existing roadway foot print. The work will occur between Mendenhall Boulevard and Taku Boulevard. The majority of the water system was replaced in 1996 – the remainder of the old system (~20' within Aspen Ave to the connection with Taku Boulevard) will be replaced during this project. Street Lighting will remain as it currently exists, mounted on the power poles. These AELP maintained lights cannot be updated to LED due to AELP not having an LED tariff for dawn to dusk lighting. As the power system is overhead and the lights are mounted on the power poles, the upgrade can be accomplished without any disturbance to the roadway upon AELP's implementation of an LED tariff.

Hospital Drive Reconstruction (approx. \$2.3 mil): this maintenance project includes replacing the outdated water system and existing pavement structure within Hospital Drive from Glacier Highway to the Hospital, through the hospital campus and connecting to Salmon Creek Lane replacing the existing roadway pavement structure. A new continuous sidewalk will be constructed from Glacier Highway and connect into the sidewalk system at the Hospital Campus.

River Road(approx. \$2.1mil): (potential LID) this roadway resurfacing project would replace the existing chip seal road surface and roadway structure with new asphalt pavement for the River Road and adjacent side streets (Tamarack Court, Whitewater Court, Kelly Court, Sawa Circle, and Riverbend Court). Sidewalk would be constructed along one side of River Road to provide an important interconnect between the Kax Trail and Back Loop Road. Street Lighting does not currently exist in the subdivision and is not planned under this project. The electrical utilities along River Road are overhead. Should lighting be deemed desirable at a later date, it can be installed on the existing utility poles with no disturbance to the roadway improvements. The LID Process is currently beginning. The informal ballot is scheduled to be provided to the neighborhood in early January with the results of the ballot presented to the PWFC in February of 2020.





Aspen Avenue
Project Boundary

Irene Gallion

From: John Hudson <john@sawcak.org>
Sent: Monday, January 6, 2020 10:51 AM
To: Irene Gallion
Subject: Re: Aspen Avenue road reconstruction - feedback invited

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

Irene,

Thanks for your time on the phone and for your interest in our suggestions for these projects. As I mentioned, most urban streams in Juneau drain to the Mendenhall Wetlands, a globally important bird area and local recreation area, so ensuring high quality water in these streams ensures the health of the wetlands, not to mention the health of the streams themselves.

CBJ road and utility upgrade projects represent excellent opportunities to employ innovative stormwater control measures to reduce or prevent the direct discharge of stormwater and associated pollutants into urban streams. I hope we can work together to address stormwater management as new projects such as these come up.

I don't have any recommendations for the Hospital Drive and River Road projects at this time. River Drive is a relatively low traffic area so the quality of runoff water is likely relatively high, and the ditches do a great job of settling out sediment and trapping pollutants. I'll try to stop by Hospital Drive to get a sense for the stormwater system in that area.

As for the Aspen Ave. project, it appears from the information I have on hand that no stormwater from this street flows into Duck Creek. There are existing outfalls at the Duck Creek crossings of Taku Blvd. and Mendenhall Blvd., but they do not appear to connect to drainage structures on Aspen Ave. I thought I had a CBJ stormwater layer for this area but can't seem to find it. You might contact the CBJ GIS person to see if they can produce a stormwater map for Aspen Ave. to confirm my suspicions.

Assuming that Aspen Ave. stormwater flows into the Mendenhall River, I recommend that CBJ explore stormwater control measures that direct stormwater runoff into the local water table. This would be one small step towards reducing stormwater runoff into the Mendenhall River that, combined with other future projects in the Valley, would reduce the amount of stormwater and associated pollutants that are discharged into the river.

I'm not an expert on stormwater control measures. I would direct CBJ to stormwater control manuals produced by Portland and Seattle - readily available on-line - for details on various types of SCMs (As you might know, CBJ has a manual, but there are many new SCMs available since it was published). One idea for the Aspen Ave. project would be to install curb-cuts to intercept and direct road runoff into infiltration basins in the CBJ ROW. Ideally, these curb cuts would be placed "upstream or upslope" of existing catch basins. In this way, if runoff rates exceed the capacity of the basin or if snow, ice, or debris were to block the cuts, water can continue down the curb to the existing catch basins. We constructed a couple of these in Skagway a few years ago and they are working well.



As you can see in the photo, the infiltration area is in a depression below the level of the curb and sidewalk. I suggest making the area flush with the surrounding grade by topping the basin with a layer of topsoil and planting with grass so that it's virtually hidden. Although I have not researched designs for this particular type of SCM, I'm sure there are lots of variations that include clean-out vaults, steel inserts to fill the curb gap, and ways of accommodating a sidewalk.

I look forward to working with you and others in the CBJ on this and future projects and would be happy to sit down with you and other planning and engineering staff to find cost-effective solutions for addressing stormwater concerns for this and other projects.

John

On Fri, Jan 3, 2020 at 3:27 PM Irene Gallion <Irene.Gallion@juneau.org> wrote:

Hi John, Teri Camery sent me your way.

We are doing a project review of a rebuild project for Aspen Avenue. This section of road is about 200' from Duck Creek, which was listed as an impaired water body in 1999, and was part of a reconfiguration and improvement project from 1996-1998.

Are you aware of any existing Aspen Avenue runoff concerns for this section of the creek? Or any other creek impacts from the existing roadway?

Attached is the application packet - it includes write-ups for two other projects so don't get confused by that. We have not started design yet, so the packet is very basic. If you have any comments on behalf of the Southeast Alaska Watershed Council that would be welcomed.

Thank you,

Irene M. Gallion

City and Borough of Juneau

Senior Planner

(907) 586-0753

--

John Hudson
Restoration Biologist
Southeast Alaska Watershed Coalition
john@sawcak.org
907-419-4677
alaskawatershedcoalition.org



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: January 28, 2020
File No.: CSP2019 0014

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

Proposal: Roadway resurfacing maintenance, and underground utility repairs and replacements as necessary on Hospital Drive. Continuous sidewalk proposed from Glacier Hwy to hospital campus.

Property Address: Hospital Drive, from Old Glacier Highway, up to and through the hospital driveway to Salmon Creek Lane

Legal Description or ROW name: Not applicable

Parcel Code No.: Not applicable

Hearing Date: January 28, 2020

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 13, 2020, and recommended that the City Manager direct CBJ staff to design and build the project.

Attachments: January 13, 2020 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2019 0014.

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
January 28, 2020
Page 2 of 2

Project Planner:



Irene Gallion, Planner
Community Development Department



Michael Levine, Chair
Planning Commission



Filed With Municipal Clerk

1/29/2020

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: January 14, 2020

TO: Planning Commission

FROM: Irene Gallion, Planner
Community Development Department

FILE NO.: CSP2019 0014

PROPOSAL: **Hospital Drive:** Roadway resurfacing maintenance, and underground utility repairs and replacements as necessary on Hospital Drive. Continuous sidewalk proposed from Glacier Hwy to hospital campus.

