

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

December 16, 2019 7:00 PM

Assembly Chambers
Meeting No. 2019-38

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

- 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

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 2019-06(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:

<u>Bidder</u>	<u>Total Bid</u>
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.

- 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.

- 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.

- 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.

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.

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.

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.

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.

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.**

X. NEW BUSINESS

A. BRH Provider Network Development Analysis Solicitation

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

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

C. Presiding Officer Reports

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

XVI. SUPPLEMENTAL MATERIALS

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

THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Meeting Minutes - August 19, 2019

MEETING NO. 2019-29: 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

Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Mary Becker, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale and Alicia Hughes-Skandijs.

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Airport Manager Patty Wahto

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

MOTION by Ms. Becker to approve the minutes of the April 22, April 24, and July 17, 2019 Assembly meetings and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

- A. April 22, 2019 Draft Regular Assembly Meeting #2019-20 Minutes
- B. April 24, 2019 Draft Special Assembly Meeting #2019-21 Minutes
- C. May 13, 2019 Draft Regular Assembly Meeting #2019-22 Minutes
- D. July 17, 2019 Draft Special Assembly Meeting #2019-26 Minutes
- E. July 22, 2019 Draft Regular Assembly Meeting #2019-27 Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Paula Terrel spoke about a meeting that they held at the downtown library regarding tourism and while she is supportive of tourism and the tourism industry, she has some long term concerns. She said they were still waiting for follow up from their testimony at the June 3

Assembly meeting and she was asking what the status was on the information requested. She said that she is very grateful to Kirby Day and the TBMP program and the short term solutions they've worked on such as the stanchions but she is also looking to have the Assembly address the long term carrying capacity issues. She asked what, if anything, the Assembly was doing on those concerns.

Assemblymembers and Ms. McEwen provided an update on the information gathering and work that has been done since the testimony was received at the June 3 meeting.

Ms. Karla Hart spoke following up on her testimony at the last Assembly meeting regarding the "leakage" concerns. She addressed the leakage of money out of Juneau due to non-local ownership. She noted that the assessment rolls show that over 63% of the businesses in the 200 block of S. Franklin are owned by entities outside of Juneau. She encouraged the Assembly to look at who is profiting from our businesses, where the money is going and where the leakages are occurring.

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
None.

B. Assembly Requests for Consent Agenda Changes

Ms. Hale requested that item C. Ordinance 2019-06(c) be pulled from the Consent Agenda so that it could be discussed during the public hearing time at which the items to go on the ballot are also discussed. Mr. Palmer explained that ordinances for introduction could not be pulled from the Consent Agenda for discussion under Public Hearing at this meeting; however, if she chose to pull it from the Consent Agenda and refer it to committee, she could do that. Ms. Hale withdrew her request to remove Ordinance 2019-06(c) from the Consent Agenda.

C. Assembly Action

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

1. Ordinances for Introduction

a. Ordinance 2019-32 An Ordinance Authorizing the Sale of City and Borough Land Located at Pederson Hill and Establishing the Terms and Conditions Related to the Sale.

The 86 lot Pederson Hill Subdivision will be constructed in three stages. The first stage consists of 17 lots and is anticipated to be completed late this summer. The Planning Commission approved the final plat on July 9, 2019. The Lands Division desires to offer the lots for sale in advance of next year's building season. Minimum lot prices will be established by appraisal. City financing is available for all lots sold.

Three disposal methods are proposed for this land sale:

- Sealed Competitive Bid – 5 Lots
- Block Sale – One Unit Composed of 6 Lots
- Fixed Price Lottery – 6 Lots

Any remaining lots that do not sell through the initial process would be made available through over the counter sales on a first come first served basis.

The July 8, 2019 Assembly Committee of the Whole reviewed this disposal proposal and recommended approval.

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

- b. Ordinance 2019-33 An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties.

The State recently adopted a suite of criminal justice reform legislation. The State legislation clarified ambiguous terms, reclassified crimes, and generally lengthened penalties. The CBJ criminal codes generally mirror the applicable State criminal laws to avoid confusion and to enable the CBJ to independently prosecute cases to protect the community.

On July 25, 2019, the Committee of the Whole directed the City Attorney to prepare an ordinance that updates the CBJ criminal justice codes. A memo from the City Attorney summarizes the changes.

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

- c. Ordinance 2019-06(c) An Ordinance Appropriating to the Manager the Sum of \$4,500,000 in Grant Funding for the Juneau Arts and Culture Center, Funding Provided by the Sales Tax Fund Balance.

This ordinance would appropriate \$4,500,000 in grant funding for the JACC. At its June 15, 2019, meeting, the Assembly Committee of the Whole approved funding for the JACC grant. Direction from the Committee was to use funds from the 2017 voter approved 1% sales tax. Since the sales tax funds will be received during the next four years it is necessary to initially use fund balance and then reimburse the fund as revenues come in.

At its meeting on July 25, 2019, the Committee directed that version (c) of this ordinance be reintroduced to clarify the amount, conditions of the grant, and fund source.

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

- d. Ordinance 2018-11(AS) An Ordinance Appropriating to the Manager the Sum of \$35,000 as Funding for the Downtown Wayfinding Capital Improvement

Project; Funding Provided by the Rasmuson Foundation and the Alaska Humanities Forum.

The CBJ has received, through the Rasmuson Foundation and the Alaska Humanities Forum, grant awards to further the Downtown Wayfinding project. The Rasmuson Foundation awarded CBJ \$25,000 and the Alaska Humanities Forum awarded CBJ \$10,000 to create and install the Community Voices Audio Wayfinding project as part of the Downtown Wayfinding project. The installations will be linked to the wayfinding and interpretive system to be installed throughout downtown in spring of 2020. This project will illuminate the lesser-known histories of Juneau: its original and ongoing Tlingit community, gold rush era, fisheries, political histories, and geographical features, awakening Juneau residents and visitors to a deeper understanding of place and community.

At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the Committee approved staff to pursue the grants for this aspect of the Downtown Wayfinding project with matching funds identified: \$15,000 from Downtown Streets project CIP R72-116 and \$5,000 from the Downtown Wayfinding project CIP D12-097.

At the July 1, 2019 PWFC, the appropriations and downtown streets fund transfer were recommended to the Assembly for approval.

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

2. Resolutions

- a. Resolution 2862 A Resolution Reestablishing the Assembly Rules of Procedure, and Repealing Resolution No. 2781.

This resolution would make two changes to the Assembly Rules of Procedure. First, it would amend Rule 4 regarding presentation of legislation to be consistent with Charter 5.3, which allows an Assemblymember to have an ordinance presented. Second, it would amend Rule 5 to no longer require the full Human Resources Committee to interview and recommend appointments to the Aquatics Board. A more detailed memo from the City Attorney was provided to the Human Resources Committee for its meeting on July 22, 2019, and is included in the packet. The Assembly Committee of the Whole recommended these changes at its meeting on July 29, 2019.

The City Manager recommends the Assembly adopt this resolution.

- b. Resolution 2863 A Resolution Amending the City and Borough Personnel Rules Regarding Step Placement on Promotion and Providing for a One Time Step Placement Adjustment for Lieutenants at the Juneau Police Department.

This resolution would approve a change to the Personnel Rules, which along with the various collective bargaining agreements, govern the rights and

responsibilities of CBJ employees, supervisors, and managers.

Recent changes to pay scales as a result of collective bargaining required the review of 10 PR 040 Placement on Promotion. The rule change corrects difficulties in coordinating step placement when an employee promotes between positions on different salary schedules or when an employee in a longevity step promotes within the same salary schedule. The language change also provides flexibility to address other promotional issues such as wage compression and assures greater oversight of promotional pay increases.

In addition, this resolution authorizes the Manager to provide an additional step to the employees who are currently employed as Police Lieutenants, the first non-represented level outside of the Public Safety Employees Association bargaining unit. The step placement is necessary to address wage compression issues created by the recent ratification of the PSEA collective bargaining agreement.

The City Manager recommends this resolution be adopted.

3. Liquor License

a. Liquor License Renewal for License: 3409

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Renewal of Liquor License

License Type: Recreational Site-Seasonal, License #3409

Alaska Travel Adventures, Inc., d/b/a Gold Creek Salmon Bake

Location: 1061 Salmon Creek Lane, Juneau

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

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

4. Other Items for consent

a. Marijuana License Renewals for the following licenses: #10270, #10271, #10266, #10800

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

MARIJUANA LICENSE RENEWALS

Standard Marijuana Cultivation Facility, License #10270, Top Hat, LLC, d/b/a TOP HAT, LLC located at: 2315 Industrial Blvd Suite A, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Marijuana Product Manufacturing Facility, License #10271, Top Hat Concentrates, LLC, d/b/a TOP HAT CONCENTRATES, LLC located at: 2315 Industrial Blvd Suite B, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Standard Marijuana Cultivation Facility, License #10266, The Fireweed Factory LLC, d/b/a THE FIREWEED FACTORY LLC located at: 8415 Airport Blvd Space B, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

Retail Marijuana Store, License #10800, The Fireweed Factory LLC, d/b/a THE FIREWEED FACTORY LLC located at: 237 Front Street, Juneau
(60-day comment period for local governing body action expires Saturday, August 31, 2019)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses.

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

The City Manager recommends the Assembly waive its right to protest the renewal of the following AMCO marijuana licenses: License #10270, License #10271, License #10266 and License #10800.

5. Transfers

- a. Transfer T-1021 A Transfer of \$200,221 from Existing Capital Improvement Projects, Including, from SREB 1A CIP, and from Gate 2 Passenger Boarding Bridge CIP; to Construction Sand/Chemical/Fuel Facility CIP.

This request is to transfer \$200,221 in previously appropriated sales tax funds from the Gate 2 Passenger Boarding Bridge project, and the Snow Removal Equipment Building & Sand/Chemical Building Design Project (SREB & Sand/Chem Design), to the Sand/Chem Construction project. The transfer will fund non-grant-funded expenditures for fueling station modifications, including a dispensing station for Diesel Exhaust Fluid (DEF), which cleans diesel

exhaust to meet emissions requirements.

From: CIP

A50-086	SREB 1A	\$140,000
A50-095	Gate 2 Passenger Boarding Bridge	\$60,221

To: CIP

A50-097	Constr Sand/Chem/Fuel Facility	\$200,221
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At its August 13, 2019 meeting, the Airport Board approved this transfer.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

- A. Ordinance 2019-31 An Ordinance Increasing the Rates for Water and Wastewater Utility Services.

The last utility rate increase approved by the Assembly became effective on July 1, 2018. In March 2019, the Utility Advisory Board recommended that water and wastewater utility rates increase by 4% in each of the next five years. In April 2019, the City Manager recommended an alternative: that water and wastewater utility rates increase by 2% in each of the next five years. The increased revenue from these new rates will be used for anticipated operating cost growth and allow increased investment in needed capital improvements.

This ordinance provides a balance between these two recommendations with a 4% rate increase for both water and wastewater utilities beginning in January 2020 and 2% rate increases for the 2021-2024 period effective each July 1. The first rate increase will be 18 months after the last increase in 2018 and the second rate increase will again be 18 months from the January 2020 rate increase. These rate increases provide for prudent investment in water and wastewater systems while acknowledging a desire to mitigate the impacts to the rising cost of living in Juneau.

This rate change was discussed with the Assembly Finance Committee on February 6, April 17, and June 12, 2019.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Mr. Charles Collins testified cautioning the Assembly about raising these rates as it will hit many of the lowest income tenants and homeowners hard. He said they just recently experienced rate increases and the economy is not that strong and he would ask for leniency at this time.

Ms. Triem asked Mr. Collins if he was representing any group. Mr. Collins said that he works for Wright Services which has a number of properties with tenants and that any rate increases

to the utilities are passed on to their renters.

Ms. Becker asked Mr. Collins if he had an amount that he would recommend. Mr. Collins said he would like to see it at current inflation rates only and that 4% was too high of an increase.

Ms. Hale commented that this had been discussed at a previous meeting and that the increase is for an initial 4% with subsequent increases dropping to 2%.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2019-31 and asked for unanimous consent.

Mayor Weldon noted her objection and that she felt the rate should be a straight 2% across the board.

Mr. Edwardson said that he supported the motion and that the longer they wait to raise the rates to afford the necessary utility fixes, the fixes will still need to be made and cost more in the future.

Ms. Hale said they worked long and hard on coming up with this combination increase but delayed its implementation to go into effect January 2020.

Ms. Gladziszewski said that the Utility Advisory Board spent many, many hours, days, and years trying to figure out how to pay for infrastructure that had not been capitalized. She said that while she appreciated the concerns raised by Mr. Collins, she would reluctantly be voting in favor of the ordinance.

Roll Call Vote on Ordinance 2019-31.

YEAS: Bryson, Edwardson, Hale, Triem, Hughes-Skandijs, Jones, Becker, Gladziszewski

NAYS: Mayor Weldon

Motion carried 8:1

- B. Ordinance 2019-36 An Ordinance Temporarily Increasing the Hotel-Motel Room Tax by Two Percent, from Seven Percent to Nine Percent, for a Fifteen Year Period, and Providing for a Ballot Question Ratifying the Increase.

This ordinance would place the question of temporarily increasing the hotel-motel room rental tax from seven to nine percent on the ballot at the next regular municipal election. In accordance with the Assembly Committee of the Whole direction at its meeting on July 15, 2019, the increase would be for fifteen years from January 1, 2020, until December 31, 2035. The hotel-motel room rental tax would automatically return to seven percent on January 1, 2036.

The hotel-motel room rental tax was last increased in 1988. The increased rate authorized by this ordinance would initially generate an estimated \$440,000 per year in additional revenue. It is the intent of the Assembly to use this increase in the hotel-motel room rental tax to provide funding for the construction of capital improvements for

Centennial Hall. Proceeds could also be used to help pay for general obligation debt service relating to Centennial Hall. If this ordinance is adopted by the Assembly, it would also need to be approved by the voters in the October election.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Karla Hart said that she was involved in tourism when the first bed tax was implemented and at that time a portion of those funds were dedicated towards the initial building of Centennial Hall. She said that she has issues with CBJ charging a bed tax when we are the Capital City. She feels that a person coming to Juneau on their own dime to meet with a state legislator should not be getting charged bed tax for the privilege of meeting with their legislators. She said to her that seems wrong and is a punishment to increase the bed tax from 7% to 9%. She said that the idea of attaching a tourist tax to help Centennial Hall is not justifiable. She suggested a solution to move 2% from the Travel Juneau budget to work on Centennial Hall.

Travel Juneau President/CEO Liz Perry said that they have testified about a bed tax previously to the Assembly. She said their original position was that they felt it may not be a suitable mechanism for funding facilities other than Centennial Hall. She cautioned the Assembly when they are taking action on this ordinance as meeting planners do take into consideration the tax rates when they are planning their conventions and events. There are a number of periodicals that show comparisons of communities with the various amenities along with the tax rates. She said she is very cognizant of the financial times we are living in but advised the Assembly to be cautious as they deliberate on raising bed tax rates. She also stated that Travel Juneau's target market is to the meeting planners and the independent travelers and while they hope the cruise passengers have a good experience in Juneau, they do not spend any money marketing to the cruise industry.

