

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

January 7, 2019 7:00 PM

Assembly Chambers
Regular Meeting 2019-01

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

A. **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

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 2019-01 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.

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.

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.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

- A. **Harris Homes LLC v CDD**
- B. **CLIAA Litigation Strategy Update**

XV. ADJOURNMENT

XVISUPPLEMENTAL MATERIALS

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

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - October 15, 2018

MEETING NO. 2018-30: 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 Ken Koelsch.

I. SPECIAL ORDER OF BUSINESS ASSEMBLY REORGANIZATION**Recognition of outgoing Assemblymembers & Swearing In New Members**

Mayor Ken Koelsch recognized former Assemblymember Norton Gregory for his service on the Assembly for the past two years. Mr. Gregory thanked the Mayor and the community for the opportunity to serve on the Assembly.

Mayor Koelsch recognized outgoing Deputy Mayor Jerry Nankervis for his two terms on the Assembly. Mr. Nankervis thanked the Mayor, staff, his wife Lisa, and the community and he wished the Assembly well as they continue the work ahead.

City Attorney Rob Palmer then conducted the swearing in service of Mayor Beth Weldon and Assemblymembers Michelle Bonnet Hale, Wade Bryson, and Carole Triem.

Mayor Beth Weldon then recognized Mayor Kendell D. Koelsch for his many years of community service in Juneau beginning with his work as a teacher in the Juneau School District in 1968 through his service on the Assembly as an Assemblymember and then as Mayor for the past two years. Mayor Koelsch thanked everyone and gave a recap of the work done by and issues that came before the Assembly during his term of service as Mayor. Mayor Koelsch recognized the media representatives, the staff, the Assemblymembers and thanked them for their service and dedication. He then presented Mayor Beth Weldon with a copy of her graduating JDHS yearbook from 1983.

Municipal Clerk Beth McEwen presented each of the outgoing members with gifts from the Assembly in recognition of their service to the community.

Mayor Weldon asked the Clerk to call the roll in order of seniority so that members could choose their seats.

Mary Becker, Jesse Kiehl, Loren Jones, Maria Gladziszewski, Rob Edwardson, Carole Triem, Michelle Bonnet Hale, Wade Bryson.

Election of Deputy Mayor

Ms. Becker nominated Maria Gladziszewski to the office of Deputy Mayor.

MOTION by Mr. Kiehl to close the nominations and for Maria Gladziszewski to be declared Deputy Mayor and asked for unanimous consent. *Hearing no objection, the motion carried.*

II. ROLL CALL

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

A quorum was present.

Staff present: City Manager Rorie Watt, Deputy Manager Mila Cosgrove, City Attorney Rob Palmer, Municipal Clerk Beth McEwen, Police Chief Ed Mercer, Fire Chief Rich Etheridge, Deputy Clerk Diane Cathcart, Finance Director Bob Barthlomew, HRRM Director Dallas Hargrave, Chief Housing Officer Scott Ciambor, Housing & Homelessness Coordinator Irene Gallion, Community Development Director Jill Maclean, Lands Manager Greg Chaney.

III. SPECIAL ORDER OF BUSINESS

A. Proclamation: Commemorating the Princess Sophia Shipwreck

Mayor Weldon read a proclamation commemorating the 100th anniversary of the sinking of the SS Princess Sophia.

B. Proclamation: Domestic Violence Awareness Month

Mayor Weldon read a proclamation commemorating Domestic Violence Awareness Month and presented it to an AWARE board member.

They invited everyone to attend the AWARE celebration on October 23 at the Elizabeth Peratrovich Hall at 5:30 p.m.

IV. APPROVAL OF MINUTES

None.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. William Quayle spoke requesting that they make the necessary changes to allow pedicabs to operate at nighttime.

Mr. Kirby Day representing the Tourism Best Management Practices (TBMP) program spoke about the 1.3+ million cruise visitors anticipated to come to Juneau next year. He said that the local tourism industry and TBMP is committed to making the increased number of tourists work for Juneau. They would like to look for better ways to move pedestrians and vehicles in the downtown area. He encouraged anyone with ideas or concerns to come to him and Liz Perry at Travel Juneau.

Ms. Gladziszewski asked Mr. Day if they would be doing more planning during the upcoming winter months to address the fears that 1.3 million visitors is more than Juneau can handle.

Mr. Day responded that that they have been meeting with Manager Watt and Mayor Koelsch to discuss those fears and that there were additional plans being discussed on how they might be about to alleviate some of the congestion downtown.

Mr. Jones congratulated Mr. Day for receiving the Chamber of Commerce Citizen of the Year Award.

Mr. Edwardson asked if TBMP was discussing helicopter routes in the valley to address citizen concerns. Mr. Day replied that was one of the initial areas of concern when TBMP was formed and although they have not had those discussions recently, they will be looking at the full TBMP document and determining areas for improvement or change.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

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

1. Ordinances for Introduction

- a. Ordinance 2018-46 An Ordinance Extending the Sunset Date Relating to Licenses to Use Certain Rights-of-Way for the Selling of Food and Beverages and Related Uses.

This ordinance would extend the sunset date three more years for two CBJ codes. Ordinance 2017-02 authorized the Manager to issue licenses for food and beverage vendors to operate on pedestrian rights-of-way. Section 5 of Ordinance 2017-02 imposed a sunset clause that will automatically repeal that ordinance on December 31, 2018. Ordinance 2017-02 appears to be providing benefits for the community, and it should be extended three more years. This ordinance would allow the Manager to continue issuing licenses for food and beverage vendors until December 31, 2021.

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

- b. Ordinance 2018-41 An Ordinance Amending the Land Use Code Relating to Alternative Residential Subdivisions.

This ordinance would amend the land use code to allow for a new housing option. Existing code generally limits housing options to multifamily or single-family developments on a traditional-sized lot. This ordinance creates reasonable minimum standards and procedures for small-lot residential communities in which all or some of the lots do not substantially conform to the minimum requirements for a traditional subdivided lot. This ordinance also permits flexibility in the use of land desired by the community; encourages small-lot residential developments that are designed and developed to function as a small community; encourages a different type of housing option; encourages development of quality affordable housing; facilitates the adequate and economical provisions of access and utilities; and encourages developments that are in harmony with the surrounding area. Other communities, like Anchorage, have recently authorized this type of housing option. This new housing option would also allow prospective buyers to obtain traditional financing instead of condominium style financing and it helps bridge the gap between traditional condominiums and single-family housing options. The Title 49 Committee and the Planning Commission held multiple hearings on this ordinance. On September 25, 2018, the Planning Commission recommended the Assembly adopt this ordinance.

The City Manager recommends this ordinance be introduced and referred to the Committee of the Whole.

2. Resolutions

- a. Resolution 2836 A Resolution Authorizing the City and Borough of Juneau to Apply for a Community Development Block Grant with St. Vincent de Paul from the Alaska Department of Commerce, Community and Economic Development To Be Used For Renovations to House a Transitional Services Center.