GENERAL INFORMATION

Applicant: CBJ Engineering and Public Works Department

Property Owner: City and Borough of Juneau

Property Address: Hospital Drive

Legal Description: N/A

Parcel Code No.: N/A

Site Size: 7,700 linear feet

Comprehensive Plan Future Land Use Designation: Commercial up to Johnson Youth Center, then Institutional and Public Use

Zoning: General Commercial

Utilities: CBJ Water and Sewer

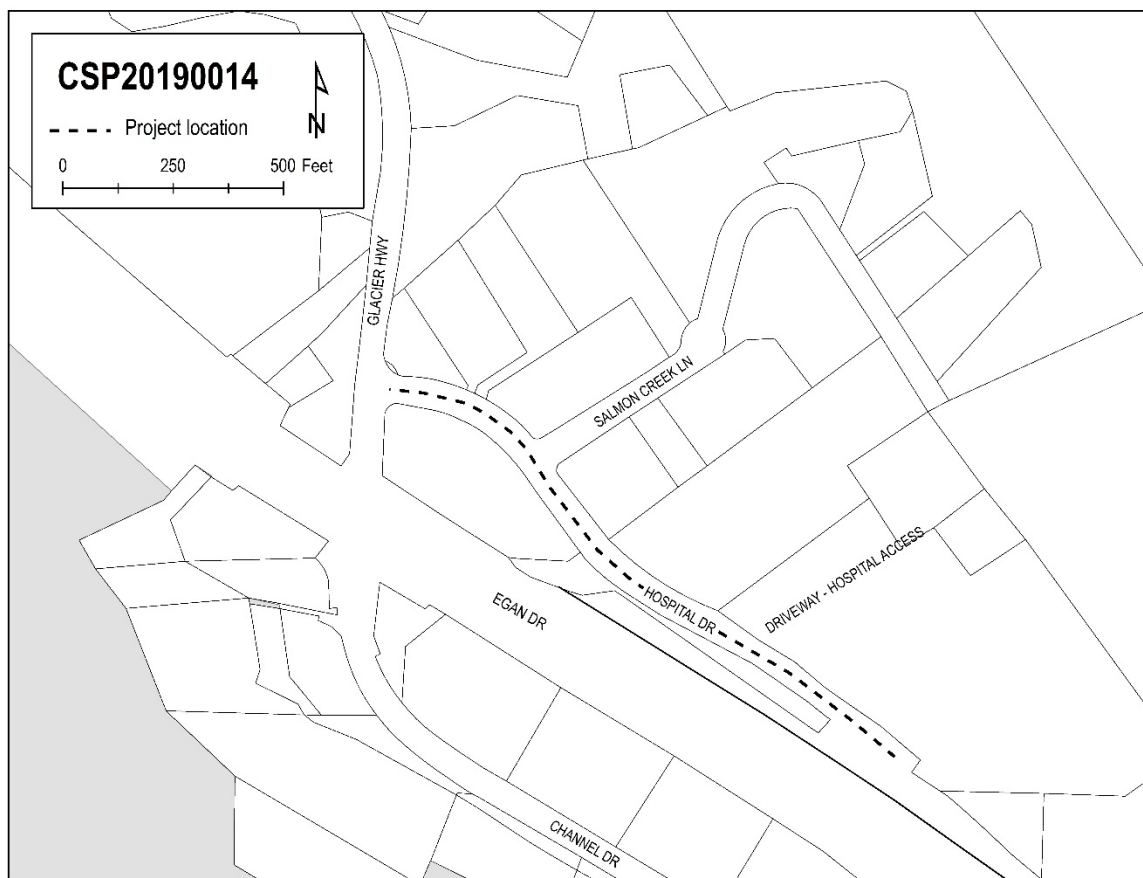
Access: via Old Glacier Highway

Planning Commission
File No.: CSP2019 0014
January 14, 2020
Page 2 of 7

Existing Land Use: Health care and support services

Surrounding Land Use: North - Health care complex
South - Egan Drive
East - Health care complex
West - Old Glacier Highway

VICINITY MAP



ATTACHMENTS

Attachment A: Application

Attachment B: Comment from CBJ Transit

Attachment C: Bartlett Regional Hospital 2011 Master Plan Page 31, "Phasing of Recommended Option"

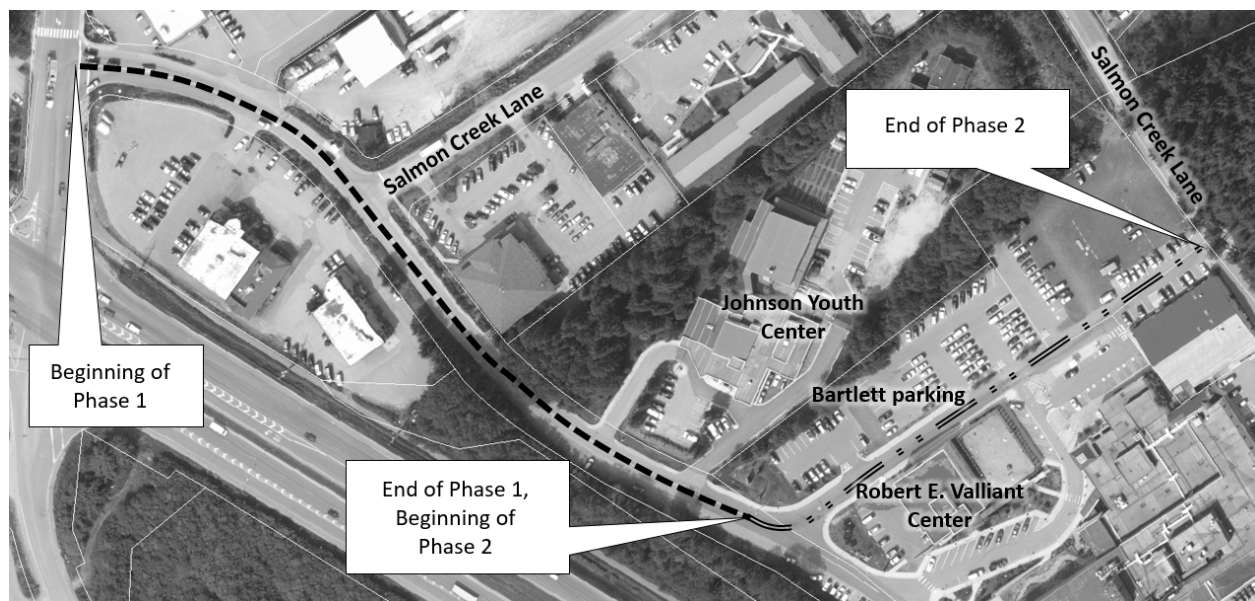
Planning Commission
 File No.: CSP2019 0014
 January 14, 2020
 Page 3 of 7

PROPOSAL

Staff recommends APPROVAL of this resurfacing, restoration, and rehabilitation project.

The roadway will be excavated and the base replaced with shot rock to improve drainage under the roadway. New asphalt will be applied. The water system will be replaced. Sidewalk will be extended approximately 330 feet from the bus stop near Salmon Creek Lane to Old Glacier Highway.

Phase 1 of the project will begin at Old Glacier Highway and pave 90 linear feet east of the Johnson Youth Center's east driveway. Phase 2 proceeds north along the hospital driveway, between parking and the Robert E. Valliant Center, extending past the Juneau Medical Center to Salmon Creek Lane. Dividing the project into two phases gives the Bartlett Hospital Board time to complete the development of the Hospital Master Plan in the event that recommendations impact the driveway area.



BACKGROUND

The current roadway consists of two 12-foot paved lanes last resurfaced in 2002.

Current pavement conditions include severe alligator cracking along the middle of the road. This failure usually results from repeated traffic loading.

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Functional Classification is a nationally-standardized way of grouping roads according to function. Hospital Drive is classified “Minor Arterial” until just north of the Robert E. Valliant Center, then classified “local.” Arterials move large amounts of traffic between locations, whereas local roads provide access to land. The Alaska Department of Transportation and Public Facilities provides Average Annual Daily Traffic (AADT) counts yearly for higher volume roads. 2018 AADT for Hospital Drive was 3,209.

