

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

April 1, 2019 7:00 PM

Assembly Chambers
Meeting No. 2019-18

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. US Forest Service Certificate of Appreciation

IV. APPROVAL OF MINUTES

A. January 7, 2019 Draft Regular Assembly Meeting #2019-01

B. January 14, 2019 Draft Special Assembly Meeting #2019-02

C. January 22, 2019 Draft Special Assembly Meeting #2019-04

D. March 6, 2019 Draft Special Assembly Meeting #2019-10

E. March 11, 2019 Draft Special Assembly Meeting #2019-11

F. March 13, 2019 Draft Special Assembly Meeting #2019-12

G. March 15, 2019 Draft Special Assembly Meeting #2019-14

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 2019-12 An Ordinance Prohibiting Commercial Rental or Provision of Dockless Vehicles and Imposing a Permit Moratorium and Sunset Date.**

Dockless transportation devices (scooters and e-bikes) have become a growing management and policy concern in communities in the lower 48. The dockless nature of these devices mean that they are randomly distributed cluttering sidewalks, rights of way, and other public spaces. This impairs pedestrian access and has raised concerns about ADA access. In addition, there are significant safety concerns. Scooters in particular are viewed as potentially hazardous to the riders, pedestrian traffic and vehicular traffic in the area. The scooters operate at speeds of up to 15MPH. While they can be operated in a more nimble fashion than bikes, they are not well designed for use on uneven surfaces which can result in riders being thrown from the devices at high speeds. There are positives to dockless transportation devices as well; they can extend the comfortable range of pedestrian commutes, supplement transit routes by effectively closing gaps in routes, they can help reduce automobile traffic, and they are perceived as a cleaner form of transportation than fuel burning alternatives. This proposed ordinance would institute a moratorium for dockless vehicles to give the community an opportunity to develop reasonable regulations for dockless vehicles.

The City Manager recommends this ordinance be introduced, referred to the Planning Commission for consideration, and then set for public hearing.

- b. **Ordinance 2019-15 An Ordinance Authorizing the Manager to Amend the Wireless Communications Site Lease with Vertical Bridge S3 Assets, LLC at 3000 Jackson Road.**

Vertical Bridge has requested to lease an additional 144 square feet from the CBJ. This lease will provide space for additional ground equipment to utilize open space on the tower. This lease amendment will update the contact information, extend the lease by adding an additional lease term of five years, and update the rent schedule to include increased rent for an additional sub-lessee. The Lands Committee passed a unanimous motion of support for the lease amendment at its January 14, 2019 meeting.

The City Manager recommends this ordinance be introduced and set

for public hearing at the next regular Assembly meeting.

- c. **Ordinance 2019-16 An Ordinance Authorizing the Manager to Convey Approximately 600 Square Feet of Property Located at Lot 1, USS 3559 to the Owners of the Adjacent Property Located at 9223 North Douglas Highway.**

Thomas Daugherty requested to purchase a small fraction of City owned property in order to have enough area to subdivide his existing lot into two residential lots. Mr. Daugherty's lot is approximately 512 square feet below the minimum size needed to subdivide and requests buying approximately 600 square feet of City property. The Land Management Plan allows for this type of disposal. The Lands Committee and the Planning Commission recommended that the Assembly approve the sale. The value of this property has been determined by the Manager and Assessor to be \$2,400. The applicant will pay market value and all surveying, subdivision, recording and closing costs.

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

- d. **Ordinance 2019-17 An Ordinance Authorizing the Sale of Four City and Borough Parcels Located at Lena Point Near 16550 Ocean View Drive and 16550 Pt. Lena Loop Road and Establishing the Terms and Conditions Related to the Sale.**

The South Lena Subdivision was recorded in 2006 and set aside as a large lot to protect an eagle nest. The plat included a note describing that if the eagle nest was abandoned, the lot may be subdivided and developed. In 2017, the United States Fish and Wildlife Service determined the eagle's nest had been abandoned. The lot was then subdivided into four lots. The four lots were appraised and determined to have the following fair market values:

Lot 1A	0.600 acres	\$101,000
Lot 1B	0.549 acres	\$100,000
Lot 1C	0.645 acres	\$ 94,000
Lot 1D	0.554 acres	\$ 90,000

If any lot remains unsold after the sealed competitive bid sale, an over-the-counter sale of the remaining lots would be authorized.

The Lands Committee passed a unanimous motion of support to sell these lots at its meeting on January 14, 2019.

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

- e. **Ordinance 2018-11(AG) An Ordinance Appropriating to the Manager**

the Sum of \$800,000 as Partial Funding for the Upgrade of the City and Borough of Juneau's Land Management and Revenue Enterprise System; Funding Provided by Lease Proceeds.

This ordinance provides up to \$800,000 in funding for the project to upgrade the core Land Management & Revenue Enterprise Software system (MS Govern). The funding for this increase will be provided through our master lease arrangement with Key Bank. We are planning on entering into a 4 year lease. A 4-year lease would result in annual lease payments of approximately \$200,000 plus interest. The actual interest cost and total lease amount will be determined at the time of leasing. The total projected project cost is between \$900,000 and \$1.08 million. There is \$280,000 of funding remaining in a technology upgrade CIP, which will be transferred to this project.

The lease payments are proposed to be funded from the voter approved (2017 election) 1% sales tax program. The voters approved \$2 million to be allocated to CBJ technology infrastructure upgrades.

Staff is currently negotiating with the vendor, MS Govern. Negotiations are anticipated to be complete by the end of April. In order to sign the contract full funding needs to be secured. The lease provides an immediate source of project cash and the repayment can be spread out over 4 years, while the sales tax is being collected.

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

2. Liquor License

a. **Liquor License Renewals for Licenses: 644, 2728, 4034, 300, 1690, 2175, 4493**

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

Renewal of Liquor Licenses

_License Type: Beverage Dispensary, License #644
Wolfpack Ventures, LLC. d/b/a Salt Alaska
Location: 200 Seward Street, Juneau

License Type: Beverage Dispensary, License #2728
Molly Ventures, Inc., d/b/a McGivney's Sports Bar & Grill
Location: 9101 Mendenhall Mall Rd, Juneau

License Type: Club, License #4034

Juneau Moose Lodge #700, d/b/a Loyal Order of Moose #700
Location: 8335 Airport Blvd, Juneau

License Type: Package Store, License #300
DeHart's, LLC. d/b/a DeHarts Grocery
Location: 11735 Glacier Highway, Juneau

License Type: Restaurant or Eating Place, License #1690
Bullwinkle's, Inc., d/b/a Bullwinkle's Pizza
Location: 9108 Mendenhall Mall Rd, Juneau

License Type: Restaurant or Eating Place, License #2175
Midnight Ninja Ventures Inc., d/b/a Lupo
Location: 120 Second St. Suite B, Juneau

License Type: Restaurant or Eating Place, License #4493
Kwang LLC, d/b/a Little Tokyo
Location: 140 Seward St., Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest these applications. Copies of the documents associated with each 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 applications.

3. Transfers

- a. **Transfer 1008 A Transfer of \$100,000 from the Cultural Gateway Capital Improvement Project to the Downtown Wayfinding and Interpretive Signs Capital Improvement Project.**

This transfer of \$100,000 of Marine Passenger Fees from D12-027, Cultural Gateway CIP, to D12-097, Downtown Wayfinding and Interpretive Signs, will provide funding to support the fabrication and installation of gateway markers in the downtown core as part of a signage system to guide cruise ship passengers between the waterfront and downtown.

The Public Works and Facilities Committee recommended this transfer at its meeting on December 10, 2018.

The City Manager recommends this transfer be approved.

b. Transfer 1009 A Transfer of \$130,000 from the Waterfront Seawalk Capital Improvement Project to the Downtown Wayfinding and Interpretive Signs Capital Improvement Project.

This transfer of \$130,000 of Marine Passenger Fees from H51-113, Waterfront Seawalk CIP, to D12-097, Downtown Wayfinding and Interpretive Signs, will provide funding to support the fabrication and installation of waterfront signage as part of a system to guide cruise ship passengers along the waterfront and into downtown.

The Public Works and Facilities Committee recommended this transfer at its meeting on December 10, 2018.

The City Manager recommends this transfer be approved.

VIIIPUBLIC HEARING

A. Ordinance 2019-09 An Ordinance Amending the Public Finance Code Relating to Investments and Collateral.

This ordinance would amend the CBJ investment code. The CBJ investment code and policy were last updated in 2007 and 2009. The CBJ operates a “Central Treasury” for the management of all municipal finances including the school district and enterprise funds. Over the past few years the amount of cash in Central Treasury has varied from \$170 - \$220 million; a portion of those funds are deemed available for longer term investments in order to maximize additional earnings potential. The existing code requires that an external manager be contracted for managing a portion of intermediate term portfolio, and the remaining portion to be managed by the Finance Director/staff internally.

Using policies from the Government Finance Officers Association (GFOA) and other Alaskan communities as a guide, this ordinance revises CBJ 57.25 to allow more effective management of CBJ investments, directs the Finance Director to implement investment code, requires an independent third party custodian to control investment securities, and prioritizes the investment objectives. This code also sets up the rules for investment of Long Term/Endowment Funds managed by CBJ.

The Assembly Finance Committee reviewed these amendments at its meetings on November 7, 2018, and January 9, 2019, and recommended adoption of these code amendments.

The City Manager recommends this ordinance be adopted.

B. Ordinance 2019-10 An Ordinance Authorizing the Manager to Lease up to an Acre of City and Borough Property Located at Lot 4, HDK Subdivision, Near Anka Street and the South Lemon Creek Material Source, to Juneau Composts! LLC for a Composting Facility.

This ordinance would authorize the City Manager to lease CBJ property behind Home Depot to Juneau Composts! LLC for a composting facility. The Lands Committee and the Planning Commission passed motions of support for the proposal. The Assembly, at its November 5, 2018 meeting, authorized the City Manager to negotiate a fair market value lease with Juneau Composts! LLC. The proposed ordinance will authorize a lease term for 5 years at the current market value of \$200.00 per month per quarter acre.

The City Manager recommends this ordinance be adopted.

C. Ordinance 2019-11 An Ordinance Authorizing the Manager to Lease Property known as Gunakadeit Park (Pocket Park) and Located at Juneau Townsite, Block 13, Lot 9, Near 139 S. Franklin Street to Franklin Foods LLC.

This lease application was initially submitted by Dave McCasland for Alaska Sustainable Seafoods LLC (dba Deckhand Dave's), but was modified on March 14 by Mr. McCasland to change the lessee name to Franklin Foods LLC. The applicant plans to use the leased land for outdoor food sales with portable restrooms and a seating area.

On November 5, 2018, the Assembly passed a motion to direct the City Manager to negotiate a fair market value lease of the lot, formerly known as Gunakadeit Park, to the applicant.

The Planning Commission recommended leasing the lot to the applicant for a term of one year. The term of the lease in the proposed ordinance is for one year and fair market value has been determined, by appraisal, to be \$3,250 per month from May through September and \$1,000 per month for the remaining months of the year.

The City Manager recommends this ordinance be adopted.

D. Resolution 2851 A Resolution Repealing Resolution 1950, Prohibiting Alcohol in Jackie Renninger Park and the Hank Harmon Rifle Range, and Allowing Alcohol in Gunakadeit Park with a Food Vendor Lease.

Franklin Foods LLC's business plan involves operating an outdoor food service at Gunakadeit Park that includes the sale of beer and wine. The original intent for the alcohol prohibition at this park was to prevent unregulated consumption of alcohol in public parks. If the park is leased to a food vendor like Franklin Foods LLC, the food vendor would be responsible for controlling where alcohol is consumed and responsible for maintaining the park.

The Lands Committee passed a motion recommending the Assembly remove Gunakadeit Park from Resolution 1950 only if the Park is leased to a food vendor like Franklin Foods LLC. The removal of the prohibition on alcohol possession should only be for the duration of the lease and be reinstated when the lease is terminated. The prohibition will remain in effect until a lease is signed, and will be reinstated upon completion of the lease.

The City Manager recommends this resolution be adopted.

- E. **Ordinance 2018-11(AE) An Ordinance Appropriating to the Manager the Sum of \$600,000 as Funding for the Bartlett Regional Hospital Rainforest Recovery Center Detox Addition Capital Improvement Project; Funding Provided by Bartlett Regional Hospital Fund's Fund Balance.**

This ordinance would appropriate \$600,000 from the Bartlett Regional Hospital (BRH) fund balance to supplement CIP B55-078 Rainforest Recovery Center (RRC) Detox Addition. The additional \$600,000 will increase the funds in this CIP to \$3,100,000, allowing the project to be advertised for construction in the spring of 2019.

The RRC Detox Addition project will demolish approximately 2400 SF of the west wing of the existing facility and will construct approximately 4400 SF of new space in its place. The new addition will house a four-patient detox suite, an ADA compliant main entry, a waiting area, an addiction assessment area, and five administrative staff offices. The project also includes roof replacement for the entire facility and a new power supply from the BRH main electrical room, eliminating the need for a separate back-up generator at the facility.

The project will allow detox and addiction treatment to be removed from BRH and integrated adjacent to the Rainforest Recovery Center's residential care program creating a coordinated, full continuum of addiction care in a single facility.

The Public Works and Facilities Committee referred this ordinance to the Assembly for approval at its meeting on February 25, 2019.

The City Manager recommends this ordinance be adopted.

- F. **Ordinance 2018-12(B) An Ordinance Appropriating and De-Appropriating Funds from the Treasury for FY19 School District Operations.**

The FY2019 school enrollment is above the level originally used to determine the Juneau School District (JSD) funding for the FY19 approved school budget.

This results in \$536,284 more of state revenue and an increase of \$122,714 to the contribution amount that CBJ is allowed to fund under the state cap. The Board of Education passed a budget revision increasing state and local funding for the FY19 District's Operating Fund at its January 8, 2019, meeting.

The Assembly Finance Committee approved this action at its meeting on February 6, 2019.

In the FY19 CBJ budget proceedings, the Assembly also approved additional funding of \$140,000 to JSD for Kinder Ready. As a housekeeping measure, the funding is now being appropriated for FY19 school district operations.

The total increase in expenditures authorized in this ordinance is \$798,998. \$536,284 is funded with state revenue and \$262,714 is funded from local general government revenues.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Mountainside Estates Homeowners Association and Dawn Wolfe, et. al. vs. CBJ Planning Commission, Assembly Appeal #2019-03

The Clerk's Office received a timely filed appeal from Mountainside Estates Neighborhood Association and Dawn Wolfe, et. al. regarding the Planning Commission's decision on SMP 2018-0002 a preliminary plat for a phased major subdivision to include 12 single-family lots and 1 large tract (13 lots total).

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal. If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

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

B. Export Manufacturing Property Tax Exemption

Property owners seeking a Manufacturing Property Tax Exemption must file a request with the Assessor's Office on or before January 31 of each year. The code places the authority for approving the manufacturing exemption requests with the Assembly.

For 2019, two companies have requested the tax exemption: Alaska Glacier Seafood Inc. and AKBV Group, LLC (Alaska Brewery).

CBJ 69.10.020(1)(c) provides for exempting qualifying manufacturing property from assessment and taxation. Qualifying property may receive a declining five-year percentage exemption from the property's market value as follows:

- 100% exemption in year 1
- 80% exemption in year 2
- 60% exemption in year 3

40% exemption in year 4
20% exemption in year 5

The total property value requested for exemptions this year is \$858,630. This would result in a tax loss of \$9,181. Individual company amounts are detailed in the meeting packet materials.

The Assessor's Office reviewed the exemption applications and determined that the properties met the code requirements. The Assembly Finance Committee reviewed this issue at its March 13, 2019, meeting, and recommended forwarding the tax exemptions for 2019 to the full Assembly for approval.

The City Manager recommends approval of these exemptions.

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 audiotope containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

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

Meeting Minutes - January 7, 2019

MEETING NO. 2019-01: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE**II. ROLL CALL**

Assembly present: Mayor Beth Weldon, Mary Becker, Rob Edwardson, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Carole Triem, Michelle Hale, Wade Bryson.

Assembly Absent: None

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Attorney Robert Palmer; Municipal Clerk Beth McEwen, Finance Director Bob Bartholomew, Parks and Recreation Manager George Schaaf, Aquatics Manager Kollin Monahan, Housing/Homelessness Coordinator Irene Gallion, Port Director Carl Uchytel, Airport Manager Patty Wahto

III. SPECIAL ORDER OF BUSINESS

None.

IV. APPROVAL OF MINUTES

MOTION by Ms. Becker to approve the minutes of the October 15, 2018 and December 13, 2018 Assembly meetings and asked for unanimous consent. *Hearing no objections, the minutes were approved as presented.*

A. October 15, 2018 Assembly Meeting 2018-30 Minutes

B. December 13, 2018 Special Assembly Meeting 2018-36 Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested under Consent Agenda, under ordinance for introduction item 1.h. for the manager's report for Ordinance 2018-11(Y) to include a recommendation to refer the ordinance to the Public Works and Facilities Committee before coming back to the Assembly for public hearing. *Hearing no objection, that change was made to the Consent Agenda.*

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. William Quayle spoke to a recent email that he sent to the Assembly. He stated that

he wished to point out that there is the ability to take pedicabs out Glacier Hwy. via the current bike trail and only needs to cross Egan Drive at the crosswalk at the light located by the Hospital/ Glacier Hwy intersection.

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 objections, the motion carried.*

1. Ordinances for Introduction

- a. Ordinance 2019-01 An Ordinance Amending the City and Borough Code Relating to the Criminal Penalty for Violating Conditions of Release.

This ordinance would amend the CBJ's violating conditions of release penalty to be consistent with the maximum penalty allowed under State law. State law (AS 29.25.070(g)) requires that a penalty for a municipal ordinance may not be greater than for a violation of a similar State law. This ordinance would reduce the maximum term of imprisonment from 10 days to 5 days for the crime of violating conditions of release and clarify that the maximum fine is still \$2000, which is consistent with State law (AS 11.56.757, AS 12.55.135(b)(3), and 12.55.035(b)(6)).

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

- b. Ordinance 2019-03 An Ordinance Amending the City and Borough of Juneau Code Related to Aquatics Facilities and Repealing the Associated Sunset Date.

In October 2014, Juneau voters authorized the Assembly to adopt an ordinance to establish a board to direct the operation of CBJ's aquatics facilities. Subsequently, Ordinance 2015-23(b) created the seven-member Aquatics Board. That ordinance specified the Aquatics Board would automatically sunset on May 28, 2018. Ordinance 2018-18 extended this sunset date to June 30, 2019, to allow for further consideration of future governance options. Since April 2018, the Aquatics Board, in consultation with the City Manager and Parks & Recreation staff, considered different

governance options, which culminated in Ordinance 2019-03.

