

**ASSEMBLY REORGANIZATION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

October 15, 2018 7:00 PM

Assembly Chambers - Municipal Building
Regular Meeting 2018-30

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. SPECIAL ORDER OF BUSINESS ASSEMBLY REORGANIZATION

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. Proclamation: Commemorating the Princess Sophia Shipwreck
- B. Proclamation: Domestic Violence Awareness Month

IV. APPROVAL OF 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 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.

VIII PUBLIC 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.

- 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.

- 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.

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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.

- 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.

- 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.

- 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,

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

The City Manager recommends this ordinance be adopted.

- 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.

- 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.

- 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.

- 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.

- 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.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

- A. 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.

- B. 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.

XI. STAFF REPORTS

XII.ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee and Liaison Reports
- C. Presiding Officer Reports

XIIIASSEMBLY COMMENTS AND QUESTIONS

XIV.CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

- A. General Litigation Update

XVIADJOURNMENT

XVIEWSUPPLEMENTAL 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

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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. Sunset Date Extended. The sunset date initially imposed by Section 5 of Ordinance 2017-02, is extended three years. The amendments made in Sections 2-4 of Ordinance 2017-02 shall be automatically repealed on December 31, 2021.

Section 3. 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:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-41

An Ordinance Amending the Land Use Code Relating to Alternative Residential Subdivisions.

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

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

Section 2. Amendment of Chapter. Title 49, Chapter 15 is amended to by adding a new article IX, to read:

ARTICLE IX. ALTERNATIVE RESIDENTIAL SUBDIVISIONS

49.15.900 Purpose.

The general purpose of this article is to provide reasonable minimum standards and procedures for unit-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 article provides a housing option to allow dwellings on unit-lots to be conveyed by long-term leases, less than fee-simple ownership, or fee-simple ownership, including condominium and other common-interest communities. The specific purpose of this article is to permit flexibility in the regulation and use of land in order to promote its most appropriate use for unit-lot residential communities; to encourage residential developments that are planned, designed and

developed to function as integral units with common facilities; to encourage developments that provide different types of housing options; to encourage development of quality affordable housing; to facilitate the adequate and economical provisions of access and utilities; and to encourage developments that are in harmony with the surrounding area.

49.15.910 Application.

The provisions of this article apply when a parent lot is subdivided into developable unit-lots and where a portion of the parent lot remains.

49.15.920 General provisions.

(a) *General.* The requirements of this title apply except as provided in this article.

(b) *Zoning districts.* An alternative residential subdivision is only allowed in the following zoning districts: RR, D-1, D-3, D-5, D-10SF, D-10, D-15, D-18, and LC.

(c) *Lot size.* The parent lot shall be at least 150 percent of the minimum lot size for the zoning district in which it is located. There is no minimum size for the unit-lots.

(d) *Other dimensional standards.* The minimum lot dimensions, lot coverage, vegetative coverage shall be applied to the parent lot and not the unit-lots.

(e) *Density.*

- (1) The number of dwelling units permitted in the development shall be calculated by multiplying the maximum number of dwelling units per gross acre permitted in the underlying zoning district by the number of acres in the alternative residential subdivision and rounding to the nearest whole number.

(2) Land and water bodies used in calculating the number of dwelling units permitted shall be delineated on the preliminary and final plans in a manner allowing confirmation of acreage and density computations.

(3) The commission may award a density bonus as an incentive for enhancements to the development. The total bonus shall not exceed 50 percent in the RR, D1, D3, D5, D10 zoning districts, and 25 percent in the D-10SF, D15, D18 and LC zoning districts of the density provided in subsection (e)(1) of this section and rounded to the nearest whole number and shall be the sum of individual density bonuses as follows:

(A) Five percent for each ten percent increment of open space in excess of that required in the zoning district to a maximum bonus of fifteen percent for open space in excess of that required;

(B) Five percent for a continuous setback greater than 50 feet or ten percent for a continuous setback greater than 50 feet on both sides of a stream, if applicable, designated in the plan as undisturbed open space along important natural water bodies, including anadromous fish streams, lakes, and wetlands;