Project ideas were solicited from the community for a grant from the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community and Economic Development (DCCED). Grant proposals must be sponsored by a local government and sent to DCCED by December 7, 2018, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. CBJ has successfully used this method in the past. This year we received three proposals: a proposal from Bartlett Regional Hospital, from the Juneau Housing First Collaborative, and from St. Vincent de Paul. Staff's recommendation is to apply on behalf of St. Vincent de Paul.

The Assembly Human Resources Committee reviewed the proposal at its meeting on September 17, 2018, and made a recommendation to the Assembly to support the St. Vincent De Paul application and submit a CDBG application.

St. Vincent de Paul proposes to use CDBG funds to renovate an existing building into a transitional support services center which will house services for low to moderate income individuals, especially those experiencing homelessness or extreme disability.

Printed grant applications, with original signatures must be received in Fairbanks by 5 p.m. December 7, 2018.

The City Manager recommends the Assembly adopt the attached resolution supporting St. Vincent de Paul's application for a CDBG grant.

- b. Resolution 2837 A Resolution in Recognition of National Community

Planning Month.

The month of October is designated as National Community Planning Month throughout the United States of America and its territories. Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places. Community planning and plans can help manage this change in a way that provides better choices for how people work and live. Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of our community.

The City Manager recommends that this resolution be adopted.

3. Liquor License

- a. Liquor Licenses: Transfers (Various) and New (One Recreational Site)

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

Transfer for Beverage Dispensary Liquor License

Beverage Dispensary License #447

Transferor: Alaska Promotions, LLC., d/b/a NONE (Ethan Billings Licensee-former Suite 907 License)

Transferee: d/b/a NONE (David McGivney Licensee)

This license is a transfer of owner and location; however, no location or Doing Business As has been identified.

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Transfer for Package Store Liquor License

Package Store License #4742

Transferor: Glacier Hwy LLC. d/b/a Glacier Hwy LLC

Location: 6525 Glacier Hwy, Juneau

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

Location: No Premises Currently

This license is a transfer of owner and location; however, no location has been identified.

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Transfer for Restaurant/Eating Place Liquor License

Restaurant/Eating Place License #5231

Transferor: Suwanna Café LLC, d/b/a Suwanna Café

Location: 8800 Glacier Hwy Suite 100, Juneau

Transferee: Capitol Ventures LLC., d/b/a Neptune

Location: No Premises Currently

This license is a transfer of owner and location; however, no location has been identified.

Location Transfer for Brewery Liquor License

Brewing License #5524 Barnaby Brewing Company LLC., d/b/a Barnaby Brewing Company

Location Transfer From: 2016-1 N Franklin Street, Juneau

Location Transfer To: 165 Shattuck Way, Juneau

New License& Application for a Recreational Site Liquor License

Recreational Site License #5711

South of the Bridge, LLC., d/b/a The Old Tower @ Eaglecrest

Location: 3000 Fish Creek Road, 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 applications.

VIIIPUBLIC HEARING

- A. Ordinance 2017-06(AZ) An Ordinance Appropriating to the Manager the Sum of \$1,248,099 to Fund the City and Borough of Juneau's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$1,248,099 which is the State's FY18 3.01% on-behalf PERS benefit paid for CBJ. Funding is provided by the Alaska Department of Administration which was authorized by passage of HB57 during the 2017 legislative session.

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

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2017-06(AZ) and asked for unanimous consent. *Hearing no objection, the motion carried.*

- B. Ordinance 2017-06(BA) An Ordinance Appropriating to the Manager the Sum of \$1,201,249 to Fund Bartlett Regional Hospital's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$1,201,249 which is the State's FY18 on-behalf rate of 3.01% for each FY18 employer payroll and 25.01% on-behalf PERS benefit paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration which was authorized by passage of House Bill 57 (HB57) during the 2017 legislative session.

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

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2017-06(BA) and asked for unanimous consent. *Hearing no objection, the motion carried.*

- C. Ordinance 2017-06(BB) An Ordinance Appropriating to the Manager the Sum of \$659,700 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Sales Tax Revenue, and Docks' Revenue.

The attached ordinance would appropriate \$659,700 for increases in FY18 operations among several CBJ departments. Funding is provided by the sales tax revenues exceeding budget, and Docks' revenues exceeding budget.

Parks & Recreation

Parks & Recreation anticipates exceeding its FY18 Assembly authorized spending authority by \$195,000. The need is due to a shortfall in revenue collected from the Pools & Centennial Hall and Parks/Landscape Maintenance exceeding expenditure authority. Funding will be provided by FY18 sales tax revenues exceeding budget.

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Docks

The supplemental request would increase the Docks Enterprise spending authority in FY18 by \$35,000. Funding will be provided by FY18 revenues exceeding budget.

The Docks & Harbors Board approved the supplemental request at its August 30, 2018, regular board meeting.

Engineering

The Engineering Department is anticipating a \$15,300 shortfall due to allocating fewer costs to CIPs than projected in the FY18 operating budget. The anticipated funding for this increase is from sales tax revenues exceeding budget.

Community Development

CDD is anticipated to exceed its bottom line budget by \$30,200 in the current fiscal year. This shortfall is due to the \$80,000 less revenues coming in less than was anticipated, and expenditures were more than \$50,000 under the expenditure budget. The anticipated funding for this increase is sales tax revenues exceeding budget.

Capital City Fire & Rescue

The Fire Department is anticipating a shortfall of \$384,200 in the FY18 operating budget. This is due to ambulance billing shortfalls. The FY18 budgeted revenue was increased by \$330,000 (17%) from FY17 budget while actual billable activity was flat. The anticipated funding for this increase is sales tax revenues exceeding budget.

The Assembly Finance Committee reviewed this ordinance at its meeting on September 5, 2018.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

MOTION by Ms. Triem to adopt Ordinance 2017-06(BB) and asked for unanimous consent. *Hearing no objection, the motion carried.*

- D. Ordinance 2018-11(I) An Ordinance Appropriating to the Manager the Sum of \$5,000 as Funding for the Larry Carlson Memorial Bench at Overstreet Park; Donation Provided by the Late Larry Carlson's Wife, Shirley Carlson.

This appropriation of \$5,000 from Mrs. Shirley Carlson to the Manager provides for the fabrication and installation of the Larry Carlson Memorial Bench at Overstreet Park.

The Public Works and Advisory Committee recommended this funding be approved during its meeting on August 6, 2018.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

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

- E. Ordinance 2018-11(K) An Ordinance Appropriating to the Manager the Sum of \$634,735 as Funding for the Juneau International Airport Design/Construct Terminal Reconstruction Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate \$634,735 to the Design/Construct Terminal Reconstruction Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

Local matching funds, and project elements that are determined to be ineligible for federal funding, will be funded with previously appropriated bond proceeds, sales tax, and Passenger Facility Charges.

This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

The Airport Board approved this action at its September 11, 2018, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

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

- F. Ordinance 2018-11(L) An Ordinance Appropriating to the Manager the Sum of \$529,688 as Funding for the Juneau International Airport Snow Removal

Equipment Building Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate \$529,688 to the Snow Removal Equipment Building (SREB) Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to design the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Project funding is 93.75% FAA, 6.25% local. Local match is provided by sales tax previously appropriated to this CIP.