Ms. Hale asked Ms. Cosgrove if there is a mechanism that tracks the rentals that are done through Airbnb or VRBO. Ms. Cosgrove said that the Sales Tax office does track those websites that have short term rentals and that people with short term rentals are required to register and pay sales tax.

Mr. Edwardson asked about the scope of Airbnb's and how many short term rentals are there in the Juneau area. Ms. Cosgrove asked Mr. Rogers to come forward to answer those questions.

Mr. Rogers said that there are approximately 130 units. He said he discussed it with the Sales Tax Administrator and they get a good rate of compliance. They do have sales tax staff members who monitor those sites and notify the owners of the rentals what the obligations are to the city for registration and payment of bed taxes. They look at both Airbnb and VRBO and the market is growing. He said he didn't think there were very many operators who are not registered and paying sales tax.

Ms. Gladziszewski stated that Anchorage has entered into some sort of arrangement directly with Airbnb to collect those bed taxes on their rentals and she asked if Juneau could do something similar. Mr. Rogers said he wasn't sure what the Anchorage arrangement was but it is his understanding that owners can opt in or opt out of the program collecting the bed taxes

through the system. Whether they collect it through the rental program or not, the taxes are still due.

Mr. Rogers said he will look into it and get information back to the Assembly.

Mr. Jones said that it is similar to what Uber and Lyft are doing and the drivers are responsible for registering and remitting the taxes they owe.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2019-36 which would increase the hotel-motel bed tax from seven to nine percent and to place that question on the ballot and she asked for unanimous consent. *Hearing no objection, the motion carried.*

Mayor Weldon called for a two-minute recess to allow time to confer with the City Attorney.

- C. Ordinance 2019-35(c) An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed Seven Million Dollars to Finance Capital Improvements to the Facilities of the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 1, 2019.

This ordinance authorizes the issuance of not to exceed \$7 million of general obligation bonds. The purpose of the bonds is to fund renovations to Centennial Hall. Initial project scope is provided in section 6 of the ordinance. The funding sources to repay the bonds are:

- 2% increase in the hotel tax (if approved by the voters) paying 65% of the debt service payments.
- .04 mills (~0.4% total increase in tax) increase in the property tax mill rate paying 35% of the debt service payments.

The ordinance provides for the issuance of 15 year bonds. If this ordinance is approved the question of whether to sell the bonds would be placed before the voters on October 1, 2019. The need for bond/debt financing was discussed and approved at the July 15 and July 29 Assembly Committee of the Whole meetings. Version (c) of the ordinance added the word "possible" to sections 3 and 6 as directed by the Committee of the Whole.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Kathleen Harper, an employee at Centennial Hall, spoke in favor of this ordinance. She said that the building has aging systems that need replacing including the HVAC systems and other mechanical systems. The building is incurring utility costs at the rate of \$15,000 so while they may not choose to do the full extent of renovations that have been proposed, anything they can do to upgrade it will help with cost savings in the long run.

Assembly Action

MOTION by Ms. Hughes-Skandijs that the Assembly adopt Ordinance 2019-35(c) and asked for unanimous consent.

Ms. Gladziszewski objected for purposes of a technical amendment to rearrange the placement of one of the phrases relating to the possible construction of new meeting rooms and offices. She said when they discussed the ordinance in committee, they talked about including the first four priorities from the priority list and this technical change would better align with the priorities from the list.

AMENDMENT by Ms. Gladziszewski to change the wording in section 3 and section 6 of the ordinance as follows and asked for unanimous consent:

... upgrading the HVAC system, making improvements to the sound system, lighting system and technology, the interior flooring, furnishings and wall systems, expanding the lobby area, renovating and expanding break-out rooms, corridor and business center, ~~and possible construction of new meeting rooms, offices and~~ adding an enclosed and heated corridor between Centennial Hall and the new arts and culture center, ~~and possible construction of new meeting rooms and offices in Centennial Hall.~~

Hearing no objection, the amendment passed by unanimous consent.

Ms. Hale noted objection to the main motion and said that she felt it would be important to have an opportunity to speak to Ordinance 2019-34(c) before they vote on Ordinance 2019-35(c). Mayor Weldon noted that the agenda is set as it was already approved as is. She asked the City Attorney to advise if it could be changed at this point.

Mr. Palmer noted that the agenda is set unless a majority of the body wishes to vote to change it.

MOTION by Ms. Hale to take up Ordinance 2019-34(c) first and then take up Ordinance 2019-35(c) and asked for unanimous consent.

Objection was noted by Mr. Jones and Ms. Becker.

Ms. Hughes-Skandijs asked if they could hear from Ms. Hale as to why she wished to take the ordinances up in a different order.

Ms. Hale said that the two ordinances are linked and she expressed concerns that if they weren't taken up in a specific order that the linking of the two questions would be adversely affected.

Mr. Edwardson said that he too shared Ms. Hale's concern but he stated that since Ordinance 2019-35(c) was already before them in a motion, he thought Ms. Hale's motion was out of order and it would take a withdrawal of the main motion in order to do what Ms. Hale was trying to accomplish.

Mayor Weldon called for an at ease so the City Attorney could look at the procedural questions in more depth.

Mayor Weldon asked for the City Attorney to give an explanation on the options before the body.

Mr. Palmer explained that there are two options for the body if it wanted to consider changing the agenda: 1) the maker of the motion could chose to withdraw the motion and it would take 5 votes to take up the JACC advisory ballot question, Ordinance 2019-34(c); or if the maker is not willing to withdraw the motion, it would take 6 votes to suspend the rules and then a vote of 5 members to take up Ordinance 2019-34(c) first.

Mayor Weldon asked Ms. Hughes-Skandijs if she wished to withdraw her motion. Ms. Hughes-Skandijs said that she was willing to withdraw her motion.

MOTION by Ms. Hale to take up Ordinance 2019-34(c) prior to Ordinance 2019-35(c) and asked for unanimous consent.

Objection by Mr. Jones and Ms. Becker. Mayor Weldon asked if anyone wished to speak to their objection. No one asked to speak to their objections. Mayor Weldon then noted that Ms. Hale already spoke to the reasons for taking up Ordinance 2019-34(c) first and she called for a roll call vote on the question.

ROLL CALL VOTE to take up Ordinance 2019-34(c) prior to Ordinance 2019-35(c)

AYES: Hale, Edwardson, Hughes-Skandijs

NAYS: Becker, Bryson, Gladziszewski, Jones, Triem, and Weldon

Motion failed 3:6.

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2019-35(c) as amended and asked for unanimous consent.

Objection by Mr. Jones for purposes of asking questions. He said that he spoke with the City Attorney earlier today and that possibly the Finance Director may need to answer some of his questions. Mr. Jones said that Section 4 of the ordinance reads such that the bonds shall mature over a period of not to exceed 20 years of the date of issue and in other places in the ordinance such as in Section 6 in the Explanation section, it refers to the interest rate for the bonds would be set for a period of 15 years. He said he has not seen the rates at one rate for 15 years and another rate for 20 years. He asked if staff could provide an explanation on how that would work.

Mr. Rogers came forward and explained that this body employs private bond counsel, Ms. Weed, to draft bond language and she has been doing that for CBJ in excess of 20 years. He said that it is intentional that the language written into the ordinance does allow flexibility and it has happened often that the sale of bonds actually occurs many years after they were initially authorized. He gave the example that the Airport was currently in the process of going out to capture the last \$5,000,000 general obligation bonds that were initially authorized in 2013. He said that there is flexibility built in because they never know what the interest rates will be and whether they would be more favorable in 6 months' time or much longer term. He then gave

information about the varying decisions that come into play, such as the sales tax, bed taxes vs. the amount the Assembly might chose to bond for.

Mr. Rogers pointed out that the key language in the ordinance found in Section 4 states "The Bonds shall be sold in such amounts and at such time or times as deemed necessary and advisable by the Assembly and as permitted by law and shall mature over a period of not to exceed 20 years of date of issue." He then explained that there is similar language mirrored in the question to be put before the voters and that the reference to the 15 years was provided in the ballot explanatory language for illustrative purposes to be able to give an example of how it might actually be paid back in the long term.

Mr. Jones said he would accept the explanation but still maintains his objection for a different matter. He said that he was not at the Committee of the Whole (COW) meetings at which these were taken up. He said he did listen to the audio recordings of those meetings. He said that his major objection is that they cannot amend the amount in this ordinance and that the Mayor's motion when these ordinances were referred to the Committee of the Whole did not remove the Manager's recommendation that they come back to the Assembly for public hearing and Assembly action.

He said that he understands that the City Attorney has a different opinion than Mr. Jones' opinion of the matter. He said that while the \$7,000,000 ordinance and the \$10,000,000 million ordinance were both introduced, when the \$7,000,000 ordinance was voted to move forward and someone asked if the other should also be voted upon, they were told no. The explanation given was that since the \$7,000,000 ordinance was moving forward, the \$10,000,000 ordinance was no longer an option. He said that the City Attorney said that it was too late to amend this ordinance and still get it on the ballot due to the public notice requirements. Mr. Jones said he felt the Assembly was remiss in not taking up the \$10,000,000 ordinance and that both ordinances should have been moved forward to the Assembly for action to decide which ordinance would move forward after public hearing and Assembly action.

Mr. Jones stated that even with the amendment they've voted on to allow for the "possibility of meeting rooms and offices" that they are under funding the possibility of the needs of the facility. He said that the fact that this was never discussed at the COW meeting bothered him greatly. He pointed out that there are areas of the ordinance that mention the fact that this is 'part of the funding' for the needs of the facility and he said it will need more money in the future outside of this funding mechanism. With that, he removed his objection to the motion.

Mayor Weldon asked the City Attorney to explain the process that took place and where that left things at this time.

Mr. Palmer explained that at the last regular Assembly meeting, there were two bond ordinances that were set on the agenda for presentation. The \$10 million bond ordinance did have a manager's report with a recommendation for introduction and for referral to the Committee of the Whole. At that meeting the Deputy Mayor made a motion to refer all the ordinances related to the Centennial Hall and JACC to the Committee of the Whole. The Mayor made a clarification remark that the manager's report would be noted as changed at that

meeting. That clearly describes that all the Centennial Hall and JACC items were referred to the July 29 Committee of the Whole meeting. The COW then took up those items it wanted to advance at that meeting and that is why the ordinances before them tonight are on this agenda.

Mayor Weldon thanked Mr. Palmer for his explanation. She then asked if there were any additional questions or objections. ***Hearing none, the motion to pass Ordinance 2019-35(c) passed as amended.***

D. Ordinance 2019-34(c) An Ordinance Calling for an Advisory Ballot Proposition on Grant Funding for the New Juneau Arts and Culture Center.

The existing City-owned arts and culture facility needs replacement. The City and Borough has been asked to provide a grant for the New JACC to help attract substantial additional private funds. At the Committee of the Whole meeting on July 15, the Committee directed that an ordinance be presented asking the voters whether the CBJ should provide a grant for the New JACC. At the Committee of the Whole meeting on July 29, the Committee directed that the amount of the proposed grant be \$4.5 million. If a grant is made in the current fiscal year for \$4.5 million, the money would be appropriated from the sales tax fund balance. The Assembly discussed that it intends to replenish the draw on fund balance by reallocating the \$4.5 million of 1% sales tax funds over the next three years that was originally programmed for Centennial Hall improvements, which the voters approved in 2017.

The Assembly also discussed that it intends to replenish the 1% sales tax funds originally programmed for the Centennial Hall improvements by issuing general obligation bonds. The general obligation bonds are intended to be paid back by raising the hotel-motel room rental tax by two percent and increasing the property tax by 0.04 mills (~0.4% overall rate increase).

If the voters support the City and Borough providing a grant for the New JACC, the Assembly intends to impose five additional grant conditions that are described on page 3 of the ordinance.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Ms. Patricia Hull, as a past trustee of the JAHC, spoke in favor of this ordinance and project. She expressed the importance of leveraging local funding support from the municipality in terms of using that as seed money to be able to raise funding from outside sources.

Ms. Nancy DeCherney, Executive Director of JAHC, said she also has an interest in Centennial Hall since they oversee its management. She congratulated the Assembly for trying to move this ball forward to accomplish something the community has been asking for since the 1970s. She shared stories of people moving from Anchorage to Juneau due to the strong arts community and emphasized the need to bring this new JACC to life.

Mr. Bob Janes thanked the Mayor and Assembly for all their work on this and everything they do on a daily basis. He supports the new JACC and noted that he and his company employ hundreds of young people and they want to live in Juneau and make it their home. He said that he went to a dance 50 years ago at the JACC and it looked, smelled, and sounded the same then as it was last week and it is time to provide something better. We owe it to the young

people of this community to turn it into something new and wonderful.

Ms. Paula Terrel spoke in support of the new JACC. She said that she sings with several different groups and the JACC has no dressing rooms. She said that despite the fact that people do their very best, the sound system is such that you can't even hear the voices next to you when performing. She said that when the Pride Chorus sang at the current JACC, the mold was so bad that two of their members said they could never sing there again due to how bad it was. From that point on, they had to find an alternative venue in which to sing.

Ms. Pam Watts said she has lived in Juneau 28 years and served as the director of two non-profits and a state board for 5 years. During that time, she had opportunities to arrange meetings/conferences. She said that Juneau missed out on opportunities to have conferences here as we couldn't hold them at Centennial Hall and their other space needs were not able to be met. She supports this project as it would provide opportunities to bring more visitors, performers, and conventions to Juneau. She said the current JACC facility is woefully inadequate and many residents can't attend due to the mold issues. She stated that the planned new JACC and Centennial Hall enhancements would combine revenue options and would help anchor the downtown area with arts and culture and not just tourism.

Ms. Nola Lamkin said that she was in favor of the ordinance but didn't choose to testify.

Mr. Bud Carpenetti said that Ms. Jill Ramiel had signed up to testify but had to leave and she asked him to testify on her behalf. He relayed that she is currently the President of the Downtown Business Association (DBA). He said that he interviewed her five years ago as one of the community leaders and at that time she told a story about running the café at the Silverbow Inn. She had trouble keeping her staffing due to events that would come along such as the Alaskan Folk Festival and Celebration. This brought back to her the impact of arts on the businesses in the downtown area and she supports the new JACC and this ordinance.

Mr. Denny DeWitt opposes this transfer. He said that he supports the new JACC but that it needs to be done with private funds. The notion that CBJ has nothing in this is not the case. He said that there is \$1 million of sales tax revenues that the city is contributing, there is the value of the land being used for this project that the city is contributing, there is the amount of money that will be spent to tear down the old building. He said the city has provided an investment in this project and the question is, is it enough? He said that if \$26 million is too much for the project the JACC wants, maybe they need to scale it back a bit. He said he is opposed to this ordinance and if the Assembly passes it, he will work to defeat it.