(C) Fifteen percent for a mixture of housing units restricted by a recorded document for a period of 30 years from the first sale (i) in which ten percent of the dwelling units are set aside for lower income households earning no more than 80 percent of the area median income; or (ii) in which twenty percent of the dwelling units are set aside for workforce households earning no more than 120 percent of the area median income.

at least 15 percent of which are restricted by a recorded document for purchase via a monthly mortgage payment of no more than 30 percent of the median income in the City and Borough, as calculated by the Alaska Department of Labor;

(D) Up to ten percent for excellence in design, or provision of common facilities and additional amenities that provide an unusual enhancement to the general area, such as siting, landscaped buffers, or the creation or preservation of view corridors;

(E) Ten percent for dedication of a public right-of-way accessible to all unit-lots consistent with Chapter 49.35;

(F) Five percent in the RR, D-1, D-3, D-5, and D-10SF zoning districts, and ten percent in the D-10, D-15, D-18 and LC zoning districts for providing shared use pathways to facilitate pedestrian and bicycle movement within the development and to ensure non-vehicular access to open space, common facilities and to public services;

(G) Five percent for designing all dwelling structures to a five-star plus energy efficiency rating; ten percent for designing all dwelling structures to a six-star energy efficiency rating; and

(H) Up to ten percent for using high-efficiency primary heating methods, such as heat pumps, in all dwelling structures.

(4) A density bonus may be limited or denied if it will more probably than not:

(A) Materially endanger public health or safety;

(B) Substantially be out of harmony with property in the neighboring area;

(C) Lack general conformity with the comprehensive plan or another adopted plan; or

(D) Create an excessive burden on roads, sewer, water, schools, or other existing or proposed public facilities.

(f) *Frontage and access.* The parent lot shall front on and be accessed by a publically maintained right-of-way. Access within the development may be exempted from 49.35 and be privately owned and maintained if it complies with the following requirements:

- (1) The access shall be located completely on the parent lot;
- (2) The access does not endanger public safety or welfare;
- (3) The access complies with or can be improved to comply with the emergency service access requirements of CBJ 19.10;
- (4) Access to and within the development is paved;
- (5) The developer submits adequate evidence that upon approval of the development, a homeowners' association will be formed, can obtain liability insurance, and is solely responsible for maintaining the private access—including winter maintenance; and
- (6) The alternative residential subdivision does not abut a developable parcel that lacks alternative and practical frontage on a publically maintained right-of-way.

(g) *Utilities.* An alternative subdivision is required to connect each dwelling unit to public sewer and water. A master meter for water shall be installed by the developer.

(h) *Parking.* Parking required for each dwelling unit may be located on either the parent lot or the unit-lot.

(i) *Open Space.* Open space is required as follows: 25 percent in the RR and D-1 zoning districts; 20 percent in the D-5 and D-10 zoning districts; 15 percent in the D-10SF district. Open space is not required in the D-15, D-18, or LC zoning districts.

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3 (j) *Buffer*. There are no setback requirements on the unit-lots. A perimeter buffer is required
4 in lieu of the setback requirements of this title on the parent lot. The presumptive buffer width
5 shall not be less than the setback set by the underlying zoning district to ensure neighborhood
6 harmony and minimize off-site impacts. The commission may enlarge a buffer or a portion of a
7 buffer up to 25 feet in total width, and the commission may reduce a buffer or a portion of a
8 buffer by 75 percent of the setback for the underlying zoning district. The commission may only
9 enlarge or reduce the buffer width upon considering, but not limited to: type of buffer, location
10 of the subdivision structures and uses therein; the location and type of surrounding uses or
11 development; topography; and the presence of existing visual and sound buffers. A buffer shall
12 be vegetated unless the commission requires non-vegetated screening. A buffer may include
13 fencing, natural berm, or other similar features. No parking areas, dwelling units, unit-lots, or
14 permissible uses may be located within the perimeter buffer. Access to the development may
15 cross a portion of the buffer.
16