This ordinance permanently removes the sunset provision and makes several other changes. It increases the number of board members from seven to nine, and designates one seat each for representatives from the Juneau School District and a local swim organization that rents a pool facility. The Director of the Parks & Recreation Department would sit on the board as a non-voting member. The ordinance further clarifies that the Aquatics Manager reports to the Parks & Recreation Director and provides staff support to the Aquatics Board. The Board would continue to have the ability to establish fees and charges for the use of aquatics facilities, review and approve annual operating and capital budget submissions, and adopt regulations subject to Assembly approval.

The Human Resources Committee discussed this ordinance on January 7, 2019.

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

- c. Ordinance 2019-04 An Ordinance Repealing Ordinance 2015-18(am) and Re-establishing the Treadwell Arena Advisory Board.

The Treadwell Arena Advisory Board (TAAB) was established by the Assembly in 2015 and tasked with reviewing operations at the Treadwell Arena, including financial performance, marketing, and facility usage. The TAAB recently developed mission and vision statements for the board, and has proposed amending ordinance 2015-18(am) to provide better alignment between the TAAB's work and its reports to the Assembly. This ordinance would better identify objective reporting criteria that align with the TAAB's vision "to ensure continued opportunities for the community to use Treadwell Arena," and its mission to "work with Treadwell Arena to ensure operations are consistent with cost recovery goals, identify opportunities to generate net revenue, and identify ways to improve the user's experience." The TAAB discussed these changes at its meeting on October 16, 2018 and recommended forwarding them to the Assembly for action.

The Human Resources Committee discussed this ordinance on January 7, 2019.

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

- d. Ordinance 2018-11(U) An Ordinance Appropriating to the Manager the

Sum of \$600,000 as Funding for the Electronic Fare Boxes Capital Improvement Project for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate grant funding in the amount of \$600,000 as provided by federal funds through the Alaska Department of Transportation and Public Facilities. A local match requirement of \$150,000 has already been appropriated to the Capital Project under D71-090 – Electronic Fare Boxes.

This funding will provide Capital Transit with a data management and fare collection system that enables automatic passenger counters to track ridership and loads on an ongoing basis and a fare collection system to help reduce collection time, ultimately providing improved customer service.

The Public Works and Facilities Committee reviewed this topic at its meeting on December 10, 2018, and referred it to the Assembly.

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

- e. Ordinance 2018-11(V) An Ordinance Appropriating to the Manager the Sum of \$479,653 as Partial Funding for Bus Replacement for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, With Local Match Funding Provided by the Equipment Replacement Reserve's Fund Balance.

This ordinance would appropriate grant funding in the amount of \$407,630 as provided by federal funds through the Alaska Department of Transportation and Public Facilities. A local match requirement of \$72,023 will be funded from the equipment replacement reserve fund balance.

This Lo-No Bus grant, and local match, will be combined with remaining funding of \$397,339 from the recent diesel bus replacement grant that was previously appropriated by the Assembly, along with the associated local match of \$99,335 available in the equipment replacement reserve fund balance. These combined funds, totaling \$976,327 will allow Capital Transit to replace a 2006 35 foot diesel powered bus with a 35 foot electric bus and associated charging infrastructure for the Mendenhall Valley Transit Facility.

The Public Works and Facilities Committee reviewed this topic at its meeting on December 10, 2018, and referred it to the Assembly.

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

- f. Ordinance 2018-11(W) An Ordinance Appropriating to the Manager the Sum of Up to \$30,000 as Partial Funding for the Cold Weather Emergency Shelter (FY19); Grant Funding Provided by the Alaska Mental Health Trust Authority (The Trust).

The Alaska Mental Health Trust Authority approved a \$30,000 grant request submitted by CBJ staff to cover the costs of operating the cold weather emergency shelter. Last year CBJ received \$16,425 to cover rent at the facility. The increased amount recognizes the CBJ's additional costs in taking over ownership of the building, but is \$6,000 short of that requested. The Housing Office will be looking for operational efficiencies to address the shortfall.

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

- g. Ordinance 2018-11(X) An Ordinance Appropriating to the Manager the Sum of \$52,763 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 \$52,763 "house-keeping" grant submitted by CBJ at the request of the Trust. This grant streamlines travel funding and re-establishes a fiscal year grant cycle. One element of this grant is for \$36,355. The original award was for \$100,000 a year for up to three years, beginning in FY2018. Our Housing and Homelessness Services Coordinator was hired seven months into the fiscal year. This funding fills the gap between fiscal years and allows the Trust to assume a regular grant cycle in FY2020. The other element of this grant is \$16,398 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 them individually, the Trust requested they be submitted as a plan.

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

- h. Ordinance 2018-11(Y) An Ordinance Appropriating to the Manager the Sum of up to \$230,000 as Funding for Phase II of the Amalga Fish Cleaning Station Project; Grant Funding Provided by the Alaska

Department of Fish and Game.

The Alaska Department of Fish and Game (ADF&G) has provided \$230,000 for the purpose of design and construction of a new fish cleaning float.

This project received a previous ADF&G grant of \$50,000 for feasibility and planning purposes.

The additional funds will cover the final design, permitting, bidding, and construction of the fish cleaning station at Amalga Harbor.

The Docks and Harbors Board referred this item to the Assembly at its regular meeting on December 20, 2018.

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

- i. Ordinance 2018-11(Z) An Ordinance Appropriating to the Manager the Sum of up to \$200,000 as Funding for Visitor Information Kiosk Replacement Capital Improvement Project; Funding Provided by the Dock Fund's Fund Balance.

The CBJ Docks and Harbors Board requests approval to transfer \$200,000 from the Docks Fund Balance for construction of a new Visitor Information Kiosk.

The current kiosk is over 40 years old, has several safety deficiencies, and does not meet ADA requirements. The kiosk is beyond repair and needs to be replaced.

The proposed funding would replace CBJ Marine Passenger Fees currently remaining in the account. Those funds would be transferred to another project under a separate action. The Docks Fund Balance is currently \$4.0M.

The Docks and Harbors Board considered this item at its regular meeting on December 20, 2018 and adopted a motion to recommend the Assembly approve this appropriation ordinance.

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

- j. Ordinance 2018-11(AA) An Ordinance Appropriating to the Manager the Sum of up to \$170,000 as Funding for Dock Security Stations Capital Improvement Project; Funding Provided by Marine Passenger Fees.

The CBJ Docks and Harbors Board requests approval to transfer \$170,000 of Marine Passenger Fees from Docks Operations Fund to CIP H51-122 (Dock Security Stations).

The Department of Homeland Security requires Docks personnel secure the vessel at all times it is moored to the cruise berths. Passengers' credentials must be cleared as they enter the vessel security area. Currently there is no orderly vessel security access and queuing location for security checks. The proposed project would construct new security checkpoint facilities (one at the Cruise Ship Terminal and one at Alaska Steamship Wharf).

Funds being transferred are CBJ Marine Passenger Fee proceeds within the approved Docks Operations account that was originally identified for US Coast Guard required TWIC readers. The USCG has since delayed indefinitely the TWIC reader requirement thus the funds are able to support another vessel security project.

The Assembly Public Works and Facilities Committee considered this funding item at its regular public meeting on November 19, 2018 and adopted a motion to prepare an appropriation ordinance for Assembly action.

The Docks and Harbors Board considered this item at its regular meeting on December 20, 2018 and adopted a motion to recommend the Assembly approve this appropriation ordinance.

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

2. Resolutions

- a. Resolution 2844 A Resolution Supporting a Project to Repair the Kaxdigoowu Heen Dei Trail through the Alaska Transportation Alternatives Program and Maintenance Commitment.

The Kaxdigoowu Heen Dei Trail (also known as the Brotherhood Bridge Trail) is Juneau's longest paved pathway. A section of the trail collapsed into the Mendenhall River earlier this summer, and much of the asphalt surface is failing in other areas. Several bridges and culverts also need to be replaced, and the trail does not meet current guidelines for accessibility.

Funding to repair the trail and improve access for people with disabilities

is available from the Alaska Department of Transportation and Public Facilities through the “Alaska Transportation Alternatives Program” (ATAP). If approved, the project would be completed by DOT in cooperation with CBJ. The ATAP program requires a 9.03% local match, which would be met with previously appropriated CIP funds. A resolution of support from the Assembly is required for all ATAP project nominations.

The City Manager recommends this resolution be adopted.

3. Liquor License

- a. Liquor License Renewals for Licenses #'s: 4881, 5506, 188, 662, 4543, 176

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

Renewal of Liquor Licenses

License Type: Recreational Site-Seasonal, License #4881

Alaska Travel Adventures Inc. d/b/a Alaska Travel Adventures

Location: 9999 Glacier Hwy (Mendenhall River Site), Juneau

License Type: Distillery, License #5506

Amalga Distillery, LLC d/b/a Amalga Distillery

Location: 134 N. Franklin St. Juneau

License Type: Restaurant Eating Place, License #188

Bullwinkles, Inc. d/b/a Bullwinkles Pizza

Location: 318 Willoughby Ave., Juneau

License Type: Package Store, License #662

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

Location: 3370 Douglas Hwy., Juneau

License Type: Package Store, License #4543

Breeze-In Corporation d/b/a Breeze-In (Lemon Creek)

Location: 5711 Concrete Way, Juneau

License Type: Package Store, License #176

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

Location: 8 Mile Glacier Hwy., 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 these applications. Copies of the documents associated with each license are in the Assembly's e-packet or available in hardcopy upon request to the Clerk's office.

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

4. Other Items for consent

a. New License-Standard Marijuana Cultivation Facility License #12176

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

Standard Marijuana Cultivation Facility, License #12176, Taku Horticulture Company, LLC, located at: 1758 Anka Street Building B, Suite A1, Juneau (The 60-day comment period for local governing body action expires Saturday, January 26, 2019.)

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

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

The City Manager recommends the Assembly waive its right to protest the issuance of the following AMCO marijuana license: License #12176.

b. Transfer of Marijuana Licenses #'s: 12311, 12313, 12315

CBJ received notice from the Alcohol and Marijuana Control Office (AMCO) regarding ***Transfer of Controlling Interest*** for the following three (3) marijuana licenses [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

Standard Marijuana Cultivation Facility, License #12311, ISG, Inc. d/b/a Juneau's Green Garden, located at: 5011 Short Street Suite 1, Juneau

(The 60-day comment period for local governing body action expires Monday, February 4, 2019)

Retail Marijuana Store, License #12313, ISG, Inc. d/b/a Juneau's Green Market, located at: 263 Marine Way, Juneau

(The 60-day comment period for local governing body action expires Tuesday, February 5, 2019)

Marijuana Product Manufacturing Facility, License #12315, ISG, Inc. d/b/a Evergreen Extracts, located at: 5011 Short Street Suite 2, Juneau

(The 60-day comment period for local governing body action expires Monday, February 4, 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 transfer of controlling interest of the following AMCO marijuana licenses: License #12311, License #12313 and License #12315.

VIIIPUBLIC HEARING

- A. Ordinance 2018-47 An Ordinance Amending the Health and Sanitation Code Relating to Smoking Limitations.

The CBJ has code provisions that restrict smoking. The State recently enacted SB63 to restrict smoking state-wide. Although most of the SB63 provisions are the same or similar to CBJ code, there are slight differences. This ordinance would amend the CBJ code to be consistent with SB63, which minimizes confusion as to where people can smoke and makes it easier for the smoking restrictions to be enforced.

The Committee of the Whole discussed this matter at its meetings on October 22 and November 15, 2018.

Note: On December 20, 2018, the Marijuana Control Board voted to adopt regulations to allow marijuana consumption in certain retail premises with an endorsement. The draft regulations allow for local options to prohibit onsite consumption (3 AAC 306.200). In addition, the draft regulations allow local government to protest specific onsite consumption endorsements. (3 AAC 306.060). The CBJ currently prohibits smoking marijuana in private clubs and in enclosed marijuana retail premises (CBJ 36.60.010.a.1 and a.6). Ordinance 2018-47 does not alter those existing marijuana smoking prohibitions. The City Manager intends to discuss the onsite marijuana consumption regulations with the Committee of the Whole on February 4, 2019.

The City Manager recommends this ordinance be adopted.

MOTION by Mr. Jones for the Assembly to adopt Ordinance 2018-47 and asked to propose an amendment.

Mr. Jones noted that in addition to state law that passed for smoking, the state also passed a law regarding vaping so in speaking with the City Attorney, he wanted to ensure that vaping was included in this ordinance. He distributed a proposed amendment as drafted by the City Attorney to include the following amendment by *adding* a definition to Section 6 of the ordinance to read as follows:

Electronic smoking product means (i) any product containing or delivery nicotine or any other substance intended for human consumption that can be used by a person through inhalation of vapor or aerosol from the product, of any size or shape, whether the product is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, vape pen, or any other product name or descriptor; or (ii) a component, solution, alternative tobacco product, e-liquid, e-juice, vapor product, flavoring, or other related product of an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device of any size or shape used for, or to assist with, aerosolizing and inhaling chemical substances that may cause an adverse effect on human health;

The amendment proposed a change to 36.60.005 to bring us into compliance with Senate Bill 15 (AS 11.81.900) which became effective on January 1, 2019.

MOTION by Mr. Jones to adopt the above amendment to Ordinance 2018-47 as distributed to the members.

Members asked a number of questions from Mr. Palmer about the legal process and Mr. Palmer explained that this amendment would be appropriate to include in this ordinance. He also answered questions relating to the constitutionality of the CBJ definition of smoking as was found in the court case *Eagles vs. CBJ* that went before the Supreme Court.

Ms. Hale, expressed her concern that this is an expansive definition of smoking and was wanting to be sure that this language would match the state statutes. When Mr. Kiehl noted that this was the same language used in SB15, he asked if there were any variances from that language. Mr. Palmer explained that the proposed language is identical to SB15 with the exception that SB15 exempted marijuana from this vaping definition. Because CBJ prohibits marijuana in the definition of smoking, he deleted that exemption from the code but otherwise the language is identical to that of the statute. The marijuana piece is status quo for CBJ.

Mr. Bryson asked if this definition was broad enough to cover any future products or devices that might come onto the market. Mr. Palmer said to the best of his ability it does.

Hearing no objections, the amendment passed with unanimous consent.

MOTION by Mr. Jones to adopt 2018-47 as amended and asked for unanimous consent.. *Hearing no objection, the motion passed.*

- B. Ordinance 2018-11(T) An Ordinance Appropriating to the Manager the Sum of \$380,000 as Funding for the Juneau International Airport's Replace Exit Lane System Capital Improvement Project; Funding Provided by the Airport Fund's Fund Balance.

The secured exit lane is the primary egress from the departure lounge, and a controlled access point. This project is ineligible for funding through the Airport Improvement Program, and requests for TSA and port grants have been denied.

At its November 13, 2018, meeting, the Airport Board approved this action. The Public Works and Facilities Committee reviewed this ordinance at its meeting on December 10, 2018 and forwarded it to the full Assembly for approval.

The City Manager recommends this ordinance be adopted.

Airport Manager Patty Wahto came forward to answer questions from the Assembly.

Mr. Bryson asked why, if this was a federal mandate, it was not approved for the use of federal funds to fund the project.

Ms. Wahto explained that the airport has a number of unfunded federal mandates. In this particular instance, this is a requirement from the Department of Homeland Security requirement through the TSA that the airport is in charge of the protection of the exit lane. Because exit lanes in a lot of airports are controlled through an electric device or through personnel man-power. In this case, because it can be handled through personnel, the FAA through airport improvement dollars, even though it is a TSA requirement, will not fund anything that personnel could normally take care of. The other grants through

Homeland Security and TSA won't cover these as well. They will cover certain things such as law enforcement at check points but only for a fraction of the time that law enforcement is at the check point. The rest of it is required to be paid through airlines, which in JNU's case, they pay a very large amount for the residual law enforcement. This falls within that same category as to why they won't cover these charges.

Mayor Weldon said that the airlines fund the airport's fund balance and she asked what Alaska Airlines' comments were on the expenditures of these funds.

Ms. Wahto said they understand this completely because it would be approximately \$160,000 annually if they put personnel there, so in a little over two years, this system would be paid for. The airlines, and Alaska Airlines in particular, fully approved this since it is their funds with the rates and fees that makes up this airport fund balance.

- **MOTION** by Mr. Bryson to adopt Ordinance 2018-11(T) and asked for unanimous consent. *Hearing no objection, the motion carried.*

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

None.

XI. STAFF REPORTS

None.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon reported that the Assembly was pretty quiet during the holiday season. She noted that she attended the promotion ceremony for Jamie Johns at the Fire Department when he was promoted to Captain and replace retiring Captain Keith Walker. She noted that Shawn Ray was also promoted to Engineer who was a scholarship program kids when Ms. Weldon was at CCFR.

She noted that Housing First Phase 2 received their goal funding and they hope to be moving forward this spring.

She said that she spoke at the last two DARE graduation ceremonies at Auke Bay Elementary and Mendenhall River Elementary Schools along with School Board Member Paul Kelly and Officer Cryderman.

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

Mr. Bryson stated that he participated in Blueprint Downtown Tour on Saturday and it was a great tour and attended by many fellow Assemblymembers.

Ms. Hale reported that as liaison to the Juneau Commission on Sustainability (JCOS), they held a worksession on December 26 worksession on met again on January 2. They discussed the Airport LEED exemption. Airport Manager Wahto and Engineering/PW staff are working on that issue with JCOS. JCOS will make recommendation to City Manager and that will eventually come through to the Assembly. They also discussed the Sustainability goals of the Assembly and she has been meeting with Mr. Vigue and Manager Watt about those issues. She also met with Alec Mesdag of AEL&P. She also met with Sioux Douglas on Senior Housing issues. She too was one of the attendees at the Downtown Blueprint walking tour and while it was quite cold, it was very informative. She said there were approximately 50 people on that tour.

Mr. Triem reported that she attended a Travel Juneau meeting and they have been working alongside the Alaska Committee in putting together the Legislative Welcome Reception that will be on Wednesday, January 16. They are continuing to take an active role in planning the 2019 ATIA Convention and participating in the Blueprint Downtown process. She saw Liz Perry on that same tour that she attended. Ms. Triem reported that she too enjoyed the down time break from Assembly meeting. She also encouraged everyone to take the Destination Next Survey from Travel Juneau.

Mr. Edwardson reported that he attended an Eaglecrest Board meeting on January 4. Their meeting highlights included snowmaking which is in full force. They were able to open earlier than some other years due to the snowmaking ability. A good deal of the discussion they had focused on summer revenue ideas. Mr. Edwardson reported that there had not been any LEPC or Airport Board meetings since the last Assembly meeting.