The Airport Board approved this action at its July 10, 2018, meeting,

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This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

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

- G. Ordinance 2018-11(M) An Ordinance Appropriating to the Manager the Sum of \$9,985,312 as Funding for the Juneau International Airport Construct Sand/Chemical Building & Fueling Station Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate \$9,985,312 to the Construct Sand/Chemical Building & Fueling Station Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to construct the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Total project funding is 93.75% FAA, 6.25% local. Local match is provided by Passenger Facility Charges (PFC) recently appropriated to this CIP, as well as Airport CIP revolving funds that will be transferred temporarily until a PFC amendment is approved.

This project was approved by the Public Works and Facilities Committee at its August 6, 2018, meeting. The Airport Board approved this action at its August 14, 2018, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

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

- H. Ordinance 2018-11(N) An Ordinance Appropriating to the Manager the Sum of \$140,000 as Partial Funding for the Douglas Harbor Pile Anodes Capital Improvement Project; Grant Funding Provided by the State of Alaska, Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities has agreed to fund a \$140,000 FY19 Harbor Facilities Grant.

CBJ Docks & Harbors successfully submitted the grant application for installation of zinc anodes on the pilings in Mike Pusich Douglas Harbor which will extend the useful life of the facility. The Harbor Facilities Grant is a 50-50 match program and Docks & Harbors will match \$140,000 from Harbor Fund Balance to complete the project.

The Docks & Harbors Board recommended approval of this action at its August 30, 2018, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None

Assembly Action:

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

- I. Ordinance 2018-11(O) An Ordinance Transferring \$30,945 of Unexpended FY18 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer \$30,945 of unexpended Marine Passenger Fees (MPF) revenues, budgeted for specific purposes in FY18 and not expended by the fiscal year end, to the Open Space Waterfront Land Acquisition CIP. This transfer is consistent with the Assembly's direction on the disposition of unexpended MPF funds.

The amounts below are the result of monies appropriated from the Marine Passenger Fee Fund for specific purposes in the FY18 budget but were not fully expended by the end of FY18.

Franklin Dock Enterprises	\$ 8,013
Downtown Business Association	3,000
City Manager	6,120
Capital City Fire Rescue	<u>13,812</u>
Total	\$ 30,945

For accounting purposes, the funds will first be refunded to the Marine Passenger Fee Fund and then be transferred to the Open Space Waterfront Land Acquisition CIP.

The City Manager recommends this ordinance be adopted.

Public Participation:

None.

Assembly Action:

MOTION by Mr. Bryson to adopt Ordinance 2018-11(O) and asked for unanimous consent.

Hearing no objection, the motion carried.

- J. Ordinance 2018-44 An Ordinance Amending the Penal Code General Provisions Relating to Avoidance of Ignition Interlock Device, and Providing for a Penalty.

The CBJ has code provisions that require the use of an ignition interlock device upon a conviction for certain offenses. However, the CBJ does not have a code provision to penalize the failure to use an ignition interlock device when required. This ordinance would amend the penal code by creating a code section relating to avoidance of ignition interlock device, which is consistent with state law (AS 11.76.140 and AS 12.55.102).

The City Manager recommends this ordinance be adopted.

Public Participation:

None.

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2018-44 and asked for unanimous consent. *Hearing no objection, the motion carried.*

K. Ordinance 2018-45(b) An Ordinance Amending the Traffic Code Relating to Duties and Responsibilities of Drivers and Others, and Providing for a Penalty.

This ordinance would amend the traffic code by making the code sections relating to duty of an operator to give information and render assistance consistent with State law (AS 28.35.050 and AS 28.35.060), and by making the penalties to be imposed consistent with State law.

After introduction, staff realized a minor amendment would be helpful to clarify the penalty for violating this ordinance would be a class B misdemeanor. The amendment is reflected in the first sentence of 72.10.030(c).

The City Manager recommends the Assembly amend this ordinance consistent with version (b) and then adopt it.

Public Participation:

None.

Assembly Action:

MOTION by Mr. Edwardson to amend Ordinance 2018-45 as reflected in version (b) as provided by staff. *Hearing no objection, the version (b) was substituted for the original Ordinance 2018-45.*

MOTION by Mr. Edwardson to adopt Ordinance 2018-45(b) as amended. *Hearing no objection, Ordinance 2018-45(b) was adopted.*

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

A. Senior Citizen/Disabled Veteran Late Filed Hardship Exemption Application

The Assessor received the below referenced Senior Citizen/Disabled Veteran Real Property Hardship Exemption application which is being forwarded to the Assembly for consideration. The action required by the Assembly is to determine whether or not the late-filed tax assessment appeal will be heard. Evidence on the assessment itself or the merit of the appeal is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

2018 Senior Citizen/Disabled Veteran Exemption

- 1) Applicant: David J. Parish Parcel ID: 5B250151C001
Physical Address: 4401 Riverside Drive C1, Juneau

Legal Description:

Riverside Condominiums Unit C1

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

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

The Senior Citizen/Disabled Veteran Exemption before the Assembly is for the following parcel:

Applicant: David J. Parish Parcel ID: 5B250151C001
Physical Address: 4401 Riverside Drive C1, Juneau
Legal Description: Riverside Condominiums Unit C1

MOTION by Ms. Becker to accept the appeal and refer it back to the Assessor for further review.

Mr. Jones asked about the process for the sale of property and purchase of another property and if/when the exemption follows the senior citizen rather than their property. Mr. Bartholomew explained the process upon which the Senior Citizen exemptions are applied by the Finance. The exemption doesn't follow the homeowner; they applied for it for the residence they were in but they then need to apply for an exemption for any new home. He explained that in this instance, they would likely have seen the assessment notice for the new property in March. He said that the Assessor's office looks at properties as of January 1 and would likely have reached out to any new property owners had they seen a change of ownership then. As of January 1, the appellant still owned the previous property so it would not have triggered the Assessor's office to reach out to the owner about an exemption change.

Hearing no objection, the motion carried.

B. Bid Award JNU Sand/Chemical Building and Fueling Station

This project will construct a new, one-story sand and chemical storage building of approximately 21,700 square feet and a fueling station with canopy in the northwest quadrant of the airport. Bids were opened on this project on August 31, 2018. The bid protest period expired at 4:30 p.m. on September 3, 2018. Results of the bid opening are as follows:

Bidders	Total Bid
Dawson Construction, LLC	\$ 9,255,000
F&W Construction Co., Inc.	\$10,001,595
Roger Hickell Contracting, Inc.	\$10,695,000
Alaska Commercial Contractors, Inc.	\$10,924,000
Architect's Estimate	\$ 9,365,275

The City Manager recommends award of this project to Dawson Construction, LLC for the total bid amount of \$9,255,000.