17 (k) *Parent lot*. Portions of the parent lot not subdivided into unit-lots shall be owned in common
18 by a homeowners' association, or similar entity, comprised of the owners of the unit-lots located
19 within the parent lot.
20

21 (l) *Stormwater management*. Facilities for the control and disposal of stormwater must be
22 adequate to serve the development and areas draining through the development. Management
23 shall be in accordance with the Stormwater Best Management Practices manual. Where
24 appropriate, natural drainage channels, swales, or other similar areas within the open space
25 may be used for stormwater management at the development. The developer shall provide the
CBJ Engineering and Public Works Department with an evaluation of offsite drainage outfalls
for the additional runoff contributed by the alternative residential subdivision. The commission

may require construction of offsite drainage improvements necessary to accommodate additional runoff from the development.

(m) *Permitted uses*. No primary uses are permitted on the parent lot except a recreational center, community facility, or a child care center. Consistent with the Table of Permissible Uses, 49.25.300, only residential uses and associated accessory structures are allowed on the unit-lots. Accessory dwelling units are prohibited on the parent lot and on any unit-lots. A home occupation or a child care home is permissible on the unit-lots. If an alternative residential subdivision creates a lot that complies with the Table of Dimensional Standards, 49.25.400, for the underlying zoning district, the accessory dwelling unit prohibition of this subsection does not apply.

(n) *Street sign*. Street signage is required. The developer shall install a street sign provided by the City and Borough of Juneau at the developer's expense. The director shall determine the type of street sign—addresses or street name—upon considering public health, safety, and welfare given the size of the subdivision.

(o) *Mailboxes*. Upon consultation with the United States Postal Service, the director shall determine the placement location of mailboxes. The director may require additional improvements and design changes to enable efficient mail delivery and to minimize traffic interferences and compliance with CBJ standard details.

49.15.930 Alternative residential subdivision review process.

(a) *General procedure*. A proposed alternative residential subdivision shall be reviewed according to the requirements of section 49.15.330, conditional use permit, and in the case of an application proposing a change in the number or boundaries of unit-lots, section 49.15.402,

major subdivisions, except as otherwise provided in this article. Approval shall be a two-step process, preliminary plan approval and final plan approval. In cases involving a change in the number or boundaries of unit-lots, the preliminary and final plat submissions required by section 49.15.402 shall be included with the preliminary and final plan submissions required by this chapter.

(b) *Preapplication conference.* Prior to submission of an application, the director shall conduct an informal preapplication conference with the developer to discuss the proposed alternative residential subdivision. The purpose of the preapplication conference shall be to exchange general and preliminary information and to identify potential issues and bonuses. The developer may discuss project plans and the director may provide an informal assessment of project permit eligibility, but no statement made by either party shall be regarded as binding, and the result of the conference shall not constitute preliminary approval by the department. The conference shall include a discussion of the zoning, size, topography, accessibility, and adjacent uses of the development site; the uses, density and layout of buildings, parking areas, the open space and landscaping proposed for the development; the common facilities; provision of utilities, including solid waste and recycling collection; the access, the vehicle and pedestrian circulation, and winter maintenance including snow removal locations; the development schedule and the alternative residential subdivision permit procedures. The developer shall provide a sketch of the proposed alternative residential subdivision.

49.15.940 Preliminary alternative residential subdivision plan approval.

(a) *Application.* The developer shall submit to the department one copy of a complete alternative residential subdivision application, which shall include an application form, the

required fee, any information required in subsection 49.15.402, the information required by this section, and any other information specified by the director.

(b) *Required submissions.* The application shall include the following material:

(1) *Ownership.* The application shall identify, and shall be signed by or upon, the included written authorization of, all owners, lessees, and optionees of land within the boundaries of all phases of the alternative residential subdivision.