Ms. Sammy Legg said that she understands that this is an advisory ballot proposition and she asked if they could clarify what would happen to the funds if the advisory ballot proposition doesn't pass.

Mayor Weldon asked Mr. Watt to provide an explanation. Mr. Watt provided explanations for all scenarios and said that ultimately the Assembly has the authority and discretion to allocate the sales tax funds as it sees fit.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2019-34(c) and asked for unanimous consent.

Objection was noted by Mr. Jones. Mr. Jones spoke to his objection and pointed to the chart found in the red folder which included two possible outcomes which might fund the JACC. He said that as they discussed earlier in the meeting, these matters are integrally linked. He said he would like to make an amendment and he didn't think that it was substantial enough a change that would warrant re-introduction of the ordinance. The amendment is on page 3 of the ordinance.

AMENDMENT by Mr. Jones to remove the language on page 3 of the ordinance beginning at line 19 that states: *(2) The voters authorize the general obligation bond proposition for Centennial Hall at the election on October 1, 2019;* and to renumber the subsequent items in the list.

Speaking to the amendment, Mr. Jones said that he wanted to decouple the ballot propositions from each other such that if one passed and another one didn't, that the one that passed would still be able to stand alone.

Mr. Bryson said that while he supports the \$4.5 M grant from the Assembly to the JACC, he sees #2 as making sure that they are living up to the responsibilities to take care of Centennial Hall. In light of that, he objects to the amendment.

Mr. Edwardson said that he supports the amendment and gave the reasons for his support. He asked the City Attorney if it was legal to make one ordinance contingent upon another. Mr. Palmer said that the Assembly could make one ordinance contingent upon another if they desired.

Mr. Jones said that he appreciates Mr. Bryson's position but noted that CBJ owns both Centennial Hall and the JACC. They are both used every day and it is the city's responsibility to care for both buildings.

Ms. Triem spoke in favor of the amendment and agreed with Mr. Jones' and Mr. Edwardson's comments. She referred to the table provided in the red folder and said after all the discussions on these topics, that if they are still confused by these, the voters will be even more confused and she was in favor of decoupling the ordinances and having each ballot question stand on its own.

Ms. Gladziszewski stated that she initially wanted to link the ordinances one to the other but in light of Ms. Triem's comments, she could agree with the reason for decoupling and making it easier for the voters to understand each question as a stand alone proposition on the ballot. She said she thought they might both pass or both fail and she hopes they all pass.

Ms. Hughes-Skandijs said that she would echo much of what was said but that she would support the amendment because she feels it would be important to convey this is the simplest

of ways as possible to assist the voters in understanding the issues.

Mayor Weldon asked Ms. Becker if she wished to speak on the amendment.

Ms. Becker asked if staff could explain all the things that would happen if the conditions were changed and the ballot questions unlinked.

Mr. Watt explained that the two issues would then become simple Yes/No questions put to the voters and that each ordinance/ballot question would pass or fail on the merits of that particular question on the ballot.

Mr. Watt said to clarify, the other part is that the other grant conditions of the ordinance still stand. Mr. Watt then said that there was a second portion that the Assembly may wish to consider along with the proposed amendment and that would be on the same page with section 2 of the amendment, on lines 13-14. They may also want to delete the language that states: *"The Assembly intends to replace the funding for Centennial Hall by issuing general obligation bonds to be paid back by raising the hotel-motel room rental tax by two percent and a 0.4 mill property tax increase (~0.04% overall rate increase)."* He said that if they decide to decouple the questions, they may wish to replace this language with language that states: *"The Assembly intends to replace the funding for Centennial Hall."*

Mayor Weldon asked Mr. Jones if he wished to change his amendment to include the suggested change by Mr. Watt. Mr. Jones stated that he did not wish to make that change because they have already approved the bond and the bed tax ordinances to go to the voters.

Mayor Weldon objected to the amendment for many of the same reasons that Mr. Bryson expressed as well as due to the testimony received, particularly from Centennial Hall staff and users that talked about the need for updates to Centennial Hall. As a city-owned building, she feels it is important to provide the needed maintenance on Centennial Hall.

ROLL CALL vote on the amendment to strike section 2 on lines 19--20 on page 3 of the ordinance and renumber the subsequent items.

AYES: Jones, Hale, Hughes-Skandijs, Edwardson, Triem, Gladziszewski

NAYS: Bryson, Becker, Weldon

Motion passed 6:3

Mayor Weldon asked if there were any objection to pass Ordinance 2019-34(c) as amended.

Hearing none, the ordinance, as amended, passed by unanimous consent.

Mr. Jones noted that earlier in the meeting, they introduced Ordinance 2019-06(c) which also contained the same language that was just amended. He asked if it would be possible to instruct staff that when that ordinance came back before them for public hearing if it could come with a version (d) with that same clause struck out as was struck from the above ordinance with the amendment.

Mayor Weldon asked the City Attorney if they could do that since Ordinance 2019-06(c) was already introduced as part of the consent agenda. Mr. Palmer explained there were two options before them. Since they just adopted revised Assembly Rules of Procedure in which any member could request legislation to come before them, option one would be for Mr. Jones to request that legislation be amended and brought before the body. The second option would be to suspend the rules and take up Mr. Jones' request at this meeting for it to be brought back in an amended version (d) when it came back for public hearing.

MOTION by Ms. Gladziszewski to suspend the rules to take up a change to Ordinance 2019-06(c) as requested by Mr. Jones and asked for unanimous consent. ***Hearing no objection, the motion passed.***

MOTION by Ms. Gladziszewski to remove item #2 in the same way that it was removed from Ordinance 2019-34(c) from the version of Ordinance 2019-06 that is brought back for public hearing at the next meeting and asked for unanimous consent. ***Hearing no objection, the motion passed.***

IX. UNFINISHED BUSINESS

A. Harris Homes LLC v CDD; Assembly Appeal

This is an appeal from Harris Homes LLC of a Planning Commission decision to dismiss an appeal of a Community Development Department director decision. The Planning Commission's written decision is dated February 26, 2019. The Assembly accepted the appeal, and it was assigned to a hearing officer. After considering the briefing by both parties, the hearing officer issued a proposed decision. The proposed decision was served on the parties and no objections were filed within the allowed 5 day window. Tonight, the Assembly needs to decide whether to accept the hearing officer's proposed decision.

No testimony or evidence of any nature other than that contained in a timely filed objection may be received by the Assembly at this meeting.

The City Attorney recommends the Assembly adopt the proposed decision as the final decision for this appeal.

Mr. Bryson asked Mr. Palmer to give a layman's translation to what the proposed decision said as he read it a few times and was confused by the final decision.

Mr. Palmer explained that the property owner, Harris Homes, LLC, developed a piece of property. The CDD director issued a notice to the property owner that there were code violations. The property owner subsequent to that enforcement option changed the development such that the CDD director felt the development complied with the code. The property owner continued to appeal. The Planning Commission dismissed the appeal ruling that the point was moot and there was no basis remaining for the appeal. The property owner appealed that decision and the hearing officer also concluded that there was no remaining basis for appeal because the property is now compliant with Title 49. The hearing officer determined the appeal is moot and upheld the Planning Commission's dismissal of the appeal.

Mr. Bryson asked and Mr. Palmer answered about what the next steps in the process might be.

MOTION by Ms. Gladziszewski to adopt the final decision as proposed by the hearing officer and asked for unanimous consent. *Hearing no objection, the motion passed.*

X. NEW BUSINESS

A. Disabled Veteran and Senior Citizen Late File Property Tax Exemptions

The following property owners are requesting the Assembly authorize the Assessor to consider a late-filed appeal of their property assessment:

2019 Disabled Veteran Exemption

- 1) Applicant: Norman L. Custard Parcel ID: 8B3501000061
Physical Address: 17670 Point Lena Loop Road
Legal Description: USS 3264 LT B1

2019 Senior Citizen Exemption

- 1) Applicant: Sarahann Jackson Parcel ID: 5B1201210200
Physical Address: 1825 Mark Alan Street
Legal Description: Pinewood Park 2BL 1LT IB

The action required by the Assembly is to determine whether or not the late-filed tax assessment appeals will be heard. Evidence on the assessments themselves or the merit of the appeals is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

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

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

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

Ms. Hale notified the members that she is a friend of the first applicant and she stated that she did not think her friendship would impede her ability to provide an impartial decision. She discussed the matter with the City Attorney and he instructed her to inform the Assembly of

this. Mayor Weldon asked if any Assemblymember objected to Ms. Hale's participation in this matter. Hearing none, Ms. Hale was requested to stay and participate.

MOTION by Mr. Edwardson to accept the late filed application for Mr. Norman Custard.

Mr. Jones objected stating that Mr. Custard had previously received the exemption but due to inattention forgot to file for the exemption and there were no extraordinary circumstances involved which warrants accepting the late filed application.

Mr. Edwardson spoke in favor of the motion as he too is a disabled veteran and the steps necessary for someone to get a new letter from the Veteran's Administration are extraordinarily difficult to go through and take a very long time.

ROLL CALL vote on the motion to accept Mr. Custard's late filed application:

Ayes: Edwardson, Bryson, Becker, Gladziszewski, Hale, Hughes-Skandijs, Triem

Nays: Jones, Weldon

Motion passed 7:2

MOTION by Mr. Jones to accept the senior citizen late filed exemption application from Sarahann Jackson and asked for unanimous consent. *Hearing no objection, the motion passed.*

XI. STAFF REPORTS

A. Manager's Update on the State Budget and Vetos

Mr. Watt explained that at the back of the packet is a memo about potential budget impacts and in the red folder contained an updated memo from Mr. Rogers which includes information that was received earlier in the day from the governor's action. He said they will be discussing this in more depth at the Assembly Finance Committee (AFC) meeting.

Ms. Hale asked if they would be going into depth at the AFC to explore options for assistance from the city to address some of the concerns in the memos.

Mr. Jones said they can certainly have those discussions begin at the AFC meeting but they are not likely to have final decisions until they have undergone their overall financial sustainability review that is scheduled over the next few months.

Ms. Hughes-Skandijs said that she understands with the sales tax and the GO bonds that it requires a vote of the public. She asked for clarification about any funding sources that the Assembly might use without having something on the ballot since it is too late to put something new on the ballot at this time.

Mr. Palmer explained that the Assembly cannot sell bonds without the voters approving that. Mr. Jones clarified that the Assembly can't sell GO bonds without a vote of the people but the Assembly can sell revenue bonds without having to go to a vote of the people.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon reported that she had been out of town taking her son to college and then came back for 5 hours before flying to Soldotna to attend the Alaska Municipal League summer meetings. She spoke with many communities dealing with the same issues Juneau is facing and gave kudos to CBJ staff, Mr. Bartholomew and past Assemblies for placing Juneau in a good position to weather the state financial storms. Mayor Weldon thanked Bob Bartholomew and wished him well and welcomed Mr. Rogers as the new Finance Director.

Mayor Weldon congratulated those who are running for office in Juneau's election. She reported recent radio appearances as well as recent meetings she has had with community members.

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

Mr. Bryson reported about the August 6 PRAC meeting at which they heard a presentation from Eaglecrest about their potential summer operations. He attend JEDC and Alaska Committee meetings and went to the Fairbanks State Fair where he worked at the Alaska Committee booth and spoke with many Alaskans. He reported that the Planning Commission met on August 13 and considered the 40' tower for public safety as well as a marijuana CUP. He left the last Assembly meeting early to put his daughter onto a plane to be an exchange student in Peru and they also welcomed an exchange student from Germany, Nina, who has come to live with their family through the holidays.

Ms. Hale reported that the Public Works and Facilities Committee voted against authorizing funding for the float extension at Amalga Harbor and that issue has stopped in their committee. She reported that JCOS has gone on two cruise ship tours and discussed shore side power. She noted that JCOS has updated its website.

Ms. Hale reported that BRH has a contract with Jensen-Yorba-Wall on its campus plan project. She stated that BRH has recently contracted with an ophthalmologist who will only be here three days a month and starting August 28. The hospital board has hired an affiliation analyst to explore whether affiliation with a larger hospital makes sense for BRH. They are doing this analysis in part to understand where BRH stands because throughout the nation, hospitals have been gobbled up by mergers with larger hospital groups.

Ms. Hughes-Skandijs reported that she traveled back east for a week to attend to family matters. She noted that the recent Sister Cities Committee meeting was cancelled due to the lack of quorum. The Juneau Commission on Aging and Downtown Business Association held their meetings while she was out of town. She did take a tour of the Norwegian Bliss, and it was her first experience on a cruise ship and very eye opening.

Ms. Triem wished everyone a happy first day of school for parents, teachers, and students alike. She reported that the Aquatics Board met on July 23 and has an almost entirely new board and they will be having a board retreat this fall. Their next regular meeting is August 27. Travel Juneau met August 1 and received a presentation from Eaglecrest's Dave Scanlan.

Travel Juneau has been discussing the ordinances that passed tonight. Ms. Triem noted that she also toured the Norwegian Bliss and like Ms. Hughes-Skandijs, it was also her first time on a cruise ship and was quite an eye opening experience.

Ms. Triem said that she and Ms. Hughes-Skandijs served food at the Veteran's Appreciation Dinner. She recently met with a UA graduate student from Anchorage who is working on a project related to climate change and Ms. Triem looks forward to hearing more from her work. She attended the reception at Sealaska Heritage Institute and also the Friday block party at Centennial Hall. At the block party, there was discussion about the formation of an Assembly marimba band so she is happy to speak with anyone interested in participating.

Mr. Edwardson said that he is happy to hear that anyone is able to hop on a ferry right now. Mr. Edwardson provided the Assembly Human Resources Committee (HRC) report. They received annual reports from the Historic Resources Advisory Committee (HRAC) and the Youth Activities Board (YAB). They also considered applications for those boards and recommended the following appointments:

- HRAC - reappointment of Zane Jones, Gary Gillette, and Chuck Smythe to three year terms. *Hearing no objections, those appointments were made.*
- YAB - appointment of Juneau Arts and Humanities Council nominee Della Cheney, and to reappoint Bonita Nelson to terms ending August 31, 2022. The HRC also recommended appointment of Michelle Burlin to a term beginning September 1, 2019 and ending August 31, 2022. *Hearing no objections, those appointments were made.*

Mr. Edwardson reported that he attended the Airport board meeting on August 13 and they have begun a lot of their renovations of the buildings. The Alaska Room is being closed off to be office space during construction so their meetings have switched over to be held at the Glacier Valley Fire Hall. They are also reconditioning certain portions of the tarmac and the runway and that will affect the traffic flow of aircraft. On a previous inspection, they had an environmental finding for years of discharging PFAS and PFOS but they are not against the Alaska clean water act standards but they will be working on that issue further.