Mr. Jones asked staff to explain the timing of the bid as well as the appropriation of the ordinance. Ms. Wahto gave an explanation of the timing of the funding received as well as the timelines involved with the RFP, the forward funding for design, and the previous appropriations done earlier in the year.

MOTION by Mr. Kiehl to approve the bid award as recommended by the City Manager of to Dawson Construction LLC for the total bid amount of \$9,255,000. Hearing no objection, the motion carried.

XI. STAFF REPORTS

Mr. Watt said that the Assembly asked for an update on the status of the *Lumberman* vessel which is anchored up in the channel and regularly goes aground during low tide. He said that the vessel is on State tidelands and managed by Dept. of Natural Resources (DNR). He contacted Mr. Jardell and asked Mr. Jardell to follow-up with the Commissioner of DNR about their non-action since CBJ is receiving a number of questions and comments from the public. He has not received any response on it from DNR yet. He also noted that the U.S. Coast Guard has removed oils and other fluids from the vessel so it is not in danger of causing any oils spills. However, it is just rising and lowering with the tide at this time and is under the jurisdiction of DNR to do anything with.

In other matters, Mr. Watt noted that the Charter requires the Assembly to meet twice a year with the Board of Education (School Board) and an invitation has been received from the interim Superintendent and School Board President for the Assembly to join them for a lunchtime meeting the afternoon of November 3

following their School Board Retreat Worksession.

XII.ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon welcomed the new Assemblymembers Hale, Bryson, and Triem and welcomed back Mr. Jones. She noted that there had been an orientation session on Saturday, October 13 for the new Assemblymembers. Mayor Weldon noted that there is a draft 2019 Assembly Calendar that was handed out at the new orientation session and will be sent out to all the members from the Clerk's office.

She polled all the members about their wishes to serve on Assembly Standing Committees and Liaisons. She distributed a draft Assembly Standing Committee and Liaison list and asked if any members had any changes they wished to make. No one requested any changes.

MOTION by Mr. Kiehl to ratify Mayor Beth Weldon's Assembly Standing Committee and Liaison List as presented and asked for unanimous consent.
Hearing no objection, the motion carried.

Ms. Weldon noted that the Assembly needs to set the date for the Full Assembly sitting as the Human Resources Committee to interview applicants for the Hospital Board and Planning Commission so they can begin to advertise for those open seats. Advertising for the open board seats needs to be for a minimum of 30 days. Mr. Edwardson as the new HRC Chair chose Monday, December 3 to hold the meeting starting at 5:30 p.m.

Ms. Weldon also asked if members could attend the November 3 joint meeting with the School Board. Mr. Kiehl, Ms. Gladziszewski and Ms. Becker are not able to attend. Additional discussion took place regarding this meeting and it was decided that those who could attend would.

Mayor Weldon set the Assembly Retreat for Saturday, December 1. She asked members to send input to her on format and what they wish to cover and she will determine the time and length of the retreat based on the input she received from members.

Mayor Weldon said that for those involved in running in the recent election, they heard lots of community concerns relating to child care. In accordance with the Assembly Rules of Order, Mayor Weldon said she is creating a Special Assembly Committee on Childcare which will be charged with the following two questions: 1) Should Childcare be part of the core municipal activities? and 2) Should education

be part of Childcare? She noted that the Assembly will ultimately be tasked with making any final decisions relating to this topic but what the committee can do is research and provide recommendations for different approaches and different cost options. It is her intention to have four Assemblymembers on the committee, a person from a child care business, a school administration representative, and one of the major employers in town. She distributed a memo from Mr. Watt with some of the issues to be worked on by the committee. She asked for anyone wishing to serve on the committee to let her know by Wednesday, October 17.

Mayor Weldon thanked everyone who ran for office for their willingness to serve and thanked everyone for coming out to vote. She noted various events she's attended recently including the League of Women Voters' gala, the Indigenous People's Day gathering at the Elizabeth Peratrovich Hall. She went to a number of public forums for state candidates and attended the new Assemblymember orientation. She attended the Chamber of Commerce gala and noted that Jean and Steve Sztuck were given Lifetime Achievement awards as was Senator Dennis Egan at that gala. She noted two upcoming events: a SAIL event on October 19 at which they will be honoring former CBJ employees Kim Kiefer and Jeffra Clough and October 26, Amy Mead will be installed into her new position as judge with the State of Alaska.

B. Committee and Liaison Reports

Ms. Gladziszewski reported that the Hospital Board (BRH) met on Sept. 25 at the Hospital. The new City Attorney was introduced and met the board. The good news is that the financial report showed a gain of \$400,000 over July. They then promptly spent some of that by giving the CEO a raise. The next BRH meeting is on October 23. She reported that the Juneau Affordable Housing Commission met on election day, October 2 and their new meeting location is at the JEDC boardroom on the first Tuesday of each month. She also thanked everyone who ran for public office and congratulations not only to those who won but also to those who ran for office. She thanked Mr. Koelsch, Nankervis, and Gregory for their service and she thanked the Assembly for electing her to the Deputy Mayor position. She looks forward to working with everyone over this next year.

Ms. Becker reported that the next Lands Committee meeting was scheduled for October 22. The Alaska Committee meets every month and the next meeting is November 14. At the last Alaska Committee meeting, they agreed to fund, in conjunction with the League of Women Voters, student visits to the Capitol. She said the Alaska Committee discussed the Fairbanks and Palmer Fairs. The Alaska Committee gave financial support to the UAS School of Education Endowment Fund. She said that the Legislative Reception is scheduled for January 16, 2019 and the Alaska Committee annual meeting is January 28. She encouraged anyone

wishing to serve on the Alaska Committee to contact Wayne Jensen or Rosemary Hagevig.

Ms. Becker reported that the Chamber of Commerce meets every Thursday for lunch and that former UA President Mark Hamilton who is now working for Pebble Mine has said that Pebble Mine has reduced its footprint to be more environmentally friendly.

Ms. Becker reported that they had a number of Airport ordinances on tonight's agenda. She also noted that Alaska Day is on October 18 and the Juneau Senior Center has its annual breakfast fundraiser on that day.

Mr. Kiehl reported that the Assembly Finance Committee (AFC) has not met since the last Assembly meeting but that the next AFC meeting is on November 7. He reported that the Alaska Municipal League (AML) is in the hiring process for its new lobbyist since Ray Gillespie retired. The AML Board will hold a special meeting prior to the annual meeting. He encouraged everyone to attend the AML meetings in November and especially the new members to attend the Newly Elected Officials training.

Mr. Kiehl reported that with the UAS Campus Council, while enrollment has been down across the university system, the Juneau campus has the lowest rate of reduced enrollment. He reported on a number of other program and facility updates at UAS.

Mr. Jones reported that the Assembly Public Works & Facilities Committee (PWFC) cancelled its last meeting and the next meeting is on October 22 at Noon. The Juneau School Board had its first meeting of the new board at which it recognized outgoing members Andi Story, Emil Mackey, and Josh Keaton who chose not to run for reelection. City Attorney Rob Palmer was present at that meeting and sworn in the new School Board Members Elizabeth Siddon, Paul Kelly, and Kevin Allen. They elected the following officers: Brian Holst, President; Dan DeBartolo, Vice-President; and Jeff Short, Clerk. He said that among other business they agreed to the appointment of a special sub-committee for the purpose of selecting the new Superintendent. He talked about their audit and that process. He noted the School Board retreat on November 3 to which the Assembly was invited to the joint meeting for lunch.