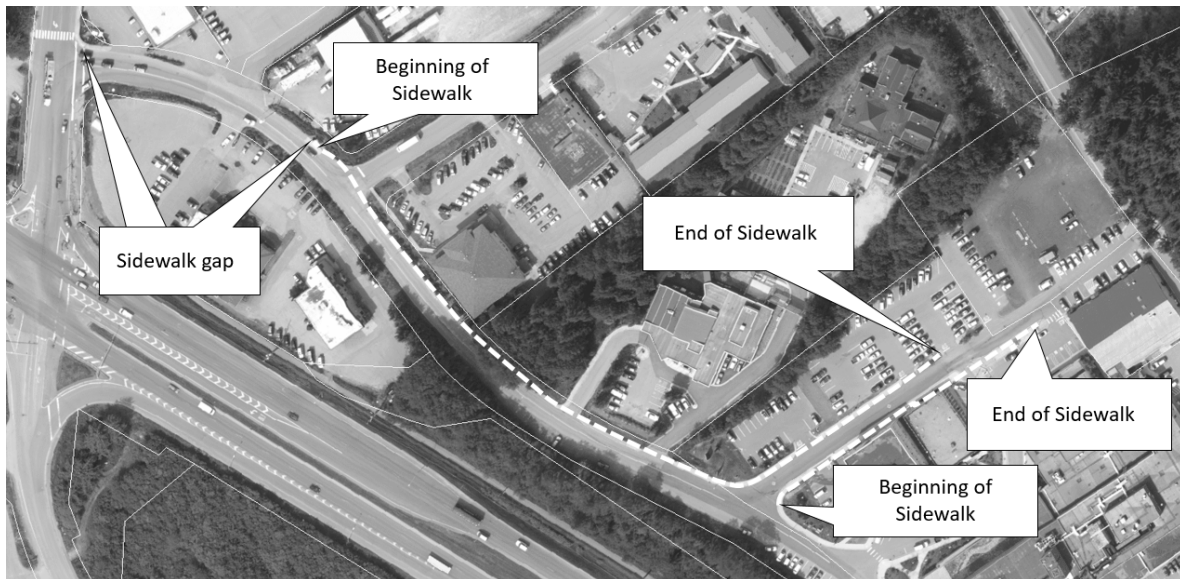


Left: Alligator cracking down the middle of Hospital Drive, approximately 500 feet from Old Glacier Highway.

Right: Alligator cracking and pothole on the hospital driveway.

Sidewalk extends along the north side from the bus stop east of Salmon Creek Lane to the hospital campus, and northeast along the hospital driveway to across the street from the hospital’s main entrance (see image on the following page). On the southeast side of the hospital driveway the sidewalk extends 450 feet the length of the driveway, from Hospital Drive to the pavilion in front of the hospital’s main entrance. The existing sidewalk will be replaced during this project. CBJ Engineering and Public Works Department proposes additional sidewalk to address a gap between Old Glacier Highway and the bus stop. Sidewalks show signs of dislodged aggregate (raveling).

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Above: Existing sidewalk in the project area. Note the sidewalk gap between Glacier Highway and Salmon Creek Lane. Below right: Raveling sidewalks.



The installation date of the water system in Hospital Drive is undetermined. The Water Department has had enough maintenance issues with the system to justify replacement. The sewer system functions well and has been camera-ed to verify condition. The sewer system does not need replacement with this project.

This project is partially funded through \$500 thousand from the Bartlett Hospital Enterprise Fund, \$800 thousand from the Areawide Street Sales Tax, and \$150 thousand from the Water Enterprise Fund. The remaining funding and sources will be determined after development of design alternatives and scoping of phases. DOWL was the apparent successful proposer responding to the Request for Proposals. Notice of Award has not yet been posted.

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January 14, 2020
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AGENCY REVIEW

CBJ's Capital Transit encouraged Contractors to coordinate with Capital Transit one week in advance of work delaying or stopping traffic from passing through Hospital Drive. This will facilitate Public Service Announcements and route alteration plans (Attachment B).

The Alaska Department of Transportation and Public Facilities (DOT) has responsibility for Old Glacier Highway. DOT did not comment on this project. The Southeast Alaska Watershed Council was given the opportunity to comment on this project. They had no comments.

CBJ's Engineering and Public Works Department (excluding Capital Transit), Lands Department, and Capital City Fire and Rescue had no comments.

PUBLIC COMMENT

We have had no public comments at this time.

ANALYSIS

Conformity with Adopted Plans

Comprehensive Plan of the City and Borough of Juneau (2013 update): The plan recognizes that the hospital is an important service point for Capital Transit (8.5-IA5, page 111). The importance of managing transportation infrastructure between emergency facilities (including the airport) and establishing redundant routing (8.8-IA4, page 117; and 8.8-IA7, page 118) are discussed. The hospital complex requires land outside of the Salmon Creek Dam inundation hazard area for expansion (Guidelines and Considerations for Subarea 5, page 183). While Comprehensive Plan policy elements do not directly call out Hospital Drive maintenance, they show the importance of the roadway for current and future operations.

Bartlett Plans: The December 19, 2019 Board of Directors meeting minutes recognize that the planning and project schedule for Bartlett Hospital was out of synch with the CBJ at large. One reason for dividing the Hospital Drive project into two phases was to let Bartlett solidify their plans and budget.

Bartlett Master Plan: This plan is being revised. The hospital Board was hoping to have an update from the consultant for their December 19, 2019 meeting, but had to delay until January 17, 2020. Attachment C shows the campus plan from the 2011 Mater Plan.

Bartlett Capital Improvement: Bartlett will submit projects after the CBJ budget process. The Board discussed a feasibility study of access from Egan Drive to the Wildflower Court parking lot.

Planning Commission
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Habitat

No known habitats protected under the Land Use Code exist on the site.

FINDINGS

This project resurfaces, restores, and rehabilitates existing road infrastructure for community access to routine and emergency medical services. Project phasing will facilitate hospital master planning.

RECOMMENDATION

Staff recommends APPROVAL of this project.



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 Aspen Ave (Mend Blvd to Taku), Hospital Drive, River Rd		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) see Attached Location Maps		
	Parcel Number(s) 0		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner CBJ	Contact Person Bohan	Phone Number(s) 0876
	Mailing Address		
	E-mail Address john.bohan@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>[Signature]</u> Landowner/Lessee Signature		<u>12/16/19</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 CBJ Engineering - BOHAN	Contact Person "SAME"	Phone Number(s) "SAME"	
Mailing Address 155 S. Seward St. Juneau, AK 99801			
E-mail Address "SAME"			
X <u>[Signature]</u> Applicant's Signature		<u>12/16/19</u> 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

Case Number

CSP20190014

Intake Initials

AL

Date Received

12/16/19



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.

PROJECT SUMMARY

Complete roadway resurfacing maintenance and underground utility repairs and (replacements as necessary) on the following streets: Aspen Avenue (Mendenhall Blvd to Taku Blvd), Hospital Drive and River Road - including adjacent streets (Tamarack Ct, Whitewater Ct, Kelly Ct, Sawa Ct, Riverbend Ct)

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) _____

Asp.: R72-143, Hosp.: R72-141, River: R72-120

Local Improvement District # (LID) _____

River Rd is a potential LID - no # yet

State Project # _____

ESTIMATED PROJECT COST: \$ see attached narrative

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

\$ _____



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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number

CSP2090014
H-011-19

Date Received

12/16/19

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.