Mr. Jones said that he missed a number of meetings recently but caught up by listening to the audio recordings of the meetings that he could. He reported that the next AFC meeting is Wednesday, August 21 and everyone was given their packets. The School Board does not meet in July but they did meet August 13 but he was unable to attend as he was at the AML meetings in Soldotna. He concurred with the Mayor's synopsis of AML and said he heard a lot of concern from municipalities, particularly about community revenue sharing, school bond debt reimbursement, taxes at the local levels, potential omnibus legislation related to education and the funding formula. He said that communities across the state are experiencing a lack of people running for office and at least Juneau has candidates for each seat on the ballot while many communities have more seats than people who have filed to run for office, such as Unalaska which has five seats and only two candidates.

Mr. Jones suggested that the Assembly may want to slow down and provide more clarity on what page they are referring to and/or make their motions clearer as it can be hard for someone listening on the radio or to the audio recording to follow along. He said that he hopes to

improve his own clarity.

Mr. Jones asked with respect to the memo that Ms. Paula Terrel mentioned, if the Assembly ever formally asked the City Manager or City Attorney to respond to those questions or issues addressed in the memo. He said that he is concerned that they haven't dealt with it and would like to request that if it is going to come back to the COW, that there be some response from Law and from the Manager, even if it is that certain items are not up for discussion.

Mr. Jones said that with Ms. Hale's comments about BRH looking at affiliation that hopefully the City Attorney has looked at that and the scope of that project, especially since BRH is a city owned facility. Mr. Palmer said he will get some answers for them tomorrow.

Ms. Hale said that is why the BRH governance committee wanted to look at this topic, especially since it is a scary time for small community hospitals that have been merged into larger regional hospital groups. She said they are just at the beginning stages and they are doing this to get a S.W.O.T. analysis to see what their vulnerabilities might be. She will continue to keep the Assembly apprised of this project as it goes on.

Ms. Becker shared the concerns expressed by the Mayor and others about the fact that there are not a lot of candidates running for office and suggested that one of the perceptions is how much work is involved. She said they should look at cutting down some of the work and not stay in meetings until 11 p.m. She also suggested that the Assembly and AFC should look at considering a raise for the Assemblymember stipend and suggested an additional \$100 or more per month that they may want to consider when working on its next budget cycle.

Ms. Becker went on to report that the Lands Committee will meet on August 26 and the next meeting of the UAS Campus Council is August 26. She noted that while there is somewhat of a reprieve from the Governor's cuts, it isn't as bad as it might have been but still not great. She reported that at the most recent Docks and Harbors (D&H) board meeting they elected officers and made committee appointments. They also discussed that vessels cannot be just left at the boat launch area and they will be ticketed. She said the D&H board will be having its annual retreat soon.

Ms. Becker reported that the Alaska Committee talked about the impacts of the Governor's vetoes, especially on the Gavel to Gavel program. She said there is a lot of money that comes from CBJ towards the Gavel to Gavel program through the Alaska Committee. She said the committee is sending a member to the Alaska Federation of Natives conference in Fairbanks. They will look at holding a retreat in late August. The Palmer State Fair will be August 22 through September 2. Ms. Becker noted that at the Chamber of Commerce meeting two weeks ago, Bruce Denton spoke about the Glory Hall. There will be an open forum community discussion about the Glory Hall moving to the valley on August 21 at the Elizabeth Peratrovich Hall from 5:30-7:00 p.m. Ms. Becker reported that at the most recent Chamber meeting, they heard from the Chairman of the National Endowment for the Arts, Marianne Carter and there was also a reception for her at the Sealaska Heritage Institute. Ms. Becker reminded everyone that the annual Chamber of Commerce dinner is scheduled for October 26. Ms. Becker reported that she went to the Federal Building on behalf of the Mayor and

presented a proclamation in honor of the time capsule's 25 years in the Federal Building and that it will be exciting when they finally do open it up in the future.

Ms. Gladziszewski reported that the Committee of the Whole met on July 29 and talked about the Centennial Hall and JACC ballot ordinances. They also discussed putting in a bid for the subport land purchase and they will be having an executive session on that soon. They discussed the Assembly Rules of Procedure resolution as well as the ordinance related to criminal justice reform. They were going to talk about junk cars but ran out of time so they will be discussing that at the next meeting on Monday. They will also be discussing senior housing and a proposal from HeatSmart regarding implementing the JRES.

Ms. Gladziszewski provided a presiding officer report on the Moutainside Estates Neighborhood Association appeal. The parties are working towards a settlement so the September 12 hearing date has been postponed and the Assemblymembers can mark that off their calendars. If it does come back to the Assembly, it will come back sometime in November.

Ms. Gladziszewski said she also served at the Veterans' dinner and thanked all the veterans on behalf of the Assembly. She said that she also attended the National Endowment of the Arts reception at the Sealaska Heritage Institute which was also sponsored by Perseverance Theatre. Ms. Gladziszewski said she agreed that they need an Assembly marimba band and that it looks like they have at least four members willing with the Mayor agreeing to play the triangle.

Ms. Gladziszewski asked about Ms. Terrel's questions and said that she couldn't find a document from Ms. Terrel. Ms. Cosgrove clarified that the document was submitted by Ms. Kim Metcalfe initially at the meeting of June 3.

Ms. Becker provided a correction to her earlier comments about the Assemblymembers' pay which is currently at \$500/month before taxes and her recommendation is for that amount to be increased possibly by \$100/month.

Mr. Edwardson reminded members that the full Assembly will meet as the Human Resources Committee to interview applicants for the Planning Commission vacancy. He also reported that the HRC has been examining, over the past year, the composition of the boards and commissions and they are looking at streamlining or overhauling the retention and/or recruitment process for boards.

Ms. Hale reported that the Public Works and Facilities Committee that had been scheduled for Monday, August 26 was cancelled due to a lack of agenda topics.

C. Presiding Officer Reports

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

A. Bid on Subport Lot

B. Litigation Strategy

MOTION by Ms. Triem for the Assembly to adjourn into executive session to discuss matters, the immediate knowledge of which might have an adverse effect on the finances of the city, specifically discussion of a bid on the subport lot and on litigation strategy.

Mayor Weldon asked if any member of the public objected to the Assembly entering into executive session. Hearing none, Mayor Weldon recessed the meeting into executive session at 10:03 p.m.

Following executive session, the Assembly came back into regular session and reported that they gave direction to the City Manager and City Attorney regarding the subport bid and pending litigation matters.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 10:50 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Meeting Minutes – September 5, 2019

I. CALL TO ORDER/ROLL CALL

MEETING NO. 2019-30: The Special Meeting of the City and Borough of Juneau Assembly held in Conference Room 224 of the Municipal Building, was called to order at 7:24 p.m. by Mayor Beth Weldon.

Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Mary Becker, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale and Alicia Hughes-Skandijs

Assembly Absent: None.

Staff Present: Deputy Clerk Diane Cathcart

II. APPROVAL OF AGENDA

III. AGENDA TOPICS

A. Planning Commission – Appointment

Human Resources Committee (HRC) Chair Rob Edwardson reported that the full Assembly met as the HRC and recommended the appointment of Weston Eiler to fill the vacant position on the Planning Commission to a term beginning immediately and ending December 31, 2020. ***Hearing no objections, Mr. Eiler was appointed to the Planning Commission as recommended.***

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:26p.m.

Signed: _____ Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Meeting Minutes – September 16, 2019

MEETING NO. 2019-31: 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

Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Mary Becker, Loren Jones, Rob Edwardson, Wade Bryson, Carole Triem, Michelle Hale and Alicia Hughes-Skandijs

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Lands Manager Greg Chaney, Airport Manager Patty Wahto, Engineering/Public Works Director Mike Vigue, Community Development Director Jill Maclean, Parks and Recreation Director George Schaaf, Port Director Carl Uchytel, Docks & Harbors Engineer Erich Schaal

III. SPECIAL ORDER OF BUSINESS

A. Introduction of Exchange Students

Mayor Weldon welcomed the AFS and Rotary exchange students and each of the students introduced themselves and the country they are from. She asked each of the students to share what they were surprised by the most in coming to Juneau and what has been their favorite food so far.

B. Proclamation: Energy Efficiency Day 2019

Mayor Weldon presented Steve Benhke with the Energy Efficiency Day proclamation.

IV. APPROVAL OF MINUTES

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested the removal of item 2A – Resolution 2865 *A Resolution Authorizing the Manager to Provide Temporary Law Enforcement Aid to the City of Craig at No Cost to the City & Borough of Juneau*, as that is no longer needed.

Mr. Watt also requested that the Public Hearing item G. Ordinance 2019-06(B)(d) *An Ordinance Appropriating to the Manager the Sum of \$4,500,000 in Grant Funding for the Juneau Arts and Culture Center, Funding Provided by the Sales Tax Fund Balance* be removed and postponed to the October 14, 2019 meeting. He said that members of the public expressed concern and

confusion as to why this ordinance was being acted upon prior to the election and Mr. Watt felt it would be best to postpone action on this ordinance until after the election and schedule it for public hearing at the October 14 regular Assembly meeting.

Hearing no objections, those two changes were made to the agenda.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Mike Clemens spoke about voter information and expressed his concern that the voter information pamphlet needs to be provided in advance of absentee voting. He said that absentee voters voted 21% of ballots last year. He expressed his concerns regarding the new JACC vs. Centennial Hall and suggested that maybe Centennial Hall should just be torn down. He said that the big picture questions need to be answered first.

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 as amended and asked for unanimous consent. ***Hearing no objection the consent agenda was adopted as amended.***

1. Ordinances for Introduction

a. Ordinance 2019-38 An Ordinance Amending Ordinance No. 87-28 Vacating the Reversion Clause Relating to the Conveyance Agreement and Quit Claim Deed for Property Located at 1968 Lemon Creek Road, Further Described as Lot 20, Block D, Glacier View Subdivision.

Ordinance 87-28 authorized the CBJ to convey property to JAMHI Health and Wellness, Inc. so it could provide housing for people receiving mental health services. Ordinance 87-28 included a reversion clause that required title to revert back to the CBJ if JAMHI ceased to use the property.

JAMHI requests that the reversion clause be removed because it is considering selling the property and using the sale proceeds to provide better community housing and support services in more suitable locations in town. The CBJ has not identified another public use for this property and due to recent State funding reductions, allowing JAMHI to retain and sell this property would be a simple way for CBJ to provide support to help the program relocate to better locations.

At its August 26, 2019, meeting, the Lands Committee unanimously passed a motion of support to remove the reversion clause.

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

b. Ordinance 2019-39 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Lot 1, Glacier Lands Subdivision, Located Near 5611 Montana Creek Road, from D3 to D5.

The Planning Commission, at its regular meeting held on August 13, 2019, recommended that the Assembly approve a request to rezone approximately 17.34 acres from D3 to D5. The Planning Commission found that the proposed rezone to D5 substantially conforms to the Urban Low Density Residential designation of the land use maps of the Comprehensive Plan and Title 49. Furthermore, the proposed rezone is consistent with the Comprehensive Plan vision, policies and its implementing actions, standard operating procedures, and development guidelines, which support increased residential densities when appropriate infrastructure is in place to serve the development.

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

c. Ordinance 2018-11(AQ) An Ordinance Appropriating to the Manager the Sum of \$2,322,800 to Fund the City and Borough of Juneau's Fiscal Year 2019 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$2,322,800, which is the State's FY19 5.58% on-behalf PERS benefit rate paid for CBJ. Funding is provided by the Alaska Department of Administration, which was authorized by passage of HB286 during the 2018 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on the CBJ's finances.

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

d. Ordinance 2018-11(AR) An Ordinance Appropriating to the Manager the Sum of \$2,176,791 to Fund Bartlett Regional Hospital's Fiscal Year 2019 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$2,176,791, which is the State's FY19 5.58% on-behalf PERS benefit rate paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department

of Administration, which was authorized by passage of House Bill 286 during the 2018 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on BRH's finances.

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

e. Ordinance 2018-11(AT) An Ordinance Appropriating to the Manager the Sum of \$2,200,000, as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2019 Operating Budget; Funding Provided by Hospital Revenues, and Hospital Fund's Fund Balance.

This ordinance will appropriate an additional \$2,200,000 to Bartlett Regional Hospital for FY19 operations. BRH experienced increased patient activity that required both additional staff and supplies. This appropriation is being funded from FY19 hospital revenues in excess of the budget of \$1,700,000 and Hospital Fund's fund balance of \$500,000.

The Bartlett Finance Committee was informed of the year-end operating expense authorization shortfall, and the need to obtain Assembly budget authorization, at its September 30, 2019, meeting.

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

f. Ordinance 2019-06(D) An Ordinance Transferring \$147,000 from the Juneau Renewable Energy Strategy (JRES) Implementation Capital Improvement Project, to the Manager for the Purpose of Providing a Grant to HeatSmart.

This ordinance would transfer \$147,000 of Areawide Street Sales Tax funding from the JRES Implementation CIP D12-083 to the Mayor & Assembly's budget, providing a grant to HeatSmart, a newly organized non-profit established to assist Juneau households reduce energy costs. The program would provide critical data and experience needed to successfully accelerate heat pump usage in Juneau.

The Assembly Committee of the Whole approved this action, and forwarded it to the Assembly for action at its August 26, 2019, meeting,

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

g. Ordinance 2019-06(E) An Ordinance Appropriating to the Manager the Sum of \$25,402,903 as Funding for the Juneau International Airport Taxiways A, E, & D-1 Capital Improvement Project; Funding Provided by the Federal Aviation Administration Airport Improvement Program Grant.

This funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant and covers 93.75% of the project. Matching funds in the amount of \$1,693,277 (6.25%) will be provided by Passenger Facility Charge (PFC) collections; \$1,281,000 was appropriated at the August 13, 2018 meeting, and the remaining \$412,277 will be temporarily funded with a transfer of airport revolving funds at the next meeting and reimbursed later from an amendment to PFC9 collections.

The project will rehabilitate Taxiway A pavement, realign Taxiway E, and relocate Taxiway D-1, replace the remaining section of the Jordan Creek culvert as required by the EIS Record of Decision, as well as improve drainage and replace lighting.

The Public Works and Facilities Committee (PWFC) reviewed this action at its April 8, 2019 and September 23, 2019, meetings.

The Airport Board approved this action at its September 10, 2019, meeting,

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

2. Resolutions

a. Resolution 2865 A Resolution Authorizing the Manager to Provide Temporary Law Enforcement Aid to the City of Craig at No Cost to the City & Borough of Juneau. (NOTE: This item was removed from the agenda at the request of the City Manager as this support was no longer needed.)

The City of Craig, Alaska has a temporary need for an additional police officer and the City & Borough of Juneau has the capability of providing a police officer temporarily to Craig. The provision of a Juneau police officer, at no cost to Juneau, fills a critical need for a neighboring community, provides a training opportunity for the Juneau Police Department, and establishes a means of reciprocity if Juneau develops a temporary need for police officers. Craig has requested one police officer to assist with police coverage, in Craig from October 7, 2019 through October 20, 2019. The Juneau Police Department has an officer that is ready, willing, and able to volunteer for this task.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. Liquor License Transfer for License 1384

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Transfer

License Type: Restaurant/Eating Place, License #1384

TRANSFER FROM: Alfonso Soriano d/b/a Jovany's Italian Restaurant

TRANSFER TO: Haienadangle LLC d/b/a Bowl of Pho

Location: 9121 Glacier Hwy Suite 107, Juneau

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

The City Manager recommends the Assembly waive its right to protest the transfer of liquor license 1384.