Mr. Jones' other liaison reports included the Downtown Business Association (DBA) meeting on October 2 and noted that Gallery Walk is on December 7, the kids downtown day is December 15 with Santa Claus present. He noted that the infrastructure committee of the DBA met on Friday, October 12 and George Schaaf

was there to answer a lot of questions and had some pretty heavy debates about downtown parking, the use of parking structures, and the plaza/brick yard parking.

Mr. Jones said that he was not able to go to the Juneau Commission on Aging (JCOA) meetings and he encouraged any new members who might wish to be involved that the JCOA will begin holding meetings relating to its 10-year senior survey. On Oct. 23, the Planning Commission will be seating the Downtown Blueprint Steering Committee. The next public meeting on the Downtown Blueprint topic will be on October 30.

He asked the City Attorney and Risk Manager to give the Assembly some updates about the liquor sales at Eaglecrest.

Mr. Jones welcomed the new Assemblymembers and shared some insights on what lays before them as Assemblymembers and for the Assembly as a body. He thanked the outgoing members Jerry Nankervis, Mayor Koelsch, and Norton Gregory.

Mr. Jones noted that the Juneau Commission on Sustainability recently changed their meetings to Tuesdays at noon which is the same time as the Juneau Commission on Aging meetings and that Mayor Weldon assigned Ms. Hale as liaison to both those entities so there may need to be some adjustments needed to one or more of those appointments or meeting schedules.

Ms. Triem thanked staff for the Assembly onboarding session on October 13. She thanked the other Assemblymembers for their advice and she looks forward to serving on the Assembly.

Ms. Hale echoed Ms. Triem's thanks to staff and Assembly and shared that she has attended a large number of events over the course of the past few months and looks forward to getting to work as an Assemblymember.

Mr. Bryson echoed the previous comments and expressed his appreciation for the opportunity to serve our community in this capacity.

Mayor Weldon noted two items she forgot to mention earlier. She attended the memorial service of Harriett Botelho who was a long time resident of Juneau and mother of former Mayor Bruce Botelho. Mrs. Botelho was a tireless advocate for the animal shelter and will be missed greatly.

Mayor Weldon also offered her congratulations to the JDHS Girls Cross Country Team on winning the State Championship.

Mr. Watt asked to recognize the work of the Municipal Clerk, Deputy Clerk, Election Boards for their work during this past election. He noted that this election cycle threw in just about every curve ball possible and he congratulated them for a flawless election in light of all the challenges. Ms. McEwen noted that it was truly a team effort and was built upon an incredibly solid foundation left by former Clerk Laurie Sica.

C. Presiding Officer Reports

XIIIASSEMBLY COMMENTS AND QUESTIONS

XIV.CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. William Quayle asked the Assembly to make it a top priority to get access from the A.J. Dock to the B Dock.

XV. EXECUTIVE SESSION

A. General Litigation Update

MOTION by Ms. Gladziszewski to recess into Executive Session to discuss pending litigation matters with the City Attorney.

There being no objection, the Assembly recessed at 9:32 p.m. into Executive Session.

The Assembly returned from Executive Session at 10:24 p.m.

XVIADJOURNMENT

There being no further business to come before the body, Mayor Weldon adjourned the meeting at 10:25 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 - December 13, 2018

I. CALL TO ORDER / ROLL CALL

MEETING NO. 2018-36: The Special Meeting of the City and Borough Juneau Assembly, held in Conference Room 224 of the Municipal Building, was called to order at 9:50 p.m. by Mayor Beth Weldon.

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

Assemblymembers Absent: Rob Edwardson

Staff Present: Deputy Clerk Diane Cathcart

II. AGENDA TOPICS

A. Bartlett Regional Hospital Board Appointments

There are currently four (4) seats on the Hospital Board to be filled for various terms. Two (2) of the seats are full term public seats beginning January 1, 2019 and ending December 31, 2021; one (1) seat is a full term physician seat beginning January 1, 2019 and ending December 31, 2021 and one (1) seat is a partial term public seat for a term beginning immediately and ending, December 31, 2020.

The Full Assembly sitting as the Human Resources Committee is scheduled to interview applicants for the Hospital Board immediately preceding this meeting and will forward its recommendations for appointment during this Special Assembly Meeting.

The City Manager has no recommendations regarding these appointments.

MOTION: by Mr. Jones for the Assembly to appoint to the Bartlett Regional Hospital Board, Kenny Solomon-Gross to the partial term public seat beginning immediately and ending December 31, 2020; with appointments of Lindy Jones to the physician seat for a term beginning January 1, 2019 and ending December 31, 2021 and Deborah Johnston to full term public seats beginning January 1, 2019 and ending December 31, 2021 and the reappointment of Marshal Kendziorrek to a full term public seat beginning January 1, 2019 and ending December 31, 2021.

Hearing no objections, motion passed.

B. Planning Commission Appointments

There are currently four (4) seats on the Planning Commission to be filled for various terms. Three (3) of the seats are full term public seats with terms beginning January 1, 2019 and ending December 31, 2021; and one (1) seat is a partial term public seat term beginning January 1, 2019 and ending, December 31, 2019.

The Full Assembly sitting as the Human Resources Committee is scheduled to interview applicants for the Planning Commission immediately preceding this meeting and will forward its recommendations for appointment during this Special Assembly Meeting.

The City Manager has no recommendations regarding these appointments.

MOTION: by Mr. Jones for the Assembly to appoint to the Planning Commission, Kenneth Alper to the partial term public seat beginning January 1, 2019 and ending December 31, 2019; with appointments of Shannon Crossley and Travis Arndt to full term public seats beginning January 1, 2019 and ending December 31, 2021 and the reappointment of Nathaniel Dye to a full term public seat beginning January 1, 2019 and ending December 31, 2021.

Hearing no objections, motion passed.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None

IV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:52 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. 2019-01

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

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

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

Section 2. Amendment of Section. CBJ 42.05.110 Violation of condition of release, is amended to read:

(a) A person commits the crime of violation of condition of release if the person

(1) has been charged with a crime or convicted of a crime;

(2) has been released under AS 12.30; and

(3) violates a condition of release imposed by a judicial officer under AS 12.30, other than the requirement to appear as ordered by a judicial officer.

(b) Violation of condition of release is a Class B misdemeanor and is punishable by a term of imprisonment of not more than five days and a fine of not more than \$2,000.00.

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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

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-03

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

WHEREAS, the Juneau voters approved a proposition in October 2014 amending the Charter to give the Assembly discretion to establish a board to oversee the City and Borough's aquatics facilities; and

WHEREAS, Ordinance 2015-23(b) amended the City and Borough code to create a new chapter, Chapter 67.10 Aquatics Facilities, with an automatic sunset date of May 28, 2018; and

WHEREAS, Ordinance 2018-19 extended the sunset date to June 30, 2019.