Mr. Edwardson reported that the Human Resources Committee met just before this Assembly meeting and forwarded the following recommendations for board appointments:

- ***For the 1% Art Panel for the Airport Project - the appointment of Rhonda Guest and Glen D'Ojard to terms beginning immediately and ending July 31, 2019.***
- ***For the Historic Resources Advisory Committee - the appointment of Charles Kidd to a term beginning immediately and ending June 30, 2020.***

Hearing no objections, the board appointments were confirmed as recommended.

Mr. Jones reported that the Public Works and Facilities Committee (PWFC) did not meet during the holiday break and their next meeting is January 14. The next meeting of the Childcare Committee is on Friday, January 11 at which they will hear from 5-6 guest speakers who have been invited to come and speak to the committee regarding issues

surrounding child care in the community. Mr. Jones then reported that the School Board will hold its next meeting tomorrow (January 8) at Thundermountain High School beginning with a worksession at 4:30pm that will be in executive session to discussion the hiring of the new superintendent. The regular meeting begins at 6pm.

Mr. Jones then reported that the Downtown Business Association (DBA) has not met since the last Assembly meeting and the next DBA meeting is scheduled tomorrow from 8:30am-Noon with a joint business meeting and retreat being held at JEDC. He stated that he too attended the walking tour for the Downtown Blueprint on Saturday. He announced that there will be a second tour on Saturday, January 12 at which they will be discussing vehicles, parking, and pedestrian experiences. They will be meeting at Heritage Coffee at 1pm. He noted that they will also be meeting on January 19 at which they will be focusing on cultural identity, sustainability, and environment and they will meet at the JACC and finish at the Sacred Grounds Coffee. Mr. Jones said he too enjoyed some downtown over the holidays and was in Albuquerque with his family. He said it was warmer in Juneau than it was in Albuquerque and they received 3 inches of snow which basically shut everything down while they were there. Mr. Jones said he noticed that the Local Boundary Commission (LBC) put out its annual report and in it, it discussed the Chatham Straight/Glacier Bay Borough formation and while he didn't read too much into it he did send an email to the City Attorney and Deputy Manager about the CBJ annexation submission. He received an email back saying that it was in the works but had not yet been submitted to the LBC.

Mr. Kiehl reported that the Campus Council had not met since the last Assembly meeting, it's next meeting is on Monday, January 14 which is the beginning of the spring semester classes. He reported that the Finance Committee (AFC) will meet next on Wednesday, January 9. He said they will be discussing the city's internal investment code and some potential revisions there and some of the members asked him to include discussion of potential funding options for a new JACC. He said that also in the works, staff is preparing materials about getting the Assembly back into conversations about water and wastewater utility rates to be at a future AFC meeting.

Mr. Kiehl reported that on December 20, he attended Mr. Chris Won's sociology class at TMHS where they took their semester end sociology projects and had a colloquium. He said while that was underway, the fire alarm went off during the presentations and even in the cold and inclement weather, most of the students could share most of their presentations without their materials in front of them. They really knew their research information and he was very impressed with those students.

Mr. Kiehl reported that on December 22 there was a successful fundraiser the Juneau Shooting Sports Foundation held for some of the youth shooting sports teams.

He also reported that the Blood Bank of AK took its first donations at its new location on the second floor of the Jordan Creek Mall. He encouraged everyone to make an

appointment or walk in and donate blood. He also encouraged everyone to attend the Juneau Community Legislative Welcome Reception on January 16 at 5pm at Centennial Hall and help us welcome the legislators and their staff to Juneau.

Ms. Becker reported that she spent a lot of the holiday time resting. She noted that the Lands Committee has not met since December 10 and its next meeting is January 14 at 5pm. At that meeting, Mr. Chaney will give an overview on the gravel pits and quarries. They will also be talking about setting tracks to get a nordic track trail. She reported that there will be a four-lot land sale at Lena which previously had not been possible due to an active eagle nest. The eagles have gone away and that is no longer active so they will be able to conduct the land sale. She reported that Roxie Duckworth will be joining the Lands Division and she will be staffing the next Lands Committee meeting.

Ms. Becker reported that the Alaska Committee invites everyone to attend the Legislative Reception. The Chamber of Commerce is holding its board retreat on January 22 at 8am at KTOO.

Ms. Gladziszewski said she is looking forward to the gravel pits info. She reported that the next Assembly Committee of the Whole (COW) meeting is next Monday, January 14 at 6pm.

Mayor Weldon reminded everyone about the Special Assembly breakfast meeting on Thursday, January 17 at 7am with the Juneau Legislative Delegation and the lobbyists.

C. Presiding Officer Reports

None.

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV.EXECUTIVE SESSION

MOTION by Mr. Kiehl to recess into Executive Session to discuss two matters which by law may be kept confidential, specifically the Assembly's quasi-judicial consideration of Harris Homes LLC vs. Community Development Department, and the CLIAA litigation strategy discussion and asked for unanimous consent.

No members from the public commented on the Assembly recessing into Executive Session.

Mayor Weldon recessed the meeting at 7:43 p.m.

The Assembly returned from Executive Session at 9:55 p.m.

Mr. Kiehl reported that the Assembly, acting in its quasi judicial role, gave direction to staff on the matter of Harris vs. CDD. In addition the Assembly heard an update on CLIAA litigation and gave direction to staff.

A. Harris Homes LLC v CDD

B. CLIAA Litigation Strategy Update

XV. ADJOURNMENT

There being no further business to come before the body, Mayor Weldon adjourned the meeting at 9:56 p.m.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor

DRAFT

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

Meeting Minutes - January 14, 2019

MEETING NO. 2019-02: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 8:37 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers present: Mayor Beth Weldon, Mary Becker, Jesse Kiehl, Loren Jones, Rob Edwardson, Carole Triem, Wade Bryson, Maria Gladziszewski and Michelle Hale (telephonic)

Assemblymembers absent: None

Staff present: City Manager Rorie Watt, City Attorney Rob Palmer, Deputy Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Chief Housing Officer Scott Ciambor; Community Development Director Jill Maclean, Emergency Manager Tom Mattice, Finance Director Bob Bartholomew, Port Director Carl Uchytel, Port Engineer Gary Gillette; Police Chief Ed Mercer, Deputy Police Chief David Campbell, Fire Chief Rich Etheridge

II. APPROVAL OF AGENDA

III. SPECIAL ORDER OF BUSINESS

A. Assembly Member Transitions

Mr. Jesse Kiehl tendered his letter of resignation to Mayor Weldon effective immediately. Mayor Weldon recognized Mr. Kiehl for a lifetime of service and specifically his service to the community. Mr. Kiehl first served CBJ as a member of the Juneau Human Rights Commission and the Board of Equalization. He then became an Assemblymember October 2011 through January 14, 2019. He served as Deputy Mayor from 2016-October 2017.

Mayor Weldon recognized Mr. Kiehl for his participation at one time or another on all the Assembly Standing Committees. He served as the Chair of the Assembly Human Resources Committee October 2012-October 2014 and was Lands Committee Chair October 2014-December 2015 and then the Chair of the Assembly Finance Committee October 2016 until January 14, 2019. She also recognized his service on the following Special Committee Assignments: Joint Assembly/School Board Project Team, he co-chaired the Tax Exemption Review Committee, he was the Chair of the City Attorney Search Committee, he was a member of the Assembly Ad Hoc Housing Committee, the Assembly Marijuana Committee and the Assembly Lobbyist Subcommittee.

He has served as Assembly Liaison to the following groups: Juneau Board of Education (School Board), UAS Campus Council, Willoughby Arts Complex Committee, Alaska Municipal League Boardmember for two terms, and liaison to the Affordable Housing Commission, the Parks & Rec. Advisory Committee, to the Eaglecrest Board, and to the Local Emergency Planning Committee.

Mayor Weldon noted that as for his major legislative accomplishment, Mr. Kiehl authored and championed the Human Rights Ordinance creating CBJ Title 41 via Ordinance 2016-23(d).

Mayor Weldon thanked Mr. Kiehl for his lifetime of service to the community and wished him all the best as he moves on to continue to serve the community in his role of State Senator for District Q. She congratulated Mr. Kiehl and presented him and his family with gifts of appreciation from the Assembly.

Mr. Kiehl thanked everyone and shared that it has been a singular privilege to serve with each of the Assemblymembers and especially to serve our community. He said that they occupy these seats for a time, voters willing but they do not belong to the Assembly. He said that everyone he has had the privilege of serving with understands that. He said that he went to the back of the room to verify his count and the current Assembly consists of eight of the twenty three he has had the honor to serve with in the past seven and half years. Ms. Becker is the only one who was serving before him who is still serving which shows tremendous dedication. He said we occupy these seats for a time but they are not theirs, they are the privilege of getting to work for our community. He said he often would speak at length about the importance of planning for the long term and he wished them every success in their ongoing efforts to do that. He said he has the utmost faith, leaving the city in the hands of the current leadership and that isn't limited to the Assemblymembers, it also includes the staff members sitting to the right of the Assembly, all but one of whom was working at CBJ before he came. They too represent a team of hundreds of truly dedicated public servants who inspire him whenever he thinks about the city, what it does, and how it does it. He extended his heartfelt thanks to all!

After thanking Mr. Kiehl, Mayor Weldon then invited the Assemblymembers to reorganize their seats if they wished to based on seniority order.

MOTION by Mr. Edwardson to appoint Alicia Hughes-Skandijs to the District 1 Assembly seat for a term beginning immediately to serve until the next regular election and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

City Attorney Robert Palmer then performed the swearing in ceremony of Assemblymember Alicia Hughes-Skandijs.

IV. APPROVAL OF MINUTES

MOTION by Ms. Becker to approve the minutes of the October 22, 2018 Special Assembly Meeting with minor corrections and asked for unanimous consent. *Hearing no objection, the minutes were approved as corrected.*

- A. October 22, 2018 Special Assembly Meeting Minutes

V. AGENDA TOPICS

VI. CONSENT AGENDA

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

None.

- B. Assembly Requests for Consent Agenda Changes

None.

- C. Assembly Action

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

- 1. Ordinances for Introduction

- a. **Ordinance 2019-02 An Ordinance Authorizing the City Manager to Execute a Purchase and Sale Agreement with Archipelago Properties LLC for Real Property located at Lots 1, 2 and 4, Archipelago Subdivision, Plat No. 2013-22, Juneau Recording District, near 356 South Franklin Street.**

The rapidly growing visitation of cruise ships and their passengers necessitates additional facilities to serve the industry. Since the opening of the new floating berth at Alaska Steamship Wharf, dockings have increased 44% and the number of passengers visiting has increased 182%.

Cruise ship vessels exist to take passengers on vacations, and their sole purpose for entering the port of Juneau is to allow passengers to disembark for the day and to enjoy walking about downtown and/or getting on ground transportation to their tours. This project would provide necessary services to the vessel, to the passengers, and will advance the marine enterprise of the cruise ship industry.

This Ordinance would authorize the Manager to enter into an agreement to

purchase private property and sell municipal property resulting in a net cost to the CBJ of \$922,175.

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

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VIII. EXECUTIVE SESSION

MOTION by Ms. Gladziszewski to recess into Executive Session to discuss pending CBJ litigation, specifically the CLIAA litigation, and also to discuss labor contract negotiations.

No members from the public commented on the Assembly recessing into Executive Session. Mayor Weldon recessed the meeting at 8:53 p.m.

The Assembly returned from Executive Session at 10:56 p.m.

Ms. Gladziszewski reported that the Assembly gave direction to the City Manager regarding the labor negotiations and the CLIAA litigation.

Mayor Weldon then distributed a draft of the new Assembly Standing Committee/Liaison assignments sheet.

MOTION by Ms. Gladziszewski to approve the Assembly Standing Committee/Liaison assignment sheet as presented by the Mayor and asked for unanimous consent. *Hearing no objection, the assignment sheet was approved.*

A. Contract Negotiations

B. CLIA Litigation Update

IX. ADJOURNMENT

There being no further business to come before the body, Mayor Weldon adjourned the meeting at 10:59 p.m.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor

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

Meeting Minutes - January 22, 2019

MEETING NO. 2019-04: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:30 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assembly Members Present: Mayor Beth Weldon, Loren Jones, Michele Hale, Wade Bryson, Carole Triem, Maria Gladziszewski, Mary Becker, Rob Edwardson

Assembly Absent: Alicia Hughes-Skandijs

Planning Commission Members Present: Ben Haight, Paul Voelckers, Mike LeVine, Dan Hickok, Ken Alper, Nathaniel Dye, Shannon Crossley

Planning Commission Absent: Andrew Campbell; [Travis Arndt - appointed but not yet sworn in.]

A quorum of each group was present.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Community Development Director Jill Maclean, CDD Senior Planner Beth McKibben, CDD Senior Planner Laura Boyce, Deputy Lands Manager Dan Bleidhorn, Deputy Attorney Jane Mores, CDD Code Compliance Officer Nate Watts

II. APPROVAL OF AGENDA

The agenda was approved as presented by unanimous consent.

III. SPECIAL ORDER OF BUSINESS

A. Joint Meeting with Planning Commission

Mayor Weldon welcomed everyone to the meeting and turned the gavel over to Planning Commission Chair Ben Haight.

Mr. Haight gave an overview of the projects the commission has accomplished during the past year as outlined in the memo from Ms. Maclean dated January 18, 2019.

Projects currently being worked on by the Planning Commission and CDD staff include:

- Blueprint Downtown Juneau,
- Downtown Juneau Alternative Development Overlay District (ADOD) Zoning,

- Douglas ADOD,
- Auke Bay Rezoning,
- Working with Engineering/Public Works Department on the CIP review process,
- Subdivision Stub Streets,
- Streamside set-backs,
- Urban agriculture,
- Accessory apartments, and
- the Comp Plan Review/Update.

Planning Commissioners and staff answered a number of questions regarding these priorities including timelines and differences between the Blueprint Downtown project and the Downtown Juneau Alternative Development Overlay District (ADOD) zoning. Discussion then focused on the public engagement efforts with respect to the Auke Bay Rezone as well as the timing and methods for the public to provide comment in the Downtown Blueprint process. The next public meeting of the Blueprint Downtown is Thursday, January 24. Ms. Maclean explained that while MRV Architects have been hired as the consultants on the Downtown Blueprint process and their involvement will soon be done, the steering committee and staff will continue to work on the project and there will be multiple opportunities for the public to participate.

Discussion then shifted to the Auke Bay Implementation Plan, the amount of work that had gone into coming up with the plan and the public involvement in that process. Ms. Maclean explained that the previous steering committee chair has since moved away but there are still a number of steering committee members still here and attended some of the meetings. There have been a mix of those in support of the Auke Bay Rezoning and others in opposition. Mr. Dye said that some of the reaction could be from the standpoint that some of the concepts are somewhat different and not your "traditional" zoning for Juneau.

That led to discussions about neighborhood/area plans and how those areas or neighborhoods boundaries were identified, such as what constitutes "Downtown Douglas" vs. "West Douglas," vs. N. Douglas etc... That in turn led the discussion to the work done so far on the Comprehensive Plan (Comp Plan) review/update and the goals for when and how that review will be taken on. Following a lengthy discussion regarding the type of plan review, Mr. Watt explained that he anticipates including an incremental request in the budget over two fiscal year cycles with the first increment being approximately \$150,000 to be able to hire an outside contractor to assist with this project as there had been some concern expressed over how many concurrent plans staff and the commission might reasonably be able to work on at the same time.

Additional discussion took place regarding the work of CDD staff and the Planning Commission involving better coordination with the Engineering/Public Works Department on the CIP list. Their hope is to try to look at broader issues systematically and coordinate early on in the process the PC's priorities in the CIP review process.

That in turn moved the Assembly and Planning Commission to discuss how the Planning Commission's priorities are aligning nicely with those of the Assembly, especially Assembly goals 2F, 2G, 2H, and 2J.

Additional topics discussed included the work of the Juneau Commission on Sustainability and the Title 49 Committee's work on an urban agricultural ordinance. They discussed the Assembly's concerns with respect to the limited amount of land within the borough that is zoned "Industrial" and that those lands not be re-zoned for other types of uses. They discussed the Affordable Housing Fund, the amount in the fund and types of projects that are likely to use those funds and Mr. Watt explained the anticipated next steps in how those funds will be managed and used. Staff reported that they are currently working on the downtown housing inventory which they hope to have ready and presented to both bodies within the next few months.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Bill Leighty - Mr. Leighty commented that he recently sent both bodies a 9-page memo addressing some of the opportunities for CBJ to consider how best to handle the cruise ship passenger capacity in light of the anticipated increase in cruise passengers. He stated that this is the opportune time for the Assembly to work with the cruise industry on requiring use of electric buses by tourism companies and to also look at building and operating a light rail system from town to the Mendenhall Glacier.

V. ADJOURNMENT

Mayor Weldon welcomed the newly appointed Planning Commissioners Ken Alper and Shannon Crossley and noted that Mr. Bryson was doing a good job as the Assembly liaison to the Planning Commission. She thanked the members of both bodies for attending the meeting.

There being no further business to come before the Assembly, the meeting adjourned at 6:31 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

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

Meeting Minutes - March 6, 2019

I. CALL TO ORDER / ROLL CALL

MEETING NO. 2019-10: The Special Meeting of the City and Borough Juneau Assembly, held in Conference Room 224 of the Municipal Building, was called to order at 7:16 p.m. by Mayor Beth Weldon.

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Mary Becker, Loren Jones, Rob Edwardson, Carole Triem, Alicia Hughes-Skandijs and Wade Bryson

Assemblymembers Absent: Michelle Hale

Staff Present: Deputy Clerk Diane Cathcart

II. AGENDA TOPICS**A. Board Appointment to the Docks and Harbors Board**

The Full Assembly sitting as the Human Resources Committee (HRC) will be interviewing applicants for the Docks and Harbors Board at a meeting immediately preceding the Special Assembly meeting. The HRC will forward its recommendation to the Assembly for appointment to the following seat:

Docks and Harbors Board: One (1) seat for an unexpired term, beginning immediately and expiring June 30, 2021.

The City Manager has no recommendation regarding this appointment.

MOTION: by Mr. Edwardson for the Assembly to appoint to the Docks and Harbors Board, Christopher Dimond to the unexpired vacant seat beginning immediately and ending June 30, 2021. *Hearing no objection, motion passed.*

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None

IV. ADJOURNMENT

There being no further business of the Assembly, meeting adjourned at 7:17 p.m.