4. Other Items for consent

a. Marijuana License Renewals for the following licenses: #13279, #10844, #10315 and #11605

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

MARIJUANA LICENSE RENEWALS

Retail Marijuana Store, License #13279, The Mason Jar LLC, d/b/a THE MASON JAR LLC located at: 2771 Sherwood Lane Unit E, Juneau

(60-day comment period ends Sunday, September 22, 2019)

Retail Marijuana Store, License #10844, Green Elephant LLC, d/b/a GREEN ELEPHANT, LLC located at: 101 Mill St. Suite B, Juneau

(60-day comment period ends Sunday, September 22, 2019)

Standard Marijuana Cultivation Facility, License #10315, Green Elephant, LLC, d/b/a GREEN ELEPHANT LLC located at: 101 Mill St. Suite A, Juneau

(60-day comment period ends Sunday, September 22, 2019)

Standard Marijuana Cultivation Facility, License #11605, Always Redeye LLC, d/b/a Stoned Salmon Farms located at: 2005 Anka Street, Juneau

(60-day comment period ends Friday, October 11, 2019)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly

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

The City Manager recommends the Assembly waive its right to protest the renewal of the following AMCO marijuana licenses: License #13279, License #10844, License #10315 and License #11605.

VIII. PUBLIC HEARING

A. Transfer T-2024 A Transfer of \$200,000 from CIP H51-116 Marine Park to Taku Upland Improvement/Archipelago to CIP H51-122 Docks Security Stations

This request is to transfer \$200,000 in additional funds for the construction award, contingency, construction administration and inspection for security check points at the approach docks to the Alaska Steamship and Cruise Ship Terminal facilities.

With evolving Coast Guard security requirements and the need to better manage passenger embarkation to cruise ships, Docks & Harbors commenced design efforts to create security check points. Currently there is \$450K in Marine Passenger Fees available for the project. Due in part to uncertainty with steel tariffs, the most recent construction estimate places the construction award at \$550K.

The Docks & Harbors Board reviewed and recommended approval of this grant funding at its August 29, 2019 meeting.

The City Manager recommends approval of this transfer.

Public Comment

None.

Assembly Action

MOTION by Ms. Becker to adopt Transfer T-2024 and asked for unanimous consent. ***Hearing no objections, the motion passed.***

B. Bid Award: Cruise Ship Security Checkpoint (DH19-050)

With evolving Coast Guard security requirements and the need to better manage passenger embarkation to cruise ships, there is a need to create security check points at the approach docks to the Alaska Steamship and Cruise Ship Terminal facilities. The project consists of all activities necessary to construct two Downtown Cruise Ship Security facilities as shown in the contract

documents. The work generally includes manufacturing and erection of steel framing, installation of glass paneling, roofing, lighting and other associated improvements.

Bids were opened on this project on September 10, 2019. The Docks & Harbors Board recommended award of this project at a special board meeting on September 11, 2019.

The bidders and their total bids are as follows:

Bidders	Total Bid
Southeast Earth Movers	\$596,600.00
Island Contractors, Inc.	\$647,674.00
Alaska Commercial Contractors, Inc.	\$779,395.00
Engineer's Estimate	\$550,000.00

The City Manager recommends award of this project to Southeast Earth Movers in the total amount bid of \$596,600.00.

Public Comment

Mr. Ben Murray, a Douglas resident, asked who will be staffing this security checkpoint once it is built and operational.

Mayor Weldon stated that generally, they only take testimony rather than questions but she asked staff if they might provide an answer to Mr. Murray's questions. Mr. Watt stated that it would likely be a combination of cruise ship staff and Docks and Harbors staff.

Assembly Action

MOTION by Mr. Jones to award the bid for the cruise ship security check point to Southeast Earth Movers in the amount of \$596,600.00.

Ms. Gladziszewski objected for purposes of a question. She asked why the two buildings are costing \$600,000.

Mr. Uchytel provided photos and explained the bidding process as well as the shortage of steel and recent high cost of steel due to tariffs. Assemblymembers then asked Mr. Uchytel a series of questions related to the construction and design of the security checkpoints as well as the potential availability of funding sources such as the FEMA grant. Mr. Uchytel explained that he had heard that only Anchorage had received the FEMA grant funds. Mayor Weldon thanked Mr. Uchytel for bringing the photos and for his information.

Ms. Gladziszewski removed her objection and the bid award was approved by unanimous consent.

C. Ordinance 2019-32 An Ordinance Authorizing the Sale of City and Borough Land Located at Pederson Hill and Establishing the Terms and Conditions Related to the Sale.

The 86 lot Pederson Hill Subdivision will be constructed in three stages. The first stage consists of 17 lots and is anticipated to be completed late this summer. The Planning Commission approved the final plat on July 9, 2019. The Lands Division desires to offer the lots for sale in advance of next year's building season. Minimum lot prices will be established by appraisal. City financing is available for all lots sold.

Three disposal methods are proposed for this land sale:

- Sealed Competitive Bid – 5 Lots
- Block Sale – One Unit Composed of 6 Lots
- Fixed Price Lottery – 6 Lots

Any remaining lots that do not sell through the initial process would be made available through over the counter sales on a first come first served basis.

The July 8, 2019 Assembly Committee of the Whole reviewed this disposal proposal and recommended approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Edwardson to adopt Ordinance 2019-32 and asked for unanimous consent.

Mr. Jones objected for purposes of a question. He and other members asked about the process for the sale of lots if they are not sold in the lottery as well as the status of the two Lena lots that had not yet sold. Mr. Watt answered the process questions and invited Mr. Chaney to come and answer the questions regarding the status of the Lena lots. Mr. Chaney explained that those lots are offered through over the counter sales and earlier in the day, they did have a party come to their office and submit paperwork to purchase one of the two lots. He felt that both lots would likely be sold within a one-year period.

Mr. Jones removed his objection and Ordinance 2019-32 passed by unanimous consent.

D. Ordinance 2019-33 An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties.

The State recently adopted a suite of criminal justice reform legislation. The State legislation clarified ambiguous terms, reclassified crimes, and generally lengthened penalties. The CBJ criminal codes generally mirror the applicable State criminal laws to avoid confusion and to enable the CBJ to independently prosecute cases to protect the community.

On July 25, 2019, the Committee of the Whole directed the City Attorney to prepare an ordinance that updates the CBJ criminal justice codes. A memo from the City Attorney summarizes the changes.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Don Habeger spoke as the community coordinator for the Juneau Reentry Coalition. He stated that the mission of the Juneau Reentry Coalition is to promote public safety by identifying and implementing strategies that increase the successful reentry into the community and reduces the likelihood of their return to prison through recidivating. The coalition believes that minimizing barriers for reentry improves our community's public safety. He stated that Ordinance 2019-33 addresses the criminal offenses, penalties code, and his comments focus on a few items that might increase barriers to success reentry into the community after incarceration.

He asked the Assembly to look into these concerns and, if necessary, make appropriate modifications or simply set sidebars through intent language so that we do not create additional barriers to those trying to rebuild their lives after incarceration. The coalition does not say that there should be no sanctions for criminal behavior, only that we should not impede successful reentry with artificially high barriers.

Mr. Habeger said that the two areas of most concern are maximum fine amounts for a Class A misdemeanor at \$25,000 and adding new sections of code outside of those already in alignment with state changes found in HB49. He said that many of those returning to the community, post-incarceration, receive minimum wage employment and have no financial resources to draw from.

He said that the other area of concern is adding additional sections of code that only serve to pile on charges and do not clearly address public safety needs. He gave the example of criminalizing the possession of motor vehicle theft tools.

Assemblymembers asked Mr. Habeger and Mr. Palmer questions regarding the portions of the ordinance that Mr. Habeger was referring to and specifically the new section of the ordinance 42.05.100 "Attempt."

Mr. Palmer said that he appreciated that Mr. Habeger did reach out to his office to alert them to the coalition's concerns. Mr. Palmer said that the prosecution staff, in his memory at the Law Department, has never asked for the maximum fine but he did provide some examples of instances in which the "attempt" language may have been used in cases that JPD has

investigated. Mr. Palmer also explained that the cases in which they might end up using the high maximum fine amount will likely end up being repeat offenders who do not pay their sales tax.

Mr. Palmer went on to provide additional information regarding the issues that Mr. Habeger raised during his testimony about the portions of the ordinance that he objected to.

MOTION by Ms. Triem to adopt Ordinance 2019-33 and asked for unanimous consent.

Mr. Jones objected for purposes of a question. He said that CBJ code primarily deals with misdemeanors and he asked why they are passing ordinances that deal with what would be felonies. Mr. Palmer explained that the ordinance is targeted to “attempts” and will be used primarily when working on plea bargaining negotiations.

Mr. Jones asked about the types of crimes and Assistant City Attorney Emily Wright provided information about the types of crimes and the frequency with which Juneau citizens are experiencing thefts and how the new “attempt” language would assist with prosecutions.

AMENDMENT by Mr. Jones to remove section 42.05.100 regarding “Attempts” from Ordinance 2019-33.

Ms. Gladziszewski asked for Ms. Wright to explain the plea bargaining process in more depth.

Ms. Wright explained a variety of ways and reasons that they may wish to plea bargain using this “attempt” grounds rather than try to prosecute on the more serious crimes.

Mr. Bryson objected to Mr. Jones’ amendment and said that this language would aid the police as well as the prosecutors in stopping crimes from happening in the first place.

Mr. Edwardson spoke in favor of the amendment and said that while he understands Mr. Bryson’s comments, he thinks this is adding to the criminal pool and it is bigger than just a housekeeping thing and needs to be addressed individually.

Ms. Hughes-Skandijs spoke against the amendment, based on the discussion tonight, that the need for including this language in the ordinance has been explained to her satisfaction.

ROLL CALL VOTE on the amendment.

Ayes: Jones, Edwardson, Triem

Nays: Hughes-Skandijs, Bryson, Becker, Gladziszewski, Hale, Weldon

Motion failed 3:6

Mr. Edwardson asked about the language related to intent vs. attempt. He referred to the example that Mr. Palmer had given of someone with the motor vehicle theft tools walking by, looking in a car but for some reason didn’t try to break into the vehicle how that could be prosecuted. Mr. Edwardson also asked about probable cause. He said that probable cause concerns an offense and that intent is an element of an offense but only one of its elements. Mr. Edwardson gave an

example using a charge of serious bodily harm, you have ability, opportunity, jeopardy, and manifest intent. If you are missing one of those, you don't have an offense. He said that coming from an enforcement background, you would have to prove intent and that is not all that easy to prove and he would like to know how we can say there is probable cause for intent when intent is only an element of crime and not a crime itself.

Mr. Palmer explained that if this is in relation to the possession of motor vehicle theft tools, the crucial element would be to prove possession of the tool with the intent to use that tool to commit a theft of the vehicle or contents of the vehicle. He said the two elements they would have to have probable cause for would be that you have that tool that is recognizable as a vehicle theft device and secondly that there is intent. He said that all of our criminal offenses have some type of intent language.

Mr. Edwardson and Mr. Palmer went into a greater discussion of scenarios under which the charges might be brought using the grounds in this ordinance. Mr. Edwardson expressed his concern that citizens might have to prove their innocence vs. the government having to prove the guilt of the person charged with the crime. Mr. Palmer clarified that the burden of proof is on JPD and his staff to prove someone guilty and not up to citizens to prove their innocence.

ROLL CALL VOTE on the adoption of Ordinance 2019-33:

Ayes: Becker, Bryson, Gladziszewski, Hale, Hughes-Skandijs

Nays: Triem, Edwardson, Jones

Motion passed 6:3

Mayor Weldon recessed for a break 8:15-8:27 p.m.

E. Ordinance 2018-11(AS) An Ordinance Appropriating to the Manager the Sum of \$35,000 as Funding for the Downtown Wayfinding Capital Improvement Project; Funding Provided by the Rasmuson Foundation and the Alaska Humanities Forum.

The CBJ has received, through the Rasmuson Foundation and the Alaska Humanities Forum, grant awards to further the Downtown Wayfinding project. The Rasmuson Foundation awarded CBJ \$25,000 and the Alaska Humanities Forum awarded CBJ \$10,000 to create and install the Community Voices Audio Wayfinding project as part of the Downtown Wayfinding project. The installations will be linked to the wayfinding and interpretive system to be installed throughout downtown in spring of 2020. This project will illuminate the lesser-known histories of Juneau: its original and ongoing Tlingit community, gold rush era, fisheries, political histories, and geographical features, awakening Juneau residents and visitors to a deeper understanding of place and community.

At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the Committee approved staff to pursue the grants for this aspect of the Downtown Wayfinding

project with matching funds identified: \$15,000 from Downtown Streets project CIP R72-116 and \$5,000 from the Downtown Wayfinding project CIP D12-097.

At the July 1, 2019, PWFC meeting, the appropriations and downtown streets fund transfer were recommended to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

Ms. Hale declared a potential conflict of interest due to her financial involvement in a business that would be in close proximity to one of the Wayfinding stations, which may lead to her financial benefit. She discussed it with the City Attorney and he suggested she declare the potential conflict and whether she felt she could proceed in the matter impartially. She stated that while she feels she could be impartial in this matter, she would recuse herself from the discussion if the Assembly deemed it was warranted.

Mr. Bryson also declared a potential conflict of interest for reasons similar to those of Ms. Hale.

Mayor Weldon asked if anyone objected to Ms. Hale and Mr. Bryson continuing to participate in the discussion/deliberation of this ordinance. Hearing none, Ms. Hale and Mr. Bryson were allowed to continue to participate in the discussion and vote in this matter.

Mayor Weldon asked Ms. Becker if she would like to move this ordinance since it would be her last opportunity to ask for an ordinance adoption during her Assembly service.

MOTION by Ms. Becker to adopt Ordinance 2018-11(AS) and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

F. T-2025 A Transfer of \$15,000 from CIP R72-116 Downtown Streets to CIP D12-097 Downtown Wayfinding.

This request is to transfer \$15,000 in matching funds for the grant awards to further the Downtown Wayfinding project as described in Appropriating Ordinance 2018-11(AS). There are \$5,000 in additional matching funds already available in the Downtown Wayfinding project. At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the committee approved pursuit of the grants, and identified matching funds as described. At the July 1, 2019, PWFC meeting, the transfer was recommended to the Assembly for approval.

The City Manager recommends approval of this transfer.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to approve Transfer T-2025 and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

G. Ordinance 2019-06(B)(d) An Ordinance Appropriating to the Manager the Sum of \$4,500,000 in Grant Funding for the Juneau Arts and Culture Center, Funding Provided by the Sales Tax Fund Balance. [Note: During the Manager's request for agenda changes, this ordinance was postponed to the next Regular Assembly meeting on October 14, 2019.]

This ordinance would appropriate \$4,500,000 in grant funding for the JACC.

At its June 15, 2019, meeting, the Assembly Committee of the Whole approved funding for the JACC grant. Direction from the Committee was to use funds from the 2017 voter approved 1% sales tax. Since the sales tax funds will be received during the next four years it is necessary to initially use fund balance and then reimburse the fund as revenues come in.

On August 19, 2019, the Assembly amended the grant conditions and then adopted Ord. 2019-34(c)(am), which authorized an advisory ballot proposition for grant funding to the New JACC. Consistent with the amended grant conditions in Ordinance 2019-34, the Assembly requested an amendment so the grant conditions in this ordinance would be consistent with Ordinance 2019-34. Accordingly, the Manager has proposed version 2019-06(B)(d). Because version (c) was introduced and Charter 5.3 does not allow substantive amendments to an ordinance at introduction, the Assembly would need to make the amendments depicted in version (d) and then consider adopting version (d).

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Senior Citizen and Hardship Late File Property Tax Exemptions

1. Late filed Senior Citizen/Disabled Veteran Exemption

Andrew Gamble Jr., Parcel Number B51001020240

MOTION by Ms. Gladziszewski to accept the late file application from Mr. Gamble and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

2. Diane Mayer and Nancy Simpson, Senior Hardship Exemption, Parcel Number 4B1801010040

Ms. Hale ask to recuse herself due to the property owner being a close personal friend. Ms. Hale said she didn't feel she could be fair and impartial in this matter. Mayor Weldon asked the Assembly if anyone objected to Ms. Hale recusing herself from this matter. Hearing none, Ms. Hale stepped down.

MOTION by Ms. Gladziszewski to accept the late file application from Ms. Mayer and Ms. Simpson and asked for unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

XI. STAFF REPORTS

Mr. Watt requested that he be allowed to add a second staff report to provide an update on the subport property bid status. That was added as item B. below.

A. Hazard Mapping Update

In July 2018, CBJ received a grant from the Federal Emergency Management Agency to conduct a study and update CBJ's adopted hazard maps from 1987. Tetra Tech, a consulting and engineering firm, has been selected through the CBJ bidding process to conduct the study. The study will provide separate hazard maps for landslide and avalanche areas, supported by a technical engineering report. If grant timelines remain as expected, the first draft of the maps and report will be available to the public for review and comment in approximately November 2020. In addition, the CBJ Planning Commission will hold public hearings to consider adoption of the maps and the supporting analysis. The study area extends from approximately two miles south of downtown Juneau to three miles north of downtown Juneau. The grant covers all contract expenses, and no CBJ match is required.

The need for a detailed avalanche/landslide hazard analysis is documented in the 2013 Comprehensive Plan and Resolution 2813. In addition, CBJ development of the new area plan for downtown Juneau requires accurate identification of hazards to promote appropriate land use regulations and ensure public safety.

No Assembly action is needed at this time. More information is available at the Community Development Department.

Mr. Jones asked if there are any hazards in Juneau outside of this area. He expressed concern about areas such as Eaglecrest, Thunder Mountain and why are we only concentrating on the downtown area and not across the whole borough.

Mr. Watt explained that this is related to avalanche and landslide hazards and in the earliest hazard mapping from the early 1970s, there were avalanche areas identified in the valley from the side of Thunder Mountain. Those areas have not been near developable areas. The focus of mapped hazard areas and development areas is in the downtown corridor and for that reason the grant was sought after and won to study those areas further. That is not to say that there are no

other hazard areas in the borough but these are the ones that are in closest proximity to homes and development areas.

Mr. Jones asked if this project would help identify any hazards that would be similar to what happened in Sitka a couple of years ago when they had a mass wasting landslide where lives were lost. As we develop more lands, we are starting to go up mountains for some of our developments and he asked if any areas that we are developing in should be looked at for these hazards.

Mr. Watt said that is something he has worried about also but that Sitka has different geology related to the pre-modern era due to past eruptions from Mt. Edgecumbe that have created different soil conditions that have made it harder for Sitka to identify their threat areas. Mr. Watt said that he does not think Juneau has the same geological threat that would give us that kind of exposure. At a staff level, they have discussed this issue; however, this grant is not available for that wider look.

Ms. Triem asked if during this process, there would be any specific look at the impact on property values and the potential to secure financing to buy real estate in potentially hazardous areas.

Mr. Watt explained that this grant is to provide for the hazard mapping. The financing of property and the potential change for valuation of properties would be a separate issue. He said he knows of at least one property owner who is trying to sell property but it is encumbered by the appraiser's view of the 1972 hazards report, which was adopted. That property owner does not feel like they have a clear path to creating clear title to the property. He said there are few engineers available and none locally who are interested in doing hazard-mapping work because it is a high cost, high-risk area of activity. He said that this particular property provides an interesting case for us, demonstrates that having hazard maps and developed areas side by side can present problems particularly when banks and lending institutions change the way they look at hazard analysis. This is likely a subject the Assembly will want to look into and it could become an Assembly goal so this question of disclosure, financing, and insurance presents a real problem to property transfer in hazard areas but is not the purpose of this grant.

The purpose of this grant is to better understand our hazard areas so the public is aware when they go to purchase property.

Mr. Jones said that one example of that might be the Aurora Arms property.

Mr. Watt stated that the Aurora Arms has a financing issue relating to property recovery in the event of a fire or other loss in which they could not rebuild the structure. He said this is a matter being addressed by the non-conforming ordinance, which is currently going through the process, and he anticipates that ordinance will be coming to the Assembly in the near future at a Committee of the Whole meeting, which would hopefully solve those issues. This ordinance is

intended to address those situations that have been affected by changes in the banking world that would give property owners the tools they need.

B. Staff Report added on CBJ BID on Subport Property.

Mr. Watt said that the \$20 million bid by Norwegian Cruise Lines (NCL) for the subport property not only caught local attention and that of the local media but he even received calls about it from national media outlets. He said it invites further discussion on tourism in general and planning for waterfront activities. He stated that Mr. Sherman, an Executive Vice-President from NCL, reached out to Mr. Watt and advised that he will be coming to Juneau during the next month to begin discussions about what their plans broadly are. They are interested in a cruise ship dock and he assured Mr. Watt that don't have a plan and that their approach was to demonstratively show that they would like to invest in the community and work towards what is possible. Mr. Watt said he would be meeting with Mr. Sherman later in the month. Mr. Watt anticipates bringing a more complete update at an upcoming COW to provide a framing for a more in depth discussion related to tourism growth both locally and in the region.

Ms. Becker asked if Mr. Watt would share with NCL that the community voted overwhelmingly to not allow for any docks or ships in the location. Mr. Watt explained that Mr. Sherman has read our documents and is aware of the community's planning decisions. Mr. Watt said that the company made the decision to make their aggressive bid anyway and that the view from Norwegian is that they would like to grow their business and the aggressive bid has provided them with a seat at the table. Mr. Watt said that Mr. Sherman has read Mr. Watt's memos and the community plans, and that Mr. Sherman stated to him that it would be a heavy lift to develop that property.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon extended her and CBJ's condolences to the City of Soldotna in the death of Mayor Nels Anderson. She said she and other Assemblymembers met Mayor Anderson at the recent AML meetings and his passing is a loss to many and especially the citizens of Soldotna.

Mayor Weldon reported that she attended and represented CBJ at the following events: Palmer State Fair at the Alaska Committee booth, the Pederson Hill ribbon cutting event at Karl Reishus Blvd., meeting with Kathy McDonald of Army Divers who recently completed an exercise tying down the Lumberman, the International Forum of Sovereign Wealth Funds, Combating Climate Change Science event with Dr. Katharine Hayhoe, the monthly Filipino Community dinner, the meeting on dock electrification, Airport Board and Hospital Board meetings and she toured the oyster farm out at Bridget Cove.

Mayor Weldon said that she attended the 9/11 Ceremony at Rotary Park as part of her rotary functions and she thanked Mr. Edwardson for laying the wreath during the ceremony on behalf of CBJ.

Mayor Weldon reported the following upcoming events:

9/22 at 2 p.m.: Treadwell Office Building Renovation Ribbon Cutting

9/21 from 1:30-2:30 p.m.: National Recovery Month hands across the nation event at the Federal Building. Also related to National Recovery Month is the Juneau Recoveryfest on 9/28 from 2:30-4:30 p.m. with the theme: Change Yourself, Change the World.

9/21 from 11:30 a.m. – 2 p.m. the Electric Car Round Up

9/29 is Gold Star Family Day

9/18-9/20 is Southeast Conference in Sitka

9/16-9/30 CBJ Early/Absentee voting being held at City Hall (M-F 8a.m.-4:30p.m.) and at the Mendenhall Mall annex (M-F 11a.m.-6p.m. and Saturdays 12-4p.m.)

Mayor Weldon said that she is also hoping on putting together a task force similar to that of the Child Care Committee to look at tourism related issues. She asked Assemblymembers to put on their thinking caps of what kind of group that might be, what their mission will be, and what recommendations the Assembly might want them to come back with. She asked Assemblymembers to get any suggestions back to her by Sunday, September 22.

Mayor Weldon said it has been a pleasure serving on the Assembly with Ms. Becker and they will miss having her amongst them. The official send off with recognition of Ms. Becker will be at the October 14 meeting but this is Ms. Becker's final Assembly meeting at which she is a voting member of the body.

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

Mr. Bryson reported that the Juneau Economic Development Council met on September 4. He also attended the Pederson Hill ribbon cutting. He noted that he missed the Planning Commission meeting due to traveling to celebrate his Mother's 70th birthday and his brother's 40th birthday celebrations. He attended the 9/11 ceremony and the Central Labor Council picnic on September 2 and attended a number of campaign events and forums.

Ms. Hale stated that at the last Assembly meeting she reported that BRH was working on a possible RFP for a potential affiliation study. She said that had caused something of a stir and it will be coming up at the BRH governance committee meeting. It is still very much in draft form and they are looking at an RFP to do a SWOT analysis but she will continue to keep the Assembly informed as the process goes along. Ms. Hale said that related to BRH, the ophthalmologist has started and will be performing cataract surgery starting on Saturday. He will be doing surgeries and macular degeneration injections.

Ms. Hale reported that Juneau Commission on Sustainability (JCOS) is working on a proposal for sustainability awards. They are drafting criteria right now and it will be a long way out but she wanted to give the Assembly a heads up that JCOS is working on that. They appreciate the funding to update the climate impacts report. Dr. Jim Powell indicated that although the university is starting to lose staff and people are volunteering less, they have gotten volunteers to work on the report.

Ms. Hale reported that there was no Public Works and Facilities Committee since the last Assembly meeting. She will be attending Southeast Conference in Sitka and she will be doing the hands across the bridge celebration as she is also celebrating her sobriety.

Ms. Hughes-Skandijs said she also attended many of the events others mentioned including the 9/11 ceremony, the Pederson Hill ribbon cutting, Dr. Hayhoe's climate events, the Filipino dinner, and the Central Labor Council picnic. She also attended one of the Community Voices audio wayfinding stories circles and it was filled with great stories talking about Juneau history and neat to see it in the early stages. She was on Action Line this morning with some of her fellow Assemblymembers. She attended the ice cream social at the Pioneer Home. She attended the Downtown Business Association meeting at which they discussed the downtown ambassador program and how they might be shifting that for the next tourist season and were discussing how they may be shifting to employees instead of contractors to provide those services. The Juneau Commission on Aging is full of activity and JEDC is taking a lead with the senior survey and commissioners taking step back and providing guidance. They also discussed ways to consider assisting CBJ on the Vintage Park senior project.

Ms. Triem reported that they had lots of fun on Action Line earlier in the day with Ms. Hughes-Skandijs. The Aquatics Board met on August 27 and elected new officers and Will Muldoon was voted chair. The Aquatics Board has been discussing changes to the private swim lessons policy. She said there have been some emails to the Assembly about this and she wanted them to know that there are no plans to stop offering private lessons at the Juneau pools. The changes they are discussing would require anyone providing private lessons at a CBJ facility to be an employee of CBJ and that is to ensure that all the instructors have the right training and certifications and pass background checks. Those changes are just a proposal right now and no one is talking about eliminating private swim lessons from the pool.

Ms. Triem provided the following report from Travel Juneau:

- National Association of Social Workers biennial conference will be held 9/24-9/27
- Alaska Association of Harbor Masters and Port Administrators will meet 9/30-10/4 and Travel Juneau will be participating in a panel at that conference.
- Liz Perry will also be attending Southeast Conference to participate in a panel about tourism.

Ms. Triem reported that she also attended many of the same events as other members. She was invited to be a guest speaker at Dr. Lora Vess' social problems class at the UAS. She said that the students were very engaged and interested in hearing her talk about city government for an hour. They were particularly focused on tourism and the pollution on the cruise ships.

Mr. Edwardson said he did a lot of travel in August and September. He said that he hopes to be able to give reports next month about the Airport and Eaglecrest Boards and the LEPC.

Mr. Edwardson reported that the Assembly Human Resources Committee (HRC) met just before this meeting. During that meeting, they received the annual report from the Americans with Disabilities Act (ADA) Committee. He agreed to write a cover letter or memo to the city pointing out the areas where the ADA Committee has some recommendations for education or awareness on ways to improvement for municipal interactions with persons of disabilities. Becky Harrington gave a very thorough report and she offered her assistance for anyone needing it to address the concerns they raised. The HRC also provided the following recommendations for appointments to the following boards and commissions:

ADA Committee – the reappointment of Pam Mueller-Guy to a term beginning immediately and ending August 30, 2022.

Douglas Advisory Board – the reappointments of Mary Kay Pusich and Teri Tibbet to terms beginning October 1, 2019 and ending September 30, 2022.

Hearing no objections, the above appointments were approved by the Assembly.

Mr. Edwardson reported that the HRC also heard a presentation on the Community Development Block Grant (CDBG) and recommends approval of CDD's recommendation to approve the St. Vincent dePaul application.

MOTION by Mr. Edwardson to request staff to draft a resolution to be brought back to the Assembly for consideration of the CDBG project. ***Hearing no objections, the motion passed.***

Mr. Edwardson thanked Glacier Valley Rotary for all the work over the years to construct and hold the 9/11 memorial at Rotary Park. He thanked Mary Becker for all her years of service to the citizens of the City and Borough of Juneau, not just her time on the Assembly.

Mr. Jones reported that the Assembly Finance Committee (AFC) met August 21 during which time they went over revenue updates and some sales tax reports and impacts from the state budget. The next regular AFC meeting is September 25 and the Mayor will be chairing that meeting since he will not be present. He asked members to check in with Ms. Cosgrove if they cannot attend any of the special meeting dates for the Financial Sustainability review. The first meeting of the AFC to look at the Finance Sustainability Review is scheduled for October 2.

Mr. Jones reported that the Juneau School Board held a retreat on August 24 and it was the first meeting to start work on their next five-year strategic plan. They also held a regular board meeting and a worksession on September 10. At that meeting, they extended the superintendent's contract and they set goals and priorities for the 2019-2020 school year. They set five goals for the superintendent for this next year. In the Superintendent's report at that meeting, she mentioned that their enrollment is up this year by about 80 students from their projections. In actuality, they are up by only 10 students more than last year. However, the fact that they budgeted low, if that holds through the October-December calculations from the state, it could mean a potential of an additional request of approximately \$150,000 more from CBJ coming through in January for CBJ to fund to the cap. Mr. Jones said that the legislative operating grant for FY20, which was part of the governor's discussions and the governor's vetoes that ended up in, court so if it loses in court, the potential is that JSD may end up in a deficit situation of approximately \$422,000. If it wins in court, that number is already built into the budget. He said that could affect the amounts we owe but he did send the Superintendent's report to Finance Director Jeff Rogers and he will be working with JSD staff on this. He said there are a lot of moving parts on JSD budget that will affect the Assembly over time.

Mr. Jones said that he has attended many meetings related to CDD. The neighborhood meeting on the rezone at the top of Cordova St. was held at the Douglas Library and there were lots of questions and it was not too well received by the neighborhood. He attended the CDD FEMA Flood Map revision meeting. He said when he and Ms. Gladyszewski first came on the Assembly, they were dealing with flood map revisions and this is a continuation of that process. They made a couple of changes and he thought there were more staff and FEMA personnel there than there were public members. He talked with the staff that when it comes back to the Assembly they need to provide some education through the COW to help our new members learn more about that process.

Mr. Jones said he has attended several meetings of the ad hoc committee on the non-conforming ordinance and it is close to bringing it to the Planning Commission. He pointed out that a lot of the Planning Commissioners will be traveling in October and they may have quorum issues. They also have a committee on overlay district zoning which is due to expire for the downtown area and they have been working a lot on that.

Mr. Jones said that he has missed the last three meetings of the Blueprint Downtown group but he has been able to keep up to speed by reading their minutes. He does have some concerns with the Planning Commission not being able to get quorums for PC meetings. He recommended that there be at least two Assembly COW meetings to discuss these ordinances, as it will be a steep learning curve to bring the Assembly up to speed.

Mr. Jones reported that he and his wife voted in the municipal election today. He said that he looks forward to the meeting of October 14 with the official send off for Ms. Becker but expressed his appreciation for his 7 years of service with Mary Becker on the Assembly.

Ms. Gladziszewski reported that the Committee of the Whole (COW) met on August 26 and forwarded to Assembly the JRES HeatSmart ordinance for introduction today. They also talked about disposal of Vintage Park Subdivision Land for assisted living development and possible ways to do that. Staff will be doing an RFP and moving that forward. They also received an update on the Assembly goals, which will be updated again at the December retreat.

Ms. Gladziszewski reported that the next COW meeting was scheduled for September 23. She also noted that the COW meeting on November 18 is a Monday that is right before AML and a lot of the staff will already be gone to AML so they will be moving the November 18 COW meeting December 2.

Ms. Gladziszewski reported that she attended many of the same events that others attended including the Labor Day picnic, Pederson Hill ribbon cutting, and Dr. Hayhoe's talk at Chapel by the Lake.

Ms. Gladziszewski said she had some questions about sustainability. There are many different threads. The current JCOS is focused on energy. In the past, they worked for a long time on a livestock ordinance and then they sent it to the Law Department and the Planning Commission and she asked if they could find wherever it is in the process and let them know. She said that community gardens have come up off and on in the past at this level. There is one in downtown Douglas as well as the big one by the rifle range and hopefully they can work on finding more options in the future.

Ms. Gladziszewski said that she recently read an article in the World Economic Forum about millennials getting more involved in government and they mentioned that Houston, Grand Rapids, Philadelphia, and Omaha all have millennial boards or commissions. She stated that Juneau has a Commission on Aging but we do not have anything on the other end to get more people involved so she asked Mr. Edwardson to think about that in his work with the HRC.

Mayor Weldon noted that they did find out from Mr. Chaney that there was a green space in the Pederson Hill area that could potentially be made into a community garden.

Mr. Jones noted that during the school board meeting, they had the first reading of a boundary change based on the potential of Pederson Hill lot sales having children that would be moving in and attending schools. He said that they would likely have second reading on the boundary change at their October meeting so the boundary is in place before people begin to purchase the lots.

Ms. Becker reported that the Lands Committee met last week and the main topic was the district heating. Ms. Becker said she hoped everyone had a copy of the packet that she provided. She said the papers were copies of what was given to the Lands Committee. There was a motion made to send the ordinance to the Assembly and to the Committee of the Whole.

MOTION by Ms. Becker to send this ordinance and all the papers that are connected to it to the COW meeting on September 23.

Mayor Weldon noted that Ms. Hale's motion at Lands Committee referred the matter to the Committee of the Whole so she did not think Ms. Becker's motion at this time was necessary.

Ms. Becker stated that Ms. Hale's motion was to refer it to the Assembly and then likely to the COW so Ms. Becker wanted to make sure there were not any mistakes made on it since it did not come to the Assembly and she wanted to make sure it made it to the next COW meeting.

Ms. Gladziszewski said that it would not make it to the September 23 meeting as the City Attorney has not had a chance to review it thoroughly and the September 23 agenda is already full. She stated that it would be coming to the COW but not at this next meeting.

Ms. Becker expressed her disappointment that it will not be coming before them while she is still on the Assembly.

Ms. Becker reported that the UAS Campus Council met the previous week. The Chancellor discussed the operating budget impacts and the Governor and Board of Regents agreed to a three-year reduction of the budget. She said that would not be a loss of the budget as it was already established but there will be a cut of \$2.59 million as a proportion of a share of the \$70 million in reductions across the three campuses. She said that the Chancellor reported consideration for the UAS will include administration realignment and statewide they will be going from three campuses to one statewide accredited campus.

Ms. Becker reported that there were a number of Docks and Harbors issues that passed at this meeting including the dock security station and bid award. The Alaska Committee is planning a retreat and the legislative reception is planned for January 22, 2020. The Alaska Committee annual meeting will be in January after the legislative reception at which time new members of the Alaska Committee will be elected. Ms. Becker said that she is an elected member of the Alaska Committee and not serving as an appointed Assemblymember so she will continue to serve on the Alaska Committee after her Assembly service.

Ms. Becker said that the Chamber of Commerce luncheon meetings have had some great speakers including Kirby Day and Liz Perry talking about tourism, Midgi Moore talking about the Juneau Food Tours, and District Attorney Angie Kemp talking about changes in the law and that the new law helps prosecutors.

Ms. Becker said that she attended two ribbon cuttings: the JAHMI pharmacy at the Housing First building and the ribbon cutting for Pederson Hill. She said the September 11 remembrance ceremony was one of the nicest ones she has attended. She was on Action Line with Pete Carran. She attended the Dr. Hayhoe talk and enjoyed her very much. She will be leaving tomorrow to attend Southeast Conference. She wished the candidates the best of luck.

C. Presiding Officer Reports – None.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT – 9:32p.m.

There being no further business to come before the Assembly, the meeting was adjourned at 9:32 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

Presented by: The Manager
Introduced: Dec. 16, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$10,000 for the Housing and Homelessness Services Coordinator Project in the Manager's Office.

Section 3. Source of Funds

Alaska Mental Health Trust Authority	\$10,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: December 2, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$250,000 as funding for the River Road Car Cleanup.

Section 3. Source of Funds

Waste Management Fund's Fund Balance	\$250,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
 Introduced: 12/16/19
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-02

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 & Borough of Juneau should regulate these vehicles; and

WHEREAS, City & 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 & 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:

20.20 Micromobility Devices

20.20.010 Applicability of Chapter

This chapter does not apply to the following:

- (a) use of a micromobility device on private property;
- (b) 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;
- (c) a micromobility device provided to a person with a mobility disability;
- (d) a person—unaffiliated with a commercial tour—using a micromobility device in the area described in section 20.20.030;
- (e) 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;
- (f) commercial passenger vehicles with a Class C endorsement pursuant to chapter 20.40; or
- (g) 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 & Borough of Juneau for locating or operating a business to rent, to provide, to offer or lead tours with, or to use micromobility devices on City & Borough of Juneau 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) 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,

on public property or right-of-ways within the area described in section 20.20.030.

20.20.030 Commercial Micromobility Device Prohibition Area

(a) The Commercial Micromobility Device Prohibition Area Map described in Exhibit A to Ordinance 2020-02 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,

(6) Egan Drive from Main Street to 10th Street.

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, 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



Presented by: The Manager
Introduced: 12/16/19
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, new businesses have popped up in other municipalities that rent dockless vehicles or provide dockless vehicle services to people over the internet without direct human interaction; and

WHEREAS, commercial rental or provision of dockless vehicles has caused significant public harm in other municipalities without a comprehensive regulatory structure; and

WHEREAS, commercial rental or provision of dockless vehicles have cluttered sidewalks leading to pedestrian conflicts, blocked access for individuals with mobility disabilities, and created aesthetic harm in other municipalities; and

WHEREAS, commercial rental or provision of dockless vehicles create safety issues for riders due to lack of safety equipment provided at the time of rental; and

WHEREAS, commercial rental or provision of dockless vehicles may be inappropriate in certain areas because of congestion or terrain; and

WHEREAS, the City and Borough of Juneau intends to solicit public comment and prepare a comprehensive regulatory package to allow commercial use and rental of dockless vehicles in 2020; and

WHEREAS, this ordinance does not apply to a business that occupies a regular place of business to rent bicycles or scooters in which the bicycle or scooter is picked up and returned to the same place of business during business hours; and

WHEREAS, Ordinance 2019-12 initially imposed a moratorium through February 1, 2020; and

WHEREAS, the Assembly Committee of the Whole discussed this topic on December 2, 2019, and more policy discussion may be necessary before a regulatory package is adopted; and

WHEREAS, until a comprehensive regulatory package is adopted, the public interests are best balanced by extending the moratorium.

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. Definition. Dockless vehicle includes a bicycle, a bicycle with an electric assist, a scooter, a scooter with an electric assist, and similar micromobility devices, which (a) are available for use by the public for short term rentals, and (b) are picked up from, left at, or returned to a location in which the vehicle is not locked to a docking station or similar secured facility for that vehicle. Dockless vehicle does not include a micromobility device provided to a person with a mobility disability.

Section 3. Prohibition. Commercial rental or provision of a dockless vehicle is prohibited.

Section 4. Permit Moratorium. Notwithstanding any provision of the City and Borough of Juneau Code, including but not limited to Title 53 (CBJ Land Management), Title 62 (Right of Ways), and Title 49 (Land Use), no permit application shall be accepted or approved pertaining to commercial rental or provision of a dockless vehicle.

Section 5. Sunset Date. This ordinance shall be automatically repealed on July 9, 2020.

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

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 12/16/2019
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2876

A Resolution Adopting an Alternative Allocation Method for the FY2020 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.

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY2020 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2018 from fisheries business activities; and

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods that may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

WHEREAS, the City and Borough of Juneau proposes to use an alternative allocation method for allocation of FY2020 funding available within the Fisheries Management Area 17: Northern Southeast Area in agreement with all other municipalities in this area participating in the FY2020 Share Fisheries Business Tax Program.

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

Section 1. The City and Borough of Juneau certifies that the following alternative allocation method fairly represents the distribution of significant effects during calendar year 2018 of fisheries business activity in Fisheries Management Area 17: Northern Southeast Area:

- All municipalities share one half of the funding allocation equally between the respective municipalities; and
- All municipalities share the remaining half of the funding allocation on a per capita basis.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 SOUTH SEWARD STREET, JUNEAU ALASKA 99801

DATE: December 13, 2019

TO: Duncan Rorie Watt
City Manager

FROM: Renee Loree *Renee Loree*
Purchasing Officer

SUBJECT: **Recommendation to Award Bid No. 20-114**
Term Contract for CBJ Paratransit Services Contractor

Scope of Work: 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 the CBJ's Care-A-Van program).

Bids opened on the subject project on December 10, 2019. The Protest Period ended 4:30 p.m. on December 12, 2019. The following bids were received:

<u>Bidder</u>	<u>Total Bid</u>
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

Buyer: Mary Johns, Buyer

Funding Source: 209710101-5392 – Capital Transit Admin, Management and Consultant Fees

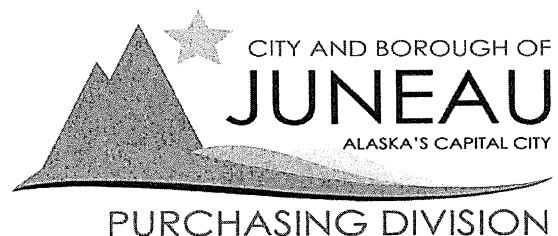
Estimate: \$925,000

With the concurrence of Ed Foster, Streets/Transit/Fleet Operations Superintendent II, the Purchasing Division recommends award to Catholic Community Services, Inc., based on having the lowest responsive and responsible bid price in the amount of \$912,010.00, per year, based on Total Bid.

Approved: _____

Duncan Rorie Watt, City Manager

Date of Assembly Approval: _____





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

November 1, 2019

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 Type:	Package Store	License Number:	271
Licensee:	Alaska Cache Liquor Inc		
Doing Business As:	Alaska Cache Liquor		

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 cursive script that reads "Erika McConnell".

Erika McConnell, 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

November 5, 2019

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 Type:	Package Store	License Number:	2976
Licensee:	No Creek Jack, Inc.		
Doing Business As:	Duck Creek Market		

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 cursive script that reads "Erika McConnell".

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov

Presented by: The Manager
Introduced: November 25, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$175,000 as funding for purchase of Snow Removal Equipment for Capital Transit.

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$140,000
Equipment Replacement Reserve Fund's Fund Balance	\$35,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 25, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$220,000 as funding for purchase of Snow Removal Equipment for Capital Transit.

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$176,000
Equipment Replacement Reserve Fund's Fund Balance	\$44,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 25, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$270,000 as funding for purchase of three replacement Paratransit Vans for Capital Transit.

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$216,000
Equipment Replacement Reserve Fund's Fund Balance	\$54,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 11/25/19
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-40

An Ordinance Repealing the Waste Management Utility Code.

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. Repeal of Chapter. Chapter 36.12 Waste Management Utility, is repealed and reserved:

Chapter 36.12 WASTE MANAGEMENT UTILITY Reserved.

~~36.12.010 Waste management utility; policy.~~

~~(a) The City and Borough shall provide a household hazardous waste intermediate transfer site and other municipal solid waste management services as funds are made available. The household hazardous waste intermediate transfer site will be a location where household hazardous wastes are collected, identified, sorted, packaged, and stored in preparation for shipment. The program will include transporting and disposing of the hazardous wastes at appropriate disposal facilities.~~

~~(b) The City and Borough will not provide a curbside collection service for household hazardous waste.~~

(e) ~~For the period September 1, 2003, to August 31, 2004, the City and Borough shall provide a junked vehicle disposal program.~~

~~36.12.015 Commercial business recycling.~~

~~Commercial businesses may participate in the City and Borough recycling program upon payment of an annual fee of \$100.00.~~

~~36.12.020 Definitions.~~

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

~~Curbside collection means the collection of waste materials at curbside at the source of the waste, such as residences, commercial businesses and offices.~~

~~*Dwelling* means a building or portion of a building used exclusively for human habitation.~~

~~*Household* means the occupant of any dwelling within the City and Borough.~~

~~*Household hazardous waste* means any household generated waste which is not regulated by the Resource Conservation and Recovery Act (RCRA), 42 USC 6901 et seq., but exhibits hazardous qualities as defined by RCRA such that it is ignitable, flammable, corrosive or toxic; for example, pesticides, herbicides, paints, antifreeze, wood preservatives, poisons and cleaners. The term "household hazardous waste" also includes used oil.~~

~~*Municipal solid waste* means garbage, refuse, wastes and other discarded materials resulting from residential and nonhazardous industrial operations and activities, such as household activities, office functions, and retail and commercial business wastes.~~

~~Single family unit means a dwelling designed, improved, or used as a residence for one family only. For purposes of this chapter, each unit in a multiple family dwelling or each trailer or mobile home is a dwelling unit; provided, a combination of units in a multiple family dwelling unit actually used by a single family and for which the owner has provided a signed statement verifying that the units are and will be used solely for a single family will be considered a single family unit.~~

~~36.12.030 — Payment of waste management utility fee required.~~

~~The owner or occupant of any house, apartment building, duplex, triplex, condominium, townhouse, mobile home park or mobile home located outside a mobile home park, trailer, or other dwelling within Service Area No. 9 of the City and Borough shall pay a waste management utility fee at the rate and according to the schedule set forth in section 36.12.040.~~

~~36.12.040 — Rates and payment schedule delinquencies.~~

~~(a) — The waste management utility fee shall be billed at the following rates:~~

~~(1) — Five dollars and forty cents (\$5.40) per month for each single family unit, for those dwellings served by the City and Borough water utility, sewer utility, or both. This amount shall revert to four dollars and zero cents (\$4.00) per month on August 31, 2004.~~

~~(2) — An amount equal to 12 times that established pursuant to subsection (a)(1) of this section per year billed in advance for each single family unit, for those dwellings not served by City and Borough water or sewer utilities.~~

~~(b) — In the event the fee for the waste management utility is not paid within 25 days after billing, such charges shall be deemed and are declared to be delinquent and if a lien has been~~

~~recorded, such delinquency shall constitute a lien upon the real property upon which the dwelling is located.~~

~~(c) The waste management utility fee shall be collected from the owners or occupants of all dwellings within Service Area No. 9 of the City and Borough from and after the effective date of this chapter. Adoption and publication of this chapter shall constitute notice to all owners of real property of their liability for payment of the waste management utility fee which will be charged to any household residing in a dwelling located on the owners' property.~~

~~**36.12.050 Interest on delinquent accounts.**~~

~~Except when otherwise provided by law or specifically provided by ordinance, resolution or a written agreement, interest at the rate of 12 percent per year shall accrue on all unpaid fees, charges and assessments not paid when due.~~

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 11/25/19
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-41(b)

An Ordinance Increasing the Motor Vehicle Registration Tax.

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

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

Section 2. Amendment of Section. CBJ 69.30.010 Tax levy, is amended to read:
69.30.010 Tax levy.

(a) *Biennial tax levy.* Commencing January 1, 2021, there ~~There~~ is levied a biennial motor vehicle registration tax pursuant to the provisions of AS 28.10.431 (Biennial Motor Vehicle Registration Tax) ~~as such statute may be hereafter amended, revised, or replaced,~~ according to the following schedule:

MOTOR VEHICLE TAX SCHEDULE - BIENNIAL SCHEDULE

	Tax According to Age of Vehicle Since Model Year, in the First Year of Biennial Period:							
<i>Type</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>	<i>5th</i>	<i>6th</i>	<i>7th</i>	<i>8th or over</i>

Motorcycle	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>
Non-commercial passenger vehicles or motor homes as defined in AS 28.10.421(b)(1)	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>
Non-commercial trailers, as defined in AS 28.10.421(b)(6)	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>
Non-commercial pickup trucks or vans not exceeding 10,000 pounds unladen weight as defined in AS 28.10.421(b)(2)	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>

(b) Commercial vehicles are not subject to the City and Borough Motor Vehicle Registration Tax.

Section 3. Amendment of Section. CBJ 69.30.010 Tax levy, is amended to read:
69.30.010 Tax levy.

(a) *Biennial tax levy.* Commencing January 1, 2026, ~~2021~~ there is levied a biennial motor vehicle registration tax pursuant to the provisions of AS 28.10.431 (Biennial Motor Vehicle Registration Tax) according to the following schedule:

MOTOR VEHICLE TAX SCHEDULE - BIENNIAL SCHEDULE

	Tax According to Age of Vehicle Since Model Year, in the First Year of Biennial Period:							
<i>Type</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>	<i>5th</i>	<i>6th</i>	<i>7th</i>	<i>8th or over</i>

Motorcycle	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40
Non-commercial passenger vehicles or motor homes as defined in AS 28.10.421(b)(1)	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70
Non-commercial trailers, as defined in AS 28.10.421(b)(6)	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40	\$11 40
Non-commercial pickup trucks or vans not exceeding 10,000 pounds unladen weight as defined in AS 28.10.421(b)(2)	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70	\$75 70

(b) Commercial vehicles are not subject to the City and Borough Motor Vehicle Registration Tax.

Section 4. Amendment of Section. CBJ 69.30.010 Tax levy, is amended to read:
69.30.010 Tax levy.

(a) *Biennial tax levy.* Commencing January 1, 2031, ~~2026~~ there is levied a biennial motor vehicle registration tax pursuant to the provisions of AS 28.10.431 (Biennial Motor Vehicle Registration Tax) according to the following schedule:

MOTOR VEHICLE TAX SCHEDULE - BIENNIAL SCHEDULE

	Tax According to Age of Vehicle Since Model Year, in the First Year of Biennial Period:							
<i>Type</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>	<i>5th</i>	<i>6th</i>	<i>7th</i>	<i>8th or over</i>

Motorcycle	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44
Non-commercial passenger vehicles or motor homes as defined in AS 28.10.421(b)(1)	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75
Non-commercial trailers, as defined in AS 28.10.421(b)(6)	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44	\$12 44
Non-commercial pickup trucks or vans not exceeding 10,000 pounds unladen weight as defined in AS 28.10.421(b)(2)	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75	\$80 75

(b) Commercial vehicles are not subject to the City and Borough Motor Vehicle Registration Tax.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 11/25/19
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-41

An Ordinance Increasing the Motor Vehicle Registration Tax.

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

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

Section 2. Amendment of Section. CBJ 69.30.010 is amended to read:

69.30.010 Tax levy.

(a) *Biennial tax levy.* There is levied a biennial motor vehicle registration tax pursuant to the provisions of AS 28.10.431 (Biennial Motor Vehicle Registration Tax) ~~as such statute may be hereafter amended, revised, or replaced,~~ according to the following schedule:

MOTOR VEHICLE TAX SCHEDULE - BIENNIAL SCHEDULE

	Tax According to Age of Vehicle Since Model Year, in the First Year of Biennial Period:							
<i>Type</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>	<i>5th</i>	<i>6th</i>	<i>7th</i>	<i>8th or over</i>
Motorcycle	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>

Non-commercial passenger vehicles or motor homes as defined in AS 28.10.421(b)(1)	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>
Non-commercial trailers, as defined in AS 28.10.421(b)(6)	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>	<u>\$10 4</u>
Non-commercial pickup trucks or vans not exceeding 10,000 pounds unladen weight as defined in AS 28.10.421(b)(2)	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>	<u>\$70 44</u>

(b) Commercial vehicles are not subject to the City and Borough Motor Vehicle Registration Tax.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 11/25/19
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-47

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

WHEREAS, the area proposed to be vacated is not a right-of-way acquired under the former 43 U.S.C. 932 (RS 2477 right-of-way); and

WHEREAS, there is no current or anticipated future public purpose to retain the area proposed to be vacated; and

WHEREAS, the proposed vacation will not have a detrimental effect on the adjacent property or on the neighborhood; and

WHEREAS, the proposed vacation is in the best interest of the public; and

WHEREAS, the right-of-way will be vacated through a lot line adjustment in accordance with CBJ 49.15.401; and

WHEREAS, payment is not needed for this right-of-way vacation because there is no indication the City and Borough of Juneau purchased this right-of-way; and

WHEREAS, at its meeting on October 29, 2019, the Planning Commission recommended the Assembly approve vacating this right-of way.

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. Authorize Vacation of Right-of-way. The Assembly authorizes the vacation of right-of-way at Lot 10, Evergreen Heights Subdivision, located at 1706 Willow Drive as generally depicted in Exhibit A.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MORTGAGE LOCATION SURVEY NOTE: THIS SURVEY IS PREPARED IN ACCORDANCE TO A.S.P.L.S. MORTGAGE LOCATION SURVEY STANDARDS. THIS SURVEY REPRESENTS SURFACE CONDITIONS FOUND AT THE TIME OF LOCATION SURVEY AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. THIS SURVEY IS SUBJECT TO ANY INACCURACIES THAT A BOUNDARY SURVEY MAY DISCLOSE. THE INFORMATION SHOWN HEREON SHALL NOT BE USED TO ESTABLISH FENCES, STRUCTURES, OR OTHER IMPROVEMENTS.



LOT 9 PLAT 223

LOT 11
PLAT 223

18.8

MAPLE STREET

GRAVEL
DRIVEWAY

VAULT

S 00°00'00" E 77.21

S 80°18'00" E 81.75

WILLOW DRIVE

LOT 3
PLAT 223LOT 5
PLAT 223

SHED

TWO STORY
RESIDENCE

2ND STORY DECK

N 90°00'00" W 102.17

11.7

N 01°27'00" W 95.12

TR. 1 FR. LOT 7
83-184WTWO STORY
GARAGE

2ND STORY DECK

N 90°00'00" W 20.00
S 00°00'00" E 20.02
N 01°27'00" W 23.67

5.4

15.2

4.0

S 80°18'00" E 2.43

"AS-BUILT SURVEY"

MORTGAGE LOCATION SURVEY
LOT 10 EVERGREEN HEIGHTS, BLOCK 3 SEATER ADDITION
WITHIN US SURVEY 1295



SCALE: 1"=20' FEET
DATE: 06 MARCH 2019
FILE: 1904 CARVER

CLIENT: BLACKWING CONSTRUCTION
521 W NINTH STREET JUNEAU, AK 99801

Presented by: The Manager
 Introduced: 11/25/19
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, David Lendrum and the Lendrum Trust own certain real property located at 11029 Mendenhall Loop Road, Lot 2, Bonnie Subdivision, and Margaret Tharp and David Lendrum are the Trustees of the Lendrum Trust; and

WHEREAS, Margaret Tharp and David Lendrum have submitted an application to purchase an adjacent City and Borough property that is approximately 47,363 square feet and located at 11031 Mendenhall Loop Road, Lot 3, Bonnie Subdivision; and

WHEREAS, Margaret Tharp and David Lendrum plan to use the property consistent with their landscaping business, possibly including developing a horticultural education program in partnership with local nonprofit groups; and

WHEREAS, as part of the proposed negotiated sale of the City and Borough property, Margaret Tharp and David Lendrum have agreed to grant the City and Borough a 60-foot wide access and utility easement through Lot 2 and Lot 3, Bonnie Subdivision; and

WHEREAS, at the meeting on August 6, 2018, the Lands Committee provided a motion of support for this land disposal; and

WHEREAS, at the meeting on September 17, 2018, the Assembly authorized the Manager to negotiate this sale; and

WHEREAS, at the meeting on November 13, 2018, the Planning Commission provided a motion of support to the Assembly for this land disposal at fair market value; and

WHEREAS, an appraisal was completed on September 2, 2019, which calculated the fair market value of the property at \$109,410.00, taking into consideration the value of the access easement being granted to the City and Borough of Juneau.

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 Lot 3, Bonnie Subdivision, Juneau Recording District, First Judicial District, State of Alaska, constituting 47,363 square feet more or less, as shown on the attached Exhibit A.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by the Manager to be \$109,410.00. The applicants will be responsible for closing costs and recording fees.

Section 4. Other Terms and Conditions.

- (a) As a condition of the sale, David Lendrum and the Lendrum Trust must provide the City and Borough a 30-foot wide easement through their property located on Lot 2, Bonnie Subdivision, and Margaret Tharp and David Lendrum will provide a 30-foot wide easement on Lot 3, Bonnie Subdivision, Juneau, Recording District, First Judicial District, State of Alaska, and as further depicted on Exhibit A.
- (b) *Purchasers may elect to use City and Borough financing, paying a down payment of ten percent of the purchase price, the balance owed over a period of ten years, in annual, quarterly, or monthly payments at an interest rate of ten percent. The purchasers must not sell or assign his or her interest in a parcel until the City and Borough has been paid in full.*
- (c) 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 _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Packet Page 92 of 94





Draft Scope of Work, BRH Provider Network Development Analysis RP

2.1 Scope of Work. Bartlett Regional Hospital (BRH) is seeking to retain an advisor to assist its board and management in considering its situation, and available strategic alternatives. In that regard, we would like to develop an enhanced understanding of BRH's business, medical, and market circumstance, and the range of options, which might be available. The following requirements shall be required in the performance of this contract, and in achieving the City's project objectives:

- a. Describe the most relevant commercial and organizational factors necessary to understanding BRH's situation.
- b. Detail the role of BRH's medical staff in your analysis and any anticipated changes.
- c. Present an implementation option for each scenario presented in the final analysis.
- d. Detail any economic tradeoffs or financial variables and their impact both short and long term.
- e. Detailed SWOT (Strength, Weakness Opportunities, and Threats) analysis of the market factors impacting Hospital.
- f. Present a comparison of hospitals of similar size, independent vs operated by management firms.
- g. Provide an analysis of financial viability maintaining the status quo (operating margin, days cash on hand and debt-to-capitalization ratio) of various alternatives vs the status quo.
- h. Detail the impact of market developments in Alaska and nationally and how BRH will be affected.

When presenting an analysis for proposed networking relationships, provide the following input:

- i. Detail all relevant transactions forms to consider.
- j. Describe the economic and cash flow implication of each.
- k. Describe all the financial and non-financial issues associated with the various models.
- l. Detail the economic tradeoffs between the different types of relationships.
- m. Describe any of the likely financial variables in these tradeoffs.
- n. Detail the typical risk trade-offs in these initiatives.
- o. Describe where the largest risk elements exist in this type of transaction.
- p. Coordinate final report to the BRH board to coincide with board's strategic planning retreat, probably in May 2020 but yet to be scheduled, and lead a robust discussion of the SWOT analysis as well as findings of the report.