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

Section 1. Classification. Except for Section 2, which is a non-code ordinance, this ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Repeal of Sunset Date. The sunset date created by Ordinance 2015-23(b) and extended by Ordinance 2018-19 is repealed. Chapter 67.10 no longer has a sunset date.

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Section 3. Amendment of Section. CBJ 67.10.010 Board of directors, is amended to read:

67.10.010 Board of directors.

(a) The aquatics board shall consist of nine ~~seven~~ voting members appointed by the assembly to serve without compensation for staggered three-year terms, ~~and one liaison from the Juneau School District. The liaison shall not have the power to vote or be counted in determining whether a quorum of the board is present.~~ Members of the board shall serve at the pleasure of the assembly. Terms shall commence on July 1. Appointments to fill vacancies shall be for the unexpired term. In the event a seat has six months or less remaining to the unexpired term, the assembly, at its discretion, may choose to appoint the member to the remainder of the current term as well as to the full term immediately following the expiration date of the unexpired term. No board member who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly.

(b) No board member, or member of a board member's immediate family or household, may be employed by an aquatics facility owned by the City and Borough. One board member shall be from and represent the Juneau School District. One board member shall be from any local swim organization that rents a pool facility. To the extent possible, appointments to the remaining seven seats on the aquatics board shall include persons having skills relevant to matters concerning the aquatics facilities. No more than two members of the aquatics board shall be a member or employee of any local swim organization, or the immediate family member of any member or employee of any local swim organization.

(c) The parks and recreation department director may participate in any board proceedings like a member but shall not have the power to vote and shall not be counted in determining whether a quorum of the board is present.

Section 4. Amendment of Section. CBJ 67.10.020 General powers, is amended to read:
67.10.020 General powers.

(a) Subject to state laws and City and Borough ordinances, the aquatics board shall make policy decisions and generally direct ~~exercise all powers necessary and incidental to the~~ operation and maintenance of the municipally-owned aquatics facilities according to the best interests of the public and in a sound business manner. The aquatics board:

(1) Shall be responsible for generally directing the operation, maintenance, development and marketing of the municipally owned and operated aquatics facilities, except as otherwise provided by the assembly by resolution.

(2) Shall prescribe the terms under which persons and groups may use the aquatics facilities under the board's management and establish and enforce standards of operation.

(3) May adopt regulations pursuant to CBJ 01.60 necessary for the administration of the aquatics facilities under the board's management.

(4) Shall facilitate and receive citizen input on the management and operations of the aquatics program.

~~(b) The aquatics facilities shall conform to the City and Borough Personnel Management Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the City and~~

~~Borough Manager's Administrative Policies. The aquatics facilities shall utilize the services of the human resources and risk management department when hiring or terminating any employee, when responding to grievances, in labor agreement negotiation, and in substantial disciplinary matters.~~

(be) All legal services for the aquatics board and aquatics facilities shall be provided by or under the supervision of the municipal attorney.

(c) Shall annually provide to the assembly a written review of the aquatics program. The review shall include public usage, financial trends, facility maintenance needs, capital needs, and the efficiency of the program operation.

(d) Shall annually provide a personnel evaluation to the parks and recreation department director of the aquatics manager's performance in supporting the board and implementing board direction. The aquatics manager personnel evaluation and the board's deliberation of it shall be confidential unless the aquatics manager requests a public discussion.

(e) Shall participate in the selection process for the hiring of the aquatics manager. In the event the board does not support the hiring recommendation of the parks and recreation department director, the board chair shall timely notify the city manager. The city manager shall then make the hiring decision.

Section 5. Amendment of Section. CBJ 67.10.050 Meetings, is amended to read:
67.10.050 Meetings.

(a) The aquatics board shall meet at least once each month at an accessible location and time to be designated by the board. The board chair may cancel a monthly meeting when a quorum

will not be present. Subject to public notice requirements, any three board members may call for a special meeting.

(b) Every meeting of the board, including its committees, shall have an agenda. The agenda shall be prepared by the board or committee chair in consultation with the aquatics manager.

Section 6. Amendment of Section. CBJ 67.10.070 Manager designated, is amended to read:

67.10.070 Aquatics Manager designated.

The aquatics manager shall provide staff support to the board but is supervised by the parks and recreation department director. The chief executive officer of the aquatics facilities shall be the parks and recreation department director.

Section 7. Amendment of Section. CBJ 67.10.080 Director; duties and responsibilities, is amended to read:

67.10.080 Aquatics manager; Director; duties and responsibilities.

The aquatics manager ~~director~~ is responsible for the overall supervision of the municipally-owned aquatics facilities under the aquatics board's policy direction ~~management~~. The aquatics manager's ~~director's~~ authority and duties shall include, but are not limited by, the following:

- (1) To be responsible for carrying out all applicable laws, ordinances and regulations.
- (2) To be responsible for carrying out policies established by the aquatics board not in conflict with policies established or adopted by the assembly or manager.
- (3) To prepare an annual budget as required by City and Borough ordinance.

(4) To attend all meetings of the aquatics board and its standing committees except as otherwise directed by the board and not otherwise conflicting with other duties of the position of aquatics manager ~~parks and recreation director~~.

(5) Direct and supervise the maintenance and operation of the municipal pools.

(6) Keep the aquatics board fully advised on the financial circumstances of the program budget, the physical condition, and the maintenance needs of the aquatics facilities.

(7) At the direction of the aquatics board, prepare draft regulations and draft fee changes for consideration.

(8) Assist the aquatics board in all matters, including the preparation of the annual report to the assembly.

Section 8. Amendment of Section. CBJ 67.10.100 Preparation and submission of budget, is amended to read:

67.10.100 Preparation and submission of budget.

The aquatics manager ~~director~~ shall prepare the budget in accordance with approved City and Borough procedure and shall submit it to the aquatics board for approval. The aquatics manager shall submit to the board the draft Capital Improvement Plan no later than December 1 and the draft operating budget no later than February 1.

The operating portion of the budget submitted by the aquatics board shall, to the extent practical given safety concerns and maximizing operating hours of the pools, minimize its general fund subsidy. The aquatics board shall make its recommendations and submit the budget to the ~~City and Borough~~ city manager for transmittal to the assembly in the same manner as general government departments.

Section 9. 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. 2019-04

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

WHEREAS, on July 21, 2014, the Assembly created the Treadwell Arena Task Force (“Task Force”) to study the feasibility of an empowered board for management of the Treadwell Ice Arena; and

WHEREAS, in its report to the Assembly dated December 12, 2014, the Task Force recommended that the Treadwell Arena Advisory Board be formed; and

WHEREAS, the Assembly created the Treadwell Arena Advisory Board with Ordinance 2015-18(am); and

WHEREAS, the Treadwell Arena Advisory Board proposed these changes to keep its enabling ordinance consistent with its vision and mission.