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

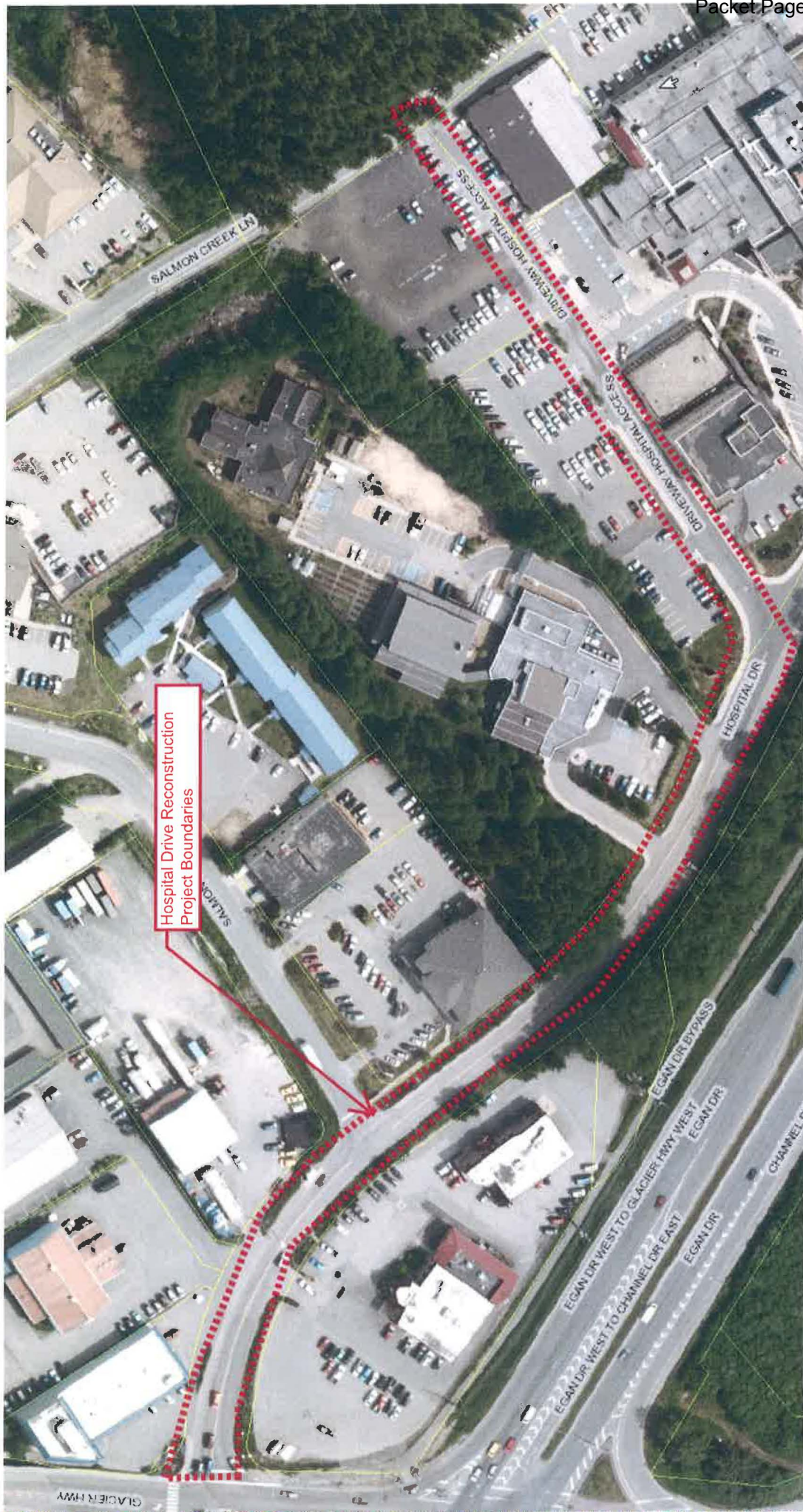
CIP Street Projects Narrative for CSP – December 2019

Aspen Avenue –Mendenhall to Taku (approx. \$1mil): this maintenance project will update the sewer system, storm drainage system and roadway structure within the existing roadway foot print. The work will occur between Mendenhall Boulevard and Taku Boulevard. The majority of the water system was replaced in 1996 – the remainder of the old system (~20' within Aspen Ave to the connection with Taku Boulevard) will be replaced during this project. Street Lighting will remain as it currently exists, mounted on the power poles. These AELP maintained lights cannot be updated to LED due to AELP not having an LED tariff for dawn to dusk lighting. As the power system is overhead and the lights are mounted on the power poles, the upgrade can be accomplished without any disturbance to the roadway upon AELP's implementation of an LED tariff.

✱ Hospital Drive Reconstruction (approx. \$2.3 mil): this maintenance project includes replacing the outdated water system and existing pavement structure within Hospital Drive from Glacier Highway to the Hospital, through the hospital campus and connecting to Salmon Creek Lane replacing the existing roadway pavement structure. A new continuous sidewalk will be constructed from Glacier Highway and connect into the sidewalk system at the Hospital Campus.

River Road(approx. \$2.1mil): (potential LID) this roadway resurfacing project would replace the existing chip seal road surface and roadway structure with new asphalt pavement for the River Road and adjacent side streets (Tamarack Court, Whitewater Court, Kelly Court, Sawa Circle, and Riverbend Court). Sidewalk would be constructed along one side of River Road to provide an important interconnect between the Kax Trail and Back Loop Road. Street Lighting does not currently exist in the subdivision and is not planned under this project. The electrical utilities along River Road are overhead. Should lighting be deemed desirable at a later date, it can be installed on the existing utility poles with no disturbance to the roadway improvements. The LID Process is currently beginning. The informal ballot is scheduled to be provided to the neighborhood in early January with the results of the ballot presented to the PWFC in February of 2020.







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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Public Works - Street Maintenance and Capital Transit

STAFF PERSON/TITLE: Ed Foster, Operations Superintendent II

DATE: 01/06/2020

APPLICANT: City and Borough of Juneau, Engineering Department

TYPE OF APPLICATION: City/State Project and Land Action Review

PROJECT DESCRIPTION:

Roadway resurfacing maintenance, and underground utility repairs and replacements as necessary on Hospital Drive. Continuous sidewalk proposed from Glacier Hwy to hospital campus.

LEGAL DESCRIPTION: N/A

PARCEL NUMBER(S): N/A

PHYSICAL ADDRESS: Improvements from 3225 Hospital Drive to 3268 Hospital Drive

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

Any work delaying or stopping traffic from passing through Hospital Drive should be coordinated with Capital Transit one week in advance to allow for Public Service Announcements and route alteration plans. It will be important the project manager communicates construction activities with Capital Transit through out the project work process.