Signed: _____
Diane Cathcart, Deputy Clerk

Signed: _____
Beth A. Weldon, Mayor

DRAFT

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

Meeting Minutes - March 11, 2019

MEETING NO. 2019-11: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 8:25 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, City Attorney Robert Palmer, Finance Director Bob Bartholomew

II. APPROVAL OF AGENDA

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. EXECUTIVE SESSION

A. CLIAA Litigation Strategy Update

Move the Assembly into executive session to discuss the CLIAA litigation, specifically a candid discussion of the facts and litigation strategy with the municipal attorney.

MOTION by Ms. Triem to enter into executive session for the purposes of discuss matters that may have an immediate impact on the finances of the city, specifically CLIAA litigation.

Hearing no objection, the meeting adjourned into Executive Session at 8:26 p.m.

The meeting reconvened following Executive Session at 9:21p.m.

Ms. Triem reported that the Assembly heard an update on CLIAA litigation strategy. She also reported the scheduling of the following Special Assembly meetings related to this matter:

Wednesday, March 13 immediately following Assembly Finance Committee for the

DRAFT

purposes of entering into Executive Session to discuss CLIAA litigation.

Friday, March 15 at 5pm Special Meeting to introduce legislation related to the CLIAA litigation.

Friday, March 22 at 5pm Special Meeting for Public Hearing and Assembly Action on the above noted legislation.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:22 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

DRAFT

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

Meeting Minutes - March 13, 2019

MEETING NO. 2019-13: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 6:50 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, City Attorney Robert Palmer, Finance Director Bob Bartholomew, Port Director Carl Uchytel

II. APPROVAL OF AGENDA

III. AGENDA TOPICS

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. EXECUTIVE SESSION

A. CLIAA Litigation Strategy Update

Move the Assembly into executive session to discuss the CLIAA litigation, specifically a candid discussion of the facts and litigation strategy with the municipal attorney.

MOTION by Ms. Gladziszewski to enter into executive session for the purposes of having a candid discussion re: CLIAA litigation, specifically the facts and litigation strategy with the City Attorney.

Hearing no objection, the meeting adjourned into Executive Session at 6:51 p.m.

The meeting reconvened following Executive Session at 7:55p.m.

MOTION by Ms. Gladziszewski to direct the Manager and City Attorney to draft the necessary legislation to execute a settlement agreement with CLIAA. *Hearing no*

objections, the motion carried.

DRAFT

VI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:56 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

DRAFT

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

Meeting Minutes - March 15, 2019

MEETING NO. 2019-14: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:00 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Mayor Beth Weldon, Deputy Mayor Maria Gladziszewski, Loren Jones, Michelle Bonnet Hale, Carole Triem, Wade Bryson, Alicia Hughes-Skandijs, and Mary Becker (telephonic)

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Port Director Carl Uchytel, and Finance Director Bob Bartholomew

II. APPROVAL OF AGENDA

There was one red folder item distributed to members - Resolution 2852 Exhibit C. The agenda was approved as presented.

III. CONSENT AGENDA

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

None.

- B. Assembly Requests for Consent Agenda Changes

None.

- C. Assembly Action

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

- 1. Ordinances for Introduction

- a. **Ordinance 2018-11(AF) An Ordinance Appropriating to the Manager the Sum of \$1,950,000 as Funding for the Settlement of the Cruise Lines International Association Alaska (CLIAA) Lawsuit; Funding Provided by General Fund's Fund Balance.**

DRAFT

This ordinance would appropriate \$1,950,000 to pay the payments agreed in the CLIAA lawsuit settlement agreement. \$1,500,000 is for a payment to CLIAA to cover a portion of their legal fees. \$450,000 is to reimburse CBJ for the remaining portion of our legal fees not initially paid with Marine Passenger Fees.

To facilitate timely payment, the original funding source is FY19 General Fund's Fund Balance. The entire \$1,950,000 expenditure will be reimbursed in the beginning of FY20 (July 1, 2019) from Marine Passenger Fees pursuant to Ordinance 2019-14.

The City Manager recommends this ordinance be introduced and set for public hearing on March 22, 2019.

- b. **Ordinance 2019-14 An Ordinance Appropriating to the Manager for FY20 the Sum of \$1,950,000 as Funding to Reimburse the General Fund for the Funds Appropriated for the Settlement of the Cruise Lines International Association Alaska (CLIAA) Lawsuit; Funding Provided by Marine Passenger Fees.**

This ordinance would appropriate \$1,950,000 to reimburse the payments, made in FY19 in accordance with Ordinance 2018-11(AF). The original payments were to fulfill some of the financial terms of the CLIAA lawsuit settlement agreement. \$1,500,000 is to reimburse a payment to CLIAA to cover a portion of their legal fees. \$450,000 is to reimburse CBJ for the remaining portion of our legal fees.

The entire \$1,950,000 expenditure reimbursement will be funded from FY20 Marine Passenger Fees. This ordinance would be effective July 1, 2019.

The City Manager recommends this ordinance be introduced and set for public hearing on March 22, 2019.

2. Resolutions

- a. **Resolution 2852 A Resolution Authorizing the Manager to Execute a Settlement Agreement Regarding the Cruise Ship Litigation CLIAA v. CBJ.**

This resolution would authorize the city manager to execute a settlement agreement with CLIAA, the Cruise Lines International Association Alaska, thus ending three years of litigation over the imposition and expenditure of CBJ's cruise ship passenger fees.

This settlement agreement will support the best interests of the CBJ, the

DRAFT

members of CLIAA individually and collectively, cruise ship passengers, all Alaska ports and the citizens of Juneau. It is an excellent solution to a difficult problem. Both parties are relieved to have settled the litigation in such an amicable manner.

CBJ and CLIAA haven't agreed on the exact meanings of the law, but both parties recognize that solid communication will continue to be necessary to keep the parties together. This settlement agreement provides a framework that should help the parties avoid future litigation. CBJ believes that the services that it provides are services to vessels and/or facilitate the marine operation or interstate marine enterprise of a vessel. CLIAA has agreed to not object to use of fees by CBJ to provide these services.

The City Manager looks forward to continued collaboration with cruise ship industry representatives and heartily thanks them for the extensive good faith negotiations that resulted in this agreement.

The City Manager recommends this resolution be introduced and set for public hearing on March 22, 2019.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ADJOURNMENT

The Assembly thanked staff for all the work they did on the litigation and for reaching a mutually beneficial resolution to the lawsuit.

There being no further business to come before the Assembly, the meeting was adjourned at 5:02 p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

Presented by: The Manager
 Introduced:
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-12

An Ordinance Prohibiting Commercial Rental or Provision of Dockless Vehicles and Imposing a Permit Moratorium and Sunset Date.

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.

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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 February 1, 2020.

Section 6. 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:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-15

An Ordinance Authorizing the Manager to Amend the Wireless Communications Site Lease with Vertical Bridge S3 Assets, LLC at 3000 Jackson Road.

WHEREAS, the City and Borough of Juneau, as authorized by Ordinance 2012-04, executed a lease with ACS Wireless, Inc. ("ACS") for the lease of certain municipal property to be used as a wireless communications tower site, which lease provided for a term of five years with the option to renew for up to three additional five-year renewal periods; and

WHEREAS, in 2017, Vertical Bridge S3 Assets, LLC ("Vertical Bridge"), a Florida limited liability company licensed to do business in Alaska, legally assumed the lease from ACS (with ACS becoming its sublessee) and timely exercised the first five-year renewal period of the lease; and

WHEREAS, Vertical Bridge has requested that the lease be amended to add 144 square feet of area to the leased premises bringing the total square footage to 2,644 square feet, to allow for an additional sublease on the existing tower; and

WHEREAS, effective on August 23, 2017, the first day of the renewal period, the original base rent was market-adjusted as required by the lease and subsequently adjusted per the three percent annual escalation clause, for an adjusted monthly base rent of eight hundred dollars (\$800.00) (the "base rent"); and

WHEREAS, Vertical Bridge has requested a revised rent schedule to reflect that the base rent includes rent owed for the first sublease, consistent with other City and Borough wireless communication site leases, and to add an additional five-year renewal period so the Lessee would have the option for three five-year renewal periods instead of the remaining two; and

WHEREAS, the base rent includes the market value of Vertical Bridge's sublease to ACS and the additional 144 square feet of area that is the subject of the amendment request; and

WHEREAS, Vertical Bridge has remained current on all base rent payments owed since the renewal date of August 23, 2017; and

WHEREAS, the parties concur that all other material terms of the lease will remain the same and that an amendment retroactive to the first day of the renewal period is appropriate; and

WHEREAS, the Lands Committee passed a motion of support for the lease amendment at its meeting on January 14, 2019.

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 Execute a Lease. The Manager is authorized to negotiate and execute a lease with Vertical Bridge S3 Assets, LLC, for approximately 2,644 square feet of City and Borough of Juneau property described as a fraction of Lot 1, U.S. Survey 3853, located at the West Juneau reservoir site on Douglas Island, as generally depicted in Exhibit "A." Ordinance 2012-04 authorizes the lease prior to August 23, 2017. This ordinance authorizes the lease as of August 23, 2017, the first day of the lease's first renewal period.

Section 3. Essential Terms and Conditions. The lease shall include, at a minimum, the following terms and conditions:

- (a) The lease term shall be for a period of five years, plus three five-year renewal periods for a total maximum term of 20 years.
- (b) The use of the lease site shall be for the sole purpose of operating, maintaining, and leasing a communications tower/facility.
- (c) Rent shall be established according to the following schedule:
 - (1) \$800.00 per month as base rent, which includes the first sublease; plus
 - (2) 30 percent of rent charged in any second sublease; plus
 - (3) 40 percent of rent charged in any third sublease; plus
 - (4) 50 percent of rent charged in any fourth (and each additional) sublease.
- (d) The above percentages shall be calculated and payable on a monthly basis. In addition, there shall be an automatic three percent annual escalation of the base rent charged.
- (e) In addition to the above, during the lease and lease renewal periods, rent shall be subject to adjustment every five years to reflect changes in the market rent.
- (f) Lessee shall ensure all equipment and activities on the leased premises operate in a manner which will not cause unreasonable interference with the operations of the City and Borough or other authorized users in the vicinity of the leased premises.

- (g) Lessee shall comply with all applicable federal, state, and local laws and regulations in operating, maintaining, and leasing its communication tower/facility on the leased premises.
- (h) Lessee shall indemnify, defend, and hold harmless the City and Borough and its officers, agents, and employees from any claims related to or arising out of Lessee's development, use, operation, or maintenance of the lease or any improvements on the lease.
- (i) Dark color. Consistent with the Planning Commission's Notice of Decision, CSP2011-0006 dated September 14, 2011, the tower shall be painted a dark color.

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

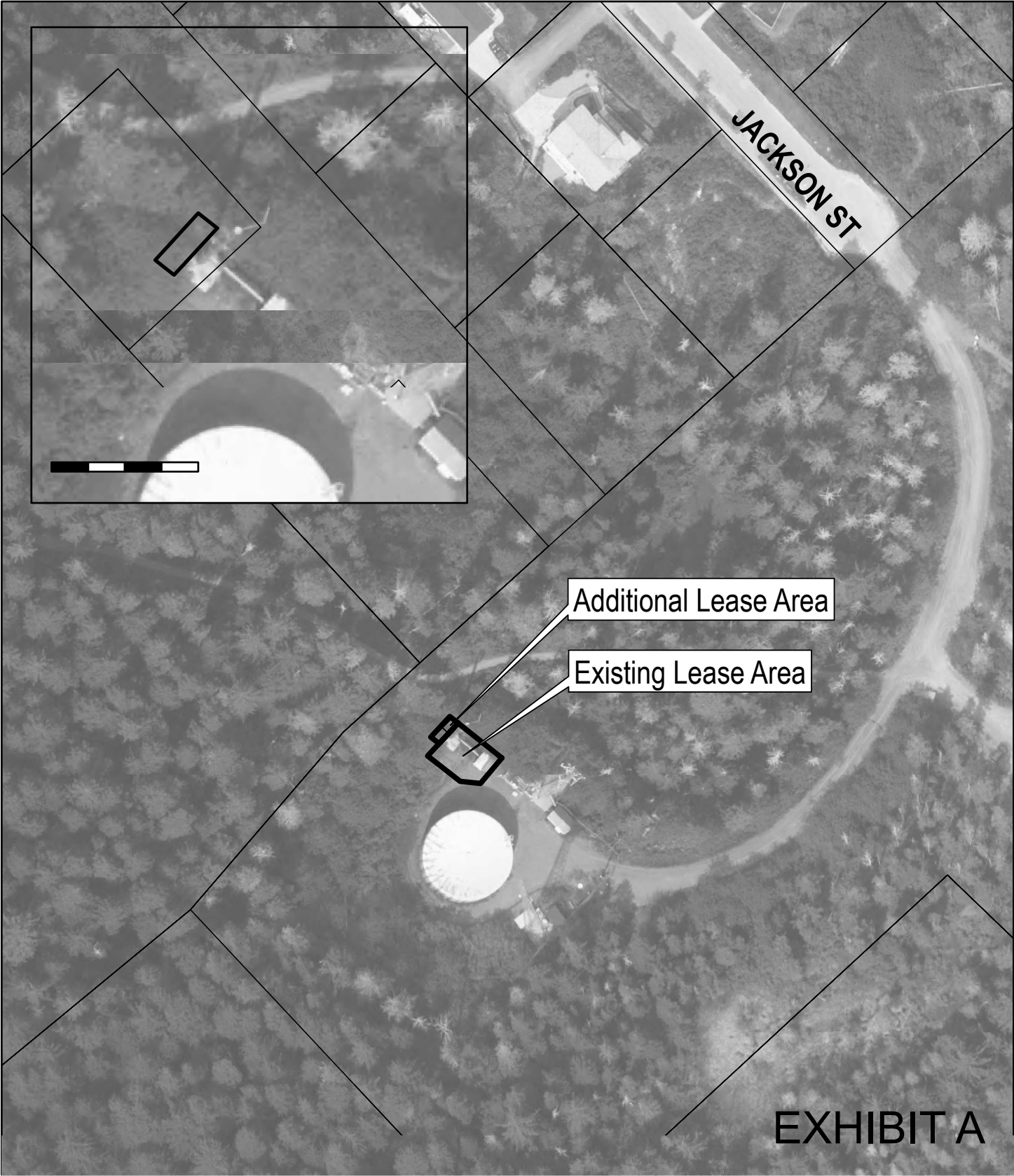
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

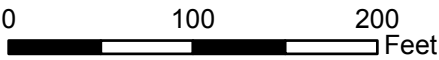
Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Ord. No. 2019-15
VERTICAL BRIDGE
LEASE AREA



The property boundaries are not survey quality.
This map is for general reference only.



Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-16

An Ordinance Authorizing the Manager to Convey Approximately 600 Square Feet of Property Located at Lot 1, USS 3559 to the Owners of the Adjacent Property Located at 9223 North Douglas Highway.

WHEREAS, Thomas Atlin Daugherty and Lisa Daugherty (“applicants”) are owners of certain real property located in a D-1 Single Family Residential zoning district, located at 9223 North Douglas Highway and described as Lot 182, USS 3544, Juneau Recording District, First Judicial District, State of Alaska (“Lot 182”); and

WHEREAS, the applicants would like to subdivide Lot 182 in to two residential lots, but are 512 square feet below the minimum square footage required to accomplish such a subdivision; and

WHEREAS, the City and Borough owns real property adjacent to Lot 182, described as Lot 1, USS 3559 Juneau Recording District, First Judicial District, State of Alaska (“Lot 1”); and

WHEREAS, the applicants have asked to purchase a 600 square foot strip of Lot 1 located along the back of the applicants’ property (the “CBJ Property”) in order to meet the minimum standards for the applicants’ proposed subdivision; and

WHEREAS, the Planning Commission reviewed this proposed disposal of the CBJ Property at its meeting on January 22, 2019, and recommended that the Assembly approve the sale of 600 square feet of Lot 1 to the owners of Lot 182; and

WHEREAS, the Lands Committee reviewed this proposed CBJ land disposal at its meeting on November 19, 2018, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property to the applicants; and

WHEREAS, the Manager has determined the fair market value of the CBJ Property to be \$4.00 per square foot, for a total value of \$2,400.00 more or less.

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

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

Section 2. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a fraction of Lot 1, USS 3559, Juneau Recording District, First Judicial District, State of Alaska, constituting 600 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 \$4.00 per square foot. Applicants will be responsible for all surveying, platting, closing costs and recording fees.

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

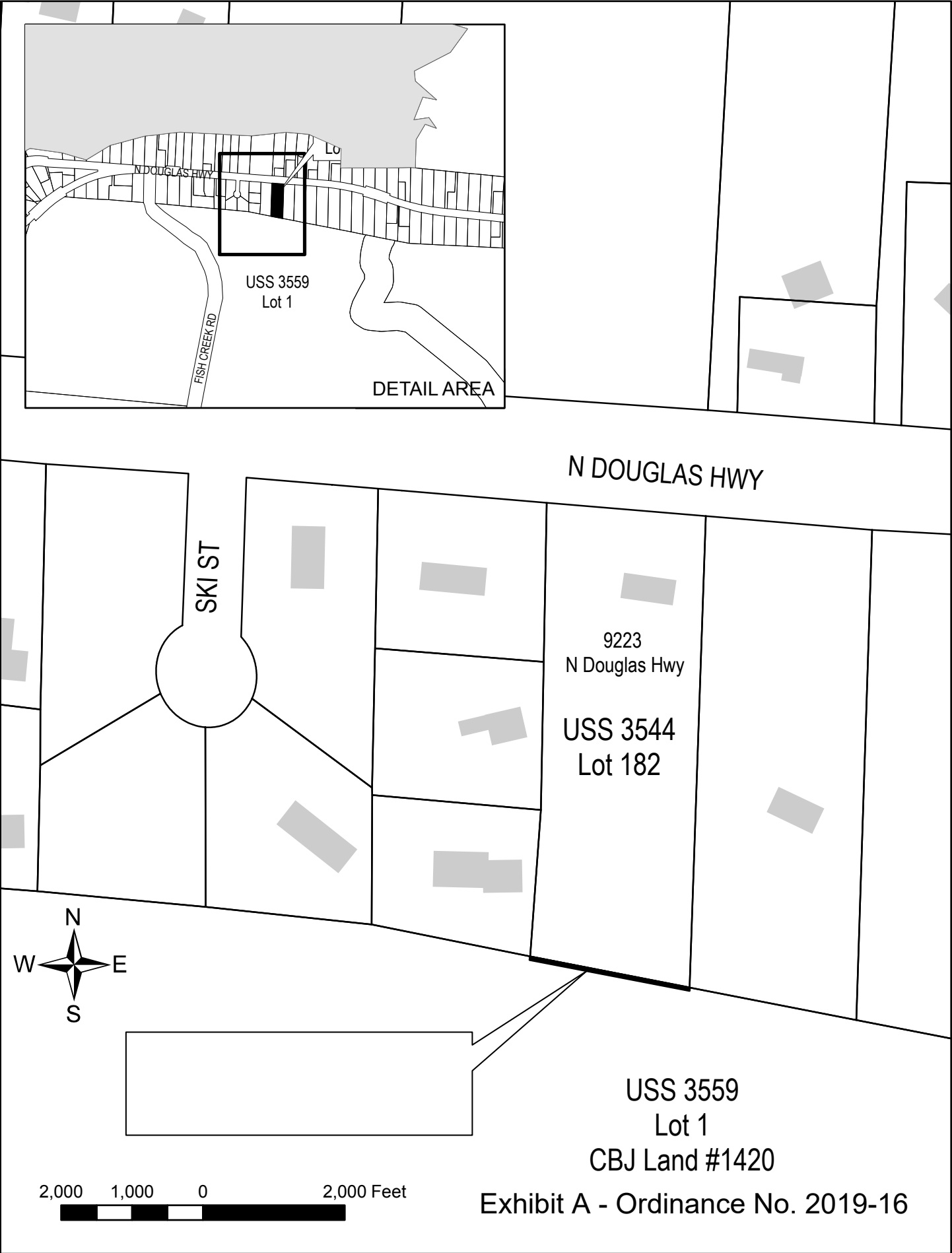
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-17

**An Ordinance Authorizing the Sale of Four City and Borough Parcels
Located at Lena Point Near 16550 Ocean View Drive and 16550 Pt. Lena
Loop Road and Establishing the Terms and Conditions Related to the Sale.**

WHEREAS, the final plat for the subdivision known as the South Lena Subdivision was recorded on October 11, 2006; and

WHEREAS, the recorded plat states, in plat note # 5 that “upon the existing eagle nest within Lot 1, Block B being abandoned, the lot may be subdivided and developed with up to four (4) lots”; and

WHEREAS, this property has been included for disposal in the 2016 Land Management Plan, adopted May 23, 2016; and

WHEREAS, U.S. Fish and Wildlife personnel determined in 2017, and recently reconfirmed, that the eagle’s nest on Lot 1, Block B is unoccupied and has not been used in several years; and

WHEREAS, in 2018, Lot 1 Block B, South Lena Subdivision was subdivided to create four lots: Lot 1A, Lot1B, Lot 1C and Lot 1D; and

WHEREAS, these four lots have not been included in any previous land sales; and

WHEREAS, the Lands Committee at its meeting on January 14, 2019, passed a unanimous motion of support for a sealed competitive bid sale of the lots; and

WHEREAS, if any of the lots remain unsold after the sealed competitive bid sale, a fair market value over-the-counter sale should be considered under CBJ 53.09; and

WHEREAS, the disposal of these lots would assist the Assembly in meeting its goal of making land available for additional housing units in Juneau; and

WHEREAS, terms and conditions of this land sale are set forth below; and

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. The Manager is authorized to dispose of Lot 1A, Lot 1B, Lot 1C and Lot 1D, Block B, South Lena Subdivision (the “lots”).

Section 3. Title 53 and Land Management Plan. The sale of the lots is deemed to comply with the intent of, and meet or exceed the standards set forth in CBJ Title 53, which prescribes the process for classifying, planning, and disposing of City and Borough land, and CBJ Ordinance 2016-18, which adopted the City and Borough’s Land Management Plan.

Section 4. Method of Sale. Each lot shall be sold by sealed competitive bid to the highest qualified bidder.

Section 5. Minimum Bid. The minimum bid for each lot shall be determined by the City and Borough assessor or a licensed real estate appraiser.

Section 6. Bidder Qualifications. Notwithstanding Title 53, bidders must be 18 years or older, if filing as individuals, or a business or business entity licensed to do business in the State of Alaska.

Section 7. Bid. Notwithstanding CBJ Title 53, bids must be accompanied by an earnest money payment in the amount of \$500.

Section 8. Competitive Bid Procedures. The qualified bidder having the highest bid amount will be named the apparent high bidder.

Section 9. Award. (a) Apparent high bidders will be sent an “Award Notification” letter by certified mail. The letter shall provide the successful bidders 30 days to submit the following:

- (1) Completed Declaration of Intent;
- (2) A non-refundable \$150.00 document-handling fee;
- (3) Notwithstanding CBJ Title 53, a down payment equal to ten percent of the bid amount. The \$500 earnest money submitted with the bid shall be applied toward the down payment;
- (4) If a business or business entity, proof of current business license in the State of Alaska, and signatory authority of the person submitting the bid; and

(5) Any other documents or items requested in the Award Notification letter.

(b) If a successful bidder fails to comply with the requirements in the award notification letter, the bidder shall forfeit the \$500 earnest money and all rights to the parcel, and the second highest bidder will then be awarded the opportunity to purchase the parcel.

(c) A bidder may purchase more than one parcel. Only the highest bid amount for each parcel will be made public. All other bids will remain confidential until after closing. Earnest money shall be returned to unsuccessful bidders.

Section 10. Payment and Financing. Purchasers of City and Borough parcels may elect to use City and Borough financing, paying the balance owed over a period of ten years, in annual, quarterly, or monthly payments at an interest rate of ten percent. The City and Borough shall not subordinate its security interest to other lenders. No bidder or purchaser may sell or assign his or her interest in a parcel until the City and Borough has been paid in full.

Section 11. Reoffering. The Manager may sell any unsold parcels as over the counter sales. The sale price shall be fair market value as determined by appraisal, or by the minimum bid from the preceding sealed competitive bid sale.

Section 12. Other Terms and Conditions. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

Section 13. 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

SURVEYOR'S CERTIFICATE

I, Scot A. Menzies, in my capacity as a professional land surveyor in the State of Alaska, certify that this plat represents the survey made by me or under my direct supervision, that the accuracy of the survey is within the limits required by Title 49 of the code of the City and Borough of Juneau, that all dimensions and relative bearings are correct and that monuments are set in place and noted upon this plat as presented.

Date 12/5/18 Registration Number: LS-10398

Scot A. Menzies
Registered Land Surveyor

LEGEND

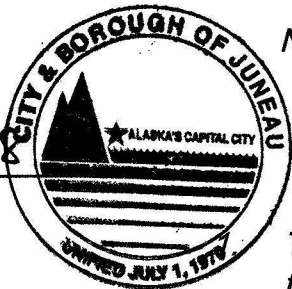
Original G.L.O./B.L.M. monument recovered	⊗
Primary monument recovered	⊕
Secondary monument recovered	●
Monument set this survey	⊙
Easement boundary created this survey	---
Easement boundary N.A.P. this survey	---
Existing property line N.A.P. this survey	---
Existing property line this survey	---
New property line this survey	---
Right-of-Way Centerline	---
Boundary dimension-Record	(307.80')
Boundary dimension-Found	307.80'
Juneau Recording District	J.R.D.
Not A Part	N.A.P.

COMMUNITY DEVELOPMENT DEPARTMENT PLAT APPROVAL

I hereby certify that the plat hereon has been found to comply with Title 49 of the Code of the City and Borough of Juneau, and is approved by the City and Borough of Juneau, Department of Community Development, for recording in the office of the Juneau Recording District, Juneau, Alaska.

Jill Macleah, Director
City and Borough of Juneau
Community Development Department

Attest:
Municipal Clerk
City and Borough of Juneau



OWNERSHIP CERTIFICATE

The City and Borough of Juneau hereby certifies that the City and Borough of Juneau is the owner of the property shown and described hereon and that it hereby adopts this plat of subdivision with its free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date: December 13, 2018
Greg Chaney, Manager
City and Borough of Juneau
Lands and Resources Department

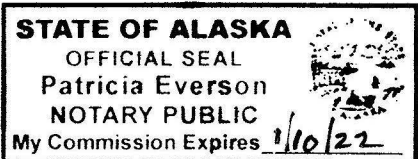
NOTARY ACKNOWLEDGEMENT

United States of America)
State of Alaska) SS

This is to certify that on the 13 day of December, 2018, before me, the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn, personally appeared to me Greg Chaney, known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

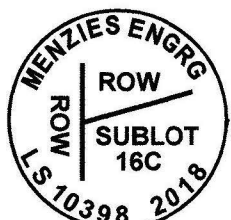
Witness my hand and official seal the day and year in this certificate first above written.

Notary Public for Alaska Patricia Everson
My Commission Expires 11/10/22

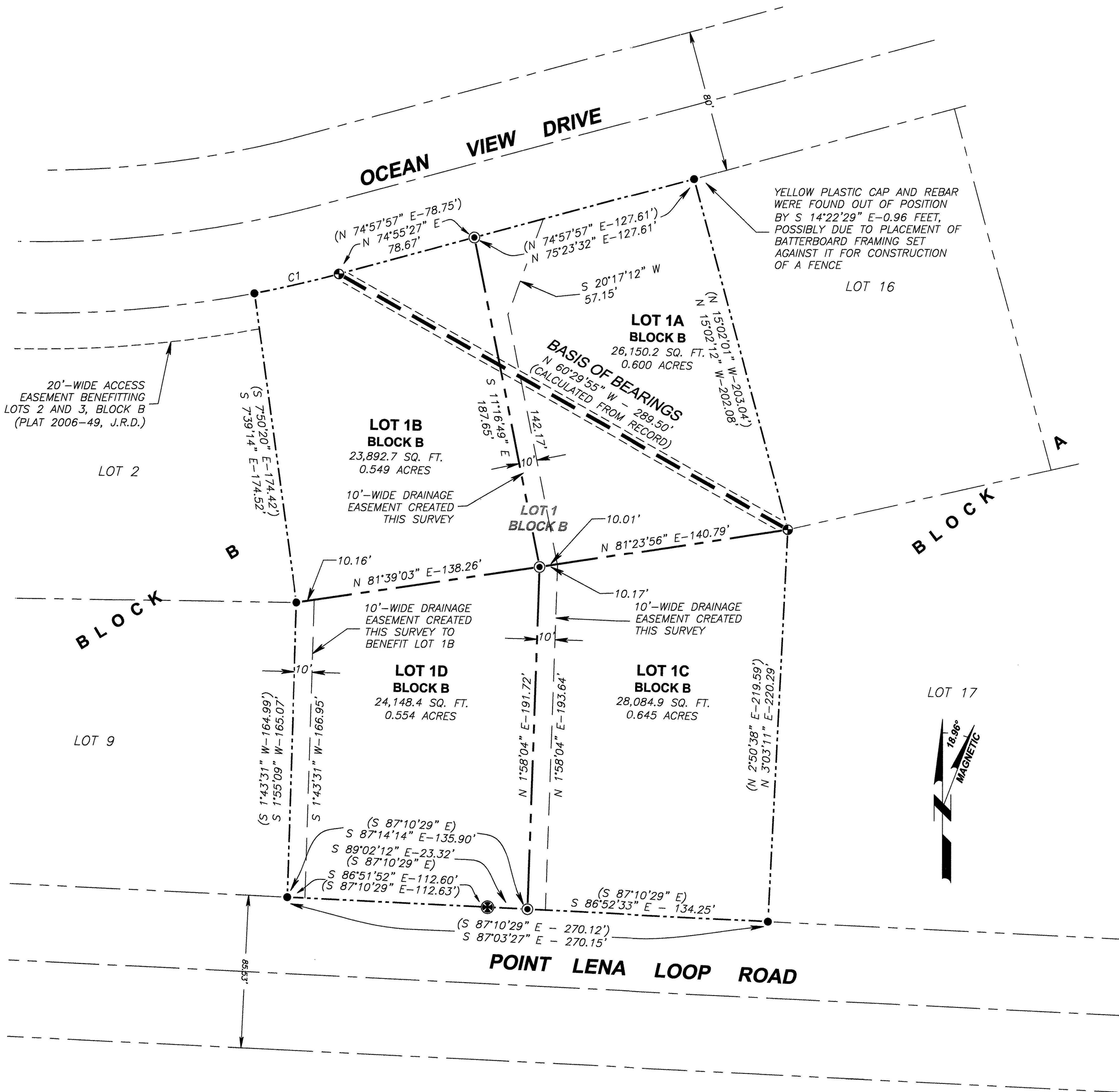


GENERAL NOTES

- The basis of bearings for this plat is a bearing calculated from the official Amended Plat of the South Lena Subdivision, dated June 9, 2006, between found primary monuments which mark the southeast corner of Lot 1A and the Point of Curvature on the Ocean View Drive right-of-way boundary, also the north boundary of Lot 1, Block B, of the Amended Plat of the South Lena Subdivision as shown on this plat, having a calculated record bearing of North 60°29'55" West and a calculated distance of 289.50 feet.
- Where record survey courses (bearings and/or distances) differ from measured and/or computed courses by this survey, the record survey course is shown in parentheses and the field measured and/or computed course is shown without parenthesis.
- All distances and dimensions are in U.S. Survey Feet and reduced to their horizontal values.
- Field closure for conventional horizontal traverse does not exceed 1:10,000.
- The survey was conducted using conventional on-the-ground surveying methods utilizing a Topcon fully robotic IS total station and ranging prism.
- This plat subdivides Lot 1, Block B, of the Amended Plat of the South Lena Subdivision into four lots.
- The Alaska Dept. of Environmental Conservation has suspended their program of subdivision review. Owners of lots shown on this plat should contact that department to ensure compliance with regulations before development.
- Domestic water provided by the City and Borough of Juneau.
- On-site wastewater disposal per approval of the Alaska Department of Environmental Conservation.
- Ground cover shall be retained for 25 feet bordering Lena Loop Road unless it is demonstrated to the Community Development Department staff that wetlands can be preserved through other means.
- Maximum fill in areas of mapped wetlands shall not exceed 12,000 square feet for combined house and drainfield fill pads (exclusive of driveways). Additional fill may be permitted on individual lots if approved by the Planning Commission. Any fill on any lot in excess of that allowed by the U.S. Army Corps of Engineers permit POA-1996-19-M must be approved in advance by the U.S. Army Corps of Engineers.
- The toe of on-site septic system drainfields built on these lots shall be set back from the nearest down-slope property line using the following formula:
Percent of ground slope = Setback in feet
Examples: 15% ground slope = 15 foot setback
20% ground slope = 25 foot setback
50% ground slope = 50 foot setback
- Monuments set this survey are 2-inch diameter aluminum monuments set on 5/8-inch diameter rebar driven 36 inches or to refusal.



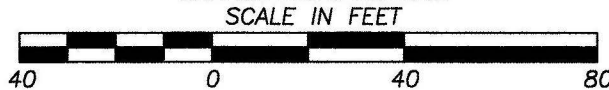
Typical monument set this survey



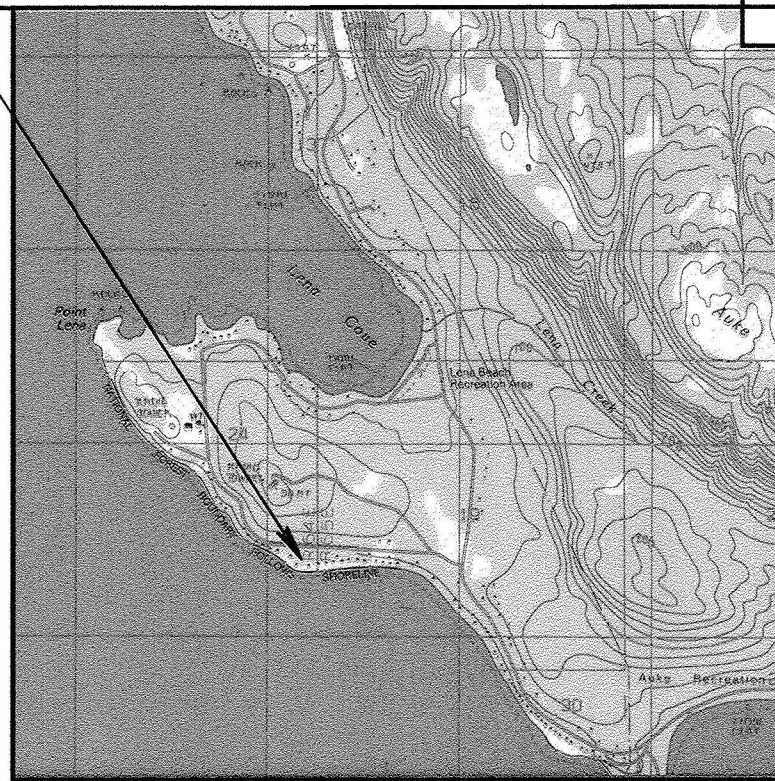
PLAT NOTES

No. of Lots before this plat: 1
No. of Lots after this plat: 4
Zoning before this plat: D3 (Single Family/Duplex)
Zoning after this plat: No change
Right-of-way dedicated: None
Total area of plat: 102,293 Square Feet
2.348 Acres

GRAPHIC SCALE



PROJECT LOCATION



VICINITY MAP
SCALE: 1" = 1 MILE
GRAPHIC SCALE
SCALE IN MILES
0 1

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	BEARING	DISTANCE
(1)	640.00'	48.78'	4°22'02"	S 77°08'51" W	48.77'	
				S 77°18'04" W	48.56'	

RECORD INFORMATION

Record information for this subdivision is derived from official plats:
South Lena Subdivision, Juneau Recording District dated October 11, 2006 (Plat 2006-49) (R1); Amended Plat of South Lena Subdivision, Juneau Recording District dated December 15, 2006 (R2); U.S. Survey 3809, Juneau Recording District dated March 3, 1960 (R3).

2018-59
Plat #
Juneau
Rec Dist
12-14
Date
1:50 PM



PLAT OF
LOTS 1A, 1B, 1C & 1D
A SUBDIVISION OF
LOT 1, BLOCK B, SOUTH LENA SUBDIVISION
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

STATE RECORDER'S OFFICE AT JUNEAU

OWNER:
CITY AND BOROUGH OF JUNEAU
155 S. SEWARD STREET
JUNEAU, ALASKA 99801

SURVEYOR:
MENZIES ENGINEERING GRP.
9337 MID BAY ROAD, SUITE 301
KETCHIKAN, ALASKA 99801
PH: (907) 220-9424

PROJECT NO. 18711
CKD BY: S.A.M.

SCALE: 1" = 40'
DATE: 12/5/18

DRAWN BY: S.A.M.
SHEET 1 OF 1

Presented by: The Manager
Introduced: 4/1/2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-11(AG)

An Ordinance Appropriating to the Manager the Sum of \$800,000 as Partial Funding for the Upgrade of the City and Borough of Juneau's Land Management and Revenue Enterprise System; Funding Provided by Lease Proceeds.

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. Appropriate. There is appropriated to the Manager the sum of \$800,000, for the upgrade of the City and Borough of Juneau's core financial system.

Section 3. Source of Funds.

Lease Proceeds	\$ 800,000
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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



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

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

February 7, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	644
Licensee:	Wolfpack Ventures, LLC		
Doing Business As:	Salt Alaska		

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

February 1, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	2728
Licensee:	Molly Ventures, Inc.		
Doing Business As:	McGivney's Sports Bar & Grill		

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

February 21, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Club	License Number:	4034
Licensee:	Juneau Moose Lodge #700		
Doing Business As:	Loyal Order of Moose #700		

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.

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Sincerely,

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

February 11, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Package Store	License Number:	300
Licensee:	DeHart's, LLC		
Doing Business As:	DeHarts Grocery		

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,

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

February 21, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	1690
Licensee:	Bullwinkle's, Inc.		
Doing Business As:	Bullwinkle's Pizza		

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

February 8, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	2175
Licensee:	Midnight Ninja Ventures Incorporated		
Doing Business As:	Lupo		

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.

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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

Packet Page 63 of 106
**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

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

February 14, 2019

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	4493
Licensee:	Kwang LLC		
Doing Business As:	Little Tokyo		

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: 1/28/2019
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1008

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$100,000 be transferred:

From: CIP

D12-027	Cultural Gateway	\$100,000
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To: CIP

D12-097	Downtown Wayfinding and Interpretive Signs	\$100,000
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The \$100,000 consists of:

Marine Passenger Fees	\$100,000
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Moved and Approved this _____ day of _____, 2019.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 1/28/2019
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1009

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$130,000 be transferred:

From: CIP

H51-113	Waterfront Seawalk CIP	\$130,000
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To: CIP

D12-097	Downtown Wayfinding and Interpretive Signs	\$130,000
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The \$130,000 consists of:

Marine Passenger Fees	\$130,000
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Moved and Approved this _____ day of _____, 2019.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-09

An Ordinance Amending the Public Finance Code Relating to Investments and Collateral.

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 and Reenactment of Chapter. Chapter 57.25 Investments and Collateral, is repealed and reenacted to read:

Chapter 57.25

INVESTMENTS AND COLLATERAL

- 57.25.005 Scope.
- 57.25.010 Definitions.
- 57.25.015 Management of municipal funds.
- 57.25.018 Investment objectives.
- 57.25.020 Authorized investments.
- 57.25.030 Security on nonnegotiable certificates of deposit.
- 57.25.040 Ownership and encumbrance of collateral.
- 57.25.050 Acceptable collateral.
- 57.25.100 Addition, substitution or change of collateral.
- 57.25.110 Security agreements on collateral.
- 57.25.120 Reports and access to records of banks bidding on or holding nonnegotiable certificates of deposit.
- 57.25.130 Noncompliance.
- 57.25.140 Certificate of deposit restrictions.

57.25.005 Scope.

The finance director is responsible for the administration of the provisions of this chapter. This chapter applies to the investment of short-term operating funds and long-term funds.

57.25.010 Definitions.

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

Bank means a state or federally chartered commercial or mutual bank, or credit union located in the United States and having insurance of accounts through the appropriate federal insuring agency of the United States.

Benchmark (also Portfolio Benchmark) means an industry recognized standard index which shall be used to measure the performance of the investment portfolio.

Capital means combined capital, surplus and undivided profits. The term also means reserves for loan losses when applied to commercial banks, mutual savings banks, or credit unions.

Certificate of deposit means a negotiable or nonnegotiable security instrument or depository agreement.

Delinquent means the failure of the bank to return invested funds to the City and Borough on the maturity date and after demand for the funds has been made.

NASD means National Association of Securities Dealers. A self-regulatory securities industry organization responsible for the operation and regulation of the Nasdaq stock market and over-the-counter markets.

NASDAQ means National Association of Securities Dealers Automated Quotation. A computerized system established by the NASD to facilitate trading by providing broker/dealers with current bid and ask price quotes on over-the-counter stocks and some listed stocks. All trading on the Nasdaq exchange is done over a network of computers and telephones.

NRSRO means Nationally Recognized Statistical Rating Organization. NRSRO is a credit rating agency (CRA) that issues credit ratings that the U.S. Securities and Exchange Commission (SEC) permits other financial firms to use for certain regulatory purposes.

Portfolio means the combined holding of more than one stock, bond, commodity, cash equivalent, or other asset by an investor. The purpose of a portfolio is to reduce risk by diversification.

Rated bank means:

- (1) A bank all of whose debt issues are rated A or higher or its equivalent by a nationally recognized rating service;
- (2) A bank whose letters of credit secure third-party debt issues rated A or higher or its equivalent by a nationally recognized rating service; or

(3) A bank which is a subsidiary of a one-bank holding company all of whose commercial paper has the highest rating given by a nationally recognized rating service or whose debt issues are rated at least an A or its equivalent by a nationally recognized rating service.

Securities mean marketable, negotiable financial instruments that hold some type of monetary value. They represent an ownership position in a publicly-traded corporation (via stock), a creditor relationship with a governmental body or a corporation (represented by owning that entity's bond), or rights to ownership as represented by an option.

Value means the monetary measurement of the worth of collateral to the City and Borough as described in this chapter.

Weighted average life means the portfolio value derived by multiplying the book value of each investment by its maturity period, then dividing the sum of these products by the total book value of the portfolio.

57.25.015 Management of municipal funds.

(1) Pooling of Funds. The finance director will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping, and administration.

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- (2) Investment decisions shall be guided by this section and by the City and Borough of Juneau Investment Policy. Material changes to the Investment Policy shall be brought to the assembly finance committee by the city manager for review.
- (3) The finance director will choose which investment portfolio is most appropriate for funds based on the objectives at hand. Portfolio types are outlined in the Investment Policy.
- (4) Appropriate benchmarks shall be selected by the finance director based upon portfolio goals and holdings of the portfolio. Benchmark selection shall be approved by the city manager as a function of the Investment Policy Statement.
- (5) Safekeeping and Custody.
- (A) Delivery vs. Payment. All trades of marketable securities will be executed using the delivery vs. payment (DVP) method to ensure that securities are deposited in an eligible custody account prior to the release of funds.
- (B) Safekeeping. Securities will be held by a centralized, independent third-party custodian selected by the City and Borough, as with all securities held in the City and Borough's name. The safekeeping institution shall annually provide a copy of their most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).
- (6) Restricted Funds shall be deposited into separate and restricted alternative investments, bank accounts or other accounts which may be interest-bearing and held by financial institutions for the benefit of the municipality, with all revenues and expenses associated with such funds allocated to such investments or accounts.

Restricted funds may be commingled with other similarly restricted funds within the discretion of the finance director.

(7) The finance director may obtain the services of such investment managers, advisors, custodians and other professionals as are reasonably prudent and necessary to manage all municipal funds.

(8) Investment portfolio performance reports shall be prepared and posted to the City and Borough website on a quarterly basis. These reports shall be addressed with the assembly finance committee on a semi-annual basis.

57.25.018 Investment objectives.

Investment portfolios will be selected to achieve the overall investment objectives. The primary objectives of investment activities shall be safety, liquidity, and return:

(a) *Safety*. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk. The finance director and hired contractors, if any, shall manage investment funds exercising the judgment and care under the circumstances then prevailing which an institutional investor of ordinary prudence, discretion, and intelligence exercises in the management of large investments entrusted to it, not in regard to speculation but in regard to the permanent disposition of funds, considering probable safety of capital as well as probable income.

(1) *Credit Risk*. The City and Borough will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer, by:

(A) Limiting investments to the types of securities listed in Code Section 57.25.020.

(B) Pre-qualifying and conducting ongoing due diligence of the financial institutions, broker/dealers, intermediaries, and advisers with which the City and Borough will do business.

(C) Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

(2) *Interest Rate Risk.* The municipality will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

(A) Structuring the investment portfolio so that security maturities match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

(B) Investing operating funds primarily in shorter-term securities, money market mutual funds, exchange-traded funds (ETF) or similar investment pools and limiting individual security maturity as well as the average maturity of the applicable portfolio.

(b) *Liquidity.* The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets to meet

unanticipated demands (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds, ETFs, or local government investment pools which offer same-day liquidity for short-term funds.

(c) *Return.* The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following possible exceptions:

- (1) A security with declining credit may be sold early to minimize loss of principal;
- (2) Selling a security and reinvesting the proceeds that would improve the quality, yield, or target duration in the portfolio may be undertaken; or
- (3) Unanticipated liquidity needs of the portfolio require that the security be sold.

57.25.020 Authorized investments.

To provide maximum security for the investment of public funds and to provide the greatest interest revenue consistent with safety, funds may be invested only in the following instruments:

- (1) Obligations of, or obligations insured or guaranteed by, the United States or agencies or instrumentalities of the United States;

- (2) Commercial paper issued by corporations or businesses and rated at least A1/P1 by a nationally recognized statistical rating organization (NRSRO), and collateralized commercial paper with no time limit;
- (3) Negotiable certificates of deposit issued by rated banks;
- (4) Repurchase agreements secured by obligations insured or guaranteed by the United States or agencies or instrumentalities of the United States;
- (5) Bank obligations insured by the appropriate federal insurance agency, including nonnegotiable certificates of deposit secured as provided in Section 57.25.030;
- (6) Custodial money market funds and other mutual funds so long as the nature of the fund is generally consistent with all other provisions of this section of the code;
- (7) U.S. dollar denominated corporate bonds rated investment grade or higher by a nationally recognized rating agencies at the time of purchase;
- (8) Mortgage-backed securities and collateralized mortgage obligations (CMOs) issued and insured or guaranteed by the United States or agencies or instrumentalities of the United States;
- (9) Asset-backed securities that are publicly traded and rated AAA by a NRSRO at the time of purchase;
- (10) Domestic Fixed Income Mutual Fund or ETF: Securities issued in the United States matching security types, quality and maturity ranges contained in the Bloomberg Barclays Aggregate Index;
- (11) Domestic Equity Mutual Fund or ETF: Common and preferred stock issued by companies domiciled in the United States, and traded on a domestic stock exchange, or traded through the NASDAQ system;

- (12) International Equity Mutual Fund or ETF: Common and preferred stock issued by companies domiciled outside the United States, primarily in developed countries, as defined by the Financial Times Stock Exchange;
- (13) Loans to specified funds of the City and Borough for the purpose of capital acquisition, made as provided in section 57.05.045;
- (14) An investment pool for public entities authorized by AS 37.23; or
- (15) Other investment types or asset classes as provided in the Investment Policy and consistent with all other provisions of this section of the code.

57.25.030 Security on nonnegotiable certificates of deposit.

Nonnegotiable certificates of deposit must be fully secured at all times as to the payment of principal and interest due on the maturity of the nonnegotiable certificate of deposit. The insured portion must be secured by insurance of accounts through the appropriate federal insurance agency. The portion in excess of the bank's insurance of accounts must be secured by collateral valued in a manner determined by the City and Borough, and conforming to the requirements of sections 57.25.040 through 57.25.110, at 102 percent.

57.25.040 Ownership and encumbrance of collateral.

Pledged collateral must be owned by the bank issuing the certificate of deposit. Except for the assignment required under section 57.25.110, the bank must keep the pledged collateral free and clear of liens, security interests or encumbrances. The bank shall not release, assign, sell, mortgage, lease, transfer, pledge or grant a security interest in, encumber, substitute or

otherwise dispose of or abandon all or any part of the pledged collateral without the prior written authorization of the City and Borough.

57.25.050 Collateral valued at current market.

The City and Borough may accept the following types of collateral placed at current market value by a bank if that bank's valuation process is consistent with methods used in preparing its federal or state bank reports:

- (1) Obligations of, or obligations insured or guaranteed by, the United States or agencies or instrumentalities of the United States;
- (2) General obligation bonds and notes issued and insured or guaranteed by the state, or a political subdivision of the state;
- (3) Revenue bonds issued by the state or an agency or instrumentality of the state;
- (4) Revenue bonds issued by a political subdivision of the state which are rated A or its equivalent or higher by a nationally recognized rating service;
- (5) Corporate debt securities rated AA or its equivalent or higher by a nationally recognized rating service;
- (6) General obligation bonds issued by a state or a municipality in the United States other than the state, rated A or its equivalent or higher by a nationally recognized rating service;
- (7) The insured portion of a federally insured or guaranteed loan; or
- (8) Negotiable certificates of deposit issued by a rated bank.

57.25.060 Reserved.

57.25.070 Reserved.

57.25.080 Reserved.

57.25.090 Reserved.

57.25.100 Addition, substitution or change of collateral.

(a) The City and Borough reserves the right to review any and all collateral proposed or submitted by a bank to secure nonnegotiable certificates of deposit. If the City and Borough determines that the collateral does not meet the requirements of this chapter, or determines that City and Borough funds are not adequately secured by the collateral, the City and Borough may demand additional collateral or substitution of collateral.

(b) The bank must notify the City and Borough immediately, and confirm in writing within three business days, of any decline in value below required levels of its pledged collateral, and must immediately offer sufficient additional collateral, if:

(1) The value of the federally insured portion of nonnegotiable certificates of deposit pledged as collateral is less than the amount of principal and interest due upon maturity;

(2) Any collateral described in section 57.25.050 or section 57.25.060 pledged by the bank as collateral is no longer eligible as collateral.

57.25.110 Security agreements on collateral.

- (a) A bank issuing nonnegotiable certificates of deposit must enter into a security agreement with the City and Borough for all uninsured loans or collateral pledged.
- (b) The security agreement shall include all of the following terms and conditions:
 - (1) That the bank must assign its interest in the collateral to the City and Borough and must transfer the collateral within two days of a collateralized investment award;
 - (2) The security agreement shall specify the authority of the City and Borough to:
 - (A) Demand a substitution of collateral;
 - (B) Exercise assignment or other rights under the security agreement; and
 - (C) Take other action as provided under this chapter;
- (c) That the bank issuing the nonnegotiable certificates of deposit shall pay all costs and expenses associated with the depository agreement and the depository account.
- (d) All collateral pledged by a bank must be kept in depository accounts with another bank to be known as the trustee bank.
- (e) The City and Borough may accept the trustee bank in a tri-party agreement between the bank pledging collateral, the trustee bank and City and Borough. The tri-party agreement shall include all of the following terms and conditions:
 - (1) All those terms and conditions set forth in subsection (b) of this section;
 - (2) The City and Borough shall have control over pledged collateral submissions to and withdrawals from the depository account; and
 - (3) The trustee bank must send a depository receipt to the finance director promptly after the transfer or substitution of collateral.

57.25.120 Reports and access to records of banks bidding on or holding nonnegotiable certificates of deposits.

(a) *Reports required.* The following reports must be submitted to the City and Borough by banks bidding on or holding outstanding nonnegotiable certificates of deposits:

(1) A copy of the bank's balance sheet and profit and loss statement must be submitted within 45 days after the end of each fiscal quarter as follows:

(A) The financial statements must be prepared under generally accepted accounting principles; or

(B) The financial statements must be prepared under state or federal regulatory requirements, if the bank does not use generally accepted accounting principles;

(2) On or before the tenth day of each month, the bank must submit a report listing the then current principal balance of loans pledged as collateral. The report must be prepared as of the last day of the previous month and must be prepared as of the last day of the previous month and must be certificated by a bank officer.

(b) *Information available upon request.* Upon request by the City and Borough, the following information shall be made available by banks bidding on or holding outstanding nonnegotiable certificates of deposit:

(1) The originals or certified copies of any papers and instruments relating to any or all of the collateral pledged to secure the nonnegotiable certificates of deposit;

(2) Reports of examinations by state or federal agencies, and reports by the bank's independent auditors, to the extent not expressly prohibited by law;

(3) Upon seven days' notice, such other information as the City and Borough may require.

(c) *Access to information.* To the extent not expressly prohibited by law, the City and Borough shall have full access to, the right of inspection of, and the right to make extracts from, any records of the bank relating to all or any part of the collateral pledged to secure the nonnegotiable certificates of deposit.

57.25.130 Noncompliance.

(a) If a bank defaults in the payment of principal or interest due upon maturity of a nonnegotiable certificate of deposit for any investor, or fails to comply with the security, tri-party, or depository agreements provided for in this chapter, or otherwise fails to comply with the provisions of this chapter, the City and Borough may:

(1) Without penalty, call all or a portion of the nonnegotiable certificates of deposit issued by the bank;

(2) Sell, exchange, transfer, or otherwise dispose of the pledged collateral to recover the principal and interest due upon maturity of the nonnegotiable certificate of deposit and all costs incurred by the City and Borough as a result of such sale, exchange, transfer or disposal;

(3) Take other action available under the security, tri-party, or depository agreements; and

(4) Take such other action as may be available at law or equity.

(b) To the extent not expressly prohibited by law, the bank must indemnify and hold the City and Borough harmless from any forfeiture or loss of interest or other penalty or costs,

57.25.140 Certificate of deposit restrictions.

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

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-10

An Ordinance Authorizing the Manager to Lease up to an Acre of City and Borough Property Located at Lot 4, HDK Subdivision, Near Anka Street and the South Lemon Creek Material Source, to Juneau Composts! LLC for a Composting Facility.

WHEREAS, Juneau Composts! LLC plans to operate a composting facility on a fraction of the HDK Subdivision, Lot 4, comprising of up to one acre, located at the end of Anka Street; and

WHEREAS, Juneau Composts! LLC will be responsible for obtaining all the necessary permits including those needed from state and federal agencies; and

WHEREAS, in accordance with CBJ 53.09.200, the Manager has determined that the monthly market value of a one-quarter acre is two hundred dollars (\$200.00); and

WHEREAS, the Lands Committee, at the meeting of October 22, 2018, passed a motion of support for the proposed lease to Juneau Composts! LLC to work with the original applicant to develop a lease of City and Borough property at the South Lemon Creek Material Source to Juneau Composts! LLC for fair market value; and

WHEREAS, the Assembly, at the November 5, 2018 meeting, passed a motion of support to authorize the Manager to negotiate a fair market value lease with Juneau Composts! LLC; and

WHEREAS, the Planning Commission, at the meeting of January 22, 2019, made a recommendation in favor of the proposed lease to Juneau Composts! LLC with the following conditions:

1. The composting facility will be fenced. Fencing will include electric fencing that will be installed along the perimeter of the composting facility in accordance with the recommendations of the Alaska Department of Fish and Game.
2. Best management practices will be used to minimize runoff from the site.
3. Lease negotiations will include discussion of future lease renewal provisions.
4. Site planning will incorporate substantial growth potential.

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. The Manager is authorized to lease a fraction of HDK Subdivision, Lot 4, comprising of less than one acre, to Juneau Composts! LLC subject to the following essential terms and conditions:

(A) **Term.** The lease term shall be for a period of five (5) years but shall be terminable by the lessor if, for any period or periods totaling more than six (6) months, the property is not used for the authorized purpose.

(B) **Renewal Options.** Lessee shall have the option to renew the lease for up to three (3) additional five-year renewal periods. The maximum lease duration is twenty years.

(C) **Leased Area.** The initial quarter acre leased area is depicted in Exhibit A. Juneau Composts! may expand the leased area up to one acre in one-quarter acre increments adjacent to the initial leased area.

(D) **Use of Premises.** Lessee agrees to use the leased land for the sole purpose of operating a composting facility. Use or development for any other purpose shall constitute a violation of this lease.

(E) **Rent.** Lessee shall pay the sum of two hundred dollars (\$200.00) per month for the initial quarter acre. During the first lease term, each additional quarter acre leased shall be valued at two hundred dollars (\$200.00) per month.

(F) **Adjustment of Rental.** The rent shall be adjusted to reflect fair market value for each renewal period, if any.

(G) **Hold Harmless.** The lease agreement shall provide that Juneau Composts! LLC indemnify, defend and hold harmless the City and Borough, its officers and employees, volunteers, consultants and insurers for any claim related to or arising out of Juneau Composts! LLC use, operation or maintenance of the leased premises.

(H) **Other terms and conditions.** The Manager may include other lease terms and conditions as the Manager determines to be in the public interest.

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

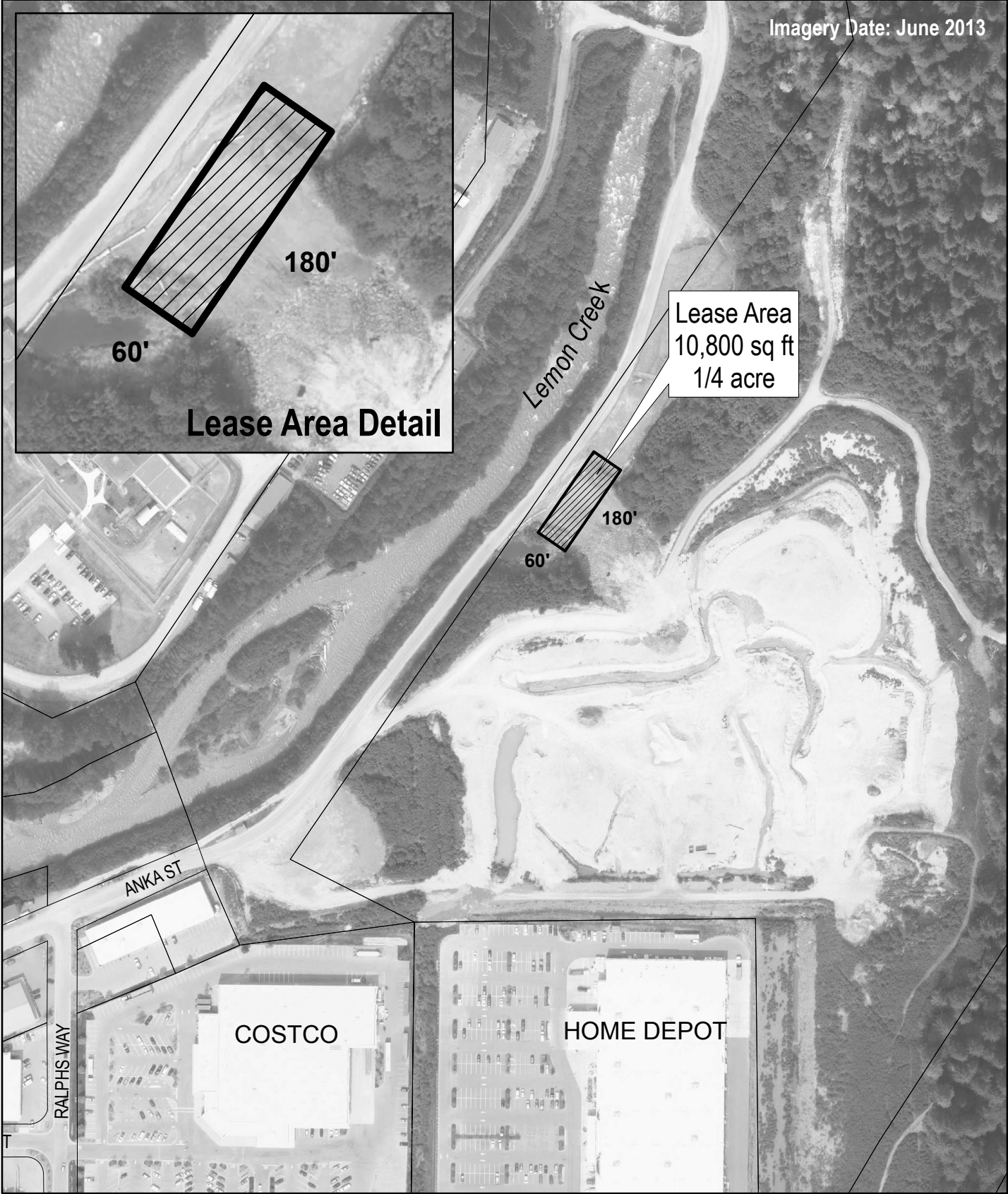
Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

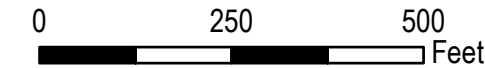
Attest:

Elizabeth J. McEwen, Municipal Clerk

Imagery Date: June 2013



JUNEAU COMPOSTS LEASE AREA
Lot 4, HDK Subdivision
Exhibit A - Ordinance No. 2019-10



The property boundaries are not survey quality.
This map is for general reference only.



Presented by: The Manager
 Introduced:
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-11

An Ordinance Authorizing the Manager to Lease Property known as Gunakadeit Park (Pocket Park) and Located at Juneau Townsite, Block 13, Lot 9, Near 139 S. Franklin Street to Franklin Foods LLC.

WHEREAS, the City and Borough of Juneau received an application from Dave McCasland of Alaska Sustainable Seafoods LLC dba Deckhand Dave's, to purchase Juneau Townsite, Block 13, Lot 9, also known as Gunakadeit Park (or Pocket Park) from the City and Borough at fair market value; and

WHEREAS, the Lands Committee, at the meeting of August 6, 2018, passed a motion to forward this application to the Parks and Recreation Advisory Committee (PRAC) to provide comments before further Assembly review; and

WHEREAS, the PRAC, at the meeting of October 8, 2018, determined that a temporary lease would be preferred to selling the property and provided a recommendation to the Lands Committee to retain Gunakadeit Park as a special use area and request that staff develop options for future development or disposal; and

WHEREAS, the Lands Committee, at the meeting of October 22, 2018, provided a recommendation that the Assembly decline Alaska Sustainable Seafoods LLC's application to purchase Gunakadeit Park and return the \$500 application fee, noting that if using the lot for a food court is desired then a temporary annual lease should be explored; and

WHEREAS, on November 5, 2018, the Assembly passed two motions: first, return the \$500 application fee and decline the sale of Gunakadeit Park to Alaska Sustainable Seafoods LLC; and second, direct the Manager to negotiate a fair market value lease of Gunakadeit Park with Alaska Sustainable Seafoods LLC; and

WHEREAS, the City and Borough received an application from Alaska Sustainable Seafoods LLC to lease Gunakadeit Park at fair market value; and

WHEREAS, the Planning Commission, at the meeting of February 6, 2019, recommended leasing the subject lot to Alaska Sustainable Seafood, LLC for a term of one year, with all other terms and conditions to be negotiated at a later date including renewal periods; and

WHEREAS, on March 14, 2019, Dave McCasland modified the application to change the entity requesting to lease the property from Alaska Sustainable Seafoods LLC to Franklin Foods LLC.

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. The Manager is authorized to lease Juneau Townsite, Block 13, Lot 9 comprising approximately 4,000 square feet as generally depicted in Exhibit A, to Franklin Foods LLC subject to the following essential terms and conditions:

(A) Term. The lease term shall be for a period of one year.

(B) Cancellation. Failure to make substantial use of the leased premises consistent with this ordinance, within three (3) months of the effective date of the lease shall, in the discretion of the Manager, constitute grounds for cancellation.

(C) Renewal Options. The lease may be renewed for up to two (2) additional one-year periods, upon mutual written agreement of the parties. The maximum lease duration is three years.

(D) Use of Premises. Lessee is authorized to use the leased premises for the purpose of operating outdoor food and beverage cart services that include a seating area, and the provision of restrooms. Use or development for any other purpose shall constitute a violation of the lease.

(E) Rent. Lessee shall pay the sum of three thousand two hundred and fifty dollars (\$3,250) per month during the months of May through September and one thousand dollars (\$1,000) per month for the remaining months of the year throughout the term of this lease, which amounts were determined to be the fair market rental rate value of the leased premises based on an appraisal dated January 29, 2019.

(F) Adjustment of Rental. The rent shall be adjusted to reflect fair market value for each renewal period, if any.

(G) Subleasing. The lessee may sublease all or any part of the leased premises provided lessee remains responsible to lessor for any and all activity of a sublease, and the sublessee(s) are subject to this ordinance and associated lease.

(H) Hold Harmless. The lease agreement shall provide that Franklin Foods LLC indemnify, defend and hold harmless the City and Borough, its officers, employees, volunteers, consultants and insurers for any claim related to or arising out of Franklin Foods LLC use, operation, maintenance, or sublease of the leased premises.

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(I) Other Terms and Conditions. The Manager may include other lease terms and conditions as the Manager determines to be in the public interest.

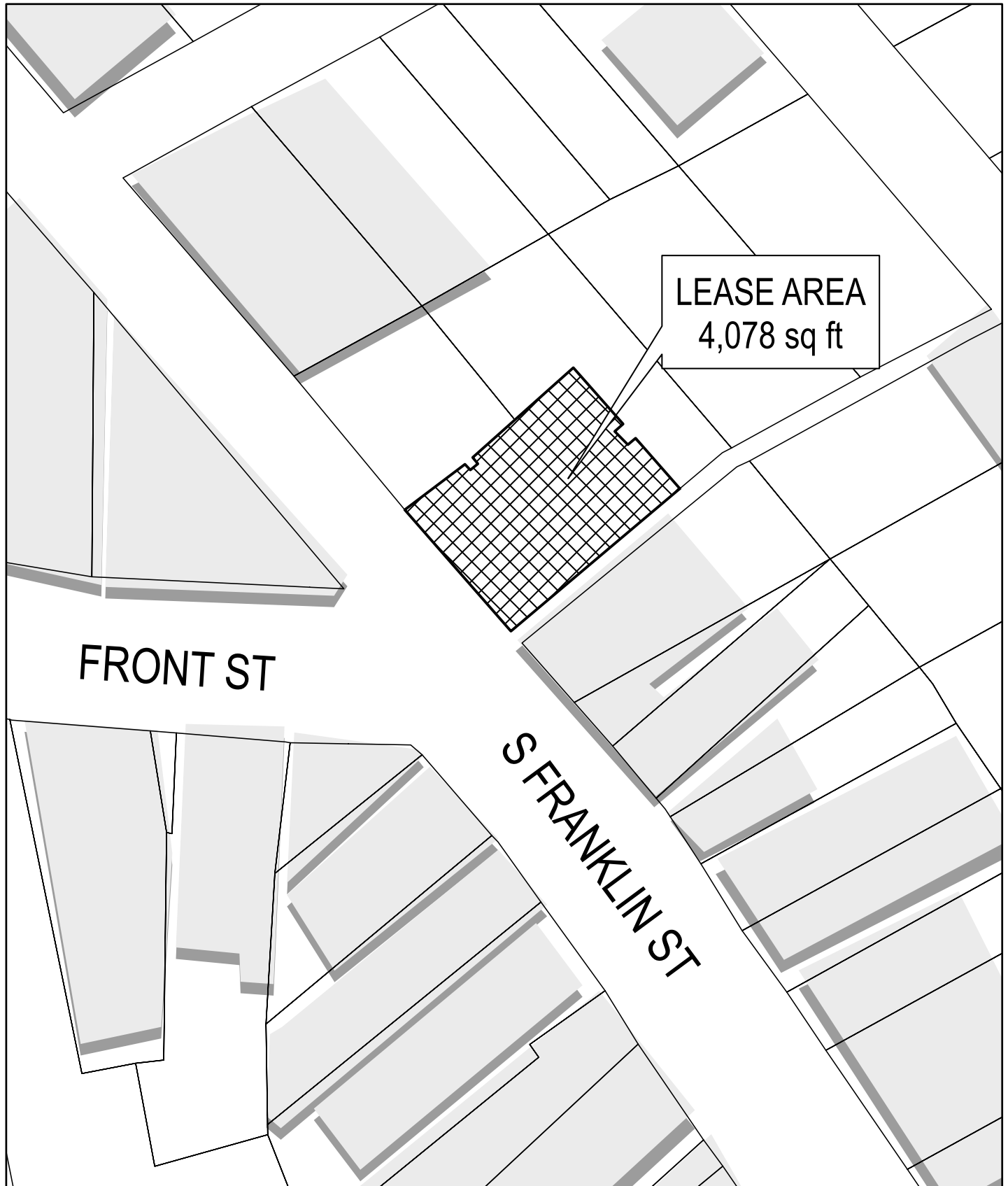
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

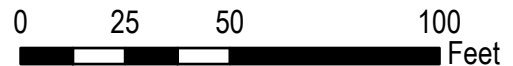
Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



GUNAKADEIT PARK LEASE AREA
Lot 9, Block, 13, Juneau Townsite
Exhibit A - Ordinance No. 2019-11



The building locations and property boundaries are not survey quality. This map is for general reference only.



Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2851

A Resolution Repealing Resolution 1950, Prohibiting Alcohol in Jackie Renninger Park and the Hank Harmon Rifle Range, and Allowing Alcohol in Gunakadeit Park with a Food Vendor Lease.

WHEREAS, CBJ 20.25.080(c) provides that no person may have in his or her possession any alcoholic beverage in a public park, recreation area, or other substantially unenclosed area owned, held, or operated by the municipality which is open to the general public which has been posted by the Manager or his designee under Assembly direction by resolution as an area in which intoxicating liquor or alcoholic beverages are prohibited; and

WHEREAS, on September 14, 1998, the Assembly passed Resolution 1950, which prohibited possession of alcoholic beverages in Gunakadeit Park, Jackie Renninger Park, and the Hank Harmon Rifle Range; and

WHEREAS, Resolution 1950 stated that the public health, safety, and welfare would be served by imposing such prohibition in Gunakadeit Park, Jackie Renninger Park, and the Hank Harmon Rifle Range; and

WHEREAS, the City and Borough Division of Lands and Resources Office received an application from Dave McCasland of Alaska Sustainable Seafoods LLC dba Deckhand Dave's to purchase Juneau Townsite, Block 13, Lot 9, Gunakadeit Park from the City and Borough at fair market value; and

WHEREAS, Alaska Sustainable Seafood's business plan includes the sale of beer and wine and has been included in the original application as presented to the Planning Commission and the Lands Committee; and

WHEREAS, the Parks and Recreation Advisory Committee, at the meeting of October 8, 2018, determined that a temporary lease would be preferred to selling the property and recommended to the Lands Committee to retain Gunakadeit Park as a special use area and request that staff develop options for future development or disposal; and

WHEREAS, after October 22, 2018, Lands Committee meeting, the City and Borough Division of Lands and Resources Office received an application from Dave McCasland of Alaska Sustainable Seafoods LLC dba Deckhand Dave's to lease Juneau Townsite, Block 13, Lot 9, Gunakadeit Park from the City and Borough at fair market value; and

WHEREAS, the Planning Commission, at the meeting of February 6, 2019, recommended leasing the Gunakadeit Park to Alaska Sustainable Seafoods LLC for a term of one year, with all other terms and conditions to be negotiated at a later date, including renewal periods; and

WHEREAS, at the March 18, 2019 meeting, the Lands Committee passed a motion recommending the Assembly remove Gunakadeit Park from Resolution 1950 only if Gunakadeit Park is leased by a food vendor like Franklin Foods LLC (formally Alaska Sustainable Seafoods LLC) and upon termination or abandonment of the food vendor lease, alcohol would be prohibited at Gunakadeit Park; and

WHEREAS, Ordinance 2019-11 would authorize the Manager to lease Gunakadeit Park for food vending to Franklin Foods LLC; and

WHEREAS, the public health, safety, and welfare is be served by keeping an alcohol prohibition in Jackie Renninger Park and the Hank Harmon Rifle Range; and

WHEREAS, the public health, safety, and welfare is be served by keeping an alcohol prohibition in Gunakadeit Park when the Park is not leased by a food vendor.

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

Section 1. Repeal of Resolution 1950. Resolution 1950 is repealed.

Section 2. Jackie Renninger Park and the Hank Harmon Rifle Range. The Manager is authorized and directed pursuant to CBJ 20.25.080(c) to keep Jackie Renninger Park and the Hank Harmon Rifle Range as areas posted in which intoxicating liquor or alcoholic beverages are prohibited.

Section 3. Gunakadeit Park. The Manager is directed to remove the signage stating that intoxicating liquor or alcoholic beverages are prohibited in Gunakadeit Park during the term of the food vending lease authorized by Ordinance 2019-11; and upon termination or abandonment of the food vendor lease, the Manager is directed to post Gunakadeit Park as an area in which intoxicating liquor or alcoholic beverages are prohibited consistent with CBJ 20.25.080(c).

Section 4. 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

Presented by: The Manager
Introduced: March 4, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-11(AE)

An Ordinance Appropriating to the Manager the Sum of \$600,000 as Funding for the Bartlett Regional Hospital Rainforest Recovery Center Detox Addition Capital Improvement Project; Funding Provided by Bartlett Regional Hospital 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 \$1,300,000 for the BRH Rainforest Recovery Detox Addition CIP.

Section 3. Source of Funds

Bartlett Regional Hospital Fund's Fund Balance	\$600,000
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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: March 4, 2019
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-12(B)

An Ordinance Appropriating and De-Appropriating Funds from the Treasury for FY19 School District Operations.

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Estimated Funding Sources. This Ordinance will make the following changes to the City and Borough of Juneau School District Operating Budget for the fiscal year beginning July 1, 2018, and ending June 30, 2019.

Estimated Revenue	
State Support:	\$ 536,284
CBJ Transfers	
Operations:	\$ 122,714
Special Revenue:	\$ 140,000
Total Changes	\$ 798,998

Section 3. Appropriation. The following amounts are hereby changed for the fiscal year beginning July 1, 2018, and ending June 30, 2019.

General Operations:	\$ 658,998
Kinder Ready Program:	\$ 140,000
Total Changes	\$ 798,998

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

Adopted this _____ day of _____, 2019.

 Beth A. Weldon, Mayor

Attest:

 Elizabeth J. McEwen, Municipal Clerk



OFFICE OF THE MUNICIPAL CLERK

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

Notice of Appeal

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

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

Action Being Appealed

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

CBJ CLERK

- ☒ Agency Appealed From: Planning Commission (Decision SMP20180002)

MAR 12 2019

RECEIVED

- ☒ Description and Date of Decision: 2/28/19 decision to approve a preliminary plat for phased major subdivision to include 12 single family lots and 1 large tract (13 lots total)

Concerned Parties

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

☒ Party Filing Appeal

Mountainside Estates Neighborhood Association & Dawn Wolfe; Eugene Huang; Steve Iha; Katherine Sullivan; Euming & Kerrie Suewing; Rhonda Biles; Dave Tallmon; Mathew Pegues; Kelli Manchester; Luciana Alinson; Kris Coffee; Dane Lenaker; Noelle Blanc; Tom Rutecki; Mary Norcross; Bob Janes

Mailing Address
 4478 Mountainside Drive
 Juneau, AK 99801

Telephone
 (907) 723-8446

Fax Email
 mountainsideestates@gmail.com

☒ Parties Who Won the Decision Appealed

Michael and William Heumann

Mailing Address
 6000 Thane Road
 Juneau, AK 99801

Telephone
 (907) 723-4540
 (971) 261-8014

Fax Email
 mpheumann@hotmail.com
 wheumann@msn.com

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

- (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
 - (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
 - (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.
- (b) The burden of proof is on the appellant. (Serial No. 92-36 ☐ 2 (part), 1992).

-over-

2016 - Appeal Form
Page 2 of 2

Issues on Appeal²

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

1. Decision is inconsistent with prior decisions of the Planning Commission and violates, at a minimum, the following provisions of the CBJ Code: CBJ 49.15.400; 49.15.402; CBJ 49.35.210; and CBJ 49.35.120;
2. Decision violates the Fire Code;
3. Decision is based on an outdated Traffic Impact Analysis (TIA);
4. Decision violates the CBJ Comprehensive Plan and the Juneau Non-Motorized Transportation Plan of 2009; and
5. Planning Commission Meeting of 2/26/19 and subsequent decision violated the CBJ Rules of Conduct and appellants' constitutional rights to due process.

Relief Requested

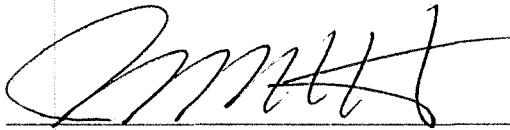
What should the Assembly do with the action being appealed: send it back, modify it, or something else?

The Assembly should modify the decision to require Richland Manor to be developed as its own separate subdivision with its own separate access road such that no construction or development comes through existing streets in the Mountainside subdivision.

CBJ CLERK

MAR 12 2019

RECEIVED



Signature

3/12/19
Date

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

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

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

-over-



Planning Commission

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

PLANNING COMMISSION NOTICE OF DECISION

Date: February 28, 2019
File No.: SMP2018 0002

Michael & William Heumann
6000 Thane Road
Juneau, AK 99801

Proposal: A Preliminary Plat for a phased major subdivision to include 12 single-family lots and 1 large tract (13 lots total).

Property Address: 4506, 4508, 4510 Hillcrest Avenue

Legal Description: Richland Manor Tract B

Parcel Code No.: 7B1001160010

Hearing Date: February 26, 2019

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 14, 2019, and approved the preliminary plat to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to final plat approval, the following changes shall be made to the preliminary plat:
 - a. Complete all 22 requested plat changes listed in the MEMO dated January 31, 2019, from CBJ Engineering & Public Works.
 - b. On sheet one (1), label Laurie Lane.
 - c. On sheet two (2), label the western lot line with bearing and distances described.
 - d. On sheet one (1), show all five (5) lots on the south side of Coogan Drive, created Plat 2009-18.
 - e. Through the review process, Blocks A and B have gotten switched. Plat Notes 9 & 10 do not match the plat when referencing the bungalow lots and panhandle lots. Change the plat graphic to match the plat notes or vice versa.
 - f. Prior to final plat recording, remove setbacks, wetlands, drainage, and contours from plat graphic and legend.

Michael & William Heumann

File No.: SMP2018 0002

February 28, 2019

Page 2 of 4

- g. On all pages, use a dashed font to label the original TRACT B.
 - h. Add the following Plat Note: "Further Subdivision of Tract B-1, Richland Manor 2 Subdivision shall require City & Borough of Juneau Preliminary Platting Requirements indicating adequate access for all lots created in Phase 1, Richland Manor Subdivision 2, and all future Phases."
2. The developer shall utilize Best Management Practices to treat or reduce any harmful particulates that may arise from the development.
 3. The developer shall use Best Management Practices for storm water runoff to prevent sediment run-off from construction activities into neighboring waterbodies.
 4. The average daily trips (ADT) generated by Phase 1, Richland Manor 2 Subdivision, and all future phases will be included in the ADT's generated by any future development of Tract B1.
 5. A Hillside Development Permit may be required if triggered by CBJ 49.70.210(a)(1-5).
 6. Sidewalks on both sides of the street are required for Phase 1.
 7. All future phases of development may require wetlands delineation.
 8. For each pair of panhandle lots sharing a driveway, the applicant must provide a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners. The applicant shall also create a plat note referencing the easements.
 9. The applicant shall pave, or bond for, the portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater, for all panhandle lots created with this subdivision.
 10. The applicant shall construct, or bond for, street lights at each intersection in this subdivision with spacing between lights not to exceed 250 feet.
 11. Prior to construction plan approval, the applicant shall submit a lighting plan meeting applicable CBJ standards.
 12. A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the Director prior to recording the plat.
 13. The applicant shall install a residential sprinkler system that meets Capital City Fire & Rescue requirements in each dwelling unit within this subdivision.

Michael & William Heumann

File No.: SMP2018 0002

February 28, 2019

Page 3 of 4

14. The sketch plat shall be amended to show a future connection to Hooter Lane from Hillcrest Avenue.
15. The applicant must submit a drainage plan showing how drainage will flow from the subdivision to Glacier Highway; this drainage plan must be approved by the CBJ Engineering & Public Works Department. This drainage plan must be signed and stamped by an Alaskan licensed engineer in accordance with CBJ 49.35.510.
16. Prior to approval of a final plat, the applicant shall submit a complete set of construction plans for all required improvements to CDD for review by the Director of Engineering & Public Works for compliance with 49.35.140.
17. Prior to final plat approval, an engineer's estimate for the installation of public utilities and improvements must be submitted to CDD and reviewed and approved by CDD and CBJ Engineering & Public Works.
18. Prior to final plat approval, the applicant must construct, and/or bond for, all required public utilities and improvements.

Attachment: February 14, 2019 memorandum from Laurel Bruggeman, Community Development, to the CBJ Planning Commission regarding SMP2018 0002.

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

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance to CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, February 26, 2019.

Expiration Date: The permit will expire five (5) years after the effective date, or February 26, 2024, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the subdivision permit was authorized or no final plat has been approved. Application for permit extension must be submitted thirty days prior to the expiration date.

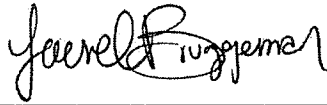
Michael & William Heumann

File No.: SMP2018 0002

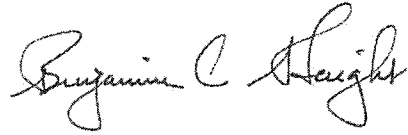
February 28, 2019

Page 4 of 4

Project Planner:



Laurel Bruggeman, Planner
Community Development Department



Benjamin Haight, Chair
Planning Commission



Filed With Municipal Clerk

3/5/2019

Date

cc: Plan Review

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

Paul H. Grant
 Attorney at Law
 313 Coleman St.
 Juneau, AK 99801
 (907) 586-2701
paulgrantjuneau@gmail.com

BEFORE THE CITY AND BOROUGH OF JUNEAU ASSEMBLY

In the matter of the Appeal Of a Decision)
 of the CBJ Planning Commission,)

CBJ CLERK

Mountainside Estates Homeowners)
 Association and Dawn Wolfe,)
 Eugene Huang; Steve Iha;)
 Katherine Sullivan; Euming)
 Suewing; Kerri Suewing; Rhonda)
 Biles; Dave Tallmon; Mathew)
 Pegues; Kelli Manchaester;)
 Luciana Anlinson; Kris Coffee)
 Dane Lenaker; Noelle Blanc;)
 Tom Rutecki; Mary Norcross;)
 and Bob Janes.)

MAR 12 2019

RECEIVED

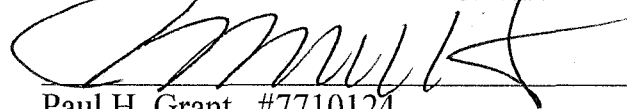
Appellants.)

No. SMP2018 0002

ENTRY OF APPEARANCE

Paul H. Grant enters his appearance as counsel for the Mountainside Estates
 Neighborhood Association, and Dawn Wolfe et.al. Counsel may be served with
 correspondence and pleadings at the address above.

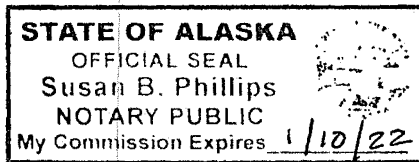
LAW OFFICE OF PAUL H. GRANT



Paul H. Grant #7710124

Attorney at Law

Subscribed and sworn before me on March 12th, 2019.



Susan B. Phillips
Notary for Alaska
My Commission expires 1/10/22

CITY AND BOROUGH OF JUNEAU
Treasury Division

155 South Seward
Juneau, AK 99801
(907) 586-5218

DATE 3-12-2019 RECEIPT NUMBER 086205

REC'D FROM: NAME Paul Grant
ADDRESS Attorney at Law
CITY 313 Coleman St
STATE Juneau AK 99801 ZIP

DESCRIPTION
ARS ☐ BUS TAX ☐ REA TAX ☐ POLICE CIT ☐ SALES TAX ☐ HBR ☐ UTL ☐ G/L ☐

OTHER	
CODE	AMOUNT
<u>1110 0301014420.0009</u>	<u>500.-</u>
<u>Mountainside Estates Appeal</u>	

RECEIVED
AMOUNT \$ 500.
REC'D BY: [Signature]
CREDIT CARD ☐
CASH ☐ CHECK ☐ # 1158

TREA CASH 10/88

PAUL H GRANT

ATTORNEY AT LAW
OFFICE ACCT
PH. 907-586-2701
313 COLEMAN STREET
JUNEAU, AK 99801

PAY TO THE ORDER OF

Packet Page



First National Bank
ALASKA
MEMBER FDIC

FOR

⑈001158⑈ ⑆325200060⑆ 3099 906 4⑈

CBT

five hundred dollars

[Signature]

DATE

3/12/19

89-6-1252

DOLLARS

\$ 500.00

1158

MEMORANDUM OFFICE OF THE ASSESSOR

155 S Seward Street
 Juneau, AK 99801
 Phone: (907) 586-5220
 Fax: (907) 586-5367
 E-Mail: Robin_Potter@juneau.org

Date: February 7, 2019

To: Mayor and Assembly

From: Robin Potter, Assessor

RE: Economic Development – Export Manufacturing Exemption

The Assessor's Office received the following 2019 Export Manufacturing Exemption Applications for business personal property used in manufacturing. The Assembly must approve any export manufacturing exemption for real or business personal property, CBJ 69.10.020(1)(c).

The property owners listed below have had Assembly approval in the past. It is recommended that their new applications be approved.

2019	AK GLACIER SEAFOOD INC	AKBEV GROUP LLC	SASS CO INC TAKU SMOKERIES
Total Assessed Value	3,286,252	9,650,909	553,483
Mandatory Exempt Amount	100,000	100,000	100,000
Taxable Value	3,186,252	9,550,909	453,483
Tax Amount @ FY19 Estimated Mill Rate (10.66)	33,965	101,813	4,834
Prior Years Export Mfg Exempt Value	287,569	1,169,908	17,269
New Export Mfg Exempt Value	281,237	577,393	-
Total Export Mfg Exempt Value	568,806	1,747,301	17,269
Taxable Value Before Mandatory Exemption Value	2,717,446	7,903,608	536,214
Mandatory Exempt Value	100,000	100,000	100,000
Total Taxable Value after both exemptions	2,617,446	7,803,608	436,214
Total Amount Paid@ FY19 Estimated Mill Rate (10.66)	27,902	83,186	4,650
Total Prior Years Export Mfg Tax Exempt	3,094	12,471	184
Total New Export Mfg Tax Exempt	3,026	6,155	-
Total Tax to be Exempted	6,120	18,626	184

Attached are copies of their applications.

A. Export Manufacturing

CBJ 69.10.020(10) provides for exempting qualifying manufacturing property from assessment and taxation. Qualifying property may receive a declining five-year percentage exemption from the property's market value as follows:

- 100% exemption in year 1
- 80% exemption in year 2
- 60% exemption in year 3
- 40% exemption in year 4
- 20% exemption in year 5

Property owners seeking an exemption must file a request with the Assessor's Office on or before January 31 of each year. The code places the authority for approving the manufacturing exemption requests with the Assembly.

The Assessor's Office has received two property manufacturing exemption requests for the 2019 tax year (FY20 budget year).

1. Alaska Glacier Seafood's, Inc. filed a manufacturing exemption for machinery, equipment totaling \$281,237 (\$3,026 in property tax).

In addition, Alaska Glacier Seafood's has \$287,569 in property qualifying from prior years, for a total 2019 assessment exemption of \$568,806 or (\$6,120 in property taxes).

The Assessor's Office has determined that the property requested for exemption meets the code requirements and recommends approval of this exemption request.

2. Taku Smokeres didn't file a manufacturing exemption for machinery, equipment in the 2019 tax year

In addition, Taku Smokeres has \$17,269 in property qualifying from prior years, for a total 2019 assessment exemption of \$17,269 (\$184 in property taxes).

The Assessor's Office has determined that the property requested for exemption meets the code requirements and recommends approval of this exemption request.

3. Alaskan Brewing Company, LLC filed a manufacturing exemption for machinery, equipment, furniture and fixtures, computers and software, and vehicles totaling \$577,393 (\$6,155 in property tax).

In addition, Alaskan Brewing has \$1,169,908 in property qualifying from prior years, for a total 2019 assessment exemption of \$1,747,301 (\$18,626 in property taxes).

The Assessor's Office has determined that the property requested for exemption meets the code requirements and recommends approval of this exemption request.

I recommend approval of these exemption requests.



Robin Potter
Assessor



Date



Office of the Assessor
155 S Seward Street
Juneau AK 99801

Export Manufacturing Exemption Application

Assessment Year	☐ 2017 ☒ Other <u>2019</u>
Organization Name	Alaska Glacier Seafoods, Inc.
BPP Account #	598111
Parcel ID #	
Name of Applicant	Kristie Erickson
Email Address	kristie@alaskaglacierseafoods.com

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	907-790-3592	Secondary Phone #	907-790-3590
Mailing Address	Box 34363 Juneau, AK 99803	Property Address	13555 Glacier Highway Juneau, AK 99801
Type of Business	Seafood Processing		
Sales Tax Account Number	212728		
Has this property ever been taxed in the CBJ?	☐ Yes ☒ No		
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?	☒ Yes ☐ No How Many? <u>110</u>		
Does this business create employment within the CBJ?	☒ Yes ☐ No		
Explain:	Yes, we employ approx 50 year around employees and hire antoher 150 to seasonally process fish withing CBJ.		
Does this business generate sales outside the CBJ of goods produced within the CBJ?	☒ Yes ☐ No		
Explain:	Yes, we buy and process locally caught fish within the CBJ. We export 95% of it out of CBJ.		
What percent of total production is exported outside the CBJ?	<u>95</u> %		
Does this business reduce the importation of goods from outside the CBJ?	☒ Yes ☐ No		
Explain:	Yes, we supply the local vendors with locally caught fish fo they do not need to bring it into CBJ from elsewhere.		
Has this property been used in the same trade or business in another municipality within the past 6 months?	☐ Yes ☒ No		
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)	Total market value to be exempted: <u>\$all applicable</u>		
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:		Date:	
 Business Mgr.		1/31/2018	
Assessor Approval [] Yes [] No Date: _____ Comments: _____			

Contact Us: CBJ Assessor's Office

Phone:	Email:	Website:	Physical Location
Phone # (907) 586-0333	Assessor_Office@juneau.org	http://www.juneau.org/finance	155 South Seward St Rm. 114
Fax # (907) 586-4520			Juneau AK 99801



Office of the Assessor
155 S Seward Street
Juneau AK 99801

Export Manufacturing Exemption Application	
Assessment Year	☒ 2018 ☐ Other _____
Organization Name	AKBEV GROUP, LLC
BPP Account #	521150
Parcel ID #	
Name of Applicant	Alaskan Brewing Co.
Email Address	accounting@alaskanbeer.com

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	(907) 780-5866	Secondary Phone #	
Mailing Address	5429 Shaune Drive Juneau, AK 99801	Property Address	5429 Shaune Drive Juneau, AK 99801
Type of Business			
Sales Tax Account Number			
Has this property ever been taxed in the CBJ?		☐ Yes ☒ No	
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?		☒ Yes ☐ No How Many? 92	
Does this business create employment within the CBJ?		☒ Yes ☐ No	
Explain:			
We currently employee 92 full-time positions located in Juneau			
Does this business generate sales outside the CBJ of goods produced within the CBJ?		☒ Yes ☐ No	
Explain:			
We ship our products to 21 states in the lower 48 as well as throughout the state of AK.			
What percent of total production is exported outside the CBJ?		94 %	
Does this business reduce the importation of goods from outside the CBJ?		☒ Yes ☐ No	
Explain:			
Our locally manufactured products are sold in nearly every bar and liquor store in Juneau as well as in our brewery tasting room.			
Has this property been used in the same trade or business in another municipality within the past 6 months?		☐ Yes ☒ No	
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)		Total market value to be exempted: \$1,694,857	
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:		Date:	
Suzanne Walling		January 30, 2019	
Assessor Approval [] Yes [] No Date: _____ Comments:			

Contact Us: CBJ Assessor's Office

Phone:	Email:	Website:	Physical Location
Phone # (907) 586-0333 Fax # (907) 586-4520	Assessor_Office@juneau.org	http://www.juneau.org/finance	155 South Seward St Rm. 114 Juneau AK 99801