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. Repeal of Ordinance 2015-18(am). Ordinance 2015-18(am), An Ordinance Establishing the Treadwell Arena Advisory Board, is repealed.

Section 3. Treadwell Arena Advisory Board Established. There is established the Treadwell Arena Advisory Board.

Section 4. Membership Qualifications. The Board shall be comprised of seven voting members appointed from the general public, and one liaison from the Parks and Recreation Advisory Committee. The liaison shall not have the power to vote and shall not be counted in determining whether a quorum of the Board is present. Members shall be appointed to staggered three-year terms. To the extent practicable, each organization that provides activities at Treadwell Ice Arena should have at least one representative on the Board. No more than five members shall be employees or board members of an organization, or the immediate family member of any employee or board member of an organization, that provides activities at the Treadwell Ice Arena.

Section 5. Treadwell Arena Advisory Board Purpose. The Treadwell Advisory Board shall work with the Treadwell Arena Manager to ensure operations are consistent with cost recovery goals, identify opportunities to generate net revenue, and identify ways to improve the experience of rink users. The Board shall report to the Assembly Committee of the Whole on an annual basis on issues relating to the Treadwell Ice Arena. The Board's report shall address, at a minimum, the following:

1. The number and types of annual users as compared to preceding years;
2. Annual cost recovery data;
3. A review of ice scheduling and allocation of rink resources to assess whether the rink provides equity of opportunity for a diversity of community rink users;
4. Any identified opportunities to generate net revenue or increase operational efficiencies; and
5. Any identified opportunities to improve the experience of risk users.

Section 6. Procedure. The Treadwell Arena Advisory Board's procedure shall be governed by Robert's Rules of Order, except where superseded by the Advisory Board Rules of Procedure and the Assembly's Rules of Procedure, as such may be amended from time to time.

Section 7. Officers, Meetings, Quorum. In accordance with the Advisory Board Rules of Procedure, the Board shall select its own officers, and shall hold regular meetings on a schedule established by the Board, as well as such special meetings as required to conduct business.

Section 8. Liaison. The City Manager shall designate a staff liaison to the Board as available and appropriate.

Section 9. 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: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$600,000 for the Electronic Fare Boxes Capital Improvement Project (D71-090), Capital Transit.

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$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: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$479,653 as partial funding for replacement of a bus, with an Electric Bus and associated charging infrastructure for Capital Transit.

Section 3. Source of Funds

Alaska Department of Transportation and Public Facilities	\$407,630
Equipment Replacement Reserve Fund Balance	\$72,023

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: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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).

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 up to \$30,000 as partial funding for the Cold Weather Emergency Shelter (FY19).

Section 3. Source of Funds

Alaska Mental Health Trust Authority (The Trust) Grant \$30,000

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$52,763 for the Housing and Homelessness Services Coordinator Project in the Manager's Office.

Section 3. Source of Funds

Alaska Mental Health Trust Authority	\$52,763
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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: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 up to \$230,000 for Phase II of the Amalga Fish Cleaning Station CIP.

Section 3. Source of Funds

Alaska Department of Fish and Game	\$230,000
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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: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 up to \$200,000 for the Visitor Information Kiosk Replacement CIP.

Section 3. Source of Funds

Dock Fund's Fund Balance	\$200,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 7, 2019
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 up to \$170,000 for the Dock Security Stations CIP.

Section 3. Source of Funds

Marine Passenger Fees	\$170,000
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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:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2844

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

WHEREAS, the City and Borough of Juneau has received a request from the Alaska Department of Transportation and Public Facilities (ADOT&PF) to nominate projects for inclusion in the Alaska Transportation Alternatives Program funds as outlined in ADOT&PF's application packet for 2018-2020; and

WHEREAS, the City and Borough of Juneau is participating as an eligible project sponsor in the Alaska Department of Transportation and Public Facilities Transportation Alternatives Program; and

WHEREAS, federal monies are available under a Transportation Alternatives Program, administered by Alaska Department of Transportation and Public Facilities for the purpose of creating and promoting the planning and development of active transportation facilities and programs in Alaska; and

WHEREAS, the City and Borough of Juneau acknowledges availability of the required match of no less than 9.03 percent; and

WHEREAS, the City and Borough of Juneau ranked the project as the number one trail priority for the Parks and Recreation Department in fiscal years 2017 and 2018; and

WHEREAS, after appropriate public input and due consideration, the Assembly recommends that an application be submitted to the State of Alaska for the Kaxdigoowu Heen Dei Trail Improvements project.

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

Section 1. The Assembly does hereby authorize the City Manager or designee to submit and sign an application to the Alaska Department of Transportation and Public Facilities for Alaska Transportation Alternatives Program funds on behalf of the citizens of the City and Borough of Juneau.

Section 2. The Assembly hereby assures the Alaska Department of Transportation and Public Facilities that sufficient funding for the local governmental agency matching contribution is available for the Kaxdigoowu Heen Dei Trail Reconstruction project.

Section 3. The Assembly continues to recognize that the Kaxdigoowu Heen Dei Trail is owned by the City and Borough of Juneau and will be, subject to appropriations, maintained as part of the City and Borough's regular program of maintenance and upkeep of all municipally-owned trails.

Section 4. The Assembly authorizes the execution of an agreement with the State to accomplish the Kaxdigoowu Heen Dei Trail Reconstruction project.

Section 5. 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



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

November 20, 2018

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:	Recreational Site – Seasonal	License Number:	4881
Licensee:	Alaska Travel Adventures Inc		
Doing Business As:	Alaska Travel Adventures		

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 BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

November 29, 2018

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:	Distillery	License Number:	5506
Licensee:	Amalga Distillery, LLC		
Doing Business As:	Amalga Distillery		

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 BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

November 29, 2018

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:	188
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
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GOVERNOR BILL WALKER

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

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

November 21, 2018

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:	662
Licensee:	Breeze-In Corporation		
Doing Business As:	Douglas Island Breeze-In		

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 BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

November 21, 2018

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:	4543
Licensee:	Breeze-In Corporation		
Doing Business As:	Breeze-In		

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 BILL WALKER

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

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

November 21, 2018

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:	176
Licensee:	Breeze-In Corporation		
Doing Business As:	Breeze-In Liquor		

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

November 27, 2018

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	12176
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Taku Horticulture Company, LLC
Doing Business As:	TAKU HORTICULTURE COMPANY, LLC
Physical Address:	1758 Anka Street Building B, Suite A1 Juneau, AK 99801
Designated Licensee:	David Turner JR
Phone Number:	907-723-0106
Email Address:	dturner907@yahoo.com

☒ **New Application**

AMCO has received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

To protest the approval of this application(s) pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our December 20-21, 2018 meeting.