MASTER PLAN DEVELOPMENT

Phasing of Recommended Option

Recommended Options

Project I: Child Adolescent Behavioral Health Option 2

Why Option 2:

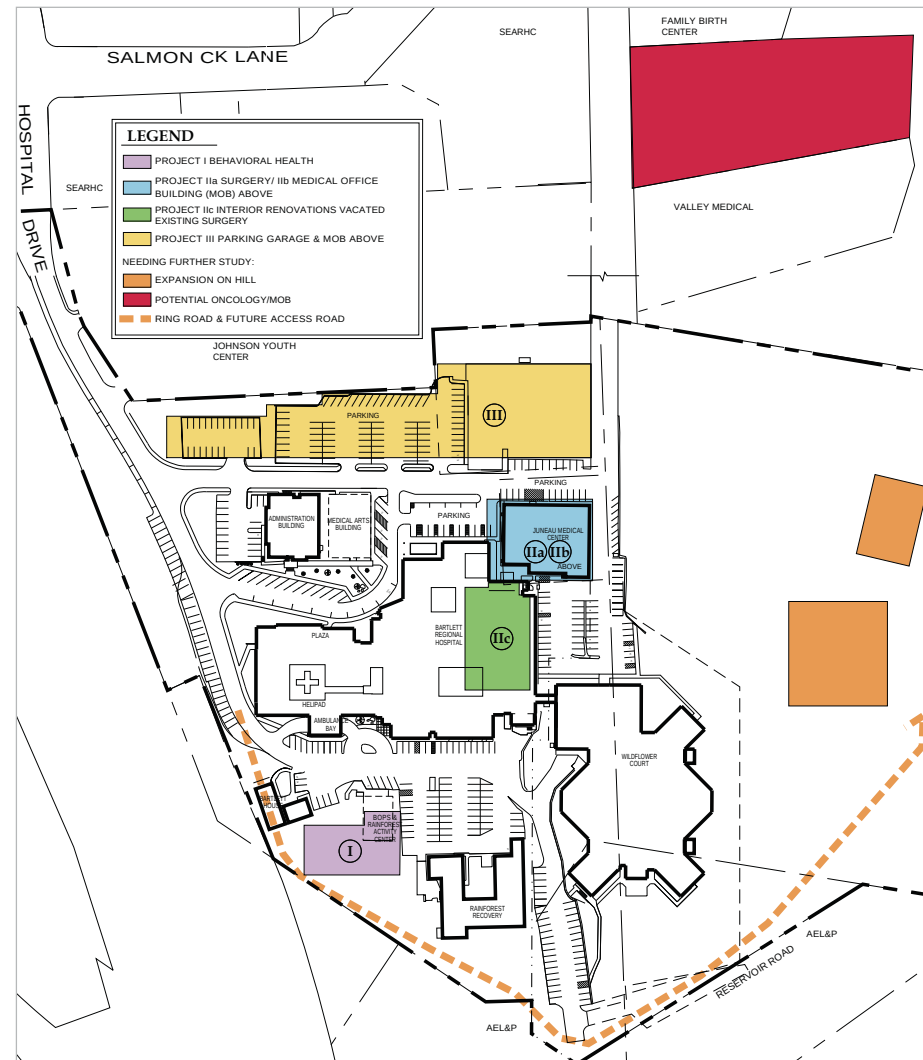
- Least impact on existing traffic flow and parking.
- Better opportunity for outdoor space.
- Physically separate building with own entry.

Project II: Same day surgery O.R. Renovation Option 3

Why Option 3:

- Allows OR to function without disruption until new OR is complete.
- Locates OR in new structure leaving 1968 building for less "infrastructure intensive" use.
- Configuration of the OR and Short Stay is not impacted by existing conditions.

Project III: Parking garage & Medical Office Building



Proposed Phasing

Phase I

- Construct Child Adolescent Behavioral Health Building - 3 floors with shell space.

Goals Achieved

- Address medical need for region.
- Generate revenue
- Provide flex space for later phases

Phase IIa & IIb

- Construct Surgery Expansion with Medical Office building above.

Goals Achieved

- Increase OR through put
- Bring OR's into compliance with current standards - size and arrangement
- Attract Physicians through state of the art OR's, SE life style and quality medical office space
- Allows existing surgery to operate without internal disruption

Phase IIc

- Renovate interior space Surgery has vacated.

Goals Achieved

- Provides expansion and flex space to address needs of other hospital functions

Phase III

- Construct parking garage with Medical Office Space Above

Goals Achieved

- Increase parking capacity and provide covered parking
- Alternative location for Medical Office Building..

NEEDING FURTHER STUDY

- Acquisition of land for off campus Medical Office Building for Oncology
- Construct a road to the uphill site
- Develop a residential care facility (rainforest recovery) and other residential units for BRH staff and visiting physicians and Bartlett House?
- Expand surface parking at existing Rainforest Recovery location

Presented by: The Manager
Introduced: February 3, 2020
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-06(S)

An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for the Centennial Hall Renovation Phase II Capital Improvement Project; Funding Provided by the Hotel Tax Fund's Fund Balance.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$200,000 as partial funding for the Centennial Hall Renovation Phase II Capital Improvement Project P47-073.

Section 3. Source of Funds

Hotel Tax Fund's Fund Balance	\$ 200,000
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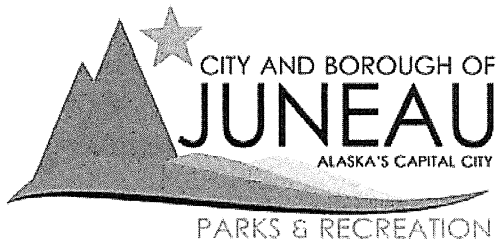
Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk



TO: Michelle Hale
Chair, Public Works and Facilities Committee

FROM: Nathan Coffee,
City Architect, Engineering & Public Works

DATE: December 5, 2019

RE: Centennial Hall Planning Update

In October 2016 voters approved an extension of the 3% sales tax for capital improvement projects (CIP) that included \$4.5 million for improvements to Centennial Hall. In October 2019 voters approved sale of \$7 million in bonds to be reimbursed from lodging taxes for improvements at Centennial Hall. Combined, this totals \$11.5 million approved by voters for improvements to Centennial Hall. While the allocation of \$11.5 million to Centennial Hall may not have been the intent of the Assembly when crafting the ballot language, it is where we are now and raises questions regarding the scope and schedule of capital improvements to Centennial Hall.

Considerations for discussion and contemplation are as follows:

- The \$4.5 million sales tax allocation is scheduled to be distributed in two payments (\$1.7 million in FY2022 and \$2.8 million in FY2023). If we wait for sales tax revenue to begin the work we will not start design until July 2021, meaning construction would not start until summer of 2022.
- Sale of some or all of the bonds approved could facilitate starting the project sooner which would reduce construction cost increases due to inflation.
- Sale of some or all of the bonds approved may be a favorable way to fund the project since bond interest rates are currently low and construction cost inflation savings may offset some or all of the interest costs associated with issuance of bonds.
- Current large Engineering Department CIP projects are the Augustus Brown Pool Renovation (construction begins fall of 2020 and is valued at \$4 million) and the Bartlett Regional Hospital Outpatient Services facility (construction begins spring of 2021 and is valued at \$5.1 million).
- MRV Consultants provided a prioritized summary of potential improvements to Centennial Hall during a conceptual study of Centennial Hall needs this summer. This document is attached and should be used as the basis to establish scope of work and budget for the Centennial Hall CIP.
- Proposition 3 that was not approved by voters reappropriated the \$4.5 million in sales tax presently allocated to Centennial Hall to the new JACC. The new JACC still needs additional funding.

Staff requests the Public Works and Facilities Committee make a recommendation to the full Assembly of the scope and schedule of Centennial Hall projects.

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
1	Mechanical and Electrical System Mods					
	Replace air-source heating pump units	1	Allowance	200,000.00	200,000.00	Replace four existing primary units, serving extg spaces
	Ducting modifications and extensions	1	Allowance	250,000.00	150,000.00	building-wide, refurbishment to existing portions
	General power and panel upgrades	1	Allowance	200,000.00	200,000.00	building-wide
	New data backbone, WIFI	1	Allowance	75,000.00	75,000.00	building-wide
	Building controls, automation	1	Allowance	200,000.00	200,000.00	building-wide
	Admin, supervision, support, profit				346,500.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$1,171,500.00	Assume Summer, 2020
			Running Total		1,171,500.00	
2	Major reno, ballroom upgrades					Floors, oper walls, acoustic panels, finishes, lighting
	New Flooring	12700	SF	10.00	127,000.00	
	Repair Existing Operable Wall	1	Allowance	100,000.00	100,000.00	
	Acousical Panels	1	Allowance	50,000.00	50,000.00	Combination of custom reflecting and absorbing panels
	Finishes	12700	SF	12.00	152,400.00	
	Lighting	1	Allowance	250,000.00	250,000.00	Includes theatre lighting and house lighting component, controls
	New A/V package	1	Allowance	500,000.00	350,000.00	
	Admin, supervision, support, profit				432,348.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$1,461,748.00	Assume Summer, 2020
			Running Total		2,633,248.00	
3	New Construction, foyer expansion, entry					New ftgs, slab, roof, doors, hardware, floor and ceiling
	Site/Civil	2,450	SF	7.00	17,150.00	
	Foundation	2,450	SF	35.00	85,750.00	
	Exterior Wall Enevelope	675	SF	45.00	30,375.00	
	Glazed Curtain Walls	400	SF	95.00	38,000.00	
	Roofing Assembly	2,450	SF	30.00	73,500.00	
	Roof skylight element, E entry	1	LS	100,000.00	100,000.00	Glazed roof element, 16' x 50', \$125 sf
	Interior Build Out	2,450	SF	60.00	147,000.00	
	ME&P	2,450	SF	45.00	110,250.00	
	Admin, supervision, support, profit				252,850.50	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$854,875.50	Assume Summer, 2020
			Running Total		3,488,123.50	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
4	Major reno, foyer extg portions					Demo, new finishes, ceiling grid, ducting
	Demo Existing Interior	2870	SF	18.00	51,660.00	
	Demo Existing Exterior Wall Assembly	4300	SF	5.00	21,500.00	
	Interior Build Out	2870	SF	60.00	172,200.00	
	ME&P	2870	SF	35.00	100,450.00	
	Admin, supervision, support, profit				145,240.20	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$491,050.20	Assume Summer, 2020
			Running Total		3,979,173.70	
5	Major renovation, north-west break-out rms					Demo, new partitions, finishes, ceilings, lighting, ducting
	Excavation and removal	320	CY	25.00	8,000.00	existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	320	CY	40.00	12,800.00	shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	1,000.00	1,000.00	
	Site/Civil	475	SF	25.00	11,875.00	
	Foundation	475	SF	55.00	26,125.00	
	Demo Existing Exterior Wall Assembly	1,040	SF	8.00	8,320.00	
	Demo Existing Interior Walls	1340	SF	18.00	24,120.00	
	Exterior Wall Enevelope	1,900	SF	45.00	85,500.00	
	Roofing Assembly	475	SF	35.00	16,625.00	
	Interior Build Out	475	SF	120.00	57,000.00	At new portions
	ME&P	475	SF	70.00	33,250.00	At new portions
	Interior Build Out	1340	SF	80.00	107,200.00	At reno portions
	ME&P	1340	SF	35.00	46,900.00	At reno portions
	New A/V package	1	Allowance	35,000.00	35,000.00	
	Admin, supervision, support, profit				198,960.30	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$672,675.30	Assume Summer, 2020
			Running Total		4,651,849.00	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
6	Major renovation,west corridor, bus.center					Demo, new walls, doors, finishes, ceilings, lighting, ducting
	Temp Barriers and Protections	1	LS	5,000.00	5,000.00	
	Demo Entry and Exterior Wall, Meeting Room	1	LS	15,000.00	15,000.00	
	Demo Ramp	1	LS	7,500.00	7,500.00	
	Demo Existing	1540	SF	18.00	27,720.00	
	Interior Build Out	1540	SF	60.00	92,400.00	
	Exterior Wall Enevelope	1530	SF	45.00	68,850.00	
	Glazed Curtain Walls	1530	SF	95.00	145,350.00	
	Roofing Assembly	1540	SF	30.00	46,200.00	
	ME&P	1540	SF	35.00	53,900.00	
	Admin, supervision, support, profit				194,006.40	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$655,926.40	Assume Summer, 2020
			Running Total		5,307,775.40	
7	New Construction, Conf, Hospit, RR, Office					New ftgs, slab, roof, services, finishes, A/V, plumbing
	Excavation and removal	420	CY	25.00	10,500.00	existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	420	CY	40.00	16,800.00	shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	2,000.00	2,000.00	
	Site/Civil	1,400	SF	7.00	9,800.00	
	Foundation	1,400	SF	35.00	49,000.00	
	Exterior Wall Enevelope	1,850	SF	45.00	83,250.00	
	Glazed Curtain Walls	480	SF	95.00	45,600.00	
	Roofing Assembly	1,400	SF	30.00	42,000.00	
	Interior Build Out	1,400	SF	75.00	105,000.00	
	ME&P	1,400	SF	50.00	70,000.00	
	New A/V package	1	Allowance	25,555.00	25,000.00	New A/V package
	Admin, supervision, support, profit				192,759.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$651,709.00	Assume Summer, 2020
			Running Total		5,959,484.40	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
8	New Construction, Large meeting room					New ftgs, slab, roof, services, finishes, oper. partition, A/V
	Excavation and removal	525	CY	25.00	13,125.00	existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	530	CY	40.00	21,200.00	shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	2,000.00	2,000.00	
	Site/Civil	1,975	SF	7.00	13,825.00	
	Foundation	1,975	SF	35.00	69,125.00	
	Exterior Wall Enevelope	1,200	SF	45.00	54,000.00	
	Glazed Curtain Walls	1,200	SF	95.00	114,000.00	
	Roofing Assembly	1,975	SF	30.00	59,250.00	
	Interior Build Out	1,975	SF	60.00	118,500.00	
	ME&P	1,975	SF	45.00	88,875.00	
	New A/V package	1	Allowance	50,000.00	50,000.00	New A/V package
	Admin, supervision, support, profit				253,638.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$857,538.00	Assume Summer, 2020
			Running Total		6,817,022.40	
9	New Construction, Office perimeter					New ftgs, slab, roof, services, finishes, glazing
	Site/Civil	280	SF	25.00	7,000.00	
	Foundation	280	SF	55.00	15,400.00	
	Demo Existing Exterior Wall Assembly	2,700	SF	8.00	21,600.00	
	Exterior Wall Enevelope	1,792	SF	45.00	80,640.00	
	Glazed Curtain Walls	912	SF	95.00	86,640.00	
	Roofing Assembly	280	SF	35.00	9,800.00	
	Interior Build Out	280	SF	120.00	33,600.00	
	ME&P	280	SF	70.00	19,600.00	
	Admin, supervision, support, profit				115,197.60	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$389,477.60	Assume Summer, 2020
			Running Total		7,206,500.00	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
10	New Construction, SE Entry, Offices, Gift Shop					New ftgs, slab, roof, doors, hardware, glazing
	Site/Civil	90	SF	35.00	3,150.00	
	Foundation	90	SF	75.00	6,750.00	
	Demo Existing Walls and Glazing	1300	SF	20.00	26,000.00	
	Exterior Wall Envelope	1,000	SF	45.00	45,000.00	
	Glazed Curtain Walls	480	SF	95.00	45,600.00	
	Interior Build Out	1300	SF	90.00	117,000.00	
	ME&P	1300	SF	50.00	65,000.00	
	Roofing Assembly	90	SF	35.00	3,150.00	
	Interior Build Out	90	SF	120.00	10,800.00	
	ME&P	90	SF	70.00	6,300.00	
	Admin, supervision, support, profit				138,075.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$466,825.00	Assume Summer, 2020
			Running Total		7,673,325.00	
11	Existing Exterior Wall Upgrades					
	Walls: rigid insulation, metal siding	14950	SF	50.00	747,500.00	Focus on extg walls to remain, Willoughby Ave, NW, high ballroom
	Penthouses at roof	1400	SF	75.00	105,000.00	Modifications of extg penthouses, new structure, roof, walls
	Admin, supervision, support, profit				358,050.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$1,210,550.00	Assume Summer, 2020
			Running Total		8,883,875.00	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

CENTENNIAL HALL BUILDING COMPONENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
13	New Construction, Green rm, rr, storage					New ftgs, slab, roof, doors, hardware, plumbing
	Excavation and removal	215	CY	25.00	5,375.00	existing soil, walks, paving at areas of new expansion
	New Structural Fill placement	215	CY	40.00	8,600.00	shot rock structural fill over geotech fabric
	Dewatering	1	Allowance	1,000.00	1,000.00	
	Sewer, water connections to dressing	1	allowance	20,000.00	20,000.00	
	Site/Civil	2,215	SF	7.00	15,505.00	
	Foundation	2,215	SF	35.00	77,525.00	
	Exterior Wall Enevelope	3,100	SF	45.00	139,500.00	
	Roofing Assembly	2,215	SF	30.00	66,450.00	
	Interior Build Out	2,215	SF	70.00	155,050.00	
	ME&P	2,215	SF	45.00	99,675.00	
	Admin, supervision, support, profit				247,245.60	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$835,925.60	Assume Summer, 2020
			Running Total		9,719,800.60	
14	Major reno, entrances, kitch, stor, coat, RR					New walls, finishes, ceilings, lighting, ducting, doors, rr plumbing
	Demo Existing	1170	SF	20.00	23,400.00	
	Interior Build Out	1170	SF	85.00	99,450.00	
	New doors and hardware, vestibules	1	Allowance	30,000.00	30,000.00	
	ME&P	1170	SF	40.00	46,800.00	
	Kitchen Hood Replacement	1	Allowance	30,000.00	30,000.00	existing kitchen system replaced, better efficiency
	Admin, supervision, support, profit				96,453.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$326,103.00	Assume Summer, 2020
			Running Total		10,045,903.60	
	Total Project Cost (40% multiplier on construction cost total)				\$14,064,265.04	Reflects design, administration, furnishings, contingency

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

SITE AND CIVIL CONSTRUCTION ELEMENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
1	West 3rd Avenue Portion, Parking Lot for 14					curbs, gutter, 4' walk, 7' walk, 3" asphalt, 24' roadway
	Misc Demo	17,000	SF	1.50	25,500.00	existing asphalt, walkways and misc along 3rd Ave
	Base Course for Asphalt and Walkways	18,500	SF	2.00	37,000.00	
	Curb and Gutter	675	LF	40.00	27,000.00	
	Sidewalks	600	SY	100.00	60,000.00	
	Asphalt	240	Tons	195.00	46,800.00	
	Pavement Markings	1	Allowance	5,000.00	5,000.00	
	Misc Signage	1	Allowance	2,500.00	2,500.00	
	Electrical	1	Allowance	20,000.00	20,000.00	Street lighting, parking lot lighting
	Admin, supervision, support, profit				93,996.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$317,796.00	Assume Summer, 2020
			Running Total		317,796.00	
2	Covered Canopy, Centennial to JACC					10' fin walkway, 12' shed roof structure, glass wind break W side
	Canopy and Foundation	1872	SF	150.00	280,800.00	
	Walkway	175	SY	100.00	17,500.00	
	Glass Windbreak	1250	SF	55.00	68,750.00	
	Misc. conc walks, west public entry, service	900	SF	15.00	13,500.00	Misc walks along 3rd Ave, new entry sequence, both ends
	Electrical	1	Allowance	10,000.00	10,000.00	
	Admin, supervision, support, profit				164,031.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$554,581.00	Assume Summer, 2020
			Running Total		872,377.00	
3	Covered canopy, Egan Drive along Centenn.					8' fin walkway, 10' shed roof structure
	Canopy and Foundation	2400	SF	150.00	360,000.00	
	Walkway	215	SY	100.00	21,500.00	
	Electrical	1	Allowance	10,000.00	10,000.00	
	Landscaping, Egan frontage	2,600	SF	8.00	20,800.00	raised berm along walkway canopy, Egan/Willoughby crossing
	Admin, supervision, support, profit				173,166.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$585,466.00	Assume Summer, 2020
			Running Total		1,457,843.00	

**Construction Estimate, Centennial Hall Renovation
City and Borough of Juneau, 6-30-19**

SITE AND CIVIL CONSTRUCTION ELEMENTS						
Item #	Construction Element	Quantity	U/M	Unit Price	Estimate	Comment
4	Covered canopy, S portions along Centenn.					8' fin walkway, 10' shed roof structure
	Canopy and Foundation	1400	SF	150.00	210,000.00	
	Walkway	125	SY	100.00	12,500.00	
	Electrical	1	Allowance	10,000.00	10,000.00	
	Landscaping, south Centennial frontage	2,700	SF	5.00	13,500.00	landscape exterior to lg mtg room, new extended entry foyer
	Admin, supervision, support, profit				103,320.00	GC's mark-up of 22%, Fee of 10%, Contingency 10%
	Construction Cost Subtotal				\$349,320.00	Assume Summer, 2020
			Running Total		1,807,163.00	
	Total Project Cost (40% multiplier on construction cost total)				\$2,530,028.20	Reflects design, administration, furnishings, contingency

Presented by: The Manager
Introduced: Feb. 3, 2020
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-06(T)

An Ordinance Appropriating to the Manager the Sum of \$4,000,000 as Funding for Douglas Highway – David to I Street Water System Replacement Capital Improvement Project; Loan Funding Provided by the State of Alaska Department of Environmental Conservation, Alaska Drinking Water Fund State Revolving Fund.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$4,000,000 for Phase II of the CBJ Douglas Highway Water System Replacement:

Douglas Highway – David to I St. CIP W75-061	\$4,000,000
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Section 3. Source of Funds

Alaska Department of Environmental Conservation Loan	\$4,000,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 12/16/2019
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-02(b)

An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

WHEREAS, the Assembly enacted Ordinance 2019-12, which temporarily prohibited the commercial rental or provision of dockless vehicles until February 1, 2020, to research how the City and Borough of Juneau should regulate these vehicles; and

WHEREAS, City and Borough of Juneau staff presented their research and recommendations to the Assembly Committee of the Whole on December 2, 2019; and

WHEREAS, the Assembly Committee of the Whole considered interests and concerns regarding the commercial rental of the devices, including, but not limited to, business interests, tourism, types of devices, topography, infrastructure design and capacity, parking, life-span of devices, device storage and disposal, accessibility, traffic congestion, and aesthetics; and

WHEREAS, when considering these factors, it was apparent that similar interests and concerns facing the deployment of dockless vehicles in Juneau were present with docked vehicles and commercial tours with micromobility devices; and

WHEREAS, consistent with the direction from the Assembly Committee of the Whole, the following regulatory structure best balances the economic, health, safety, and welfare concerns

related to commercial rental, provision, and use of micromobility devices in the City and Borough of Juneau; and

WHEREAS, the Assembly recognizes micromobility device technology and the shared economy market is rapidly changing such that the regulations created by this ordinance should be reviewed as the need arises.

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 Title. Title 20, Business Regulations, is amended by adding a new chapter to read:

Chapter 20.20

MICROMOBILITY DEVICES

20.20.010 Applicability of chapter.

This chapter does not apply to the following:

- (1) Use of a micromobility device on private property;
- (2) A business located on private property within the area described in section 20.20.030 from renting or providing micromobility devices for use outside the area described in section 20.20.030;
- (3) A micromobility device provided to a person with a mobility disability;
- (4) A person—unaffiliated with a commercial tour—using a micromobility device in the area described in section 20.20.030;

- (5) A business that picks up or drops off customers provided no use of a micromobility device occurs in the area described in section 20.20.030;
- (6) Commercial passenger vehicles with a Class C endorsement pursuant to chapter 20.40; or
- (7) A permit issued pursuant to Title 19 or Title 49 related to use of private property.

20.20.020 Prohibitions.

- (a) No permit, lease, license, or similar authorization may be issued from the City and Borough for locating or operating a business to rent, to provide, to offer or lead tours with, or to use micromobility devices on City and Borough property or right-of-ways in the area described in section 20.20.030. Any permit, lease, license or similar authorization related to micromobility devices is void.
- (b) On public property or right-of-ways within the area described in section 20.20.030, no person or business may
 - (1) Rent or provide a micromobility device from a dockless or docked facility;
 - (2) Offer or lead tours with micromobility devices; or
 - (3) Engage in the commercial business of renting or providing for use a micromobility device.

20.20.030 Commercial Micromobility Device Prohibition Area.

- (a) The Commercial Micromobility Device Prohibition Area Map described in Exhibit A to Ordinance 2020-02(b) depicts the prohibition area as the public land, streets, parks, sidewalks, seawalk and similar public facilities bound between the following streets, including the outermost sidewalks, and Gastineau Channel of:

- (1) Jacobsen Drive from the AJ Dock to Mt. Roberts Street;
- (2) Mt. Roberts Street from Jacobsen Drive to Thane Road;
- (3) Thane Road at Mt. Roberts Street through Franklin Street to Fifth Street;
- (4) Fifth Street from Franklin Street to Main Street;
- (5) Main Street from Fifth Street to Egan Drive; and
- (6) Egan Drive from Main Street to Glacier Avenue adjacent to Gold Creek.

20.20.040 Penalty.

Any person violating section 20.20.020(b) shall be subject to civil fine as follows:

- (1) First Offense: \$100
- (2) Second Offense: \$300
- (3) Third Offense and subsequent offense is the maximum fine imposed: \$500
- (4) Each day that a violation continues is a separate offense.

20.20.050 Definitions.

The following words and phrases, when used in this chapter, shall have the meaning respectively ascribed to them in this section unless the context clearly indicates otherwise.

Bicycle shall have the same meaning as set under CBJ 72.28.010.

Commercial renting, using, or provisioning of a micromobility device means using a micromobility device, marking or otherwise apparently making available for use a micromobility device for the transportation of a person for compensation.

Electric assist means an electric motor affixed to a mobility unit that assists the efforts of the driver upon pedaling or steering the mobility unit.

Scooter shall mean a mobility unit consisting of a footboard mounted on two or more wheels that is designed to be stood upon when riding and that has handlebars.

Micromobility device means a bicycle, a bicycle with an electric assist, a scooter, a scooter with an electric assist, a Segway, and similar micromobility devices.

Section 3. Amendment of Section. Section 03.30.070 Violations; civil fines, is amended by adding the following:

CBJ	Type of Violation	Civil Fine
<u>20.20</u>	<u>Micromobility Devices</u>	
<u>20.20.020(b)</u>	<u>Commercial rental, offer, tour, provision, or use of micromobility device in prohibited area</u>	
	<u>1st offense</u>	<u>100.00</u>
	<u>2nd offense</u>	<u>300.00</u>
	<u>3rd and subseq.</u>	<u>500.00</u>

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

EXHIBIT A
Ord.2020-02(b)



MEMORANDUM



155 S. Seward St. Juneau, Alaska 99801
Scott.Ciambor@juneau.org
Voice (907) 586-0220
Fax (907) 586-5385

Date: February 24, 2020

TO: CBJ Assembly

FROM: Scott Ciambor, Chief Housing Officer

Re: Terms of the Assembly's Senior Assisted Living Grant for Torrey Pines Development

On February 2, 2020, the CBJ Assembly passed Ordinance 2019-06(Q) that would provide the sum of \$2,000,000 for the Senior Assisted Living Grant for Torrey Pines Development.

The Assembly requested that the terms of the payout grant be provided. The suggested payout terms are as follows:

- Upon signing the Purchase and Sales Agreement for the Vintage Park property, Torrey Pines Development would receive \$250,000;
- Torrey Pines Development may reimburse for actual costs of planning, design, engineering, and architecture up to \$750,000 at any time; and
- The final \$1,000,000 would be provided to Torrey Pines Development, which could be assigned to their lender, at closing of the construction loan. Funds to be held by the lender and dispensed along with the rest of the construction funds.

Total one-time grant amount is not to exceed \$2 million.

Payment to be disbursed with supporting documentation to the Chief Housing Officer.

An activity report to include overall project budget, expenditures, and portion of expenditures the CBJ grant funds have reimbursed to be submitted upon completion of construction. This approach is similar to the approach used with the Housing First grants.



What you need to know about the Novel Coronavirus

What is novel coronavirus?

The Alaska Department of Health and Social Services is closely monitoring an outbreak of respiratory illness caused by a novel (new) coronavirus named 2019-nCoV. This virus was first detected in China in December 2019; it spreads from person-to-person and has the potential to cause severe illness and uncommonly death. Four well-known strains of coronaviruses regularly circulate in human populations globally and are a frequent cause of upper respiratory infections; 2019-nCoV is new so it's called the novel coronavirus.

How does the 2019-nCoV virus spread?

There are still many things that are unknown about this new virus. At this time, spread of the virus is believed to happen in the following ways:

- When an infected person coughs or sneezes next to others
- Through close contact (e.g., hugging, kissing, shaking hands)
- Possibly by touching a surface or object that has the virus on it and then touching the mouth, nose, or possibly eyes

How severe is the 2019-nCoV virus?

Reported cases have ranged from mild illness (similar to a common cold) to severe pneumonia and uncommonly death. Persons at increased risk for severe illness include older adults and persons with underlying medical conditions.

What are the symptoms?

Symptoms are likely to appear 2–14 days after exposure, and include fever, cough, and shortness of breath.



FEVER



COUGH

SHORTNESS
OF BREATH

What is the current travel guidance from CDC?

See wwwnc.cdc.gov/travel for the latest travel guidance from the CDC for recommendations for travel to China.

How can I prevent contracting or spreading respiratory infections?

Steps you can take to prevent contracting flu and the common cold will also help prevent contracting the 2019-nCoV:

- Wash hands often with soap and water; if not available, use hand sanitizer
- Avoid touching your eyes, nose, or mouth with unwashed hands
- Avoid contact with people who are sick
- If you're sick, stay home and avoid close contact with others and cover your mouth and nose with a tissue or sleeve when coughing or sneezing

There is no vaccine currently available to prevent 2019-nCoV infections.

For more information, contact the Alaska Section of Epidemiology: (907) 269-8000 or after hours (800) 478-0084.