(2) *Preliminary development plan.* The application shall include a preliminary development plan, explaining how the proposed alternative residential subdivision will achieve the purposes set forth in section 49.15.900. The preliminary development plan shall summarize the different land uses proposed, including the amount of land for housing, open space, buffer, access, and parking; the number and types of housing units and proposed density; the natural features to be protected and hazards to be avoided; and the public, if any, and private services to be provided.

(3) *Design.* The application shall describe the design of the alternative residential subdivision, with particular attention to building siting, massing, access, parking, and architectural features; provision of utilities including drainage and trash collection; provision of winter maintenance for access and parking areas; and the circulation of traffic and pedestrians.

(4) *Open space, common facilities, and general landscaping.* The preliminary plat shall show and describe common facilities, open space, buffers, landscaping, and similar features.

(5) *Request for density bonuses.* If a density bonus is being applied for, the application shall include a narrative describing the justification for the requested bonus, and the application shall show the nature and extent of the requested bonus.

(6) *Description of phased development.* The preliminary development plan for a phased alternative residential subdivision shall include:

(A) A drawing and development schedule for each phase and for the entire alternative residential subdivision;

(B) The size and general location of proposed land uses for each phase at the maximum level of density, including maximum allotment of density bonuses;

(C) A description of the access connecting all the phases and where they will connect at the alternative residential subdivision boundaries;

(D) A description of how the developer will address the cumulative impacts of the phased development on the neighborhood and the natural environment;

(E) A description of the overall design theme unifying the phases;

(F) An analysis of how each phase in the project will meet the requirements of subsection 49.15.960(b); and

(G) A sketch plat consistent with 49.15.410.

(c) *Department review.* The director shall advise the developer whether the alternative residential subdivision application is complete, and, if not, what the developer must do to make it complete. Within 45 days after determining an application is complete, the director shall schedule the preliminary plan for a public hearing before the commission. The director shall give notice to the developer and the public according to section 49.15.230.

(d) *Commission action.* The commission may approve an alternative residential subdivision preliminary plan if it meets the following requirements:

- (1) The design provides for effective housing;
- (2) The development protects natural features and avoids natural hazards by reserving them as open space;
- (3) The development is consistent with the land use code;
- (4) The development incorporates perimeter buffers sufficient to minimize off-site impacts of the subdivision and to maximize harmony with the neighborhood;
- (5) Utilities proposed for connection to the City and Borough system meet City and Borough standards, and all others are consistent with sound engineering practices, as determined by the City and Borough Engineering and Public Works Department;
- (6) The configuration of the development provides for economy and efficiency in utilities, housing construction, access, parking and circulation;
- (7) If the approval is for a phased development, that each phase is consistent with the preliminary development plan and design of the entire alternative residential subdivision;
- (8) Adequately addresses the cumulative impacts of the phased development on the neighborhood and the natural environment; and
- (9) If the approval includes an allotment of a density bonus, the density bonus complies with section 49.15.920(e)(4).

(e) *Expiration.* Approval of a preliminary plan shall expire 18 months after the commission notice of decision unless a final plan for the entire project or, in the case of a phased development, the first phase thereof, is submitted to the department for commission action. An

application for extension of a preliminary plan shall be according to section 49.15.250, development permit extension.

49.15.950 Final alternative residential subdivision plan approval.

(a) *Application.* Upon completion of all conditions of the preliminary plan, the developer shall submit an application, fee, and a final plan for commission approval.

(b) *Homeowners' association.* The formation of a homeowners' association, or similar entity, is required.

(1) The articles of incorporation and bylaws of the homeowners' association, required under A.S. 34.08 or this chapter, shall be prepared by a lawyer licensed to practice in the state.

(2) The homeowners' association shall be responsible for the maintenance of open space, water and sewer utilities, and stormwater control features and drainages. The association documents shall specify how any other common facilities shall be operated and maintained. The association documents shall require homeowners to pay periodic assessments for the operation, maintenance and repair of common facilities. The documents shall require that the governing body of the association adequately maintain common facilities.

(3) If the alternative residential subdivision is phased, the association documents shall specify how the cost to build, operate, and maintain improved open space and common facilities shall be apportioned among homeowners of the initial phase and homeowners of later phases.

(4) The homeowners' association documents shall be recorded with the approved final plat.

(c) *Commission action.* The commission may approve the final plan if it substantially conforms to the approved preliminary plan and all requirements of this article.

(d) *Expiration.* An approved final plan shall expire 18 months after recording if the applicant fails to obtain an associated building permit and make substantial construction progress. An application for extension of a final plan shall be according to section 49.15.250, development permit extension.

49.15.960 Phased development.

(a) *Phasing allowed.* An applicant may develop an alternative residential subdivision in phases, provided the initial application includes a preliminary development plan sufficient to assess the cumulative effects of the entire alternative residential subdivision on the neighborhood and the environment according to the standards in subsection 49.15.940.

(b) *Completion of an individual phase.* Each phase shall be so designed and implemented that, when considered with reference to any previously constructed phases but without reference to any subsequent phases, it meets the design and density standards applicable to the entire alternative residential subdivision. Construction and completion of open space and common facilities serving each phase in an alternative residential subdivision shall proceed at a rate no slower than that of other structures in that phase. No phase shall be eligible for final plan approval until all components of all preceding phases are substantially complete and homeowners' association documents have been approved.

(c) *Standards for phases.* Each phase of an alternative residential subdivision shall be reviewed according to the provisions of this chapter then current. Each phase of an alternative residential subdivision shall maintain design continuity with earlier phases. At no point during a phased development shall the cumulative density exceed that established in the approved preliminary plan.

49.15.970 Amendments to approved alternative residential subdivision plan.

(a) *Request for amendment.* The developer of an alternative residential subdivision may request an amendment to an approved preliminary or final alternative residential subdivision plan. The request shall state the reasons for the amendment and shall be submitted in writing to the director, who shall inform the developer within 15 days whether the request shall be processed as a minor amendment or major amendment.

(b) *Minor amendment.* A minor amendment may be submitted without a filing fee and may be approved by the director. For purposes of this section, a minor amendment is a change consistent with the conditions of the original plan approval, and would result in:

- (1) Insignificant change in the outward appearance of the development;
- (2) Insignificant impacts on surrounding properties;
- (3) Insignificant modification in the location or siting of buildings or open space;
- (4) No reduction in the number of parking spaces below that required;
- (5) A delay of no more than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.

(c) *Major amendment.* All other amendments shall be reviewed by the commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.

Section 3. Amendment of Section. CBJ 49.80.120 Definitions, is amended by adding the following new definitions in alphabetical order, to read:

Parent lot means the original lot and the residual area from which unit-lots are created through an alternative residential subdivision.

Unit-lot means any lot, site, parcel, unit-site, and similar geographically defined property that is created through an alternative residential subdivision and that is substantially smaller than the minimum lot size required for the zoning district.

Section 4. Amendment of Section. CBJ 49.85.100 Generally [Chapter 49.85 Fees for Land Use Actions], is amended by adding a new fee for Alternative Residential Subdivisions, to read:

49.85.100 Generally.

...

(8) Special use or area.

...

(G) Alternative Residential Subdivisions.

(i) Preliminary plan application approval, \$400.00 plus \$80.00 per residential unit;

(ii) Final plan approval, \$300.00 plus \$60.00 per residential unit.

...

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:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

WHEREAS, the City and Borough recognizes the importance of supporting local non-profit organizations in addressing the social and human needs of the community; and

WHEREAS, the City and Borough is eligible to apply for Community Development Block Grant (CDBG) funds for the benefit of qualifying low and moderate income persons served by local non-profit organizations; and

WHEREAS, the City and Borough has obtained and successfully administered CDBG grants in 2004 to construct a daycare facility for seniors with Alzheimer's Disease or a related disorder; in 2005 to construct seven units of homeless housing; and in 2007 for refurbishment and livability upgrades at facilities owned and operated by Gastineau Human Services, the AWARE Shelter, St. Vincent de Paul and the Glory Hole; and

WHEREAS, CBJ staff solicited proposals from non-profit organizations for projects eligible for funding in the 2018 CDBG grant cycle; and

WHEREAS, three proposals were received and considered; and

WHEREAS the St. Vincent de Paul proposal is to renovate existing space to house a transitional services center that will serve low to moderate income individuals, especially those experiencing homelessness or extreme disability; and

WHEREAS St. Vincent de Paul has secured the required 25 percent local match for the project; and

WHEREAS, the City and Borough of Juneau will apply for a grant in the amount of \$850,000 from the Alaska Department of Commerce, Community, and Economic Development (hereinafter "Department"), under the CDBG program; and

WHEREAS, the deadline for submission of a Community Development Block Grant application is December 7, 2018.

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

Section 1. The Assembly authorizes the Manager to negotiate, execute, and submit all necessary documents required to apply for grant funding on behalf of the benefiting organization, St. Vincent de Paul.

Section 2. The Manager is also authorized to execute any amendments to the grant agreement between the City and Borough and the Department of Commerce, Community and Economic Development as may be necessary for adjustments to the project scope of work and/or budget.

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

Adopted this _____ day of _____, 2018.

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. 2837

A Resolution in Recognition of National Community Planning Month.

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, the full benefits of planning require public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, community planning has a long history in our community; and

WHEREAS, citizens serve on the Planning Commission, working with public and private sector professional planners, to enhance the quality of life in our community; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America; and

WHEREAS, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our communities and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of the Planning Commission and other citizen planners who have contributed their time and expertise to the improvement of the City and Borough of Juneau; and

WHEREAS, we recognize the many valuable contributions made by the public and private planners and extend our heartfelt thanks for the continued commitment to public service by these professionals.

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

Section 1. The month of October 2018 is hereby designated as Community Planning Month in the City and Borough of Juneau in conjunction with the celebration of National Community Planning Month.

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

Adopted this _____ day of _____, 2018.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

September 19, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Beverage Dispensary	License Number:	447
Licensee:	David McGivney		
Doing Business As:	N/a		

☐ New Application

☒ Transfer of Location Application

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest Application

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

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

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

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

Sincerely,

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

September 25, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Package Store	License Number:	4742
Licensee:	Thibodeaus Market Inc		
Doing Business As:	Thibodeaus Liquor		

☐ New Application

☒ Transfer of Location Application

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest Application

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Sincerely,

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 10, 2018

City & Borough of Juneau
Attn: Beth McEwen
Via Email: beth.mcewen@juneau.org
Cc: City.Clerk@juneau.org

License Type:	Restaurant/Eating Place	License Number:	5231
Licensee:	capitol ventures llc		
Doing Business As:	Neptune		

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

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

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

Sincerely,

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 18, 2018

City & Borough of Juneau
Attn: Beth McEwen
Via Email: beth.mcewen@juneau.org
Cc: City.Clerk@juneau.org

License Type:	Brewing	License Number:	5524
Licensee:	Barnaby Brewing Company LLC		
Doing Business As:	Barnaby Brewing Company		

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

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

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

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

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

Sincerely,

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

September 4, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Recreational Site	License Number:	5711
Licensee:	South of the Bridge, LLC		
Doing Business As:	The Old Tower Bar @ Eaglecrest		

☒ **New Application**

☐ **Transfer of Location Application**

☐ **Transfer of Ownership Application**

☐ **Transfer of Controlling Interest Application**

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

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

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

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

Sincerely,

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov

Presented by: The Manager
 Introduced: Sept. 17, 2018
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$1,248,099 to fund the City and Borough of Juneau's fiscal year 2018 Public Employee Retirement System contribution distributed as follows:

General Fund:

Mayor & Assembly	\$ 394
Law	33,697
Manager's Office	29,035
Clerk's Office	6,326
Management Information Systems	36,994
Libraries	46,000
Human Resources	15,080
Community Development	52,487
General Engineering	48,736
Building Maintenance	29,051
Finance	96,610
Arboretum	2,607
Parks and Landscape	<u>7,695</u>
Total General Fund	<u>\$ 404,715</u>

Special Revenue Funds:

Capital Transit	\$ 86,504
Lands and Resources	8,214
Eaglecrest Ski Area	15,163
Streets	50,466
Parks and Recreation	66,400
Police	228,851
Capital City Fire	129,513
Visitor Services	<u>10,537</u>
Total Special Revenue Funds	<u>\$ 595,648</u>

Enterprise Funds:

Airport	\$ 63,824
Bartlett Regional Hospital	123
Harbors	29,740
Docks	27,674
Water	27,738
Wastewater	68,694
Waste Management	<u>4,192</u>
Total Enterprise Funds	<u>\$ 221,985</u>

Internal Service Funds:

Public Works Fleet	\$ 14,142
Self-Insurance	<u>11,612</u>
Total Internal Service Funds	<u>\$ 27,754</u>

Total Appropriation **\$ 1,248,099**

Section 3. Source of Funds

Alaska Department of Administration \$ 1,248,099

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

Adopted this ____ day of _____, 2018

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: Sept. 17, 2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$1,201,249 to fund Bartlett Regional Hospital's fiscal year 2018 Public Employee Retirement System contribution.

Section 3. Source of Funds

Alaska Department of Administration	\$ 1,201,249
-------------------------------------	--------------

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

Adopted this ___ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
 Introduced: Sept. 17, 2018
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$659,700 for the following Departments' Fiscal Year 2018 operating budgets:

<u>Department</u>	<u>Amount</u>
Docks	\$35,000
Capital City Fire and Rescue (CCFR)	384,200
Community Development (CDD)	30,200
Engineering	15,300
Parks & Recreation	<u>195,000</u>
Total	\$659,700

Section 3. Source of Funds

<u>Department</u>	<u>Source of Funds</u>	<u>Amount</u>
Docks	FY18 Revenues Exceeding Budget	\$35,000
CCFR	Sales Tax Revenues Exceeding Budget	384,200
CDD	Sales Tax Revenues Exceeding Budget	30,200
Engineering	Sales Tax Revenues Exceeding Budget	15,300
Parks & Recreation	Sales Tax Revenues Exceeding Budget	<u>195,000</u>
Total		\$659,700

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: Sept. 17, 2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$5,000 for the fabrication and installation of the new Larry Carlson Memorial Bench at Overstreet Park.

Section 3. Source of Funds

Donation from Shirley Carlson : \$5,000

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$634,735 as Funding for the Juneau International Airport Design/Construct Terminal Reconstruction Capital Improvement Project.

Section 3. Source of Funds

Federal Aviation Administration: \$ 634,735

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$529,688 as Funding for the Juneau International Airport Snow Removal Equipment Building Capital Improvement Project.

Section 3. Source of Funds

Federal Aviation Administration: \$529,688

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. Sica, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$9,985,312 as Funding for the Juneau International Airport Construct Sand/Chemical Building & Fueling Station Capital Improvement Project.

Section 3. Source of Funds

Federal Aviation Administration: \$ 9,985,312

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$140,000 as Grant Funding for the Douglas Harbor Pile Anodes Capital Improvement Project.

Section 3. Source of Funds

State of Alaska, Dept. of Transportation & Public Facilities: \$ 140,000

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: Sept. 17, 2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 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.

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 \$30,945 as Funding for the Open Space Waterfront Land Acquisition Capital Improvement Project.

Section 3. Source of Funds. Unexpended Marine Passenger Fee funds that were transferred to:

General Fund	\$30,945
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, 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. 2018-44

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

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

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

Section 2. Amendment of Chapter. Chapter 42.05 General Provisions, is amended by adding a new section to read:

42.05.120 Avoidance of ignition interlock device.

(a) A person commits the crime of avoidance of ignition interlock device if the person knowingly

(1) circumvents or tampers with an ignition interlock device in a manner intended to allow a person on probation under section 01.40.070, with a condition of sentence under section 01.40.070 or another section, or who has an ignition interlock limited license to avoid using the device;

(2) rents a motor vehicle to a person and with criminal negligence disregards the fact that the person is on probation under section 01.40.070, has a condition of sentence under

section 01.40.070 or another section, or has an ignition interlock limited license, unless the vehicle is equipped with an ignition interlock device described in section 01.40.070; or

(3) loans a motor vehicle to a person and knowingly disregards the fact that the person is on probation under section 01.40.070, has a condition of sentence under section 01.40.070 or another section, or has an ignition interlock limited license, unless the vehicle is equipped with an ignition interlock device described in section 01.40.070.

(b) Avoidance of ignition interlock device

(1) under (a)(1) of this section is a class A misdemeanor;

(2) under (a)(2) or (3) of this section is a class B misdemeanor and is punishable by a term of imprisonment of not more than 30 days and a fine of not more than \$500.

Section 3. 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:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-45(b)

An Ordinance Amending the Traffic Code Relating to Duties and Responsibilities of Drivers and Others, and Providing for a Penalty.

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 72.10.030 Duty of operator to give information and render assistance, is amended to read:

72.10.030 Duty of operator to give information and render assistance.

(a) The operator of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle that is driven or attended by a person shall give the operator's name, address and vehicle license number to the person struck or injured, or the operator or occupant, or the person attending, and the vehicle collided with and shall render to any person injured reasonable assistance, including making of arrangements for attendance upon the person by a physician and transportation, in a manner that will not cause further injury, to a hospital for medical treatment if it is apparent that treatment is desirable. Under no circumstances is the giving of assistance or other compliance with the provisions of this subsection evidence of the liability of an operator for the accident.

(b) The operator of a vehicle involved in an accident resulting only in damage to a vehicle that is unattended shall immediately stop at the scene of the accident and undertake reasonable means and efforts to locate and notify the operator or owner of the damaged unattended vehicle of the name and address of the operator and owner of the vehicle striking the unattended vehicle. If the operator or owner of the unattended vehicle cannot be located then the operator shall leave in a conspicuous place in or upon the unattended vehicle, a writing stating the name and address of the operator and of the owner of the vehicle that struck the unattended vehicle and setting forth a statement of the circumstances of the accident.

~~(b)(c) Except as provided in subsection (e) of this section, a~~ A violation of this section is a Class B misdemeanor. A person who fails to comply with any of the requirements of this section is, upon conviction, punishable by imprisonment for not more than one year or by a fine of not more than \$500.00, or both. This provision does not apply to a person incapacitated by the accident to the extent that the person is physically incapable of complying with the requirement.

~~(e) — A person who fails to comply with a requirement of this section regarding assisting an injured person is, upon conviction, punishable by imprisonment for not more than ten years or by a fine of not more than \$10,000.00, or both. This provision does not apply to a person incapacitated by the accident to the extent that the person is physically incapable of complying with the requirement.~~

Section 3. 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

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

TO: Duncan Rorie Watt
City & Borough Manager

FROM: Greg Smith
Contract Administrator

SUBJ: BID RESULTS:
JNU Sand/Chemical Building and Fueling Station
Contract No. BE19-037

DATE: October 8, 2018

File No. 1182.50

Bids were opened on the subject 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 Company, Inc.	\$10,001,595
Roger Hickell Contracting, Inc.	\$10,695,000
Alaska Commercial Contractors, Inc.	\$10,924,000
<i>Architect's Estimate</i>	<i>\$9,365,275</i>

Project Manager: Patricia Wahto, Airport Manager; Catherine Fritz, Airport Architect

Project Description: This Project will construct a new, one-story sand and chemical storage building of approximately 21, 700 sf and a fueling station with canopy in the Northwest quadrant of the Airport. Trades will include but are not limited to: site work, concrete, steel framing, carpentry, electrical, mechanical, paving and fixed equipment.

Funding Source: Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant at 93.75%, and Local/City match 6.25% from Passenger Facility Charges (PFC9).

CIP No. A50-097

Construction Encumbrance: \$9,255,000

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

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____

C: CBJ Purchasing