Sincerely,

Erika McConnell

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

December 6, 2018

City & Borough of Juneau

Attn: Borough Clerk

VIA Email: mcb_notice@juneau.org

License Number:	12311
License Type:	Standard Marijuana Cultivation Facility
Physical Address:	5011 Short Street, Suite 1 Juneau, AK 99801

Transferor:	ISG, Inc.
Doing Business As:	Juneau's Green Garden
Designated Licensee:	Paul Burrows
Phone Number:	907-723-1178
Email Address:	paulyburrowsak@gmail.com

Transferee:	ISG, Inc.
Doing Business As:	Juneau's Green Garden
Designated Licensee:	Elizabeth Romanoski
Phone Number:	520-548-4668
Email Address:	elizabethromanoski28@yahoo.com

☐ **Transfer of Ownership Application**

☒ **Transfer of Controlling Interest**

AMCO has received a complete application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2) or 3 AAC 306.045(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a marijuana establishment license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our December 20-21, 2018 meeting.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

December 7, 2018

City & Borough of Juneau

Attn: Borough Clerk

VIA Email: mcb_notice@juneau.org

License Number:	12313
License Type:	Retail Marijuana Store
Physical Address:	263 Marine Way Juneau, AK 99801

Transferor:	ISG, Inc.
Doing Business As:	Juneau's Green Market
Designated Licensee:	Paul Burrows
Phone Number:	907-723-1178
Email Address:	paulyburrowsak@gmail.com

Transferee:	ISG, Inc.
Doing Business As:	Juneau's Green Market
Designated Licensee:	Elizabeth Romanoski
Phone Number:	520-548-4668
Email Address:	elizabethromanoski28@yahoo.com

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Sincerely,

Erika McConnell

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

December 6, 2018

City & Borough of Juneau

Attn: Borough Clerk

VIA Email: mcb_notice@juneau.org

License Number:	12315
License Type:	Marijuana Product Manufacturing Facility
Physical Address:	5011 Short Street, Suite 2 Juneau, AK 99801

Transferor:	ISG, Inc.
Doing Business As:	Evergreen Extracts
Designated Licensee:	Paul Burrows
Phone Number:	907-723-1178
Email Address:	paulyburrowsak@gmail.com

Transferee:	ISG, Inc.
Doing Business As:	Evergreen Extracts
Designated Licensee:	Elizabeth Romanoski
Phone Number:	520-548-4668
Email Address:	elizabethromanoski28@yahoo.com

☐ **Transfer of Ownership Application**

☒ **Transfer of Controlling Interest**

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This application will be in front of the Marijuana Control Board at our December 20-21, 2018 meeting.

Sincerely,

Erika McConnell

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-47

An Ordinance Amending the Health and Sanitation Code Relating to Smoking Limitations.

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

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

Section 2. Amendment of Section. CBJ 36.60.010 Smoking prohibited, is amended to read:

36.60.010 Smoking prohibited.

(a) Smoking is prohibited ~~in~~:

- (1) in enclosed ~~Enclosed~~ public places;
- (2) in enclosed ~~Enclosed~~ areas that are places of employment;
- (3) in vehicles ~~Vehicles~~ and enclosed areas owned by the City and Borough of Juneau, including the Juneau School District;
- (4) in commercial ~~Commercial~~ passenger vehicles regulated by the City and Borough under CBJ 20.40;
- (5) in bus ~~Bus~~ passenger shelters;

(6) in private ~~Private~~ clubs that are licensed by the State of Alaska to sell marijuana or alcoholic beverages, or that offer food for sale, regardless of the number of employees; ~~and~~

(7) in indoor ~~Indoor~~ or outdoor areas designated by "No Smoking" signs meeting the requirements of CBJ 36.60.035;

(8) outdoors within ten feet of playground equipment located at a public or private school or a state or municipal park while children are present;

(9) outdoors within ten feet of an entrance to a bar or restaurant that serves alcoholic beverages;

(10) outdoors within 20 feet of an entrance, open window, or heating or ventilation system air intake vent of any building area within which smoking is prohibited by this chapter;
and

(11) outdoors within a reasonable distance, as determined by the owner or operator, of an entrance, open window, or heating or ventilation system air intake vent of

(i) a vessel covered by this chapter; or

(ii) a long term care facility as defined in A.S. 47.62.090.

(b) Notwithstanding any other provision of this chapter, smoking and the use of smokeless tobacco products is prohibited anywhere within the area defined as the "Hospital Tobacco-free Campus."

(1) For purposes of this subsection, the "Hospital Tobacco-free Campus" means all buildings and facilities owned or leased by Bartlett Regional Hospital, whether inside or outside the buildings or facilities; the Bartlett House, the Juneau Medical Center, and Wildflower Court, whether inside or outside the buildings or facilities; the vehicle parking areas owned or leased by the hospital; the vehicle parking areas for the Bartlett House, the

Juneau Medical Center, and Wildflower Court; and the public streets and public sidewalks adjacent to any of these buildings and facilities; provided, however, the five pavilion areas at Wildflower Court are excluded from the Tobacco-free Campus; all as shown on Exhibit A to Ordinance 2007-20.

(2) For purposes of this subsection, use of smokeless tobacco products means use of snuff, chewing tobacco, smokeless pouches, or other forms of loose leaf tobacco.

Section 3. Repeal of Section. CBJ 36.60.025 Reasonable distance, is repealed.

36.60.025 Reasonable distance.

~~Except as provided in subsection 36.60.030(7), no person may smoke within ten feet of any entrance, open window, or ventilation system intake of any building area within which smoking is prohibited by this chapter; provided, however, no person may smoke or use smokeless tobacco products anywhere within the "Hospital Tobacco-free Campus" as that area is defined in section 36.60.010(b) of this chapter.~~

Section 4. Amendment of Section. CBJ 36.60.030 Exceptions; areas where smoking is not prohibited, is amended to read:

36.60.030 Exceptions; areas where smoking is not prohibited.

(a) Unless otherwise prohibited by State or Federal law, smoking is not prohibited in the following places:

(1) Private residences, including those used as a place of employment, provided this exception does not apply at any time the private residence is open for use as a child care, adult care, or health care facility;

(2) ~~Reserved; Places of employment with a total of four or fewer employees, provided that this exception does not apply to a place of employment that is an enclosed public place or a private club;~~

(3) Private enclosed areas in nursing homes or assisted living facilities;

(4) Reserved;

(5) Performers smoking as part of a stage performance;

(6) Reserved;

(7) ~~Reserved; Outdoor patios, decks, and other outdoor areas used for seating by a bar, restaurant, or other establishment where alcoholic beverages are sold or food is offered for sale, provided that at least two sides of the area are open directly to the outdoors, and provided further that the minimum reasonable distance under section 36.60.025 shall be five feet meaning that no person in these areas may smoke within five feet of any entrance, open window, or ventilation system intake of the building area for the establishment;~~

(8) Federal or state property, or those portions of buildings leased by the federal or state government; and

(9) Private property used for residential incarceration under contract to a federal or state correctional agency.

(b) The owner, operator, or manager of property may by permanently affixing a sign thereon, waive any exception provided in subsection (a) of this section.

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

Adopted this _____ day of _____, 2018.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: December 17, 2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$380,000 as Funding for the Replace Exit Lane System Capital Improvement Project.

Section 3. Source of Funds

Airport Fund's Fund Balance: \$ 380,000

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk