

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

June 4, 2018 7:00 PM

City Hall, Assembly Chambers
Regular Meeting 2018-15

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. May 14, 2018 Regular Assembly Meeting 2018-14

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

a. **Ordinance 2018-32 An Ordinance Amending Title 72 of the City and Borough of Juneau Code Relating to Driving Without a License.**

This is a housekeeping ordinance clarifying that the operation of a vehicle without a license is an offense, not only when one's license has expired, but also when a license has never been obtained. (Consistent with state law, the CBJ code provides for a lesser penalty for operating a motor vehicle when one's license has been expired for less than one year.)

The City Manager recommends this ordinance be introduced and set

for public hearing at the next regular Assembly meeting.

- b. **Ordinance 2018-34 An Ordinance Authorizing the Manager to Execute Utility Permits with the Alaska Department of Transportation and Public Facilities for the Construction, Repair, and Maintenance of City and Borough of Juneau Utilities in State Rights-of-Way.**

This ordinance would allow the Manager to execute utility permits with the Alaska Department of Transportation and Public Facilities to construct, repair, and maintain CBJ utilities, as required by AS 19.25.010, AS 35.10.210, and 17 AAC 15.061.

ADOT&PF's boilerplate utility provision contains an indemnification provision. CBJ Charter 9.13(a) generally prohibits the CBJ from indemnifying others. However, Charter 9.13(c) allows the CBJ to indemnify the State when the CBJ would not otherwise be able to participate. This ordinance would allow the Manager to execute ADOT&PF utility permits required by state law.

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

- c. **Ordinance 2018-35 An Ordinance Authorizing the Manager to Execute Permits for City and Borough of Juneau Road Reconstruction and Maintenance Projects in State Rights-of-Way with the Alaska Department of Transportation and Public Facilities.**

This ordinance would allow the Manager to execute approach road permits that include indemnification provisions with the Alaska Department of Transportation and Public Facilities to allow the CBJ to reconstruct municipal roads and other approaches when the access points are located within the State's rights-of-way as required by 17 AAC 10.020(c).

ADOT&PF's boilerplate access road permits contains an indemnification provision. CBJ Charter 9.13(a) generally prohibits the CBJ from indemnifying others. However, Charter 9.13(c) allows the CBJ to indemnify the State when the CBJ would not otherwise be able to participate. This ordinance would allow the Manager to execute ADOT&PF access road permits required by state law.

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

- d. **Ordinance 2017-06(AX) An Ordinance Appropriating to the Manager the Sum of \$250,000 as Supplemental Funding for Harbors' Fiscal Year 2018 Operating Budget; Funding Provided by Harbors' Fund Balance.**

Docks & Harbors anticipates exceeding its FY18 authorized spending authority by \$250K in the Harbor Enterprise. The increase is attributable to extraordinary expenditures including personnel costs, infrastructure improvements and resolving abandoned and derelict vessels. The additional request is an increase of 5% of the total authorized expenditures in FY18. Sufficient revenues in excess of the budget are available in the current fiscal year.

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

2. Resolutions

a. **Resolution 2823 A Resolution Ratifying the Labor Agreement between the City and Borough and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.**

This resolution would provide Assembly ratification of the tentative agreement negotiated between Bartlett Regional Hospital and the International Longshore and Warehouse Union, Healthcare Unit 2201, for a collective bargaining agreement that will expire on December 31, 2020.

The tentative agreement includes the following wage increases: 1.5% in fiscal year 2019, 1% in fiscal year 2020, and 1% in fiscal year 2021. The total cost of these provisions over the life of the contract for both union and non-represented employees is projected to be approximately \$4,183,000.

In addition, there are other non-economic language changes to the collective bargaining agreement.

This tentative agreement has been ratified by the union membership and was passed unanimously by the Bartlett Regional Hospital Board of Directors.

The City Manager recommends this resolution be adopted.

3. Bid Award

a. **Bid Award DH18-068 Auke Bay Marine Station Float Extension**

The results of the bid opening were as follows. The period to file notice to protest has ended. The Docks and Harbors Board reviewed this bid at its regular board meeting on May 31, 2018 and recommends a bid award to Trucano Construction.

Additional project funding will be provided by Transfer T-1001, also on this consent agenda.

Bidders

Total Bid

Trucano Construction	\$202,700
Silver Bow Construction	\$292,500
Engineer's Estimate	\$158,000

The City Manager recommends award of the bid to Trucano Construction for the total amount bid of \$202,700.

4. Liquor License

a. **Alaskan Brewing LLC d/b/a Alaskan Brewing Co. Transfer of Controlling Interest in Liquor License #2534**

Brewery License #2534 Alaskan Brewing LLC d/b/a Alaskan Brewing Co.

Location: 5429 Shaune Drive, Juneau.

This license action is for an ownership transfer of controlling interest. The Assembly just waived its right to protest the license renewal at its April 2, 2018, meeting. Staff from the Police, Fire, Finance, Engineering/Public Works and Community Development departments recommend the Assembly waive its right to protest the transfer of controlling interest application provided in this packet.

The 60-day local government comment period for this license action expires as of July 3.

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

5. Transfers

a. **Transfer T-1001 Transfer of \$50,000 from Harris Harbor Restrooms Capital Improvement Project to the ABMS Maintenance and Improvements Capital Improvement Project.**

The request is to transfer \$50,000 to an existing CIP to allow construction and installation of new marine floats attached to the existing moorage floats at the Auke Bay Marine Station.

Time is of the essence for this transfer as a bid (DH18-086) that exceeded cost estimates was received on May 30, 2018. The bid award for this project is included in this consent agenda.

The Harris Harbor restroom project is 98% complete and the budget shows adequate funds to complete the project and provide the needed funds to the Auke Bay Marine Station project. Demand is high for these floats in Auke Bay thus it is in the best interest of Docks and Harbors to keep the original schedule of this project.

Currently there is \$93,231 in the H51-115 account. If the transfer is approved the account balance would be \$43,231 which is more than adequate to complete the restroom project.

The Docks and Harbors Board reviewed this transfer request at its regular meeting of May 31, 2018.

The City Manager recommends this transfer be approved.

VIIIPUBLIC HEARING

A. Ordinance 2018-29 An Ordinance Authorizing the Manager to Execute a Utility Permit for a Water System Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities.

This ordinance would allow the CBJ to reconstruct a water service at 2570 Douglas Highway, which is located within a State of Alaska right-of-way.

On February 15, 2017, the CBJ's water service and the customer line were damaged. Emergency repairs were done. The cause of the damage is currently being litigated. The adjacent property owner, Elton Engstrom, has requested that the CBJ remove and replace the existing water service. In order to do so, the CBJ needs a utility permit from the State of Alaska.

The Department of Transportation and Public Facilities recently provided the CBJ with a proposed utility permit, but it contained an indemnification provision. CBJ Charter 9.13(a) generally prohibits the CBJ from indemnifying others. However, Charter 9.13(c) allows the CBJ to indemnify the State when the CBJ would not otherwise be able to participate. This ordinance would allow the Manager to execute the utility permit which includes the indemnity provision.

The City Manager recommends this ordinance be adopted.

B. Ordinance 2018-30 An Ordinance Amending the General Penalty Code.

Although most misdemeanor offenses are subject to a penalty of 30 days or less, state law provides for a sentence of up to one year for certain crimes. A defendant may be sentenced to up to one year for a conviction of offensive touching of another not proscribed by Alaska statute as sexual abuse of a minor.

This ordinance would amend the CBJ's general penalty provision to allow for a sentence of up to one year for such an offense, consistent with state law.

The City Manager recommends this ordinance be adopted.

C. Ordinance 2018-31 An Ordinance Amending the Land Use Code Relating to Sobering Centers and Emergency Shelters.

This ordinance would amend the Land Use Code as it relates to sobering centers and emergency shelters. CDD was directed by the Manager's Office to determine in which zoning districts sobering centers should be allowed. Based on research of other communities, staff determined a new use category for sobering centers was necessary, as well as a clarifying definition to distinguish sobering centers from emergency shelters. Sobering centers are proposed to be allowed with a conditional use permit in the Light Commercial, General Commercial, Mixed Use and Mixed Use 2 zoning districts.

On December 27, 2016, the Planning Commission recommended that the Assembly adopt the ordinance.

The City Manager recommends this ordinance be adopted.

D. Ordinance 2018-33 An Ordinance Authorizing the Manager to Execute a Permit for Road Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities for the Intersections of D Street and 3rd Street (Douglas Highway) adjacent to 915 and 916 3rd Street and H Street and 3rd Street adjacent to 1316 3rd Street in Downtown Douglas.

In order to complete the street reconstruction of D Street, from 2nd to 5th Street and H Street from 2nd to 3rd Street in downtown Douglas, as routine maintenance provided for in the FY 2018 Capital Improvement Program, the CBJ must obtain approval (an approach road permit) from the Department of Transportation and Public Facilities in order to reconstruct the roadway aprons and sidewalk approaches.

State regulations (17 AAC 10.020(c)) require ADOT&PF to include an indemnity provision from the permittee to the State in all approach road permits.

Normally the CBJ is prohibited by Charter section 9.13(a) (which is substantially similar to Article IX, section 13 of the Alaska Constitution) from contractually agreeing to indemnify another party. (Charter sec. 9.13 prohibits the CBJ from incurring an obligation absent an appropriation for that purpose. An indemnity provision is an agreement to compensate the other party for any harm or loss arising out of the agreement, such as paying any judgment or damages, and oftentimes defending the other party in any legal action.) The Charter carves out a limited exception, however, allowing the Assembly, by ordinance, to require the payment of funds from appropriations of a later year (or for more than one year) for any federal or state grant, contract, lease, program, etc., without which the municipality would not be able to participate.

This ordinance would allow the City Manager to execute the approach road permit, which includes an indemnity provision, in accordance with Charter section 9.13(c), as required by 17 AAC 10.020(c).

The City Manager recommends this ordinance be adopted.

E. Ordinance 2017-06(AU) An Ordinance Appropriating to the Manager the Sum of \$8,180,300 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Increased Revenues and Fund Balance.

This ordinance would appropriate \$8,180,300 for increases in FY18 operations among three CBJ departments.

The Hospital anticipates exceeding its FY18 Assembly authorized spending authority by \$8.0M. The increased spending is needed to address the number of increased patient visits in FY18. The costs are fully funded with related increased revenue. Overall, the patient visits were more than originally projected.

The Airport anticipates exceeding its FY18 Assembly authorized spending authority by \$140,300. The increase is attributable to the cost of lump sum negotiated wage payment not included in the base budget. Sufficient revenues in excess of budget are available to cover the additional salary expenses.

The Affordable Housing Division is anticipating a shortfall of \$40,000 in the FY18 operating budget. This shortfall is due to the cost of the continuation of the Mobile Home Loan Program not included in the base budget. The anticipated funding for this increase is the Housing Fund's Fund Balance.

The Assembly Finance Committee reviewed the increases at its meeting on May 9, 2018, and forwarded them to the full Assembly for approval.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

A. Resolution 2819(c) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 Through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

This resolution would adopt the Capital Improvement Program (CIP) for fiscal years 2019 through 2024, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY19. The initial FY19 resolution authorizes \$25.7 million for CIPs and \$2.5 million for operating budget activities.

The Public Works and Facilities Committee reviewed the CIP at its meeting on

February 26, 2018, and forwarded the plan to the Assembly.

The CIP resolution was introduced at the Assembly meeting on April 4, 2018, and referred to the Assembly Finance Committee, where it was reviewed during the meetings of April 11 and May 9, 2018. It was open for public comment, as required by charter, during the Special Assembly meeting of April 25, 2018.

The AFC approved Resolution 2819(c) as amended and referred it to the full Assembly for adoption.

The City Manager recommends this resolution, as amended by the Assembly Finance Committee, be adopted.

B. Ordinance 2018-10 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2018 Based Upon the Proposed Budget for Fiscal Year 2019.

This ordinance establishes the mill rates for property taxes for 2018, which funds a significant portion of the City and Borough of Juneau's FY19 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the City Manager's FY19 Proposed Budget that has been reviewed by the Assembly Finance Committee. As part of the budget review process, the Assembly Finance Committee reviewed and recommends, to the Assembly, the final mill levies. The final mill levies must be adopted on or before June 15.

For FY19 both the operating and debt service mill rates remain unchanged. This ordinance proposes a total mill levy of 10.66; the components of which are:

<u>Operation Mill Rate by Service Area</u>	Millage
Roaded Service Area	2.30
Fire Service Area	0.36
Areawide	6.70
Operating Total	9.36
Debt Service	1.30
Total	10.66

An opportunity for public comment was provided at a Special Assembly meeting on April 25, 2018. The Assembly Finance Committee reviewed the mill rate ordinance at its meetings on April 25 and May 9, 2018, referring the ordinance to the full Assembly for adoption.

The City Manager recommends this ordinance, as approved by the Assembly Finance Committee, be adopted.

C. Ordinance 2018-11(b) An Ordinance Appropriating Funds from the Treasury for FY19 City and Borough Operations.

This ordinance appropriates \$343,479,300 for the City and Borough of Juneau's FY19 operating budget, excluding the school district. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves. These transfers account for \$96,830,700 of the FY19 operating budget.

The original ordinance was introduced at the April 4, 2018, Special Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. The AFC held six meetings/work sessions on the budget. An opportunity for public comment was provided at a Special Assembly meeting on April 25, 2018. The AFC moved the amended budget ordinance back to the full Assembly at its May 9, 2018, meeting. The AFC changes are reflected in the (b) version of the ordinance, where data being updated or deleted is shown by strikeout font.

The Charter requires adoption of the FY19 operating budget by June 15, 2018.

The City Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

D. SEAL Trust v CBJ Assessor 2017 - Assessor's Petition for Reconsideration

On May 18, 2018, the Clerk's Office received a timely petition for reconsideration from the CBJ Assessor in the matter of SEAL Trust v CBJ Assessor -2017, an appeal that was heard by the State of Alaska Office of Administrative Appeals, and a decision was issued and adopted by the Assembly at its meeting of May 14, 2018. The final decision and the petition for reconsideration are enclosed in this meeting packet.

CBJ Code 01.50.180, Reconsideration, provides the following:

(a) The appeal agency may, within 30 days after the delivery or mailing of a decision to the parties, order a reconsideration of all or part of the appeal on its own motion or on petition of a party. To be considered by the appeal agency, a petition for reconsideration must be filed with the agency within 15 days after delivery or mailing of the decision. A petition for reconsideration filed by a party will be placed before the appeal agency at the first regular meeting at which the matter may be scheduled or at a special meeting called for that purpose. Unless granted by an affirmative vote of the appeal agency, the petition for reconsideration is deemed denied.

(b) An appeal may be reconsidered by the appeal agency on all the pertinent parts

of the record and the additional evidence and argument that are permitted, or may be assigned to a hearing officer. A reconsideration assigned to a hearing officer is subject to the procedure provided in section 01.50.140. If oral evidence is introduced before the appeal agency, an appeal agency member may participate in the decision only if the appeal agency member has heard the evidence in person at the initial hearing and the hearing on reconsideration.

As this is a matter regarding an appeal, the City Manager makes no recommendation.

X. NEW BUSINESS

A. Rogers Land Exchange

Alan and Ellen Rogers of 812 Fritz Cove Road (Smuggler's Cove Road) contacted the CBJ to propose an equal value land trade to exchange a strip of land along the northwest boundary of their property (including waterfront) for a portion of upland CBJ parkland. They will pay all survey and subdivision costs.

On May 1, 2018, the Parks and Recreation Advisory Committee passed a motion of support for the proposal. The Lands Committee reviewed the concept at its May 21, 2018, meeting and passed a motion to forward the land trade to the full Assembly with a positive recommendation.

CBJ§53.09.230(a) stipulates that prior to considering a land exchange, the Assembly must determine if it is appropriate to work *“by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the manager may commence negotiations for the...exchange...of City and Borough land.”*

Therefore the Assembly has to determine by motion whether to work directly with the Rogers family or seek additional proposals. Since the original proposer (Rogers family) is an adjacent property owner with a unique set of circumstances, it is extremely unlikely that any other party would have the opportunity to propose a land exchange on similar terms. Final terms of the land trade are to be approved by ordinance.

The City Manager recommends that the Assembly approve a motion finding the proposed land trade to be generally acceptable and directs the Manager to commence negotiations for the exchange.

XI. STAFF REPORTS

A. UAS Auto Shop

B. JCOS Letter to US Forest Service

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. SEAL Trust Appeal

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 - May 14, 2018

MEETING NO. 2018-14: 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. FLAG SALUTE**II. ROLL CALL**

Assembly Present: Mary Becker, Rob Edwardson, Maria Gladziszewski, Norton Gregory, Loren Jones, Jesse Kiehl, Ken Koelsch, Jerry Nankervis, and Beth Weldon.

Assembly Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Jane Mores, Assistant Attorney III; Bob Bartholomew, Finance Director; Carl Uchytel, Port Director; Patty Wahto, Airport Manager; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Greg Chaney, Lands and Resources Manager; Lauren Anderson, Treadwell Ice Rink Manager; David Means, JSD Director of Administrative Services.

III. SPECIAL ORDER OF BUSINESS**A. Special Recognition: Youth Hockey Teams**

Deputy Mayor Jerry Nankervis donned his referee uniform and welcomed several players and coaches to acknowledge the achievements of the Juneau Capitols 12 UA and 12 UB youth hockey teams and read citations presented by the 30th State Legislature to the teams.

B. Presentation of Check for Social Service Grants

A roomful of social service providers in Juneau were present for a "very large check" presentation of \$1.9 million from the City and Borough of Juneau, the Juneau Community Foundation, United Way and AEL&P. Mayor Koelsch and Amy Skilbred of the JCF said the money would support grants to social service organizations in Juneau. Ms. Skilbred thanked the providers for the work they do to care for the community.

C. Proclamation: Infrastructure Week

Carl Uchytel and Rorie Watt represented Juneau engineers during the reading of a proclamation by Mayor Koelsch, proclaiming May 14 - 21 as Infrastructure Week, established to highlight infrastructure investment needs, and to recognize and encourage leadership at the federal, state, and local levels.

IV. APPROVAL OF MINUTES

A. April 2, 2018 Regular Assembly Meeting 2018-08

Hearing no objection, the minutes of the April 2, 2018 Regular Assembly Meeting 2018-08 were approved.

B. April 23, 2018 Regular Assembly Meeting 2018-11

Hearing no objection, the minutes of the April 23, 2018 Regular Assembly Meeting 2018-11 were approved.

C. April 25, 2018 Special Assembly Meeting 2018-12

Hearing no objection, the minutes of the April 25, 2018 Special Assembly Meeting 2018-12 were approved.

D. April 30, 2018 Special Assembly Meeting 2018-13

Hearing no objection, the minutes of the April 30, 2018 Special Assembly Meeting 2018-13 were approved.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt noted an update version of Resolution 2821 in the red folder with the current information regarding the GO School Refunding Bond 2018.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Dr. Clark Damon submitted comments and spoke about the importance of vocational education programs in Juneau and the State of Alaska. He spoke about his memory of the city providing property for the then community college for a vocational facility. He left the vocational program he worked in in 1975 and said there was a joint plan between CBJ and the community college. He said that the mechanics program can provide employees for the community and the school program can do some of the maintenance of public vehicles.

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 Nankervis, to adopt the consent agenda, with the updated version of

Resolution 2821. Hearing no objections, the consent agenda was adopted.

1. Ordinances for Introduction

- a. Ordinance 2017-06(AU) An Ordinance Appropriating to the Manager the Sum of \$8,180,300 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Increased Revenues and Fund Balance.

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

- b. Ordinance 2018-29 An Ordinance Authorizing the Manager to Execute a Utility Permit for a Water System Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities.

This ordinance would allow the CBJ to reconstruct a water service at 2570 Douglas Highway, which is located within a State of Alaska right-of-way.

On February 15, 2017, the CBJ's water service and the customer line were damaged. Emergency repairs were done. The cause of the damage is currently being litigated. The adjacent property owner, Elton Engstrom,

has requested that the CBJ remove and replace the existing water service. In order to do so, the CBJ needs a utility permit from the State of Alaska.

The Department of Transportation and Public Facilities recently provided the CBJ with a proposed utility permit, but it contained an indemnification provision. CBJ Charter 9.13(a) generally prohibits the CBJ from indemnifying others. However, Charter 9.13(c) allows the CBJ to indemnify the State when the CBJ would not otherwise be able to participate. This ordinance would allow the Manager to execute the utility permit which includes the indemnity provision.

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

- c. Ordinance 2018-30 An Ordinance Amending the General Penalty Code.

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This ordinance would amend the CBJ's general penalty provision to allow for a sentence of up to one year for such an offense, consistent with state law.

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This ordinance would amend the Land Use Code as it relates to sobering centers and emergency shelters. CDD was directed by the Manager's Office to determine in which zoning districts sobering centers should be allowed. Based on research of other communities, staff determined a new use category for sobering centers was necessary, as well as a clarifying definition to distinguish sobering centers from emergency shelters. Sobering centers are proposed to be allowed with a conditional use permit in the Light Commercial, General Commercial, Mixed Use and Mixed Use 2 zoning districts.

On December 27, 2016, the Planning Commission recommended that the Assembly adopt the ordinance.

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

- e. Ordinance 2018-33 An Ordinance Authorizing the Manager to Execute a Permit for Road Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities for the Intersections of D Street and 3rd Street (Douglas Highway) adjacent to 915 and 916 3rd Street and H Street and 3rd Street adjacent to 1316 3rd Street in Downtown Douglas.

In order to complete the street reconstruction of D Street, from 2nd to 5th Street and H Street from 2nd to 3rd Street in downtown Douglas, as routine maintenance provided for in the FY 2018 Capital Improvement Program, the CBJ must obtain approval (an approach road permit) from the Department of Transportation and Public Facilities in order to reconstruct the roadway aprons and sidewalk approaches.

State regulations (17 AAC 10.020(c)) require ADOT&PF to include an indemnity provision from the permittee to the State in all approach road permits.

Normally the CBJ is prohibited by Charter section 9.13(a) (which is substantially similar to Article IX, section 13 of the Alaska Constitution) from contractually agreeing to indemnify another party. (Charter sec. 9.13 prohibits the CBJ from incurring an obligation absent an appropriation for that purpose. An indemnity provision is an agreement to compensate the other party for any harm or loss arising out of the agreement, such as paying any judgment or damages, and oftentimes defending the other party in any legal action.) The Charter carves out a limited exception, however, allowing the Assembly, by ordinance, to require the payment of funds from appropriations of a later year (or for more than one year) for any federal or state grant, contract, lease, program, etc., without which the municipality would not be able to participate.

This ordinance would allow the City Manager to execute the approach road permit, which includes an indemnity provision, in accordance with Charter section 9.13(c), as required by 17 AAC 10.020(c).

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

2. Resolutions

- a. Resolution 2821 A Resolution Providing For Interest Rates For The General Obligation School Refunding Bond Being Issued To Wells Fargo Securities.

On May 16, 2018, CBJ is scheduled to refund, via “Direct Placement” with Wells Fargo Corporation, approximately \$5 million in year general

obligation school bonds in order to refund/refinance bonds originally issued in July 2008.

The issuance of the bonds was authorized by the Assembly in Ordinance 2018-09 (adopted April 2, 2018). The final Assembly action, per CBJ Charter, related to these bonds is to “prescribe” (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts.

CBJ legal counsel, K&L Gates, has prepared Resolution 2821 to adopt the interest rates and set other final bond sale terms. Schedule A and principal bond amount in section 3 of the resolution are currently blank and will ultimately list the years, amounts, when the bonds will mature and sets the interest rates authorized. The final amounts will be determined, based on the capital markets, Monday May 14 and provided to the Assembly and public prior to final action. The aggregate interest cost for all the bonds is estimated to be 2.8% and result in a net present value savings of \$236,000 (savings shared between CBJ and State of Alaska).

The City Manager recommends this resolution be adopted.

3. Bid Award

- a. Bid Award - Bid No. 19-004 Term Contract for Parking Enforcement and Security Services

Bids were opened on April 26, 2018. Two bids were received. The protest period ended on April 27, 2018. Bids received were as below.

Bidder	Amount Bid
Bootlegger Security Services, LLC	\$123,640.00
Goldbelt Security Services, LLC	\$141,624.00

Bootlegger Security Services, LLC is the low bidder. This is a five-year term contract to enforce parking and handle security issues in the Downtown and Marine Parking Garages.

The City Manager recommends award of the bid to Bootlegger Security Services, LLC in the amount of \$123,640.

- b. Bid Award - Project Playground

Bids were opened on this project on May 1, 2018. The protest period expired on May 2, 2018. This project consists of work that includes furnishing all equipment, materials, supplies, manufactured articles and labor (unless otherwise noted) for the installation of custom and

manufactured play equipment, safety surfacing and associated work at Project Playground at Twin Lakes Park. Bids received were as follows:

Responsive Bidders	Base Bid	Additive Alternate No. 1	Additive Alternate No. 2	Total Bid
Carver Construction, LLC	\$1,149,396.00	\$202,849.00	\$68,426.00	\$1,420,671.00
Admiralty Construction, Inc.	\$1,557,528.00	\$157,000.00	\$80,000.00	\$1,794,528.00
Dawson Construction, LLC	\$1,728,000.00	\$181,500.00	\$56,300.00	\$1,965,800.00
Architect's Estimate	\$1,732,640.00	\$156,800.00	\$70,560.00	\$1,960,000.00

The City Manager recommends award of this bid to Carver Construction, LLC for the total amount bid of \$1,420,671.

4. Liquor License

a. Liquor License Applications

The below liquor license actions are before the Assembly to either protest or waive its right to protest each license action. Some of these licenses recently went through a renewal but are currently before the Assembly due to a premises diagram change, transfer of ownership, or are being issued to a new entity and are categorized below according to the type of action being taken.

NEW LICENSE APPLICATION

Beverage Dispensary Tourism License #5631 and application for a Restaurant Designation Permit, Tailwind JNU LLC d/b/a Tailwind Concessions; Location: 1873 Shell Simmons Drive, Ste. 220 (Inside airport security), Juneau. Beverage Dispensary Tourism licenses are non-transferrable so this is an application for a new license to a new owner/operator Tailwind JNU, LLC and is replacing the previous licensee Jacobsen-Daniels Associates, LLC d/b/a The Annex. The 60-day local government comment period for this license action expires as of June 1.

LICENSE TRANSFER OF OWNERSHIP

Distillery License #5506 Amalga Distillery LLC d/b/a Amalga Distillery; Location: 134 N. Franklin Street, Juneau. This license action is for a transfer of ownership in this business. The 60-day local government comment period for this license action expires as of June 2.

APPLICATIONS FOR LICENSED PREMISES CHANGES

Package Store License #2976 No Creek Jack Inc. d/b/a Duck Creek Market; Location: 9951 Stephen Richards Drive, Juneau. AMCO Regulations 3AAC 304.185 require a premises diagram change form for all licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises. The Assembly just waived its right to protest the renewal of this license at its April 2, 2018 Assembly meeting. The 60-day local government comment period for this license action expires as of June 12.

Brewery License #5517 Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company; Location: 100 N. Franklin Street, Juneau. AMCO Regulations 3AAC 304.185 require a premises diagram change form for all licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises. The 60-day local government comment period for this license expires as of June 9.

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.

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

VIIIPUBLIC HEARING

- A. Ordinance 2018-04(b) An Ordinance Amending the Land Use Code Relating to Variances.

This ordinance would amend CBJ Title 49 concerning variances. A person seeks a variance when they want to develop something that is prohibited by Title 49. Because a variance allows a person to violate the requirements of Title 49 that apply to everybody else, variances are only warranted in limited circumstances and the requirements should be vigorous. The current variance requirements have become difficult to apply due to some nuanced criteria and how past variances were decided.

This ordinance (1) clarifies which provisions of Title 49 are subject to a variance, (2) clarifies the process used to evaluate variances, and (3) creates new variance

criteria to sever the Board of Adjustment from its past variance decisions.

On February 27, 2018, the commission recommended the Assembly adopt this ordinance. The Assembly Committee of the Whole heard the ordinance at its meeting on April 30, 2018, recommending it move forward to public hearing.

Version (b) of the ordinance makes two small language changes at 49.20.230 and 49.20.240, shown in bold italics, and some minor, non-substantive formatting changes.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Edwardson, to adopt Ordinance 2018-04(b). Hearing no objection, it was so ordered.

- B. Ordinance 2018-23 An Ordinance Authorizing the Manager to Execute a Lease of the Eagle Valley Center Ropes Challenge Course, Located near Amalga Harbor, to Southeast Alaska Independent Living, Inc.

The CBJ has owned the Eagle Valley Center since 1997. Between 1997 and 2015, the facility was leased to SAGA. When the lease expired in 2015, it was not renewed. *Southeast Alaska Independent Living* (SAIL) contacted the CBJ to lease a portion of the facility: the ropes challenge course. SAIL's proposal is to improve and upgrade the course, facilitating its availability to SAIL's clients as well as the residents of Juneau.

At its January 8, 2018, meeting, the Assembly authorized the Manager to commence lease negotiations with SAIL under CBJ 53.09.260. The Planning Commission found the proposal consistent with the Comprehensive Plan and Title 49 at its February 27, 2018, meeting.

The City Manager recommends this ordinance be adopted.

Ms. Mead said the ordinance authorizes a lease at less than fair market value in acknowledgement of SAIL's non-profit status and its intent to improve the facility.

-
Public Comment:

None.

Assembly Action:

MOTION, by Gregory, to adopt Ordinance 2018-23.

Ms. Gladziszewski why the matter went to the Planning Commission. Ms. Mead reviewed the recent history of discussions and options on the use of the Ropes Course. Mr. Watt said that the Planning Commission reviewed the lease of the property according to CBJ Title 53 Land Management, rather than the use of the property through Title 49.

Hearing no objection, Ordinance 2018-23 was adopted.

- C. Ordinance 2018-26 An Ordinance Amending the Property Maintenance Code to Reference the International Property Maintenance Code 2012 Edition.

This ordinance updates the International Property Maintenance Code reference from 2009 to 2012 in CBJ 19.11.010 - International Property Maintenance Code (IPMC) adopted. With Ordinance 2017-01, adopted June 5, 2017, Title 19 was amended to reference the 2012 international codes. This housekeeping ordinance makes the above-referenced update, which was inadvertently overlooked.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to adopt Ordinance 2018-26. Hearing no objection, it was so ordered.

- D. Ordinance 2018-27 An Ordinance Authorizing the Sale of Foreclosed Property Located at 333 W. Ninth Street by Sealed Competitive Bid.

On January 11, 2018, the City obtained a Clerk's Deed for property located at 333 W. Ninth Street, for delinquent property taxes owed from tax year 2015. Delinquent property taxes are also owed for tax years 2016 and 2017.

AS 29.45.460 requires a municipality to determine by ordinance whether foreclosed property deeded to the municipality be retained for a public purpose or not. If not, the property can be sold.

This ordinance establishes that the property is not required by the CBJ for a public purpose, and authorizes the sale of the property by sealed competitive bid.

The City Manager recommends this ordinance be adopted.

Ms. Mead said the owner of the property had passed away and the owner's

granddaughter, Ms. Johnson, was present with her attorney. A probate case has been filed with the intent to settle the estate. CBJ intends to hold off selling the property to allow the Ms. Johnson to try to sell the property and CBJ would be paid the back taxes. This ordinance would authorize the CBJ to move forward if needed, however, staff intends to wait and allow the estate to move forward.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to adopt Ordinance 2018-27.

Mr. Kiehl asked if CBJ holds a Clerk's Deed, how is the representative sell the property. Ms. Mead said the either the CBJ will go ahead with the auction and the proceeds will pay the back taxes with the remainder going to the state, or there could be a facilitated sale through a realtor where Ms. Johnson brings an interested buyer forward and then CBJ is paid the back taxes out of the proceeds and deeds the property through Ms. Johnson to the owner. In either case, the property will be sold and CBJ will be paid back taxes. Mr. Kiehl asked if an adjustment to the ordinance was needed. Ms. Mead said the owner has the right to repurchase the property for up to ten years as long as it has not been sold, so as long as CBJ does not sell the property, Ms. Johnson can move forward.

Hearing no objection, Ordinance 2018-27.

- E. Ordinance 2017-06(AN) An Ordinance Appropriating to the Manager the Sum of \$50,000 as Funding for Juneau Community Foundation's Park Program; Funding Provided by the Sales Tax Fund's Fund Balance.

This appropriation of \$50,000 to the Juneau Community Foundation completes the intent of the FY17 budget (seed funding for the Juneau Park Foundation).

The Assembly Finance Committee forwarded this recommendation to the full Assembly for approval at its meeting on April 11, 2018.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2017-06(AN).

Mr. Jones said he spoke about his concerns about this funding going to the Juneau Community Foundation at a previous Finance Committee meeting and wished there was another alternative. He objected to the motion.

Roll call:

Aye: Becker, Edwardson, Gladziszewski, Gregory, Kiehl, Nankervis, Weldson, Koelsch

Nay: Jones

Motion passed, 8 ayes, 1 nay.

- F. Ordinance 2017-06(AQ) An Ordinance Appropriating to the Manager the Sum of \$20,000 as Funding for Capital City Fire Rescue; Grant Funding Provided by the State of Alaska, Department of Environmental Conservation.

This ordinance would provide funding from the Alaska Department of Environmental Conservation (ADEC) in the amount of \$20,000. The City and Borough of Juneau will receive up to \$20,000 from ADEC upon the completion of purchases, equipment, supplies, maintenance, and training agreed upon per the request made to ADEC from Capital City Fire Rescue. CBJ will provide to ADEC a final invoice of all expenses, including supporting documentations of any invoices and purchase orders, connected with the purchase of agreed equipment, supplies, maintenance and training.

CBJ will work with ADEC to develop and implement procedures to initiate responses to oil and hazardous substance incidents according to the ADEC Local Community Response Agreement. All expenditures for this MOU must be completed by June 30, 2018.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2017-06(AQ). Hearing no objection, it was so ordered.

- G. Ordinance 2017-06(AR) An Ordinance Appropriating to the Manager the Sum of \$100,000 as Funding for Juneau Community Foundation; Funding Provided by the Sales Tax Fund's Fund Balance.

This appropriation of \$100,000 of sales tax funds to the Manager will provide

funding to the Juneau Community Foundation (JCF) as an operating grant to work with Trail Mix to perform repair work on the Treadwell Ditch Trail.

This \$100,000 was allocated to the Montana Creek Loop Road to Community Gardens trail in the 2012 temporary sales tax. This proposed section of trail is unbuildable due to flooding. The Parks and Recreation Advisory Committee recommended this funding be granted to JCF at its July 11, 2017, meeting. The Public Works and Facilities Committee recommended this funding be granted to JCF at its February 26, 2018, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2017-06(AR). Hearing no objection, it was so ordered.

IX. UNFINISHED BUSINESS

- A. Ordinance 2018-12(b) An Ordinance Appropriating Funds from the Treasury for FY19 School District Operations.

This ordinance would appropriate to the school district an FY19 operating budget of \$85,799,900. This is an overall decrease in the budget of \$1.50 million from the FY18 adopted budget. The school district's operating budget is:

General Operations	\$70,161,000
Special Revenue (pupil transportation, food service, etc.)	\$7,194,500
Student Activities/Other	\$8,444,400
Total Budget	\$85,799,900

The FY19 school budget is supported with a combination of funding sources that includes local funding of \$27,789,100. This consists of: \$26,412,600 for general operations, and \$1,376,500 for programs and activities outside of the CAP. These programs and activities include: \$1,181,500 for student activities, \$50,000 for pupil transportation, \$50,000 for food service and \$95,000 for Community Schools. The \$26.4 million in general operations support is an increase of \$0.6 million over FY18 Amended. The other program and activities funding is an increase of \$0.5M over FY18.

The original ordinance was introduced at the April 4, 2018, Special Assembly meeting and referred to the Assembly Finance Committee for deliberation. On April 25, 2018, a Special Assembly meeting

was held to hear public comment and for the Assembly to state, by motion, the amount of local funding to be provided to the school district.

The Assembly Finance Committee approved and moved the ordinance back to the full Assembly for action, at its May 9, 2018, meeting. The charter requires adoption by May 31, 2018.

The City Manager recommends this ordinance be adopted.

Mr. Bartholomew said the legislature adopted \$20 million in one time funding to be spread across the school districts. This results in additional funding coming from the school district and an additional opportunity for CBJ to contribute. The school district budget also included an anticipated increase to the base student allocation that did not happen. There will be a reduction in their budget due to the BSA, and an increase from the one time grant for FY19, so the sum difference results in \$243,000 less than they would have in their requested budget. CBJ is funding to the cap and the CBJ contribution of \$26,400,000 will be reduced by \$45,500 in local funding. There will be a \$197,800 reduction in state funding. JSD and I recommend that there is no amendment to Ordinance 2018-12 (b) as this adjustment is small and there is a requirement to review the matter in February when there is final student enrollment figures. A combined adjustment can be done then. The School Board and the CBJ Finance Department are confident with this ordinance's budget figures.

The Assembly asked about any adjustments for pupil transportation and the auto shop program. Mr. Bartholomew said he and Mr. Means reviewed the situation and determined that auto shop funding is part of a core education and there are not other costs remaining under the cap that are eligible for outside the cap funding. At this time there is not a path to providing that \$40,000 in funding.

Ms. Mead said, regarding the automotive lease amount, the Department of Education was contacted and it advised that if there is a special revenue fund identified for the lease, to be dedicated to support this program, there is a way to fund the piece. Hearing no objection, the attorney was asked to research the matter and return the topic to a future Finance Committee meeting.

Public Comment:

None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2018-12(b). Hearing no objection, it was so ordered.

- B. Ordinance 2018-13(b) An Ordinance Creating Local Improvement District No. 200 for a Riverbank Stabilization Project along the Mendenhall River between 9399

Rivercourt Way and 3463 Meander Way and Appropriating the Sum of \$5,095,000.

At its meeting on April 23, 2018, the Assembly continued the hearing on Ordinance 2018-13(b), which would create a local improvement district (LID#200) for a riverbank stabilization project on the Mendenhall River between Rivercourt Way and the north end of Meander Way. As proposed, the riverbank stabilization project would be done in conjunction with the National Resources Conservation Service Emergency Watershed Protection program. NRCS would fund the design, inspection, and construction administration, plus 75% of the estimated construction costs. Total cost of the project, including the construction costs, is estimated to be \$11,425,000.

The CBJ's estimated contribution to the project would be \$3,015,000, which includes the assessment to be paid by the CBJ as a property owner within the LID, but does not include the costs associated with maintaining the riverbank protection structure for a period of 10 years, as would be required. The property owners' combined contribution, through the LID, would be fixed at \$2,080,000 or \$80,000 per property. The remaining costs would be paid with federal funding.

To accommodate the CBJ's public process and the attempt to form an LID that would allow for owner financing, NRCS has previously granted several project deadline extensions. However, after the Assembly extended the hearing to May 14, NRCS advised the CBJ in writing that they are unwilling to further extend the project funding deadline and have removed the project from the national funding waitlist.

There are several tasks that would have to be completed with CBJ funds in order to access the federal funding, including obtaining project permitting and all easements (both of which would require lengthy processes and local funding). If the Assembly votes to adopt this ordinance, it would need to be amended to specify that the creation of the LID is contingent upon the reinstatement of federal funding.

The City Manager recommends that you reject this ordinance.

Public Comment:

None.

Assembly Action:

MOTION, by Gregory, to adopt Ordinance 2018-13(b).

Mr. Edwardson objected.

Mr. Gregory objected and said he was concerned that this project would create an unfair

situation for other members of the community in that CBJ would be contributing a large amount of money for a natural disaster and there was not a policy to handle other homes in the community that might be affected by a natural disaster. If CBJ becomes involved, there is a possibility of unanticipated bank destabilization that can cause other erosion/destabilization on other properties. When owners purchased the homes in this neighborhood, they bought it knowing that rivers move. This LID runs the risk of a serious financial burden to some of the neighbors within the LID.

Mr. Edwardson agreed and spoke about his knowledge of Mendenhall River erosion. This is not a natural disaster, it is the result of a young braided river moving and the inevitable erosion it would cause is not predictable as to the location of occurrence. There are methods to get authorization for erosion control projects and there is a route for people to protect their property without the LID. He initially supported an LID initially because he thought the property owners wanted the project, but since that time support has diminished. He was concerned about the possibility of eminent domain proceedings that might be needed for the project.

MOTION, by Kiehl, to amend the ordinance in the effective date section to include the words "Creation of LID 200 under this ordinance is contingent on the NRCS including the project in the NRCS EWP." Hearing no objection, the amendment was adopted.

Mr. Kiehl said this ordinance acknowledges that not all neighborhoods are equal, and residents benefit differently based on a number of different reasons. This is a situation in which we are also attempting to protect CBJ infrastructure. This river is constantly changing up and down river and CBJ has responded to down-cutting and problems with the sewer system in two places along the river and has borne the cost. We will bear the cost for this stretch of the river sooner or later and it makes sense to use the federal program and contributions from the homeowners to deal with this problem. The river should not be allowed to eat away a large residential area. He encouraged a yes vote.

Ms. Gladziszewski said the Assembly has discussed this for over two years and it is a complicated project. She became convinced that CBJ should be involved, but the neighborhood is not clearly for the project now. Some of the property owners are vehemently opposed. She supported the cap for residents at \$80,000, with federal and community funding, and she was surprised that the residents were not more willing to participate. It is difficult to impose \$80,000 on a homeowner that does not agree with the project, so she would vote no.

Ms. Weldon said was also supportive at first, but the costs have gone up, and she has concerns about the \$80,000 property owner price tag and the cost to the city to maintain the project for ten years.

Mr. Nankervis did not support the motion and he spoke about the waning neighborhood support and the concern about potential eminent domain proceedings. CBJ would be

responsible for the project for ten years and again for another ten years from the date of any change CBJ would make to the project.

Mr. Jones said this has been an interesting topic for 2 years worth of discussion. There are people that have changed their minds over the course of time and he said this has been a failure of people working together to address the issue. He felt the project was inevitable and it was a responsibility of CBJ to address this. This has turned from a positive project at the beginning to a negative one and shows our lack of ability to get things done.

Ms. Glad said this was a complicated project and the property owners began to worry as the costs went up. CBJ worked diligently on this project and it was not the city's fault for increased costs.

Mayor Koelsch said this is a difficult decision and we need to weigh the interest of CBJ taxpayers and the group of specific individuals. We have tried to identify a solution that is fair and equitable.

Roll call on adoption of Ordinance 2018-13(b) as amended:

Aye: Becker, Jones, Kiehl

Nay: Edwardson, Gladziszewski, Gregory, Nankervis, Weldon, Koelsch

Motion failed, 3 ayes, 6 nays.

C. Southeast Alaska Land Trust v CBJ Assessor - Appeal

At the regular Assembly meeting on July 31, 2017, the Assembly accepted this appeal from petitioner Southeast Alaska Land Trust regarding the Assessor's denial of its community purpose exemption, considered by the Assessor on remand by the Assembly. The Assembly referred the matter to a hearing office (the Office of Administrative Appeals).

The hearing was held on March 29, 2018. The hearing officer issued her opinion on April 24, 2018. The Assessor's Office submitted timely notice of objection and SEAL Trust filed a statement in support. By notice dated May 7, 2018, the hearing officer declined to change her decision.

The draft decision, the parties' responses, and the hearing officer's reply, have been provided to the Assembly for its review. You must decide whether to accept the draft decision as written, accept the decision with modifications, or reject the decision.

Code 01.50.140 Decision on the appeal, provides in (c)

(2)...Unless rejected or modified by an affirmative vote of the appeal agency on a motion to reject or modify, the proposed decision, as amended by the hearing officer

if such an amendment has been filed, shall be deemed adopted by the appeal agency and shall be the appeal agency decision. No testimony or evidence of any nature other than that contained in a timely filed objection may be received by the appeal agency at the meeting at which the proposed decision is presented.

(3) If the proposed decision is rejected by the appeal agency, the matter shall be immediately referred to the hearing officer for a rehearing of the appeal after notice to the parties; provided, the appeal agency may refer the appeal to a different hearing officer, may limit the scope of the rehearing to specified issues, may request the hearing officer to reconsider the proposed decision solely in light of new evidence raised in an objection, may place similar or different limits or conditions on the rehearing or reconsideration by the hearing officer, may remand the matter, or may rehear the matter itself after notice to the parties.

Jane Mores was present from the Law Department. If the Assembly takes no action, the decision is deemed adopted. The Assembly has several other options for action. The Hearing Officer was provided the full record, the parties provided briefing, and the red folder contained the Assembly's original decision on the matter. The decisions on the matter together become the final decision.

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Assembly Action:

Mr. Jones said that SEAL Trust requested a refund of the appeal fee and a refund of the taxes paid and interest on those taxes - is that a possibility for Assembly action. Ms. Sebens read the statute and said that it is a decision of the Assembly to direct the manager to take both actions.

MOTION, by Kiehl, to adopt the decision of the hearing officer in the matter of Southeast Alaska Land Trust v CBJ Assessor - OAH No. 17-0877-MUN.

Mr. Nankervis objected. He rejects the decision as improper. This shows you can have vacant land and if people go on it, it can be considered recreational and not subject to taxes. There was a no trespassing sign on one of the properties. He cited the Assessor's brief on Page 312 of the packet "that the SEAL Trust can continue receiving the community purpose exemption that the Assessor has granted every time they have applied, and that it doesn't qualify for a charitable purpose exemption."

Mr. Gregory and Mr. Edwardson stated that they had not been involved in the prior hearing and asked about recusal. Ms. Sebens said that it was a gray area, that the matter could be objected to by the parties, which were not present.

Mr. Kiehl said the hearing officer's decision is clearly laid out, refers to the first hearing and decision and the hearing officer's decision is before us today on the second appeal. He objected to Mr. Gregory and Mr. Edwardson recusing themselves from the matter.

Mr. Jones agreed with Mr. Kiehl and said the two members could read the decision in the same manner as all other Assemblymembers.

Ms. Gladziszewski agreed that the two members should participate as the issue focused on the administrative hearing officer's decision.

Mayor Koelsch said that hearing no objection, Mr. Gregory and Mr. Edwardson were required to participate in the discussion and the vote.

Ms. Weldon asked about a property that said "no trespassing" and if it was included in this matter. Ms. Sebens said yes, it was included. Mr. Kiehl said he recalled the property was marked with a "no parking" sign, not a "no trespassing" sign, and that was an issue in the first appeal, not this appeal.

Ms. Gladziszewski said the OAH officer has laid out a reasonable argument for the decision and she urged the Assemblymembers to support the decision.

Roll call:

Aye: Becker, Edwardson, Gladziszewski, Gregory, Jones, Kiehl, Weldon

Nay: Nankervis, Koelsch

Motion passed, 7 ayes, 2 nays.

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MOTION, by Jones, to authorize a refund of the appeal fee. Hearing no objection, it was so ordered.

X. NEW BUSINESS

A. Export Manufacturing Property Tax Exemption

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

For 2018, two companies have requested the tax exemption: Alaska Glacier Seafood Inc. and AKBEV Group, LLC (Alaska Brewery).

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

100% exemption in year 1

80% exemption in year 2

60% exemption in year 3

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

The total property value requested for exemptions this year is \$1,049.282. This would result in a tax loss of \$11,222. Individual company amounts are detailed in the meeting packet materials.

The Assessor's Office reviewed the exemption applications and determined that the properties met the code requirements. The Assembly Finance Committee reviewed this issue at its April 11, 2018, meeting, and recommended forwarding the tax exemptions for 2018 to the full Assembly for approval.

The City Manager recommends approval of these exemptions.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to approve export manufacturing property tax exemptions for 2018 filed by Alaska Glacier Seafood Inc. and AKBEV Group, LLC (Alaskan Brewery). Hearing no objection, it was so ordered.

XI. STAFF REPORTS

A. ERV 2nd/Franklin Purchase Date Extension

Mr. Watt referred to his memo and said the expiration date for the right to purchase the property was coming due May 18. They have spent time and \$80,000 to develop the property to date and would like to continue their work. We can learn about the challenges for residential development in the downtown core from them. He encouraged the Assembly to extend the purchase agreement for another 12 months.

MOTION, by Gladziszewski, to extend to another 12 months and to invite ERV to speak at a future Finance Committee meeting.

Ms. Weldon objected.

MOTION, by Weldon, to amend the main motion to extend the agreement for three months, and to hear from ERV at a future meeting.

Mr. Edwardson asked if Mr. Watt for any reason for objecting to a shorter time. Mr. Watt said that given that the principle was willing to come here to speak to the Assembly and the funds they have spent, he was willing to extend to a year.

Mr. Gregory asked if there has been any other interest expressed in a lot purchase. Mr. Watt said CBJ has not solicited for interest and only a low level of interest has been heard regarding the status of the lot.

Mr. Edwardson objected.

Mayor Koelsch supported the amendment and said the developers have had significant time. Three months gives them additional time. We do want to hear from them. Others should be able to consider this property.

Roll call on the motion to amend:

Aye: Becker, Gregory, Kiehl, Weldon, Koelsch

Nay: Edwardson, Gladziszewski, Jones, Nankervis

Motion passed, 5 ayes, 4 nays.

Mr. Jones reviewed the history of the attempts by CBJ to get someone to develop the property.

Roll call on main motion as amended:

Aye: Becker, Edwardson, Gladziszewski, Gregory, Kiehl, Weldon, Koelsch

Nay: Jones, Nankervis

Motion passed, 7 ayes, 2 nays.

B. Douglas Highway Water Main Project

Mr. Watt said the reconstruction of the water main on Douglas Highway was bid some time ago, Miller Construction was the low bid, but the company has not been able to move forward, we have an agreement to end that contract. We require performance bonds and we decided to negotiate an end to the contract - they have agreed to not bid municipal work for a period of two years. We will rebid the work competitively and will experience a delay on the project, and he thought moving forward in this manner was in the city's best interest. CBJ is not claiming the performance bond in a negotiation to avoid a potentially protracted battle and their concession for non-competition was deemed sufficient. He said there were no damages, the work did not commence, so there was no partially completed infrastructure. Miller Construction did order pipe, which was in storage, and CBJ would pay for and receive the pipe.

XII. ASSEMBLY REPORTS

A. Mayor's Report

MK will meet with Best Starts program.

Project playground - scheduled for completion Aug 3, Aug 8 - 12 will have public participation for the construction. If you wish to participate, sign up on goprojectplayground.org

Tuesday, Statter Harbor Breakwater, Wed SEawalk, Thurs Harris Harbor, Friday - Aurora Harbor phase II - celebrating completions for infrastructure week.

This Friday, SLAM turns 50 - celebrating at APK.

Lobbyist contracts -

MOTION, by Becker, to renew the lobbyist contracts for state and federal lobbyists. Hearing no objection, it was so ordered.

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

Committee of the Whole: Chair Nankervis said the COW met on April 30 and heard reports from the Utility Advisory Board, the Housing Officer on the Homelessness Point in Time Count and the cold weather shelter operation, from JPD regarding recruitment and retention and discussed Ordinance 2018-04 on variances. The next meeting is set for May 21.

Mr. Nankervis said he had attended the annual plant sale, the Maritime Festival, the Police Memorial Service, the UAS Commencement and the Empty Bowls dinner.

Lands Committee: Chair Becker said the next meeting is set for May 21.

Juneau Economic Development Council: Liaison Becker said JEDC has focused work on the Maritime Festival.

Alaska Committee: Liaison Becker said the group has been discussing cameras in the capitol and their location, increasing coverage of the session. The group is making plans to promote Juneau at the Tanana and Palmer fairs.

Airport Board: Liaison Becker said discussion has focused on the remodel of the North end of the terminal, with a concern about a lack of funding, as FAA funds are not used to pay for this portion of the airport.

Travel Juneau: Liaison Becker said the next meeting was set for May 15.

Ms. Becker said she attended the same events as Mr. Nankervis and also the Downtown Improvement Group meeting with JPD.

Finance Committee: Chair Kiehl expressed his thanks to the Assembly and staff for its

work on the budget, and said that the committee had finished its budget work.

UAS Campus Council: Liaison Kiehl said the next meeting was not scheduled until fall. He attended the UAS Commencement where Senator Murkowski spoke, and honorary degrees were given to former Mayor Bruce Botelho, Marie Olson and a meritorious service award to Nancy DeCherney.

Alaska Municipal League: Liaison Kiehl said he would be attending an AML Board meeting on May 21 to finalize the hire of a new executive director. He spoke about the legislative action to provide a one-time increase to community revenue sharing by \$6 million.

Mr. Kiehl disclosed that his wife is becoming an occasional part-time employee of the school district. He thanked the Mayor for asking for assembly input on the lobbyist contracts. He attended the Maritime Festival, the Blessing of the Fleet, Dipac Totem Pole Raising and the Change of Command ceremony. May 20 is a celebration of Older American's Month at the Pioneer Home at 2 p.m.

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Public Works and Facilities Committee: Chair Jones said the PWFC met on information items and held a special meeting on RecycleWorks, with a tour of the CMI and Waste Management properties. The next meeting on May 21 is cancelled and the meeting after that is June 11.

School Board: Liaison Jones spoke about the method used by the district with the unions to select the health plans. The Board approved the first reading of the school board meeting schedule for next year at Thunder Mountain and approved a final reading of the 2019-20 school calendar. The Board discussed the food service contract. The next meeting is set for June 12.

Downtown Business Association: Liaison Jones said Jill Maclean provided information about the "Downtown Blueprint" - an introduction to the downtown area plan by CDD. May 18 is "Bike to Work" day and there will be DBA supported activities. The next meeting is set for June 5.

Commission on Aging: Liaison Jones said the last meeting was held on April 30 and they planned the May 20 event for Older Americans Month.

Mr. Jones suggested that it may be time for the Assembly and staff to "rethink" the approach to parking. He spoke about the number of parties involved, including the Bootlegger contract, JPD enforcement on street parking, Docks and Harbors enforcement for busses and cabs and Statter Harbor, Centennial Hall staff monitoring parking, Parks and Rec staff selling garage permits, DBA ambassadors and Travel Juneau crossing guards, and it seems like a lot of money and still we hear complaints about the lack of parking. He reminded people about Auke Bay planning meetings.

Human Resources Committee: Chair Gladziszewski said the HRC met and recommended the following board appointments, and hearing no objection, the Assembly approved the appointments:

Treadwell Arena Advisory Board:

Appointment of Ryan Kauzlarich to a term expiring May 31, 2021.

Utility Advisory Board:

Reappointment of Geoff Larson to a term expiring May 31, 2021.

Bidding Review Board:

Reappointment of Stephen Sorensen to a term expiring May 31, 2021.

Juneau Human Rights Commission:

Reappointment of Britta Tonnessen to a term expiring May 31, 2021.

Parks and Recreation Advisory Committee:

Appointment of Jon Gellings to a term expiring February 28, 2020.

Ms. Gladziszewski said that HRC heard from the Sister Cities Committee and supported the following motion:

MOTION, by Gladziszewski, to commit \$1600 in Assembly Advisory Board Budgeted funds for use in sending a representative from Juneau to the RAPP (Russian American Pacific Partnership) meeting in Anchorage July 25-26. with the Sister City Committee, JEDC and the City Manager to determine the best representative. In addition, to have the Mayor send an official letter of invitation to the event to Vladivostok. Hearing no objection, it was so ordered.

Bartlett Hospital Board: Liaison Gladziszewski said the Board received open meetings and conflict of interest training from the City Attorney on April 24. They have moved the meetings to 5:15 p.m. on the last Tuesday of the month. The board reviewed a tentative agreement with the union and received good news about patient satisfaction.

Affordable Housing Commission: Liaison Gladziszewski said the next meeting was set for June 19.

Ms. Gladziszewski said she had been travelling and was happy to be back to cool weather. She spoke enthusiastically about the progress on installation of the amenities at Whale Park and the Seawalk, and the plumbing of the whale statue.

The June 4 meeting of the Human Resource Committee is cancelled. The next meetings are set for June 25 and on June 27 at 5:30 p.m. there will be a full Assembly as HRC

meeting to interview candidates for the Airport, Docks and Harbors and Eaglecrest Boards.

Aquatics Board: Liaison Weldon said the next meeting was set for May 22.

Planning Commission: Liaison Weldon said the next meeting was set for May 22.

Ms. Weldon congratulated the hockey teams and JDHS and TMHS for their successful proms.

Ms. Weldon confirmed there was no objection from the Assembly regarding her request that the attorney investigate a special revenue fund for the JDHS lease of the UAS Shop facility.

Parks & Recreation Advisory Committee: Liaison Gregory said PRAC met to discuss work with the Rotary Club about the Lemon Creek Trail, and that information on a land trade on the southern Mendenhall Peninsula with CBJ Parks will be forthcoming.

Eaglecrest Board: Liaison Gregory said the next meeting was set for June 7.

Local Emergency Advisory Committee: Liaison Edwardson said the committee met on May 9, and the next meeting was set for June 13.

Docks and Harbors Board: Liaison Edwardson said the committee met on April 26 and reviewed the duties of board members and listed desirable skills of board members.

Mr. Edwardson said he attended the Maritime Festival, Empty Bowls, UAS Graduation, the Native Graduation, and he encouraged the Assembly to attend Celebration June 6-9. He said that the Philipino Governor of Cebu will be in town during the week of June 17.

C. Presiding Officer Reports

None.

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV.EXECUTIVE SESSION

A. Litigation Update: CLIA v. CBJ

MOTION, by Nankervis, to enter into executive session to discuss pending litigation, specifically the CLIAA lawsuit. Hearing no objection, the Assembly entered into executive session at 9:55 p.m. and returned to regular session at 10:10 p.m. Upon

returning to regular session, Mr. Nankervis said the Assembly received and update on the CLIAA lawsuit and provided direction to the attorney.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 10:13 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Kendell D. Koelsch, Mayor

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-32

**An Ordinance Amending Title 72 of the City and Borough of Juneau Code
Relating to Driving Without a License.**

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 Subsection. CBJ 72.10.065 Drivers must be licensed, is amended at subsection (d), to read:

72.10.065 Drivers must be licensed.

(a) A person may not be denied the privilege to drive a motor vehicle upon a highway in this municipality, except as prescribed by law.

(b) Every person exercising the person's privilege to drive, or exercising any degree of physical control of a motor vehicle upon a highway, vehicular way or area, or other public property in this municipality, is required to have in the possession of the person a valid state driver's license issued under the provisions of this chapter for the type or class of vehicle driven, unless expressly exempted by law from this requirement.

(c) A person licensed under the provisions of this chapter may exercise in this municipality the privilege to drive a motor vehicle and is subject to the restrictions prescribed

by this chapter.

(d) A person convicted for a violation of this section is guilty of an infraction: punishable by a fine of not more than \$300.00, except that if the person's license has been expired less than one year, a conviction under this section is punishable by a fine of \$75.00. In addition to any fine, the privilege to drive may be lost as a result of the accumulation of points under AS 28.15.221—AS 28.15.261.

~~(1) Punishable by a fine of \$75.00 if the person's license has been expired less than one year; or~~

~~(2) Punishable by a fine of not more than \$300.00 if the person's license has been expired for one year or more. In addition, the privilege to drive may be lost as a result of the accumulation of points under AS 28.15.221—AS 28.15.261.~~

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-34

An Ordinance Authorizing the Manager to Execute Utility Permits with the Alaska Department of Transportation and Public Facilities for the Construction, Repair, and Maintenance of City and Borough of Juneau Utilities in State Rights-of-Way.

WHEREAS, the City and Borough of Juneau (CBJ) provides utility services through a municipal water and wastewater system; and

WHEREAS, some of the CBJ's municipal utility system's components are located within State of Alaska rights-of-way; and

WHEREAS, pursuant to AS 19.25.010, AS 35.10.210, and 17 AAC 15.061, the State of Alaska requires the execution of a utility permit in order to construct, repair, or maintain utilities within the State's rights-of-way, which includes a requirement that the applicant indemnify the State; and

WHEREAS, pursuant to CBJ Charter 9.13(a) and its prohibition against payment being made or an obligation being incurred without an appropriation, the CBJ is generally prohibited from agreeing to indemnify; and

WHEREAS, CBJ Charter 9.13(c) carves out an exception to that general prohibition:

Notwithstanding Section 9.13(a) of this Charter, the assembly by ordinance may require payment of funds from appropriations of a later fiscal year or of more than one year for any contract, lease or note or bond obligation, or federal or state grant, or any other federal or state program that the municipality may not otherwise participate in.

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. Pursuant to CBJ Charter 9.13(c), the Manager is authorized to execute utility permits required by the State in order to allow the CBJ to construct, repair, and maintain CBJ utility systems within the State's rights-of-way, and agree, on behalf of the CBJ, to indemnify the State to the extent required by law.

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

Adopted this _____ day of _____, 2018.

Attest: _____
Kendell D. Koelsch, Mayor

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-35

An Ordinance Authorizing the Manager to Execute Permits for City and Borough of Juneau Road Reconstruction and Maintenance Projects in State Rights-of-Way with the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) is authorized by statute to regulate and control access to highways and rights-of-way within the State; and

WHEREAS, in order for the CBJ to reconstruct municipal roads, approaches, and other forms of access where the access points are located within the State's rights-of way, ADOT&PF requires the execution of an approach road permit; and

WHEREAS, 17 AAC 10.020(c) requires ADOT&PF, in granting an approach road permit, to include in the permit the following indemnification language:

a requirement that the permittee shall indemnify, defend, and hold harmless the state, or officers, agents, employees, and contractors of the state in any matters pertaining to the driveway or approach road, and that the permittee shall assume all liability or cost in connection with the driveway or approach road; and

WHEREAS, pursuant to CBJ Charter 9.13(a) and its prohibition against payment being made or an obligation being incurred without an appropriation, the CBJ is generally prohibited from agreeing to indemnify; and

WHEREAS, CBJ Charter 9.13(c) carves out an exception to that general prohibition:

Notwithstanding Section 9.13(a) of this Charter, the assembly by ordinance may require payment of funds from appropriations of a later fiscal year or of more than one year for any contract, lease or note or bond obligation, or federal or state grant, or any other federal or state program that the municipality may not otherwise participate in.

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

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

Section 2. Pursuant to CBJ Charter 9.13(c), the Manager is authorized to execute approach road permits required by the State and agree, on behalf of the CBJ, to indemnify the State to the extent required by law.

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
 Introduced: June 4, 2018
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AX)

An Ordinance Appropriating to the Manager the Sum of \$250,000 as Supplemental Funding for Harbors' Fiscal Year 2018 Operating Budget; Funding Provided by Harbors' Fund Balance.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$250,000 for the following Departments' Fiscal Year 2018 operating budgets:

<u>Department</u>	<u>Amount</u>
Harbors	<u>\$250,000</u>
Total	\$250,000

Section 3. Source of Funds

<u>Department</u>	<u>Source of Funds</u>	<u>Amount</u>
Harbors	Harbors' Fund Balance	<u>\$250,000</u>
Total		\$250,000

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

Adopted this _____ day of _____, 2018.

 Kendell D. Koelsch, Mayor

Attest:

 Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2823

A Resolution Ratifying the Labor Agreement between the City and Borough and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.

WHEREAS, the negotiating team representing the City and Borough has reached a tentative agreement with the negotiating team representing the employees of Bartlett Regional Hospital; and

WHEREAS, the union representing those bargaining unit employees has reported that its members have ratified the proposed agreement; and

WHEREAS, the economic terms include a 1.5 percent increase to the pay schedule in fiscal year 2019, a 1 percent increase in fiscal year 2020, and a 1 percent increase in fiscal year 2021; and

WHEREAS, CBJ 44.10.120 requires that the tentative agreement be presented to the Assembly for ratification by resolution.

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

Section 1. The proposed labor agreement between Bartlett Regional Hospital and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201, is hereby ratified by the Assembly.

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

Adopted this ____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk



**HUMAN RESOURCES & RISK
MANAGEMENT DEPARTMENT**

107 Municipal Way, Room 101
Phone: (907)586-0225 Fax: (907)586-5392
e-mail: dallas.hargrave@juneau.org

MEMORANDUM

Date: May 29, 2018

To: City Assembly

Thru: Duncan Rorie Watt
City Manager

From: Dallas Hargrave
Human Resources & Risk Management Director

Re: Request for Ratification of ILWU/BRH Tentative Agreement and to Apply Terms to Unrepresented Bartlett Regional Hospital Employees.

Bartlett Regional Hospital and the International Longshore and Warehouse Union, Health Care Unit 2201, reached tentative agreement on a three year collective bargaining agreement on April 24, 2018. The contract will take effect on January 1, 2018 and conclude on December 31, 2020.

The Health Care Unit 2201 is currently in the process of voting to ratify the tentative agreement. This request is for ratification of the tentative agreement and is conditioned on ILWU ratification of the tentative agreement.

The tentative agreement contains annual cost of living increases to the pay schedule for the three years of the contract. In addition, there were some operational changes which do not have a monetary impact. I have attached a summary sheet of changes for your review.

Economic Changes:

All economic terms will be effective the first pay day of the relevant fiscal year.

Wages and Pay:

FY2019: The parties bargained a 1.5% increase to the pay schedule that is effective the first pay day in July 2018.

A new form of premium pay was added to incentivize employees to gain competency to float to different units and float to different units more frequently. It is estimated that the cost savings from decreased overtime and traveler use will offset costs of this premium pay. This form of premium pay will remain in the agreement throughout the three years.

FY2020: The parties bargained a 1% increase to the pay schedule that is effective the first pay day in July 2019.

FY2021: The parties bargained a 1% increase to the pay schedule that is effective the first pay day in July 2020.

Health Insurance

There are no substantive changes to the Health Insurance provisions. Employees will contribute toward their chosen health insurance tier at the same rate as employees of the City and Borough of Juneau. The employer contribution rate in FY 2019 will remain at \$1386 per employee per month.

Summary of Economic Terms:

	Estimated Cumulative Additional Costs Bargaining and Non-Represented (including 30% benefits estimate)
FY 2019	\$800,000
FY 2020	\$1,383,000
FY 2021	\$2,000,000

Operational Changes:

There were operational changes that involved clarifying language and adding or subtracting terms of the Collective Bargaining Agreement. These changes are summarized in the attached table.

Conclusion:

Overall contract negotiations were constructive and productive. HR Director Dallas Hargrave, Chief Clinical Officer Billy Gardner, Assistant Chief Clinical Office Rose Lawhorne, Medical Surgical and Infusion Therapy Director Liz Bishop, and HR Managers Kelly Mercer and Cindy Carte participated on the bargaining team on behalf of Bartlett Regional Hospital.

Request for Action:

We respectfully request that the Assembly approve the terms of this three year contract.

**ILWU/BRH Contract Negotiations
Tentative Agreement Summary of Major Changes
Effective January 1, 2018 through December 31, 2020**

Article	Language Impact
Article 6 – Hiring and Seniority	6.023: Updating language for extensions of probationary periods to reflect practice 6.036: Removal of Memorial Day from the major holidays that a PRN employee must be available to work.
Article 9 – Hours of Work	9.0721: Providing an example for Pre-shift Callback for better understanding. 9.09: Clarifying language regarding impact of self-scheduling on weekend premium pay requirement.
Article 11 – Rates of Pay	11.04: Clarification regarding process for requesting additional pay steps based on experience after the completion of the probationary periods. 11.12: Clarifying language regarding what expenses can be approved for employer required education. 11.13: Employees must continue to meet the criteria of the governing body issuing their certification in order to receive certification pay. 11.17: Employees who are not required to float to other units as part of their job and who are sufficiently cross trained and have maintained competencies shall receive a float differential in the following manner when they float to a different unit: 2 different float areas--\$2 per hour 3 different float areas--\$3 per hour
Article 19.01 – Leaves of Absence	Clarification language change regarding employees requesting leave.
Article 21 – Health Examinations	21.02 Changing terminology of the section to Influenza “Precautions” from “Vaccinations” to recognize the choice that a small percentage of employees make to wear masks during influenza season. Additionally, language changed to allow an employee who chooses to mask to wear an employer-approved personal mask,

	rather than a mask purchased by the employer.
Article 24 – Discipline/Employee Responsibilities	24.03 Language changed to acknowledge that an employee who is facing probationary separation has a right to union representation.
Article 26 – Health and Welfare	26.011 Update language regarding domestic partners to reflect current state laws regarding marriage. 26.012 Clarify that leaves of absence under articles 19.02 and 19.03 are not eligible for health insurance.
Article 31 – Duration of the Agreement	31.01 Agreement effective from January 1, 2018 to December 31, 2020.
Appendix A	Effective the first pay period in July 2018, the salary schedule will increase by 1.5%. Effective the first pay period in July 2019, the salary schedule will increase by 1%. Effective the first pay period in July 2020, the salary schedule will increase by 1%. Those who have their pay frozen at Step 13 of the wage schedule (current estimate—3 employees) after the scheduled wage increase, shall receive a lump sum payment equivalent to the percent increase received by those who do not have their pay frozen.

FA | April 24, 2018

Dallas Hargrave



Debbie Manowski



EMPLOYMENT AGREEMENT

By and Between

BARTLETT REGIONAL HOSPITAL

and

HEALTHCARE UNIT 2201

This Agreement is made and entered into by and between Bartlett Regional Hospital, herein after referred to as the "Employer", and the Healthcare Unit 2201, hereinafter referred to as the "Union". The purpose of this Agreement is to set forth the understanding reached between the Parties with respect to wages, hours of work, and conditions of employment.

ARTICLE 1 - RECOGNITION

1.01 **Bargaining Representative.** The Employer recognizes the Union as the sole and exclusive bargaining representative for its full time, part-time, PRN and casual employees employed by the Employer in its administrative services, nursing services, dietary services, environmental services, behavioral health services and professional services departments; excluding supervisory administrative/management positions, confidential positions and all other employees

ARTICLE 2 - UNION SECURITY

2.01 **Union Membership.** It shall be a condition of employment that all full time, part-time, *and PRN* employees, as defined herein, become and remain members in good standing with the Union, or pay an agency fee to the Union not to exceed the amounts required for initiation and monthly dues. The Union owes the same responsibility of representation to all covered bargaining unit members without respect to membership in the Union. The necessity of the dues or agency fee is to reimburse the union for the expense of representing all members of the bargaining unit. It shall become effective by the thirty-first (31st) day following their first day of employment or the thirty-first (31st) day following the execution of this Agreement, whichever occurs later as a condition of continued employment.

2.011 **Religious Objection.** Any employee who is a member of and adheres to established and traditional tenets or teachings of a bona fide religion, body or sect which has historically held conscientious objections to joining or financially supporting a labor organization shall not be required to join or financially support the Union but, in the alternative, shall be required to pay a monthly amount equal to the monthly dues of the Union. Such funds will be donated to a charitable fund of the union's choosing exempt from taxation under Section 501 © 3 of the Internal Revenue Code. These religious objections and decisions as to which fund will be used must be documented and declared in writing.

2.012 **PRN Dues.** PRN employees shall be required to pay dues/agency fee for each pay period in which they work thirty-six (36) hours or more.

2.02 **Failure to Comply.** The dismissal of any employee for failure to comply with the provisions of Article 2 and/or Article 3.06 shall be on written notice from the Union to the Employer and the employee setting forth the reason for his or her delinquent status and allowing five (5) consecutive work days or seven (7) calendar days, whichever is shorter, from receipt of such notice to bring his or her membership status into good standing.

2.03 **Hold Harmless.** The Union agrees to hold the Employer harmless from any liability whatsoever which might ensue as a result of actions to enforce this Article.

ARTICLE 3 - CHECK-OFF OF UNION DUES AND INITIATION UNION LEAVE HOURS

3.01 Payroll Deductions. Upon receipt by the Employer of a check off authorization form dated and executed by the employee, the Employer shall each pay period deduct from the employee's wages the amount of the Union membership dues or agency fee owed for that pay period pursuant to the provisions of Article 2. Monthly, the Employer shall forward a copy of signed check-off authorization forms to the Union.

3.011 Cancellation of Deductions. Payroll deduction authorizations for dues or agency fees may be canceled by the bargaining unit member upon thirty (30) days written notice to the Employer and the Union. The cancellation of pay deduction does not relieve that employee from the requirement of Article 2.01.

3.02 Transmittal. The total amount of such deductions shall be transmitted at least once each month by the Employer to the Local Union by check drawn to the order of the Local Union. In conjunction with transmitting deductions to the Union, the Employer agrees to provide a complete list of employees upon whose behalf deductions were made and the amount deducted for each and every bargaining unit employee regardless of whether or not deductions were made for that employee.

3.03 Method of Deductions. In the event an employee does not have the total amount of any deduction, or more, dues on any payroll from which the deduction is to be made, the deduction shall be taken out of the next succeeding payroll in which the employee has the total amount, or more, due. Authorized deductions for government taxes, garnishments, and deductions required by law shall have priority over deductions covered by the Article.

3.04 Hold Harmless. Upon the issuance of such check and transmission of same to the Union, all responsibility on the part of the Employer shall cease with respect to any amount so deducted, providing the deduction was made in accordance with the Union dues requirement which the Union shall furnish to the Employer. The Union hereby undertakes to indemnify and hold harmless the Employer from any claim which may be made upon it for or on account of such deduction from the wages of any employee.

3.05 Bargaining Unit Roster. Monthly, the Employer will provide the Union with the names, addresses, status, rate of pay and classification of all employees within the bargaining unit. The Union will be sent an electronic copy of the personnel action forms for members of the bargaining unit at time of processing of personnel changes, excising therefrom the employee's social security number, date of birth and any other privileged information. Quarterly, the Employer will provide a list of new hires, terminations and employees entering the bargaining unit, as well as a report showing individual employee benefit and review hours used to determine advancement on the personal leave accrual and wage scale.

3.051 Employee Benefit and Review Hours Report. Once a month, the Employer will email to each individual a report showing that employee's hours used to determine advancement on the personal leave accrual steps and wage scale. Should an employee self-service function become available that allows employees to have access to this information on an as needed basis, the obligation of management to report out on a monthly basis will not be required.

3.06 Union Leave Bank. There is hereby created a Union Leave Bank which shall be administered by

the Employer with a monthly report of the balance and withdrawals provided to the Union. The Bank shall be established by an automatic transfer of 8 hours of Personal Leave from each new bargaining unit member who authorizes such deduction in writing. As a condition of good standing with the Union, such bargaining unit members shall donate 8 hours of Personal Leave when the bargaining unit member's balance is 8 hours or more and such leave shall be transferred to the Bank.

Any bargaining unit member at his/her option may transfer Personal Leave in increments of four (4) hours only to the Bank. Transfers may be made at any time during the duration of the Agreement with no maximum limit on the number of increments, provided such leave transfers shall not conflict with the leave usage requirement of Article 17.06. The bargaining unit member's leave balance will be reduced by the amount of leave transferred to the Bank.

A Union approved assessment may transfer Personal Leave in increments of whole hours to the Bank. Such assessment is limited to once per calendar year.

3.061 Union Personal Leave Assessments. Personal Leave assessments from new bargaining unit members and donated Personal Leave will be converted to its dollar value at the rate of pay of the bargaining unit member from whom the leave was received. Those dollars shall be placed in the Union Leave Bank. When Union Leave is used in accordance with the other provisions of this section, dollars will be withdrawn from the Union Leave Bank equal to the hourly rate of the bargaining unit member utilizing the leave times the hours of leave taken.

3.062 Union Leave Usage. Withdrawal requests from the Bank will be for purposes of compensation of bargaining unit members for absences due to contract negotiations and formulation, meetings, conventions, training sponsored by the Union, attendance at arbitration or other hearing as witnesses or representatives for the Union, and other like purposes as may be determined by the Union. Requests for withdrawals from the Bank shall be made only by the President or Treasurer of the Union or such other person as designated by the Union to the Payroll department on forms mutually agreed by the parties. The original leave slip shall be presented to the Union by the bargaining unit member and must accompany all requests for withdrawal from the Bank. All Personal Leave transferred to the Bank is final and not recoverable for re-credit to an individual's Personal Leave account.

3.063 Insufficient Union Leave. The purposes listed in 3.062 may first be met through use of the Union Leave Bank. Should there be insufficient money available through the Union Leave Bank, the Employee may request Personal Leave or leave without pay for purposes listed in 3.062.

ARTICLE 4 - MANAGEMENT RESPONSIBILITIES

4.01 Management Obligations. The Union recognizes that the Employer has the obligation of serving the public with the highest quality of medical care, efficiently and economically, and/or meeting medical emergencies.

4.02 Management Rights. The Union further recognizes the right of the Employer to operate and manage the hospital and to direct the work force including but not limited to the right: to require standards of performance and to maintain order and efficiency; to direct employees and to determine job assignments and working schedules; to determine the materials and equipment to be used; to implement improved operational methods, equipment and procedures; to contract for facilities, equipment, supplies and services; to determine staffing requirements; to determine the kind and

location of facilities; to determine that a state of emergency exists at the hospital and to declare such; to determine whether the whole or any part of the operation shall continue to operate; to select, recruit, examine, hire and train employees; to promote and transfer employees; to discipline, demote or discharge employees for just cause, provided however, the Employer reserves the right to discharge any employee deemed to be incompetent based upon reasonably rated established job criteria and exercised in good faith; to lay off employees for lack of work; to recall employees; to require reasonable overtime work of employees; and to promulgate rules, regulations and personnel policies; provided that such rights shall not be exercised so as to violate any of the specific provisions of this Agreement.

4.03 Extension of Management Rights. The parties recognize that the above statement of management responsibilities is for illustrative purposes only and should not be construed as restrictive or interpreted so as to exclude those prerogatives not mentioned which are inherent to the management function, nor to act in any way to derogate or limit the rights reserved to management under City/Borough of Juneau Ordinance 44.10.130. All matters not covered by the language of this Agreement shall be administered by the Hospital on a unilateral basis in accordance with such policies and procedures as it from time to time shall determine, subject to other terms of this agreement.

ARTICLE 5 - COMPLIANCE WITH LAWS

5.01 Nondiscrimination. The Employer and the Union agree that conditions of employment shall be consistent with applicable state and federal laws regarding nondiscrimination.

5.02 Background Checks. The Hospital will comply with all State and Federal regulations.

ARTICLE 6 - HIRING AND SENIORITY

6.01 New Employee Orientation. The objectives of orientation shall be to familiarize all new employees within the bargaining unit with the objectives and philosophy of the hospital, to orient new employees to hospital policies and procedures, and to instruct new employees as to their functions and responsibilities as defined in job descriptions. Orientation will consist of a basic comprehensive program in which the employee will be oriented through a combination of instructional conferences, floor and/or shift work. The Union will be provided a specific time slot during New Employee Orientation to orient the new employees in bargaining unit positions on the Union and its internal organization. The Union shall provide the new employee with a copy of the collective bargaining agreement, the applicable wage schedule, the Union's Dues Deduction Authorization Form and a packet of information regarding the Union. The Union will provide copies of these documents to the Employer.

6.02 Probationary Period. All newly hired full time employees shall be required to pass through a probationary period of six (6) calendar months, and all newly hired part-time, PRN, casual, and other employees shall be required to pass through a probationary period of 1040 hours of work from their first day of employment. Following a successful completion of the employee's probationary period, the employee shall attain permanent status.

6.021 Termination of Employee during Probationary Period. During the probationary period, an

employee may be terminated ~~without notice and~~ without recourse to the grievance procedure. The employee during the probationary period shall not be required to give fourteen (14) day notice to terminate.

6.022 Evaluation of the Employee during the Probationary Period. Each employee during the probationary period will receive periodic feedback from his or her supervisor regarding the employee's progress toward gaining permanent status.

6.023 Extension of Probationary Period. ~~In lieu of termination under 6.021~~ *Where an employee is not successfully completing the probationary period*, the Employer may, ~~with prior agreement of the employee,~~ extend the probationary period for a period or periods of not more than six (6) months. ~~and~~ *The Union shall be given notice of the extension in writing or by email.*

6.024 Transfer During Probationary Period. No Employee may transfer to a different position, department or unit during his/her probationary period unless indicated by business considerations or patient care needs.

6.03 Employee Status Definitions. The following employee status definitions shall apply:

6.031 Full time Employee. A full time employee is one who is regularly scheduled thirty-six (36) or more hours during a seven (7) day period, or seventy-two (72) or more hours in a fourteen (14) day period.

6.0311 Full time Seasonal Employee. A full time seasonal employee is one who agrees to work 576 hours annually, and who requests in writing and is granted a leave of absence without pay for the remainder of the year. A full time seasonal employee will be eligible for participation in the Pension Program as defined in Article 27.01. Full time seasonal employees do not receive or accrue any other fringe benefits.

6.032 Part-Time Employee. A part-time employee is one who is regularly scheduled at least sixteen (16) hours but less than thirty-six (36) hours during a seven (7) day period or at least thirty-two (32) hours but less than seventy-two (72) hours during a fourteen (14) day period. (Part-time employees shall be designated by the percentage of full time they are scheduled to work).

6.0321 Secondary Position. If an employee in a part-time position applies and is selected for another part-time position within the Hospital, the employee will be paid at the appropriate rate of pay for each position according to their hours worked in each. Union representation and dues will apply only to bargaining unit positions.

6.033 Casual Employee. A casual employee is one who is scheduled to work on an intermittent basis, i.e. partial workdays, partial workweeks, weekends or full workweeks, as the need arises (typically less than sixteen (16) hours in a seven (7) day period or thirty-two (32) hours in a fourteen (14) day period). A casual employee has no commitment to fill any particular position(s). Likewise, the Hospital has no commitment to provide work for casual employees.

- a. Casual employees must be scheduled or accept work assignments from the Hospital at least once every three (3) months to maintain casual employee status.

- b. Class attendance or mandatory annual requirements shall not qualify as a work assignment for the purposes of this article.
- c. Unless the Hospital and the Union otherwise mutually agree, casual employees will not be scheduled to work a full time schedule for more than four (4) consecutive months or more than 780 hours annually.
- d. The Employer will notify the Union monthly of casual employees who have worked more than 780 hours in a calendar year. In addition, quarterly, the Employer will provide the Union a report of total casual hours worked in each department/unit.
- e. Casual employees do not receive or accrue fringe benefits. Casual employees are not eligible for premium pays except for Article 11.013.

6.034 Seasonal Casual Employee. A seasonal casual employee is one who agrees to work 288 hours over a four (4) month period, and who requests in writing and is granted a leave of absence without pay for the remainder of the year. Subsections (c), (d), and (e) of section 6.033 above apply to seasonal casual employees.

6.035 Temporary Employee. A temporary employee is one who is employed for a limited time, not to exceed one hundred twenty (120) days without mutual agreement with the Union. Management shall notify the Union of the extensions in writing.

6.036 PRN Employee. A PRN employee must be able to work a minimum of two (2) shifts per pay period and provide a minimum of four (4) dates per pay period of available shifts. If a PRN employee requests to work more than two (2) shifts per pay period they shall provide a minimum of six (6) dates per pay period of available shifts. Each PRN employee shall have a designated home unit. Scheduling must be coordinated with the home unit. Availability must be provided to the home unit Manager at least fourteen (14) days before posting of the schedule.

- a. A PRN employee must be available to work one (1) major holiday per year. Major holidays include: ~~Memorial Day~~, July 4, Thanksgiving, and Christmas.
- b. A PRN employee must be available to work one (1) weekend shift and a minimum of one (1) night and/or evening shift, per four (4) week schedule unless the employee's home unit is closed on weekends and holidays, or other arrangements have been made with the home unit manager. The home unit manager may assign more than one evening/night shift per schedule for the PRN employee.
- c. PRN employees may request unpaid time off up to six (6) weeks within a calendar year. Time off must be requested and approved by the home unit's manager in advance. Leave will not normally be approved from May 15th through September 15th.
- d. Work hours are not guaranteed. At the discretion of the manager or house supervisor, PRN staff can be changed from regular shift to on-call status if census warrants.

- e. PRN employees do not accrue or receive fringe benefits. PRN employees are not eligible for premium pay except for Articles 9.0411 and 11.014.
- f. A PRN employee who subsequently changes to full-time or part-time status who works in a department that rotates shifts may be required to accept regular assignment to an evening or night shift for no more than six (6) months if they have not already passed through this process per Article 13.02.
- g. The Employer will provide the union on a quarterly basis a total of all PRN hours worked by department/unit.

6.04 Seniority Accrual. Bargaining unit employees shall accumulate seniority based on paid hours of work in a bargaining unit position, beginning the first day from his or her last date of hire. Seniority will be terminated upon cessation of the employment relationship, if the employee resigns, is discharged for cause, is laid off for a period of time longer than twelve (12) consecutive months, or is transferred or promoted out of the bargaining unit for a period of more than one (1) year. Employees who are transferred or promoted out of the bargaining unit shall retain but not accrue seniority for a period of one (1) year.

Longevity: Longevity shall be defined for the purposes of this employment contract as the accumulation of hours of service with the Employer.

6.041 Seniority/Temporary Employees. Seniority shall not apply to temporary employees unless the employee subsequently, during a period of continuous employment, becomes a casual, part-time, or full time employee, in which case the employee's seniority shall be retroactive to his or her first hour of continuous employment as a temporary employee.

6.042 Seniority Accrual/ Probationary Period. No employee shall accrue seniority until he or she has successfully completed the probationary period, at which time the employee's seniority shall apply retroactive to the first hour of the probationary period.

ARTICLE 7 - UNINTERRUPTED PATIENT CARE

7.01 No Interruption of Patient Care. It is recognized that the Hospital is engaged in a public service requiring continuous operation and it is agreed that recognition of such obligation of continuous service is imposed upon both the employee and the Union. During the term of this Agreement, neither the Union nor its members, agents, representatives, employees, or persons acting in concert with them shall incite, encourage or participate in any strike, picketing, walkout, slow-down, or other work stoppage of any nature whatsoever. In the event of any strike, picketing, walkout, slowdown, or work stoppage or a threat thereof, the Union and its officers will do everything within their power to end or avert same. Any employee participating in any strike, picketing, walkout, slowdown, or work stoppage will be subject to immediate dismissal.

7.02 Emergency. In the event of an emergency, disaster or catastrophe, the terms of this Agreement shall be suspended to the extent necessary to meet as fully as possible under the circumstances the

Hospital's obligation to serve the public.

ARTICLE 8 - GRIEVANCE PROCEDURE

8.01 Definition. A grievance shall be defined as any controversy or dispute involving the application and/or interpretation of the terms and conditions of this Agreement arising between the Union, or bargaining unit employee/s and the Employer.

8.02 Grievance Adjustment Policy. It is the desire of the parties to this Agreement that grievances be adjusted informally whenever possible and at the first level of supervision. To that end, the parties will endeavor to have a full, frank discussion (acknowledging that some of the discussion may take place via email or other electronic media) prior to the filing of a formal grievance in hope that the parties will understand each other's positions and resolve the issue informally. The parties agree that arbitration should be the course of last resort, and then only when the Union in its sole discretion deems arbitration is warranted under the facts and circumstances of the case.

8.03 Time Limit. Time limits set forth in the following steps may only be extended by mutual written consent of the parties hereto. A time limit which ends on a Saturday, Sunday or a holiday designated in paragraph 16.01 hereof shall be deemed to end at 4:30 p.m. on the next following business day. Failure of an employee or the Union to file a grievance on a timely basis or to advance a grievance in accordance with the time limits set forth in this article will constitute withdrawal of the grievance. Failure of the Employer to comply with the time limits set forth in this article shall result in the grievance being automatically elevated to the next step without any action necessary on the part of the employee(s) or union.

8.04 Grievance Procedure. The Parties recognize that special circumstances may necessitate that a grievance as defined in Article 8.01 be initially filed at an advanced step. However, unless the Parties mutually agree, a grievance shall be submitted in writing and processed in accordance with the following grievance procedure:

Step 1. Employee and Department Manager.

If any employee has a grievance that is not resolved through discussion with the employee's department manager, the employee (with the employee's Union Representative, if desired) shall present the grievance in writing to the employee's Department Manager within twenty-one (21) calendar days from the date the employee and /or Union was or should have been aware that the grievance existed. Upon receipt thereof, the Department Manager shall attempt to immediately resolve the problem and shall respond in writing to the employee and the Union with the facts of the grievance along with the Employer's decision within fourteen (14) calendar days following receipt of the written grievance. If an employee (grievant) chooses or desires to not have union representation with this grievance the Union shall be held harmless by the employee (grievant) from any and all employer actions related to the grievance. The Union shall be furnished written copies of all employer actions taken that are related to the grievance.

Step 2. Employee, Union Delegate, and Employer's Representative.

If the matter is not resolved satisfactorily at Step 1, the grievance shall be presented in writing

by the Union to the Administrator within fourteen (14) calendar days of the Step 1 decision. The Administrator will designate a member of the Senior Leadership Team to act as the Employer's representative. A conference including the Union Delegate, the grievant, and the Employer's Step 2 representative shall be held within seven (7) calendar days of notification of the grievance's movement onto Step 2. By mutual agreement, the seven (7) calendar day period may be extended to accommodate the Parties. The Employer's Step 2 representative shall issue a written reply to the Union within seven (7) calendar days following the grievance meeting.

Step 3. Administrator and Local Union Representative.

If the matter is not resolved at Step 2 to the Union's satisfaction, the grievance shall be referred in writing to the Administrator (or Acting Administrator) within fourteen (14) calendar days of the Step 2 decision. The Administrator (or Acting Administrator) shall meet with the Union Representative and the grievant, if grievant desires to be present, within seven (7) calendar days for the purpose of resolving the grievance. The Administrator (or Acting Administrator) shall issue a written response within seven (7) calendar days following the meeting.

Step 4. Arbitration.

- a. If the grievance is not settled on the basis of the foregoing procedures, and if the grievant and the Union have complied with the specific time limitations specified in Steps 1, 2 and 3 herein, the Union may submit the issue in writing to arbitration within fourteen (14) calendar days following the receipt of the written reply from the Administrator or Acting Administrator.
- b. If the Employer and the Union fail, after exercise of due diligence to agree on an arbitrator within fourteen (14) calendar days, a list of eleven (11) arbitrators shall be requested from the Federal Mediation and Conciliation Service. The parties shall thereupon alternate in striking a name from the panel until one name remains. The person whose name remains shall be the arbitrator. Any arbitrator accepting an assignment under this Article agrees to issue an award within thirty (30) calendar days of the close of the hearing or the receipt of post-hearing briefs, whichever is later, and the arbitrator shall have no jurisdiction to decide the issue after that thirty (30) day period. The arbitrator's decision shall be final and binding on all parties.
- c. The arbitrator shall have no authority to add to, subtract from, or otherwise change or modify the provisions of this Agreement, but shall be authorized only to interpret existing provisions of this Agreement as they may apply to the specific facts of the issue in dispute. The Arbitrator shall have no authority to award punitive damages.
- d. Each party shall bear one-half (½) of the fee of the arbitrator for an Award issued on a timely basis and any other expense jointly incurred incident to the arbitrator hearing. All other expenses, including but not limited to legal fees, deposition costs, witness fees, and any and every other cost related to the presentation of a party's case in this or any other forum, shall be borne by the party incurring them, and neither party shall be responsible for the expenses of witnesses called by the other party.
- e. For the purposes of the process outlined in this article, neither party shall be required to provide the other party with any data, documents or information in its possession or under its control except as may be directly relevant to a pending grievance. If necessary, the arbitrator shall resolve discovery rights of the parties as to grievances submitted to arbitration.

8.05 Union Grievance. The Union may initiate a grievance if the grievance is submitted in writing within twenty-one (21) calendar days from the date the Union was or should have been aware that the grievance existed. If an employee chooses to represent themselves and fails to notify the Union that a grievance has been filed, the Union is released from any responsibility.

ARTICLE 9 - HOURS OF WORK

9.01 Work Day and Work Period. The traditional work day shall consist of eight (8) hours, and the traditional work period shall consist of eighty (80) hours within a fourteen (14) day period. Innovative work schedules shall be defined as a work day other than eight (8) hours and shall have a work week based on forty (40) hours. Time shall be figured to the nearest one-quarter (1/4) hour.

9.02 Innovative Work Schedules. Innovative work schedules may be established in writing by the Employer. The Union shall receive written notice of innovative schedules on the employee's personnel action form. The exclusive use of innovative shifts may be established on a department wide or unit wide basis for patient care needs.

- a. If new innovative shifts within a department are necessary, shifts will be offered to all employees of comparable skill, competency, ability & experience.
- b. If multiple employees request the innovative shift, management will endeavor to share the shift equitably.
- c. If there are no applicants for the innovative shift, assignment to the innovative shift may be rotated at a minimum of one pay period intervals.

9.021 Change in Work Schedules. Where innovative work schedules are utilized, the Employer retains the right to return to a work schedule of its designation. The employer agrees to provide at least fourteen (14) days notice prior to changing a work schedule whenever possible unless otherwise mutually agreed. Nothing in this provision waives management's rights as articulated in Article 4.03.

9.03 Rest Periods. All employees shall be allowed two (2) paid rest periods of fifteen (15) minutes each during each shift of eight (8) hours or three (3) paid rest periods of fifteen (15) minutes during each shift of twelve (12) hours or more. If a continuous operation is required in the job concerned, the Employer shall endeavor to provide a substitute during the rest period.

9.04 Work Schedule. Four-week work schedules, including on-call, shall be posted ten (10) days prior to the beginning of the scheduled work period. Full time and part-time employees shall be scheduled from one pay period to the next in accordance with their employment status, unless such status is altered pursuant to mutual agreement. The Employer will endeavor to schedule full time and part-time before scheduling PRN and casual employees. Employee requests for schedule adjustments must be presented at least fourteen (14) days before posting of the work schedule.

9.041 Adjustment in Posted Schedules. It is understood and agreed, that deviations in the number or timing of an employee's scheduled hours may occur from time to time resulting from business considerations or patient care needs. In that event, the Employer retains the right to adjust work

schedules to maintain an effective and orderly operation. Scheduled hours of work may be changed after posting only by mutual agreement. Premium pay will apply to full time and part-time employees for schedule adjustments, excluding on-call, made with seven (7) or less days notice.

9.0411 Changes in Scheduled Shift. When a full time or part-time employee's scheduled shift is altered (unless requested by the employee) with seven (7) or less days notice, the following shall apply:

- a. Work in Advance of Shift. When a full or part-time employee is called to work in advance of the assigned shift and continues working during the scheduled shift, all hours worked prior to the scheduled shift shall be paid at one and one-half (1½) times the straight time rate of pay. An employee who reports to work in advance of the assigned shift will not be released from duty prior to the completion of that scheduled shift for the purpose of avoiding overtime pay unless there is mutual consent.
- b. Split Shift. When a full or part-time employee ~~who~~ is at work and is asked to go home and return to work later to cover a later shift the employee shall be paid at their straight time rate of pay (or the appropriate rate of pay, including shift differentials) for a minimum of four (4) hours. All hours worked upon return for the later shift will be paid at one and one-half (1½) times the straight time rate of pay or overtime, whichever applies (plus appropriate differentials).
- c. Delayed Shift. If a full or part-time employee is requested to delay reporting to work, all hours worked outside of the scheduled shift shall be paid at one and one-half (1½) times the straight time rate of pay or overtime, whichever applies (plus appropriate differentials).
- d. PRN Premium. For the purposes of a – c above, a PRN employee will receive a flat \$5.00 per hour in lieu of the premium pay amount.

9.042 Flexible Workweek Waiver. Employees who have the flexibility to set their own work hours without impacting the Employer's operation (which includes not substituting overtime hours for what would otherwise be straight time work hours) may, with supervisory approval, initiate a flexible work schedule and waive the mandated use of daily PL and premium pay. This is to be used for planned activities, not unplanned activities such as illness or emergencies, and is not to result in pay other than straight time. This waiver will be indicated in the automated time card system on the days in which it is in effect. The employee must have at least forty (40) paid hours per week.

9. 043 Work on Day Off. All full time and part-time employees who work on their scheduled day off or who are called in on their unscheduled time shall be paid at the rate of one and one half (1½) times the straight time rate of pay for the hours worked for a minimum of three (3) hours until such time as overtime rules apply. Shift trading between employees shall not apply.

9.05 Overtime. Overtime shall be compensated for at the rate of one and one-half (1½) times the regular rate of pay for all time worked beyond the scheduled day (eight (8) hour minimum), eighty (80) hour work period for traditional shifts, or forty (40) hour work week for innovative schedules. For purposes of computing overtime, the employee's regular hourly rate of pay shall include all differentials, premium pay, and on-call pay received during the work period. Time paid for but not worked (e.g. personal leave, educational leave, professional leave, bereavement leave), shall not count as hours worked for the purposes of computing overtime pay except that holiday hours paid as

personal leave, but not worked, which fall on an employee's regularly scheduled work day shall count as hours worked toward overtime eligibility. There shall be no pyramiding or duplication of overtime pay and/or other premium compensation.

Examples to clarify the term "pyramiding".

#1. An employee scheduled to work 0800-1630, worked 0600-1630:

Correct Pay:	8 hours REGULAR pay
	2 hours OVERTIME pay
Incorrect Pay:	2 hour PREMIUM pay (for 0600-0800)
	6 hour REGULAR pay (0800-1430)
	2 hour OVERTIME pay (> hours after 1430-1630)

#2. An employee worked 0600-1430 (called in advance of scheduled shift start at 0800)

Correct Pay:	2 hour PREMIUM pay (for 0600-0800)
	6 hour REGULAR pay (for 0800-1430)

The above examples assume that employee is not on a holiday, that "Rest between Shifts" premium pay does not apply (as per Article 9.10), and that the employee is working an "8/80" work schedule.

#3. Examples regarding premium pay for Scheduled Third weekend:

Employee is scheduled every other weekend, e.g. weekend #'s 1 and 3 in a month. If employee is called in to work on the unscheduled #2 weekend they should receive premium pay for weekend #2 and regular pay for weekend #3. Pyramiding would be receiving premium pay for both #2 and #3 weekends.

9.051 Overtime Approval. All overtime must be approved by supervision. The Employer and the Union agree that overtime should be minimized. If in the Employer's opinion reasonable overtime is necessary, volunteers will be sought first and if there are insufficient volunteers, reasonable overtime may be assigned equitably starting with the least senior employee.

9.06 Report Pay. Employees who report for work as scheduled (unless otherwise notified in advance) and are released for any reason other than discipline shall receive a minimum of four (4) hours' work or four (4) hours' pay at the appropriate rate. An employee shall not be eligible for report pay if the Employer is unable to notify the employee of a change in the work schedule. Notification in advance shall mean reasonable attempts by the Employer to contact the employee in a timely manner by telephone, including unanswered calls, messages left with third parties or through an employee's answering service or machine.

9.07 Callback Pay. Callback pay shall be at a rate of one and one-half (1½) times the straight time rate of pay for a minimum of three (3) hours as follows:

- a. Any employee not receiving on-call pay who is called back to work after completion of the employee's work day; or
- b. Employees called in from on-call status except employees who are placed in on-call status for low census; or

c. Full time employees scheduled to work hours outside their scheduled work day when the department/work area is closed. This does not apply to continuous work beyond employee's shift due to workload, nor to meetings or education.

Callback minimum: Callback minimum shall be defined for the purposes of this contract as hours paid but not worked to meet the three (3) hour pay minimum.

9.071 Telephone Callback Pay. Employees responding via telephone/computer shall receive a minimum of 30 minutes at the rate of one and one-half (1½) times the straight time rate of pay.

9.072 Callback Window Method. If more than one callback occurs within a given three (3) hour callback window; total callback time cannot exceed three (3) hours unless the work time exceeds three (3) hours. Callback pay ceases at the beginning of the regularly scheduled shift.

9.0721 Pre-shift Callback. In the event of a callback that begins within the 3 hours Immediately before a regular shift begins; which is not part of an existing callback window, there will be a manual timecard entry to reduce the amount of on call pay and increase the amount of callback pay to equal the three hour minimum.

Example: Employee is on call 1700 – 0700, and scheduled to work at 0700 the next day. If the employee is called in at 0500, what would the pay look like?

Answer: On call pay from 1700 – 0400; Callback pay from 0400 – 0700; and regular pay after 0700.

9.08 Meal Periods. All employees working a six (6) hour or longer shift shall receive one (1) unpaid meal period of one-half (½) hour at approximately the midpoint of the shift. Employees required to remain on duty for a total of sixteen (16) hours shall be granted one (1) additional unpaid meal period of one-half (½) hour. Employees required to remain on duty during their meal period shall be compensated for such time at the appropriate rate of pay.

9.09 Weekends. The weekend shall be defined for day and evening shift personnel as Saturday and Sunday. For night shift personnel, the weekend shall be defined as Friday night and Saturday night. Employees scheduled by their manager for one specified weekend shift will constitute as a fulfilled weekend requirement. The Employer will make a good faith effort to schedule all full time or part-time employees to two (2) weekends off out of every four (4) weekends. In the event a full time or part-time employee is scheduled to work more than two (2) out of every four (4) weekends, the employee shall be paid at the rate of one and one-half (1½) times the straight time rate of pay for all time worked on the weekend until scheduled a weekend off (no pyramiding). In the event a full time or part-time employee is required to work on an unscheduled weekend, all time worked on that unscheduled weekend shall be paid for at the rate of one and one-half (1½) times the straight time rate of pay. This section shall not apply to full time employees or to part-time employees who sign an agreement for more frequent weekend duty nor to PRN, casual, or temporary employees, nor shall it apply to on-call hours nor does it apply to extra weekend shifts that are picked up by an employee after the schedule is posted.

a. Employees doing self-scheduling in API for more than two (2) weekends in a four (4) week period and/or schedule themselves for only one (1) weekend shift do not meet the weekend requirement for the purpose of premium pay.

Example of *Scheduled Weekends* (no waiver signed):

PP = Premium Pay Weekend (Shaded box)

**Reset count from PP

Starting point:

1 st schedule	2 nd schedule	3 rd Schedule
Scheduled w/e #1	Off w/e #5 **	Scheduled w/e #9 (PP)
Scheduled w/e #2	Schedule w/e #6	Scheduled w/e #10 (PP)
Off w/e #3	Schedule w/e #7	Scheduled w/e #11 (PP)
Scheduled w/e #4 (PP)	Off w/e #8	Off w/e #12 **

4 th Schedule	5 th schedule	6 th Schedule
Off w/e #13	Off w/e #17 Picked up extra shift <7 days (PP because of +EX+)	Off w/e #21
Scheduled w/e #14	Scheduled w/e # 18	Scheduled w/e #22
Off w/e #15	Off w/e # 19 Work due to shift trade (Regular Pay)	Off w/e #23 Picked up shift > 7 day notice (Regular Pay or OT)
Scheduled w/e #16	Scheduled w/e # 20	Scheduled w/e #24

Examples regarding premium pay for Scheduled Third weekend:

Employee is scheduled every other weekend, e.g. weekend #'s 1 and 3 in a month. If employee is called in to work on the unscheduled #2 weekend they should receive premium pay for weekend #2 and regular pay for weekend #3. Pyramiding would be receiving premium pay for both #2 and #3 weekends.

9.10 Rest Between Shifts. The Employer will make a good faith effort to provide each employee with at least ten (10) hours off duty between shifts. In the event an employee is required to work with less than ten (10) hours off duty between shifts, all time worked on a shift beginning within this ten (10) hour period shall be at one and one-half (1 ½) times the straight time rate of pay. This Section shall not apply to employees receiving Callback Pay as defined in Article 9.07(b).

Addendum to Article 9.10: Examples

- 1) Day One: 10 hour/day employee is scheduled 0700-1730 but continues work until 2315.
 Day Two: If employee is scheduled 0700-1730, there is less than 10 hours rest between shifts so all hours worked on this shift will be paid premium pay.
- 2) Day One: Employee scheduled 0700-1930 but works until 2130.
 Day Two: If employee scheduled to work 0700-1930, will be paid 12 hours premium pay.

9.11 Travel Time Exclusion. Travel time to and from the hospital shall not be considered time worked for purposes of this contract.

ARTICLE 10 – (Reserved)

ARTICLE 11 – RATES OF PAY

11.01 Wage Rates. Employees covered by this Agreement shall be paid in accordance with the hourly wage schedule attached hereto as Appendix A.

11.011 Effective Date. Wage increases and longevity benefit increments shall become effective at the beginning of the first full payroll period on or after a change of status or achievement of a wage step increase. Upon forty-five (45) days notice the Employer may revise the length or commencement date of the payroll period for business considerations provided that no effective date shall be dated thereby.

11.012 Straight time Rate of Pay Definition. When used in this Agreement the term “straight time rate of pay” shall mean the hourly wage for each employee as set forth in the appropriate column of the wage rate attached hereto as Appendix A relating to the job classification then held by the individual employee or as established for the individual employee under paragraph 11.02 (Discretionary Pay) below.

11.013 Casual Employee Differential. In lieu of fringe benefits, casual employees shall be paid a two dollar (\$2.00) per hour differential in addition to the applicable hourly wage set forth in the attached schedule.

11.014 PRN Differential. In lieu of fringe benefits, PRN employees shall be paid an hourly differential in addition to their straight time rate of pay.

- PRN-Nurse I 10% of current step.
- PRN-Nurse II 20% of current step.
- PRN-Nurse III 25% of current step.
- Other PRN employees: 25% of current step.

11.02 Discretionary Payments. The wages set forth in the attached Wage Rates are minimums and the

Employer may, at its sole discretion, pay employees above the minimum rates provided the Employer notifies the employees in writing, with a copy to the Union, of the rate applicable to employee and any conditions which may be attached. Any such discretionary payments may likewise be terminated by the Employer at its sole discretion after similar notification.

11.03 Weekend Differential. Weekend hours shall, in addition to the straight time, premium or overtime rate of pay, receive a weekend differential of \$4.00/hour for all employees.

11.031 Employee Weekend Differential Waiver. Employees who have the flexibility to set their own work hours without impacting the Employer's operation may, with supervisory approval, waive their right to applicable weekend differential. Waiver of this differential should be in writing and will be available to the Union. An employee may rescind this waiver with written notice at least fourteen (14) days prior to the posting of the next work schedule.

11.04 Step Placement on Hire. The Employer, in its sole discretion, may place a new employee up to and including Step 4 of the salary schedule upon initial hire. Upon successful completion of the probationary period, *and upon request by the Employee, the Employer may authorize an Employee may be credited* up to two (2) additional steps at a rate of up to 2080 hours for each year of experience related to the employee's position at the Hospital. The amount of hours recognized under this paragraph shall be solely for purposes of placing the employee on the wage scale and shall not be accredited for any other purpose under this Agreement.

11.041 Rehire Previous Employee. Those employees who have a history of employment at Bartlett Regional Hospital, who left in good standing with the organization, and who remain current in their field through subsequent employment, shall be placed at the step that most closely matches their former rate of pay. Once the probationary period has been successfully completed, the employee may request reconsideration of placement based on overall service credit in accordance with 11.04 above.

11.05 New Positions. In the event new classifications within the bargaining unit are created during the term of the Agreement, the Employer will allocate the new classification to the appropriate Band, Grade, and Subgrade. The Employer will notify the Union of any new or revised job classifications and provide corresponding position descriptions within 30 days of their creation or revision.

11.051 Revised Classification. The Employer may, in like manner, revise the Band, Grade, and /or Subgrade for any classification. Should an employee be impacted by such a change, the provisions of Article 11.08 shall apply.

11.052 Posted Positions. In the event there is more than one applicant for a posted position and the employees' skill, competency, ability and experience are equal, then seniority shall prevail.

11.06 Automobile Allowance. When an employee is required to use his or her personal automobile on Hospital business, the employee shall be reimbursed for such usage at the maximum mileage rate allowable as a deductible expense by the Internal Revenue Service.

11.07 Shift Differential. Employees assigned to work a designated evening shift or a designated night shift shall be paid the applicable shift differential from the following schedule over the employees' regular hourly rate of pay. Employees shall be paid shift differential for the hours falling within the defined shift if four (4) or more hours are worked within the defined evening and night hours below.

Once payment of shift differential has commenced, the employee will be paid the applicable shift differential until the conclusion of the shift

Evenings	\$2.00	Nights	\$3.75
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Shift hours, for the purpose of payment of shift differential only, are:

Evenings	1400 - 2200
Nights	2200 - 0600

Addendum to Article 11

Examples:

1. Scheduled 1600-2400: Work 1600-0800 – receive 6 hours evening shift differential, 10 hours night shift differential plus 8 hours overtime
2. Scheduled Night 2400-0800:
 - (a) stay until 12 noon -- receive 12 hour night shift differential plus 4 hours overtime
 - (b) stay until 4 PM -- receive 14 hours night shift differential, 2 hours evening shift differential plus 8 hours overtime.
3. Scheduled Day 0800-1600 & stay until 2000 -- receive 6 hours evening shift differential plus 4 hours overtime.
4. Scheduled Eve 1600-2400 & stay until 0400 –receive 6 hours evening shift differential and 6 hours night shift differential plus 4 hours overtime.
5. Scheduled 1300-2330 & stay until 0630 – receive 1 hour no differential, 8 hours evening shift differential and 8 hours night shift differential plus 7 hours overtime.
6. Scheduled 1900-0130 – receive 3 hours evening shift differential, 3 hours night shift differential
7. Scheduled 0700-1930 & stay until 2330 -- receive 8 hours evening shift differential, 1.5 hours night shift differential and 4 hours overtime.
8. Scheduled 0700-1930 – receive 5.5 hours evening shift differential.
9. Scheduled 1900-0730 – receive 3 hours evening shift differential and 9 hours night shift differential.
10. Scheduled 1900-0730 & stay until 1130 – receive 3 hours evening shift differential, 13 hours night shift differential and 4 hours overtime.

11.071 Employee Shift Differential Waiver. Employees who have the flexibility to set their own work hours without impacting the Employer's operation may, with supervisory approval, waive their right to applicable shift differential. Waiver of this differential should be in writing and will be available to the Union. An employee may rescind this waiver with written notice at least fourteen (14) days prior to the posting of the next work schedule.

11.08 Change In Classifications. The following provisions shall apply only to movement from one distinct job classification series to another (i.e. from CNA to LPN or from Diet Aide to PAS Representative) and movement within the same job classification series with different DBM Bands (i.e. RT in training B22 to RT C42). Transfers/promotions/demotions to a position within a job classification series shall not alter the Employee's accrued review hours for the purpose of placement on the wage scale (i.e. CN III to CN II, Admin Clerk I to Admin Clerk II or Pharmacy Tech II to Pharmacy Tech III).

a. Promotion. An Employee experiencing a change in classification to a higher DBM rating shall be placed at step one on the wage scale for the new position or at the step that provides the Employee an increase in wage. If the Employee has advanced more than half way to his/her next *wage step increase in the former position, the Employee will be placed at one step above the step that provides the Employee an increase in wage. Once placed, the Employee's review hours shall be established at the base hours for that step on the wage scale and he/she shall begin to accrue review hours from that point. (*)

b. Demotion or Transfer to a Lower Grade. An Employee experiencing a change in classification to a lower grade shall be placed on the wage scale for the new position at the step that provides the least decrease in wage. Once placed, the Employee's review hours shall be established at the base hours for that step on the wage scale and he/she shall begin to accrue review hours from that point.

11.09 Day, Month and Year. For purposes of the Agreement and the method of computing wages, longevity increments, seniority, benefits, and conditions of employment provided herein, a "day" shall be defined as eight (8) hours of work, a "month" shall be defined as 173.3 hours of work, and a "year" shall be defined as 2080 hours of work. All hours for which pay is received except on-call hours shall count as hours worked.

11.10 On-Call Status. Employees placed in on-call status off hospital premises shall be compensated at the rate of \$4.00 per hour. Employees placed in on-call status on a holiday shall be compensated at one and one half (1 ½) times the hourly on-call rate. On-call hours shall not be counted as hours worked for purposes of computing overtime, longevity increments, or fringe benefits. Employees on call should be available to perform on-site work within 30 minutes after being called to work. An employee's failure to respond to reasonable efforts by the Employer to contact him/her as described in section 9.06 shall be a subject of discipline.

11.11 Temporary Assignment. Temporary assignment to a higher paid position shall be compensated \$2.00 per hour above the employee's straight time rate of pay provided, however, there shall be no entitlement to temporary assignment pay when the person in higher paid position is on a scheduled day off work.

11.12 Approved Education Expenses. When the Employer requires the employee to participate in an educational program (which shall exclude programs for maintaining licensure and specialty certification), the Employer will pay approved expenses that are directly related to the program *(including scheduled hours to attend class, cost of program, cards)*.

11.13 Certification Pay. In recognition of excellence in their respective specialties, annually, on the first pay period in February, the Hospital shall, according to the following schedule, pay a bonus to any current employee who has worked 312 or more hours within the previous calendar year (excluding temporary employees), and who currently holds certification(s) based on the following minimum criteria described below as determined by the panel.

- Examination by the certifying body of a nationally recognized job related specialty organization.
- Certification expenses are borne by employee.
- Certification is not required by current job description but is related to the employee's

- current job description or career ladder.
- Certification as a result of basic education for the job does not qualify.
- Changes in certification pay eligibility will be affected by Federal & State law and regulatory agencies.
- The certification must have a requirement to be periodically renewed. Expired certifications must be renewed prior to July of the year to receive certification pay for that year.

A five member panel including two Union employees will be appointed to determine whether the certification(s) meets the above criteria. Each year new certifications and those which have changed status will be considered by the panel. In order to receive this bonus, the employee must provide the Human Resources Office a copy of each certification prior to January 1st of the first year holding such certification and then only after renewals. This annual certification shall be paid to the employee for the respective length of certification. For new certifications, providing any supporting documentation from the above criteria would be appreciated. Failure to provide certificates(s) or requested backup materials by January 1st will disqualify the employee from receiving bonuses.

First Certification	\$400.00
Second Certification	\$350.00
Third Certification	\$250.00

Employees who receive certification pay are required to work in the discipline for which they hold the certification(s) if requested to do so. ***Employees must continue to meet the criteria of the governing body issuing their certification.***

11.14 Premium Pay. Premium pay is any rate of pay other than overtime paid at a rate of one and one-half (1 ½) times the straight time rate of pay. If the total hours worked in the work day or period result in an overtime condition, the premium hours shall be considered and paid as overtime. All differentials, on-call pay and temporary assignment pay are excluded in computing premium pay.

11.15 Preceptor Pay. The Preceptor program is coordinated through Staff Development department. The program is outlined in the Employer's Precepting Policy. Preceptor pay, as defined in the policy, is \$2.00 per hour above the employee's straight time rate of pay.

11.16 Longevity Pay. Full time/Part time Employees with greater than 31,200 hours (longevity/benefit hours) will receive a longevity award on an annual basis at the following rates:

- 31,200 hours up to 41,600 hours - \$750;
- 41,601 hours up to 51,999 hours - \$1,000; and
- over 52,000 hours - \$1,500.

Longevity awards shall become effective at the beginning of the first full payroll period on or after the longevity achievement (as defined in article 11.011)

11.17 Float Pay. ***Employees who are required to float from their home labor distribution to another labor distribution to which they have been sufficiently cross trained and have maintained competencies shall receive a float differential while working in the labor distribution to which they have floated.***

Two (2) direct patient care areas will receive two (\$2) per hour

Three (3) or more direct patient care areas will receive four (\$3) per hour

ARTICLE 12 - EMPLOYEE EVALUATIONS

12.01 Evaluation System. The Employer shall maintain a fair and equitable employee evaluation system.

ARTICLE 13 - FLOATING/SHIFT ROTATION

13.01 Floating. An employee's daily work assignment may be altered on a shift by shift basis by the Employer in order to meet patient care needs. Employees will be expected to perform all basic functions according to their licensure authority and/or their job description. In the event floating becomes necessary, it shall be subject to the following:

- a. No employee shall be required to float to an area in which he or she does not have the necessary skills, timely orientation, or ability to perform the duties assigned.
- b. Employees required to float within the hospital shall receive timely orientation appropriate to the assignment. Orientation will be dependent upon the employee's previous experience and familiarity with the task to which such employee is assigned.
- c. Floating duties shall be assigned as equitably as possible while taking into account patient care needs and the skill and competency of employees. Refusal to float may result in immediate discipline up to and including suspension or discharge.

13.02 Shift Rotation. The Employer may rotate shift assignments as it deems necessary in light of patient care, efficiency and business considerations. In the event of shift rotation, the following shall apply:

- a. Employees may request regular assignment to the night or evening shift. If more than one employee requests assignment to the same night or evening shift, management shall endeavor to schedule the shift assignments in an equitable manner provided the employees have completed their orientation period and this shall not have a deleterious effect on the department as a whole in the judgment of the manager.
- b. Provided the employee's skill, competency, ability and experience are considered equal by the Employer, the Employer will endeavor to assign night and evening positions to the least senior employee. A newly graduated RN will complete a preceptor period prior to being independently assigned to the evening or night shift.
- c. No employee shall be required to accept regular assignment to an evening or night shift for more than one (1) year after completion of initial hospital orientation. Thereafter, the position shall be filled by another assignment, if available, or covered by rotation and the employee rotated to other shifts.

13.021 Equitable Rotation. Where shift rotation is deemed necessary, such rotation will normally include only those employees with less than 15 years employment with the Employer, unless

exclusion of more senior employees may have deleterious effects on the unit or department as a whole in the judgment of the Employer. The Employer will endeavor to assign rotation equitably starting with the least senior employee, subject to the needs of the Hospital and the skill, competency, ability, and experience of the employee.

ARTICLE 14 - JURY/WITNESS DUTY

14.01 Compensation. All Full-time and Part-time employees who are required to serve on jury duty or who are called to be a witness in any judicial proceeding on behalf of the Employer, or as a consequence of employment at Bartlett Regional Hospital shall be compensated by the Employer. Paid jury duty hours are not considered hours worked for the purpose of overtime calculation.

14.011 Jury Duty Leave. Employees serving on jury duty on regularly scheduled work days shall surrender their jury duty pay to the Employer and will be paid their straight time rate of pay for the time the employee's presence is required by the court, or the length of the shift, whichever is less. Scheduled hours in excess of time in court may be taken as personal leave or leave without pay. Evening shift employees may be excused from work on the day of jury duty. Night shift employees may be excused from work either on the night preceding or the night immediately following jury duty.

14.012 Employer Witness Duty. All employees called to be a witness on behalf of the Employer shall be paid in accordance with terms of the contract for all hours spent in preparation for and in such legal proceedings.

- a. Day shift employees may be required, at the manager's discretion, to report to work after the employee's court appearance if the day would otherwise be a normal workday for the employee. If business allows, the employee may request to use personal leave in lieu of returning to work.
- b. Evening shift employees will be reassigned to the day shift on the day of witness duty. The employee may be required, at the manager's discretion, to report to work after the employee's court appearance if the day would otherwise be a normal workday for the employee. If business allows, the employee may request to use personal leave in lieu of returning to work.
- c. Night shift employees may be excused from work on the night preceding the day of witness duty. On the day of witness duty, the employee will be reassigned to work day shift hours. The employee may be required, at the manager's discretion, to report to work after the employee's court appearance if the day would otherwise be a normal workday for the employee. If business allows, the employee may request to use personal leave in lieu of returning to work.

Examples:

Employee is scheduled to work the night shift on Monday, Tuesday, and Wednesday. Employee is required to appear in court on Monday. The employee is reassigned to work during the day shift on Monday, and reports to work Tuesday at 1900 (7:00 pm). No additional shift adjustments are considered.

Employee is scheduled to work the night shift on Monday, Tuesday, and Wednesday. Employee is required to appear in court on Tuesday. The employee is given administrative leave for the Monday night shift, and is reassigned to work during the day shift on Tuesday. The employee reports to work at 1900 (7:00 pm) Wednesday.

Employee is scheduled to work the night shift on Monday, Tuesday, and Wednesday. Employee is required to appear in court on Wednesday. The employee works the night shift on Monday, is placed on administrative leave for the Tuesday night shift, and is reassigned to work during the day shift on Wednesday. No additional shift adjustments are considered.

14.013 Non Employer Witness. Employees subpoenaed for proceedings not related to employment at the Hospital will be given release time. Such release time will be taken as personal leave or leave without pay. Employees shall use all reasonable efforts to avoid time away from the Hospital.

14.02 Reporting For Work. An employee excused from jury/witness duty during regularly scheduled hours shall report to work forthwith. Employees shall not be required, because of such jury/witness duty, to work beyond their scheduled work day.

ARTICLE 15 - CONSCIENTIOUS OBJECTION

15.01 Notification and Utilization. Except in emergencies, no employee shall be required to perform or assist in the performance of any treatment or procedures that violate the employee's previously stated religious or ethical beliefs. An employee, upon being offered or assigned a specific job position in which participation in such treatment or procedures may occur, shall notify the Employer in writing of any limitations his or her religious or ethical beliefs may place upon his or her ability to perform the duties associated with the job position. The Employer shall review the limitations as stated by the employee and may, if the Employer deems it necessary for business and patient care considerations, assign the position to another employee. The utilization of this Article by an employee shall in no way affect the employee's performance rating or, except as necessary to accommodate the employee's previously stated beliefs, promotional opportunities.

ARTICLE 16- HOLIDAYS

16.01 Recognized Holidays. The following calendar days shall be recognized as holidays:

New Year's Day	1st of January
Martin Luther King Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	4th of July
Labor Day	1st Monday in September
Alaska Day	18th of October
Veteran's Day	11th of November
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Day	25 th of December

16.011 Hours of Recognition. The hours recognized for observance of the above designated holidays shall be on the calendar day, except for the following:

- a. For employees scheduled to work 8 hour shifts, the observance of Christmas Day shall begin with commencement of the designated evening shift on December 24th and continue through the end of the designated day shift on December 25th and for New Year's Day the observance shall begin with commencement of the designated evening shift on December 31st and continue through the end of the designated day shift on January 1st. However, if an employee is scheduled to work an 8 hour day shift on December 24th and an 8 hour evening shift on December 25th, they shall receive holiday pay for work on Christmas Day, December 25th.
- b. For all employees scheduled to work 12 hour shifts, the observance of all holidays shall commence at the beginning of the designated night shift on the day prior to the holiday and continue until the end of the designated day shift on the holiday.
- c. For all employees scheduled to work other innovative shifts, the observance of the Christmas and New Year's holidays shall commence at a designated time on December 24th and December 31st and shall continue for a 24 hour period ending on December 25th and January 1st respectively.

16.02 Posting of Dates. The dates and times at which holidays will be observed will be conspicuously posted by the Employer prior to each January.

16.03 Compensation. All employees who work on the above holidays shall be paid at the rate of one and one-half (1 ½) times the employee's straight time rate of pay for all hours worked on the holiday. All overtime hours worked on a holiday shall be paid at twice the employee's straight time rate of pay.

16.04 Rotation of Holiday Work. Holiday work shall be rotated by the Employer to the extent possible. However, when required to be on duty, employees will work either Christmas Day or Thanksgiving. With approval of the appropriate department manager an employee required to work on Christmas or Thanksgiving may take both holidays off by arranging for another employee who is presently qualified to work both holidays if necessary.

16.05 Longevity Holiday Exemption. Upon the employee's written request, an employee with 15 or more years employment with the employer, will be exempt from having to work holidays unless the exemption results in insufficient staffing for a department or this practice has a deleterious effect on the department as a whole in the judgment of the Employer. Approved personal leave would have staffing precedence. In cases of conflicting requests, Article 16.04 Rotation of Holiday Work, supersedes.

ARTICLE 17- PERSONAL LEAVE

17.01 Personal Leave. Full time and part-time employees shall accrue Personal Leave for purposes of vacation, holiday, and sick leave. Employees in casual, PRN, and temporary status do not accrue Personal Leave.

17.02 Rate of Accrual. The rate of accrual shall be based upon the total number of hours of work or

paid leave the employee received compensation for (excluding on-call and call back minimum hours) in accordance with the following formula:

<u>Step</u>	<u>Length of Employment</u>	<u>Accrual Rate</u>
1	0 to 2079.99 hours	Multiply total hours times .1000
2	2080 to 4159.99 hours	Multiply total hours times .1385
3	4160 to 10,399.99 hours	Multiply total hours times .1500
4	10,400 to 20,799.99 hours	Multiply total hours times .1615
4	10,400 to 20,799.99 hours	Multiply total hours times .1615
5	20,800 hours and up	Multiply total hours times .1846

17.03 Pay Rate. Personal leave pay shall be paid at the employee's straight time rate of pay at the time the leave is taken. All accrual rate changes shall be effective the first day of the pay period following completion of the employee's service requirement.

17.04 Scheduling. Except for medical reasons, employees shall present requests for personal leave using the automated time card system as far in advance as possible but not less than two (2) weeks before the work schedule is posted. Employees will be notified through the automated time card system within one (1) week after the request is submitted whether the personal leave is approved, and if denied a justifiable reason given. The Employer shall not unreasonably deny a request for personal leave taking into account the needs of the Hospital. Approved personal leave is contingent upon the employee having sufficient accrued PL when the leave is taken so that the employee does not go into leave without pay status. Previously denied requests may be resubmitted as circumstances warrant.

17.041 Conflicting Requests. In the case of conflicting requests by employees for personal leave or limitations imposed by the Employer on personal leave requests, all personal leave requests will be considered on the basis of the date the request was submitted. Personal leave requested during the Christmas or Thanksgiving holiday periods shall be assigned on a rotational basis pursuant to Section 16.04.

17.042 Advance Notification. Employees requesting personal leave at least ninety (90) days in advance, but no further than 11 months in advance, will be notified through the automated time card system whether this request is approved as soon as practical, but no later than thirty (30) days after the request for personal leave was submitted. Approved personal leave requests shall not be affected by later request unless mutually agreeable. An employee may rescind a PL request up to 30 days after the approval. Thereafter, rescission of such requested time off may be accomplished only if the Employer consents.

17.05 Use for Illness or Injury. Any accrued and unused personal leave may be used by an employee who is ill or has been injured, or to care for a member of the employee's immediate family consisting of the employee's grandparents, parents, spouse, domestic partner, sibling, child, grandchild, father-in-law, or mother-in-law, and such others as may be agreed upon between the employee and the

Hospital.

17.051 Notification of Illness or Injury. Whenever possible, employees shall notify the Employer at least two (2) hours in advance of the employee's scheduled shift if the employee is unable to report for duty as scheduled. The employee must notify the Employer each day of absence if the employee is unable to work unless prior arrangements have been made with the supervisor. Failure to comply with the above specified notification requirements may result in loss of paid personal leave for that day.

17.052 Proof of Illness or Injury. Prior to payment for medically related personal leave, reasonable proof of illness or injury may be required. Proven abuse of medically related personal leave may be grounds for discharge.

17.06 Usage Requirements. Personal leave accrued but not used shall accumulate from month to month until separation providing each full time employee uses at least 120 hours of personal leave each calendar year and each part-time employee uses at least the same number of hours per year as their part-time status bears to 120 hours (i.e., a .6 part-time employee shall use 72 hours). This provision will take effect on January 1 of the year immediately following the Employee's date of hire or change of status from casual to fulltime or part-time. If an employee does not take a total of 120 hours of personal leave (or the proportionate amount for part-time employees) in a calendar year, the difference shall be canceled without pay unless the employee's supervisor certifies in writing that there was no opportunity to take the mandatory leave, in which case it will remain in the employee's accumulating balance subject to the accrual limit in Section 17.08.

17.07 Conversion to Cash. Following completion of an employee's probationary period, a full time employee or a part-time employee may request a cash payment, in whole or part, for accrued hours of personal leave. However, the exercise of this option does not eliminate the mandatory use of personal leave as provided for in Section 17.06 above. In no case shall conversion to cash reduce the employee's leave balance to less than 80 hours. Requests for conversion must be received by the Payroll Department prior to the end of the pay period and will be paid on the following payday.

17.08 Limits of Accrual. No employee shall be allowed to carry-over more than 750 hours of personal leave to the next calendar year. Accrued, yet unused personal leave in excess of this limit shall be paid out to the Employee at his/her present base rate of pay on the first pay period in January of each year. This provision does not eliminate the mandatory use of personal leave as provided for in section 17.06 of this agreement.

17.09 Use of Personal Leave for Holidays. All employees are required to use a day of personal leave time for each designated holiday unless required to work on the holiday or it is a scheduled day off for the employee. Personal leave accrual rates were established in consideration of this requirement. An employee using paid leave on a holiday who is called into work shall not be required to use paid leave for any hours actually worked.

17.091 Employee Holiday Pay Waiver. Employees not normally scheduled to work holidays may waive their right to holiday pay and, with prior supervisory approval, work the holiday at their straight time rate of pay. A written waiver will be required for each holiday and will be available to the Union.

17.10 Payment Upon Termination. Following completion of an employee's probationary period, an

employee shall be paid upon termination of employment for all personal leave accrued but not used; provided, however, this provision shall not apply to those employees who terminate their employment without giving the required fourteen (14) days prior written notice or to those employees who are discharged for gross misconduct or serious employment infractions.

17.11 Days and Hours. For the purpose of this Article days and hours shall be interchangeable and each day shall consist of eight (8) hours.

ARTICLE 18 – OTHER PAID LEAVE

18.01 Educational Leave/Benefit. Full and Part time employees shall be allowed up to twenty-four (24) hours of paid educational leave per year, or in lieu of such leave, up to twenty-four (24) hours per year of pay for approved educational program participation outside of work hours. Such leave or program participation shall be subject to budgetary considerations and scheduling requirements of the Employer. The use of this educational leave/benefit is strictly limited to attendance (which includes time spent getting to and from the program) at schools or other entities (e.g. electronic, on-line media, or professional organizations) offering bona fide educational programs approved by the Employer.

18.02 Professional Leave. Full and Part time employees may be allowed up to twenty-four (24) hours of paid professional leave per year, provided, however, such leave shall be subject to budgetary considerations and scheduling requirements of the Employer. Professional leave shall be used only for events such as conferences, seminars, or trade shows sponsored by recognized professional organizations related to the employee's position. Employee must be a member of a recognized professional organization related to the employee's position.

18.03 Bereavement Leave. When a death occurs in a Full or Part time employee's immediate family (defined as grandparent, parent, spouse, domestic partner, sibling, child, grandchild, son-in-law, daughter-in-law, mother-in-law or father-in-law, and such others as may be agreed upon between the employee and the Employer), he or she will be entitled to a leave of absence from scheduled work of up to 40 hours (pro-rated for part-time employees) with pay to participate in the memorial service and/or attend to the affairs of the deceased. If it is necessary for the employee to leave Juneau, the 40-hour period will be extended to ten (10) days; however, the amount of compensation available to the employee will remain 40 hours.

a. If an employee is on vacation and is utilizing personal leave, the employee may convert such vacation time (up to 40 hours, pro-rated for part-time employees) to bereavement leave provided the employee requests such conversion in writing to the Employer within five (5) calendar days upon return from vacation.

b. Pay for bereavement leave will be provided only in the event the employee was thus unable to perform work for which the employee had otherwise been scheduled-with the exception of a) above.

18.04 Union Leave. The release of bargaining unit members for Union Leave shall be handled on the same basis as release from duty for Personal Leave. Such approval shall not be unreasonably

withheld by the supervisor. In instances of contract negotiations and other highly critical matters of long duration, the Employer agrees that every reasonable effort will be made to release bargaining unit members from their duties; however, the parties recognize that a situation may develop such that a bargaining unit member may not be released.

ARTICLE 19 - LEAVES OF ABSENCE

19.01 In General. ~~Employees shall request All all~~ leaves of absence ~~are to be requested~~ from the Employer in writing as far in advance as possible stating the reason for the leave and the amount of time requested. The Employer shall, as soon as possible after receipt of the leave of absence request (but in no event longer than thirty (30) days following receipt), provide the employee with a written reply either granting or denying the leave. The Employer, taking into account staffing, financial and patient care considerations shall not unreasonably deny an employee's leave of absence request.

19.011 Compensation/Accrual While On Leave. Unless otherwise specified in writing at the time the leave is granted all leaves of absence shall be unpaid. All unpaid leaves of absence shall be provided without loss of seniority or accrued benefits. Accrued, yet unused personal leave shall be paid out to the employee when the leave of absence begins.

19.02 Personal Leave of Absence. Following completion of the employee's probationary period, a personal leave of absence without pay may be granted for a period of up to one (1) year for educational, sabbatical, medical or personal reasons.

19.03 Union Leave of Absence. Following completion of an employee's probationary period, a personal leave of absence without pay may be granted for a period of two (2) years to an employee who has been elected or appointed to a Union position. The Employer shall not unreasonably deny the request.

19.04 Unpaid Union Leave for Negotiations. Union members of the contract negotiation team may be allowed to take unpaid union leave for contract negotiation meetings only.

19.05 Military Leave. Leave required in order for an employee to maintain status in a military reserve of the United States shall be granted without pay, without loss of benefits accrued to the date such leave commences, and shall not be considered part of the employee's earned personal leave time.

19.06 Return From Leave. An employee who returns from an approved leave of absence in a timely fashion in accordance with a Leave of Absence Agreement shall be provided his or her previous position if it is open. In the event the previous position is not open, the employee will be offered the next available position compatible with the employee's job description for which the employee is qualified, in the opinion of the Employer. If another position compatible with the employee's job description for which the employee is qualified is not available, the employee will be placed on layoff status. Failure of an employee to accept a position as described above when offered shall relieve the Employer of any further obligation hereunder and shall constitute voluntary termination on the part of the employee.

ARTICLE 20 – FAMILY MEDICAL LEAVE/ALASKA FAMILY LEAVE

20.01 The Employer agrees to adhere to the provisions of the Family Medical Leave Act (FMLA) of 1993 and the Alaska Family Leave Act (AFLA) for all eligible employees in the bargaining unit.

ARTICLE 21 - HEALTH EXAMINATIONS

21.01 Requirements. At the time of employment, all employees will, as a condition of continued employment, complete a physical screening form and submit to a tuberculin, rubeola, hepatitis B and varicella screening. Annually thereafter, all employees, as a condition of continued employment, will submit to a tuberculin screening. From time to time, the Employer or the State of Alaska may require other related tests.

21.02 Influenza ~~Precautions~~ Vaccinations: ~~Employees who have not received an influenza vaccination prior to the start of the influenza season shall wear facemasks during the influenza season.~~ The Employer will endeavor to provide an influenza vaccination to employees by September 15th of any given year. Such vaccination shall be provided at no cost to the employee. *Those who choose not to receive the vaccination will wear an appropriate mask provided by the Employer or an Employer-approved personal mask during the influenza season.* The employer shall designate what constitutes influenza season based on CDC reports and clinical evidence.

ARTICLE 22 - CONFIDENTIAL INFORMATION

22.01 Confidential Information. Any indiscriminate or unauthorized review, use or disclosure of information, medical, personal, contractual or otherwise, regarding the Hospital, any patient or employee is expressly prohibited. Except when required in the regular course of business, the discussion, use, transmission or narration, in any form, of any such information which is obtained in the regular course of business is prohibited. Violation of this paragraph shall be grounds for immediate discipline including immediate termination.

ARTICLE 23 - UNION ACCESS/BULLETIN BOARD

23.01 Access. Duly authorized representatives of the Union may have access at reasonable times to those areas of the Hospital's premises which are open to the general public for the purpose of investigating grievances and contract compliance. Union representatives shall not have access to employee lounge used primarily by non-bargaining unit employees, nursing units, or other patient care areas unless advance approval has been obtained from the Administrator. Access to the Hospital's premises shall be subject to the same general rules applicable to other non-employees and shall not interfere with or disturb employees in the performance of their work during working hours and shall not interfere with patient care or the normal operation of the hospital.

a. Subject to the provisions of Article 18.04, an authorized Union representative may be granted Union Leave for up to one shift per week to conduct Union business.

b. Such leave time taken shall be compensated from the Union Leave Bank.

23.02 Authorized Representative. The Union shall notify the Employer of the name of its Representatives who are authorized to speak on behalf of the Union. The Representatives shall not be recognized by the Employer until the Union has given the Employer written notice of the selection. Unless otherwise agreed to by the Employer where circumstances warrant, the investigation of grievances and other Union business shall be conducted only during non-working times, and shall not interfere with the work of other employees.

23.03 Bulletin Board/ Electronic Notification.

a. The Employer shall furnish four bulletin boards in the main hospital building plus one bulletin board per building where bargaining unit employees work outside of the main building on the main Hospital campus, to be placed in mutually agreed prominent places for use of the local unit. All other boards shall be for the exclusive use of the Employer. Material posted may include meeting notices, Union newsletters and communications, training and education, information and general matters all related to professional matter, patient care and health care. All material posted on the bulletin board must, prior to posting, be approved by the Employer and signed by a designated local unit representative.

b. The Union may use the Employer's e-mail system to communicate with bargaining unit members. Usage of the system may be curtailed should it adversely impact the Employer's ability to conduct its day-to-day business. The Union acknowledges and agrees to abide by the Employer's "Network Computing Policy".

ARTICLE 24 - DISCIPLINE/EMPLOYEE RESPONSIBILITIES

24.01 Right of Discipline. It is recognized that the Employer has the right to discipline an employee for just cause; provided however, that the employee and/or the Union shall have the right to appeal any such action in accordance with provisions of the grievance procedure contained herein.

24.02 Reasonable Rules. The employees shall observe the Employer's reasonable rules. The Union will be given a copy of the Employer rules. Employees who violate safety rules and other reasonable written rules established by the Employer may be subject to disciplinary action including immediate discharge.

24.03 Access to Representative. An employee may upon request have a Union representative present at any meeting with the Employer when the employee reasonably believes such meeting may result in disciplinary action *or probationary separation*.

24.04 Method of Discipline. The Employer shall not discipline any employee without just cause. Any employee discharged, suspended, or demoted for disciplinary reasons will be furnished in writing the reasons for such action and, in the event of discharge, shall be paid in full within seventy-two (72) hours from the date of such discharge excluding weekends and holidays. In the event an employee is suspended without pay or discharged, the Employer will, within five (5) working days, forward to the local Union office a notice of such action by certified mail.

24.05 Personnel Records. Personnel records will be maintained for each employee. Information contained in the personnel record will include but not be limited to: employment application and

supporting materials, performance appraisals, records of payroll activity, licensure and training records, letters of commendation and recognition, and records of disciplinary action. By appointment, employees (who may be accompanied by a Union representative) may inspect their personnel records. By appointment and with a signed letter from the employee, a union representative may inspect an employee's personnel record. A copy of all written disciplinary actions shall be given to the employee. Employees shall be required to sign the written disciplinary action form for the purpose of acknowledging receipt thereof. Employees will be given the opportunity to provide a written response to any written evaluations or disciplinary actions to be included in the personnel file. Documentation regarding conditions at date of hire (rate of pay, unit, shift, hours of work) reason for termination, permanent change in status, pay or shift and leaves of absence shall be in writing with a copy given to the employee.

24.06 Use of Alcohol or Other Drugs. An employee reporting for duty under the influence of alcohol, drugs or intoxicants, or consuming alcohol, drugs, or other intoxicants while on duty, will be subject to disciplinary action which may include immediate termination.

24.061 Drug Free Workplace Act. The parties acknowledge that the Hospital and employees may be required to comply with the Drug Free Workplace Act. If the Act applies, the parties agree to comply with its provisions. As the need arises, the parties agree to follow the Hospital's "Procedure for Dealing with an Impaired Employee." This Section shall not apply to the use of prescribed drugs providing such use does not adversely affect the employee's job performance.

24.062 Education and Training. Supervisors and other responsible staff shall be given training to address and recognize the signs and symptoms of prohibited alcohol/drug use by employees and the appropriate steps for implementation of "Procedure for Dealing with an Impaired Employee" policy.

24.07 Courtesy and Respect. The parties to this Agreement recognize the right of all hospital staff, patients, and public to be treated with courtesy and respect.

24.08 Employee Notification of Resignation. Employees shall be required to give at least fourteen (14) days written notice of resignation. Failure to give notice shall result in loss of accrued personal leave. The requirement for advance notification of resignation may be waived by the Employer for justifiable reasons beyond the employee's control.

24.09 Employee Notification Responsibility. Employees shall provide the Employer with a current telephone number at the employee's residence or an equivalent method of communication for notification by the Employer if necessary under this Agreement.

ARTICLE 25 - PATIENT TRANSPORTS

25.01 Compensation. An employee who is selected to act as an escort for a patient who is being transported to another facility shall receive eight (8) hours of paid time per trip unless weather conditions render it impossible for the employee to return to Juneau in a timely fashion, in which case the employee shall receive an additional paid eight (8) hours until he or she is able to return to Juneau.

25.02 Actual Expenses. In accordance with the Employer's travel policy, the escort shall be reimbursed for actual expenses incurred.

ARTICLE 26 - HEALTH AND WELFARE

26.01 Tiered Health Care Coverage. The Employer shall provide a tiered benefits program for the provision of health insurance. Employees may choose to opt out of this program, provided they submit annual documentation that verifies coverage under another insurance plan that is at least equal to the Employee Only Economy tier.

a. Employees will pay /contribute toward their chosen health insurance benefit at the same amount as the employees of the City and Borough of Juneau.

b. Eligible part-time employees shall be provided the option of participating in the Employee Only Economy tier of the group insurance plan at the same cost of full-time employees.

26.011 Benefit Levels.

a. The eligibility of the employee, their dependents and ~~eligible-domestic-partners~~ *spouse* for coverage and the precise benefits to be provided shall be based on the tiered insurance benefit plan written and maintained by the City and Borough of Juneau.

b. The Employer shall provide written notice to employees of changes to the level of health insurance benefits at least sixty (60) days prior to the open enrollment period.

26.012 Termination of Benefits.

A. When an employee leaves employment, health insurance coverage ends at 12:01 AM on the day following the last day of pay status. In the case of an employee's death the health insurance coverage ends the last day of the month.

B. Employees on an approved Leave of Absence *under Article 19.02 or 19.03* are not eligible for Employer provided health insurance.

26.013 Health Committee. The Parties will participate in the CBJ Health Committee.

26.02 Other Insurance. The Employer will provide Workers Compensation Insurance and Unemployment Compensation Insurance in accordance with the laws of the State of Alaska.

26.03 CBJ Health Yourself Rewards Program. The Employer will make available to benefitted employees participation in the CBJ Health Yourself Rewards Program under the same terms and conditions as applied to CBJ employees.

ARTICLE 27 - PENSIONS

27.01 Pension Program. The Employer shall continue to participate in the Public Employees Retirement System (PERS) or any other retirement system which the City and Borough of Juneau may subsequently participate in, on behalf of each and every eligible employee covered by this Agreement.

Retirement benefits and eligibility requirements for participation shall be defined by that plan.

ARTICLE 28 - MISCELLANEOUS DEDUCTIONS

28.01 Credit Union Participation. Upon written authorization of an employee, the Employer shall make monthly deductions from the employee's gross income in an amount designated by the employee and deposit such deductions into the employee's account or accounts at one or more of the credit unions affiliated with the hospital.

ARTICLE 29 - SAVINGS CLAUSE

29.01 State and Federal Laws. This Agreement shall be subject to all present and future applicable federal and state laws executive orders of the President of the United States or the Governor of the State of Alaska and rules and regulations of governmental authority. Should any provision or provisions become unlawful by virtue of the above or by declaration of any court of competent jurisdiction, such action shall not invalidate the entire Agreement. Any provisions of this Agreement not declared invalid shall remain in full force and effect for the term of the Agreement. If any provision is held invalid, the Employer and Union shall enter into immediate negotiations for the purpose, and solely for the purpose, of arriving at a mutually satisfactory replacement for such provisions.

29.02 Amendments. Any change or amendments to this Agreement shall be in writing and duly executed by the parties hereto.

ARTICLE 30 - CONCLUSION OF BARGAINING

30.01 Entire Agreement. This agreement is the entire Agreement between the Employer and the Union. The parties acknowledge that they have fully bargained on all subjects not removed by law and have settled them for the duration of this Agreement. This agreement terminates all prior agreements, written and oral understandings between the parties, for the duration of this Agreement.

ARTICLE 31- DURATION OF AGREEMENT

31.01 Expiration Date. This Agreement shall become effective January 1, ~~2015~~ **2018** and shall remain in full force and effect up to and including the 31st day of December ~~2017~~ **2020** (the "expiration date") unless changed by mutual consent. Should the Union or the Employer desire to change, modify or renew the Agreement upon the expiration date, written notice must be given to the Employer at least ninety (90) days prior to the expiration date. Upon receipt of such notice, negotiations shall commence. In the event negotiations do not result in a new agreement on or before the expiration date, this Agreement shall continue in effect past the expiration date, provided, however, either party gives not less than ten (10) days written notice of termination, and the Agreement will terminate at the end of the tenth day without further action on either party.

ARTICLE 32 - LABOR/MANAGEMENT COMMITTEE

32.01 Labor/Management Committee. The Parties will participate in a Labor Relations Committee, which will be composed of a minimum four members from Management and a minimum four members from the Union but the numbers must be equal. The Committee will schedule quarterly meetings at the beginning of every fiscal year in an effort to enhance communications, promote a positive work environment, discover, discuss and resolve issues or problems that are not typically covered by the Collective Bargaining Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this ~~24th~~ day of ~~January~~ 2017 ~~2017~~ **2018**.

COLLECTIVE BARGAINING AGREEMENT:

BARTLETT REGIONAL HOSPITAL

/s/ _____
Chuck Bill, CEO, Bartlett Regional Hospital

/s/ _____
Dallas Hargrave, Chief Spokesperson, HR Director,
Bartlett Regional Hospital

Billy Gardner, Chief Nursing Officer
Rose Lawhome, Assistant Chief Clinical Officer
Liz Bishop, Medical Surgical and Infusion
Therapy Director
Cindy Carte, HR Manager

HEALTHCARE UNIT 2201

/s/ _____
Debbie Manowski, Chief Spokesperson, Healthcare
Unit 2201, President

Mary Frances Fisher, Vice-President
Margie Fisher, Secretary
Holly Hunter, Member Representative
Anjela Johnston, Member Representative
Dan Levengood, Member Representative
Desiree Rodriguez, Member Representative
Russ Bargmann, ILWU International
Research/Education Director

APPENDIX A

Effective on November 29, 2015 and during the term of this agreement, employees in the following listed positions shall be compensated at not less than the hourly rates listed in the attached wage scales.

- (1) Steps 1 through 4 are separated by 2080 review hours
- (2) Steps 4 through 13 are separated by 6240 review hours

~~Effective with the first payday in July 2015, the new classification structure shall be implemented and employees shall be placed on the schedule at the step closest to their current rate of pay without going under as per attached wage/step implementation chart.~~

Employees whose pay rates are in excess of the final step of the pay schedule upon implementation of the new pay structure shall *continue to* have their rate of pay frozen until such a time as general increases or market changes to the wage schedule surpass their frozen rate of pay.

Effective the first payday in July ~~2017~~ *2018* (Pay Period ~~June 18, 2017 to July 1, 2017~~ *June 17, 2018 to June 30, 2018*), a ~~1.5~~ *1.5*% increase will be applied to Step 4 of the wage scales *in effect on June 16, 2018*.

Effective the first payday in July 2019, (Pay Period June 16, 2019 to June 29, 2019), a 1% increase will be applied to Step 4 of the wage scales in effect on June 15, 2019.

Effective the first payday in July 2020, (Pay Period June 14, 2020 to June 27, 2020), a 1% increase will be applied to Step 4 of the wage scales in effect on June 13, 2020.

In lieu of a wage increase, those who have their rate of pay frozen above Step 13 of the wage scale after the scheduled wage increase, shall receive a lump sum payment equivalent to the percent increase received by those who do not have their pay frozen above Step 13 of the wage scale. This lump sum payment is due at the time of the scheduled wage increase as a separate check.

MEMORANDUM

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

FAXED MEMORANDUM

TO: Bidders Date: May 31, 2018

FROM: *Carl J. Uchytel*
Carl Uchytel
Port Director

SUBJ: POSTING NOTICE OF BIDS
Auke Bay Marine Station Float Extension
Contract No. DH18-068

This memo is to post a notice of the results of the bid opening on May 30, 2018 for the subject project. The bidders and their total bids are as follows:

BIDDERS	TOTAL BID
Trucano Construction Co.	\$202,700.00
Silver Bow Construction	\$292,500.00
<i>Engineer's Estimate</i>	<i>\$158,000.00</i>

The apparent low bidder is Trucano Construction Co. The CBJ intends to award the Total Bid in the amount of \$202,700. Award will be forwarded to the May 31, 2018 Docks and Harbors Board meeting for approval. Recommendation to award the Total Bid in the amount of \$202,700 has been forwarded to the CBJ Assembly for approval at the Regular Assembly Meeting on June 4, 2018.

This notice begins the protest period per Purchasing Code 53.50.062. Protests will be executed in accordance with CBJ Ordinance 53.50.062 "Protests", and 53.50.080 "Administration of Protest." The CBJ Purchasing Code is available online at: <http://www.juneau.org/law> or from the CBJ Purchasing Division at (907) 586-5258.

The apparent low bidder has until **4:30 p.m. on June 7, 2018**, to submit the Subcontractor Report, Section 00360 and Section 00370 Contractor's Financial Responsibility to the Engineering Department Contracts Office. The Subcontractor Report must be submitted even if there are no subcontractors planned for the job.

c. Erich Schaal , Port Engineer





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

May 4, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

License Type:	Brewery	License Number:	2534
Licensee:	Alaskan Brewing, LLC		
Doing Business As:	Alaskan Brewing Co		

☐ **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



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Transferor Information

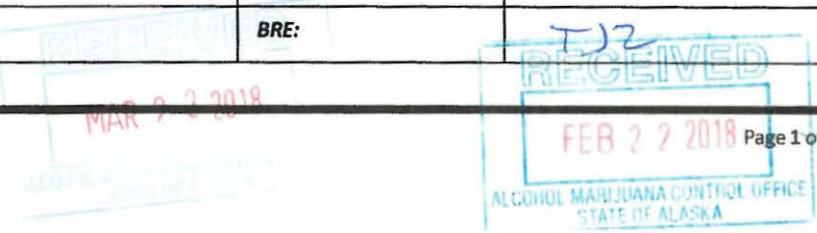
Enter information for the *current* licensee and licensed establishment.

Licensee:	Alaskan Brewing LLC		License #:	2534	
License Type:	Brewery		Statutory Reference:	AS 04.11.130	
Doing Business As:	Alaskan Brewing Co				
Premises Address:	5429 Shaune Drive				
City:	Juneau	State:	AK	ZIP:	99801
Local Governing Body:	City and Borough of Juneau				

Transfer Type:

- ☒ Regular transfer
☐ Transfer with security interest
☐ Involuntary retransfer

OFFICE USE ONLY			
Complete Date:	5/4/2018	Transaction #:	54535
Board Meeting Date:	6/12/2018	License Years:	
Issue Date:		BRE:	TJ2





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the **new** applicant and/or location seeking to be licensed.

Licensee:	Alaskan Brewing LLC				
Doing Business As:	Alaskan Brewing Co				
Premises Address:	5429 Shaune Drive				
City:	Juneau	State:	AK	ZIP:	99801
Community Council:	City and Borough of Juneau				

Mailing Address:	5429 Shaune Drive				
City:	Juneau	State:	AK	ZIP:	99801

Designated Licensee:	Linda Thomas				
Contact Phone:	907-780-5866	Business Phone:	907-780-5866		
Contact Email:	lthomas@alaskanbeer.com				

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

☒ an existing facility ☐ a new building ☐ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	See Attached				
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



Alaskan Brewing & Bottling Co.

CBPL Entity #47297D

AK Entity #	Name	Mailing Address	Titles	Phone	Owned
	Geoffrey L Larson	5429 Shaune Drive, Juneau, AK 99801	Director, President, Shareholder	907-780-5866	28.91%
	Jeffrey Wilson	175 S. Franklin Street, Suite 300, Juneau, AK 99801	Director, Shareholder	907-586-2100	2.03%
	Kenneth Vaughan	3019 Mountainwood Circle, Juneau, AK 99801	Director, Shareholder	907-789-3234	0.95%
	Linda C Thomas	5429 Shaune Drive, Juneau, AK 99801	Director, Vice President, Treasurer, Shareholder	907-780-5866	3.60%
	Marcelle A Larson	5429 Shaune Drive, Juneau, AK 99801	Director, Shareholder, Secretary	907-780-5866	28.91%
	Alaskan Brewing & Bottling Co. Employee Stock Ownership Trust (ESOT)				10.08%
	Remaining 74 Shareholders each hold less than 3% ownership interest.				25.52%
					100%

Alaskan Brewing LLC (wholly owned subsidiary of Alaskan Brewing & Bottling Co.)

CBPL Entity #71931D

AK Entity #	Name	Mailing Address	Titles	Phone	Owned
47297D	ALASKAN BREWING & BOTTLING CO.	5429 Shaune Drive, Juneau, AK 99801	Member	907-780-5866	100%
	Geoffrey L Larson	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	
	Jeffrey Wilson	175 S. Franklin Street, Suite 300, Juneau, AK 99801	Manager	907-586-2100	
	Kenneth Vaughan	3019 Mountainwood Circle, Juneau, AK 99801	Manager	907-789-3234	
	Linda Thomas	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	
	Marcelle A Larson	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	

AKBEV Group LLC (wholly owned subsidiary of Alaskan Brewing & Bottling Co.)

CBPL Entity #71930D

AK Entity #	Name	Mailing Address	Titles	Phone	Owned
47297D	ALASKAN BREWING & BOTTLING CO.	5429 Shaune Drive, Juneau, AK 99801	Member	907-780-5866	100%
	Geoffrey L Larson	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	
	Jeffrey Wilson	175 S. Franklin Street, Suite 300, Juneau, AK 99801	Manager	907-586-2100	
	Kenneth Vaughan	3019 Mountainwood Circle, Juneau, AK 99801	Manager	907-789-3234	
	Linda Thomas	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	
	Marcelle A Larson	5429 Shaune Drive, Juneau, AK 99801	Manager	907-780-5866	

MAR 7 - 2018



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501

alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	71931D	AK Formed Date:	1/2/2001	Home State:	Alaska
Registered Agent:	Robert P. Blasco	Agent's Phone:	907-586-3340		
Agent's Mailing Address:	9360 Glacier Hwy, Suite #202				
City:	Juneau	State:	AK	ZIP:	99801

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒ ☐





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☐☒

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☒☐

If "Yes", disclose the name of the individual and the reason for this authorization:

Linda Thomas - CEO
Marcelle Larson - Manager
Julie Pierce - Director of Finance
McKenzie Knudson - Accounting Supervisor
Matthew Jurado - Regulatory Accountant





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

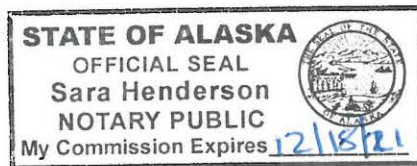
Linda C. Thomas

Signature of transferor LINDA C. THOMAS

Alaskan Brewing Holding, LLC

Printed name of transferor

Subscribed and sworn to before me this 6 day of Feb., 2018.



Sara Henderson
Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: 12/18/21

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this ____ day of _____, 20____.

Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

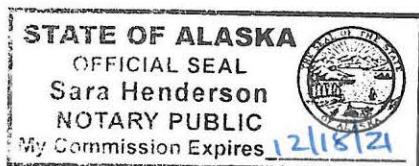
Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Unda C. Thomas
Signature of transferor
UNDA C. THOMAS

ALASKAN BREWING & BOTTLING CO.
Printed name of transferor

Subscribed and sworn to before me this 6 day of Feb., 2018.



Sara Henderson
Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: 12/18/21

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this _____ day of _____, 20____.

Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

LI

I certify that all proposed licensees have been listed with the Division of Corporations.

LI

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

LI

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

LI

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

LI

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Linda C. Thomas
Signature of transferee

LINDA C. THOMAS

ALASKAN BREWING & BOTTLING CO.

Printed name



Subscribed and sworn to before me this 16 day of Feb., 20 18.

Sara Henderson
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 12/18/21





Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

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Li

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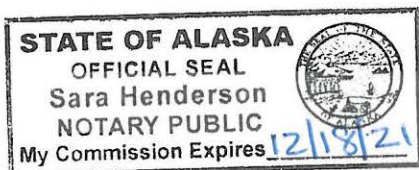
Li

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Sarah C. Hansen
Signature of transferee

ALASKAN BREWING EMPLOYEE STOCK OWNERSHIP TRUST
Printed name

Subscribed and sworn to before me this 6 day of Feb., 2018.



Sara
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 12/18/21





Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.



Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Alaskan Brewing LLC	License Number:	2534		
License Type:	Brewery				
Doing Business As:	Alaskan Brewing Co				
Premises Address:	5429 Shaune Dr				
City:	Juneau	State:	AK	ZIP:	99801



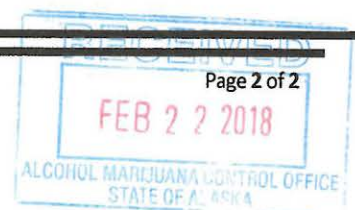


Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

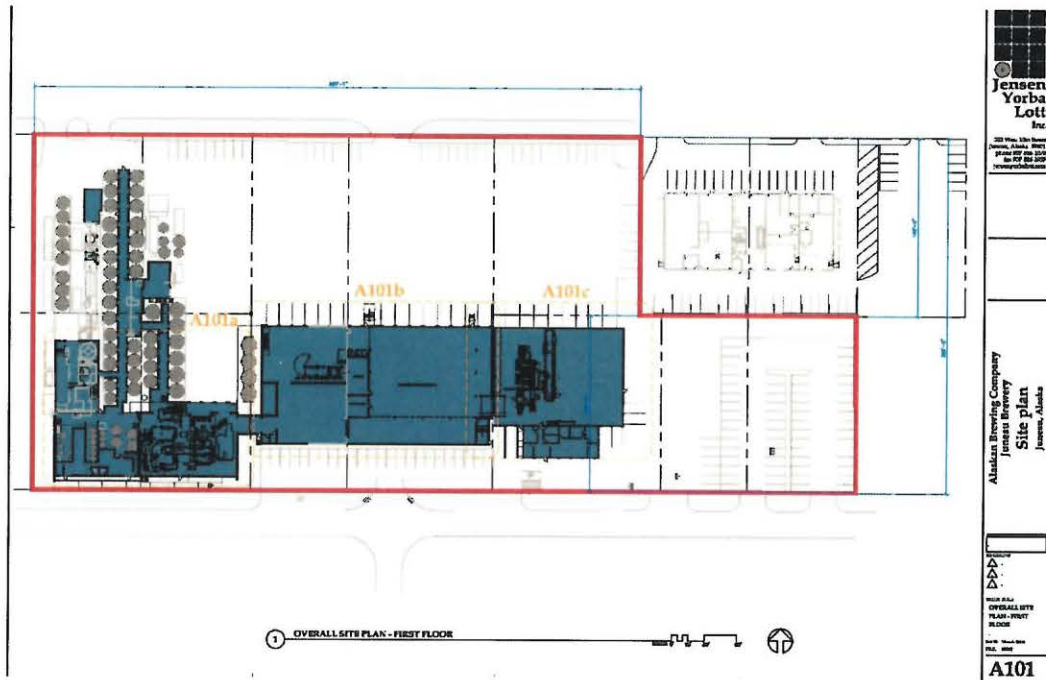
Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

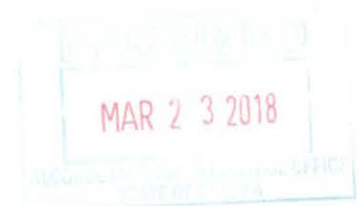


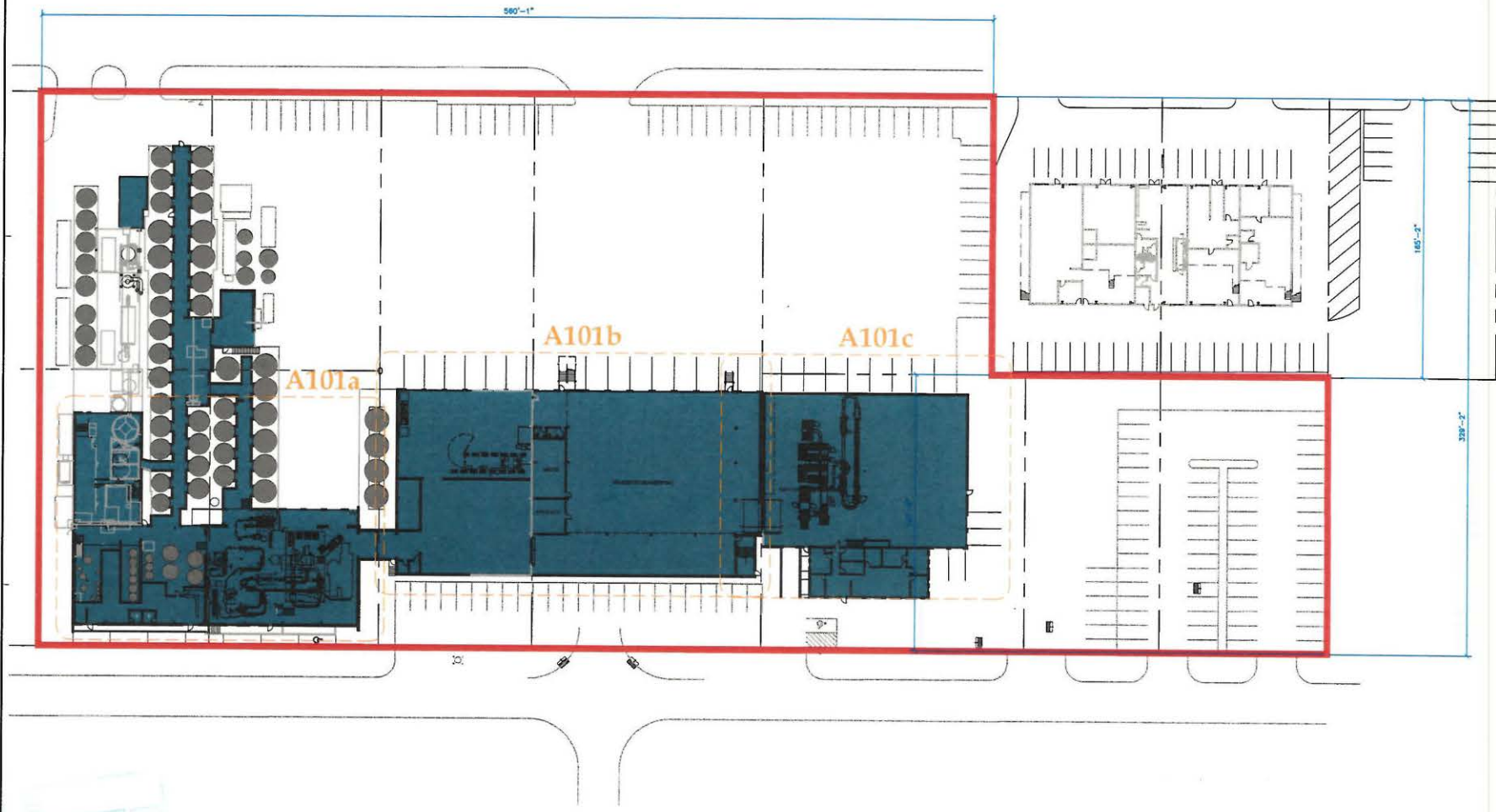
NAME OF BREWER: Alaskan Brewing, LLC

LICENSE: 2534



The above reflects current brewery premise. The redline denotes both premise outline and manufacturing area. A high quality, zoomable, PDF will be included with our submission.





1 OVERALL SITE PLAN - FIRST FLOOR

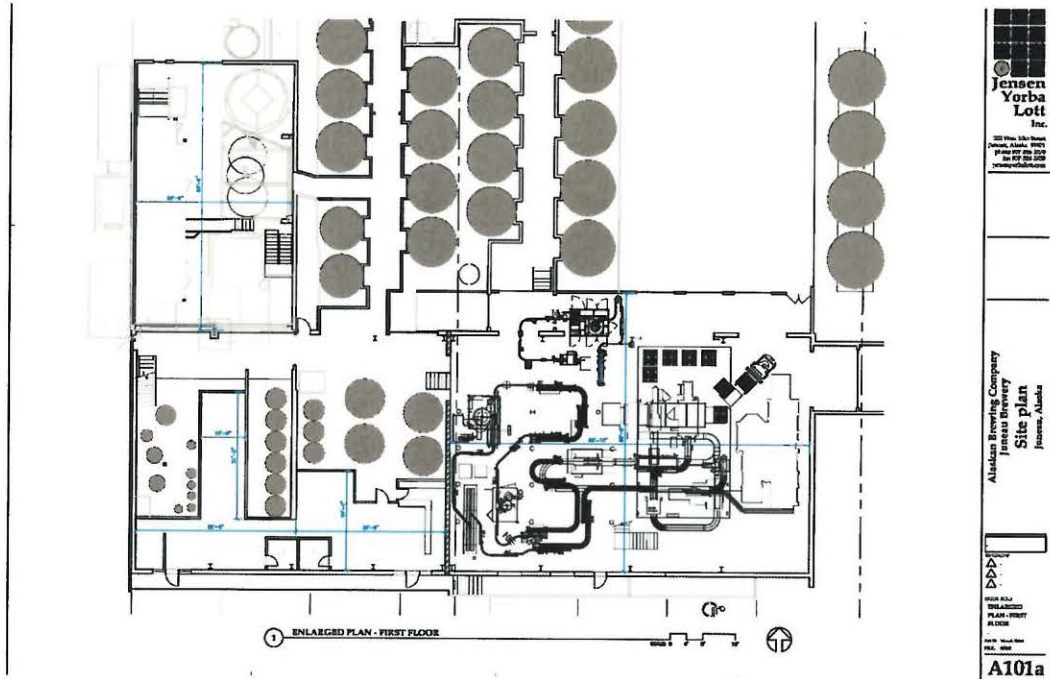
SCALE 0' 10' 30' 60'



MAR 23 2018

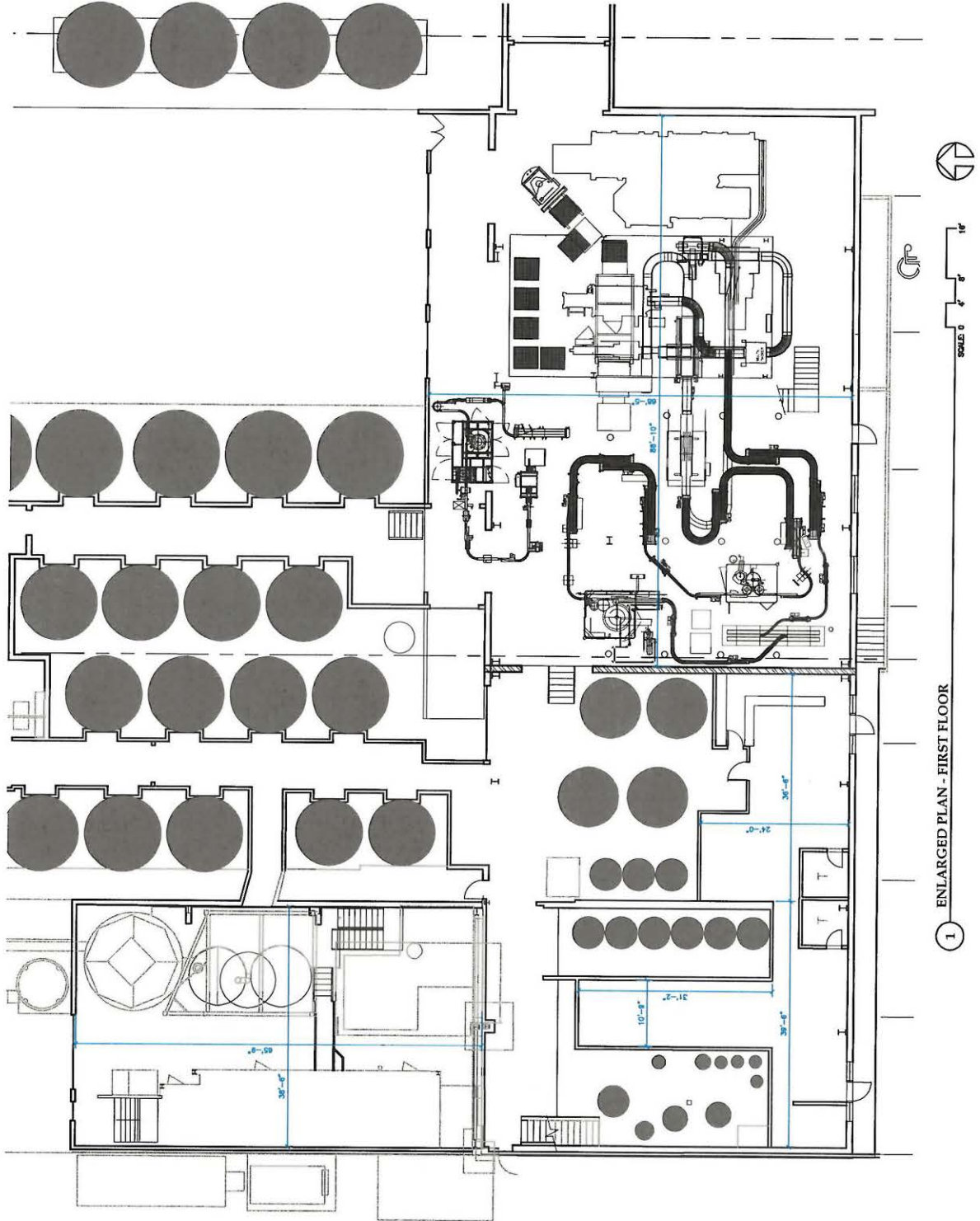
NAME OF BREWER: Alaskan Brewing, LLC

LICENSE: 2534



The above reflects a detailed view of the section labelled *A101a*. A high quality, zoomable, PDF will be included with our submission.

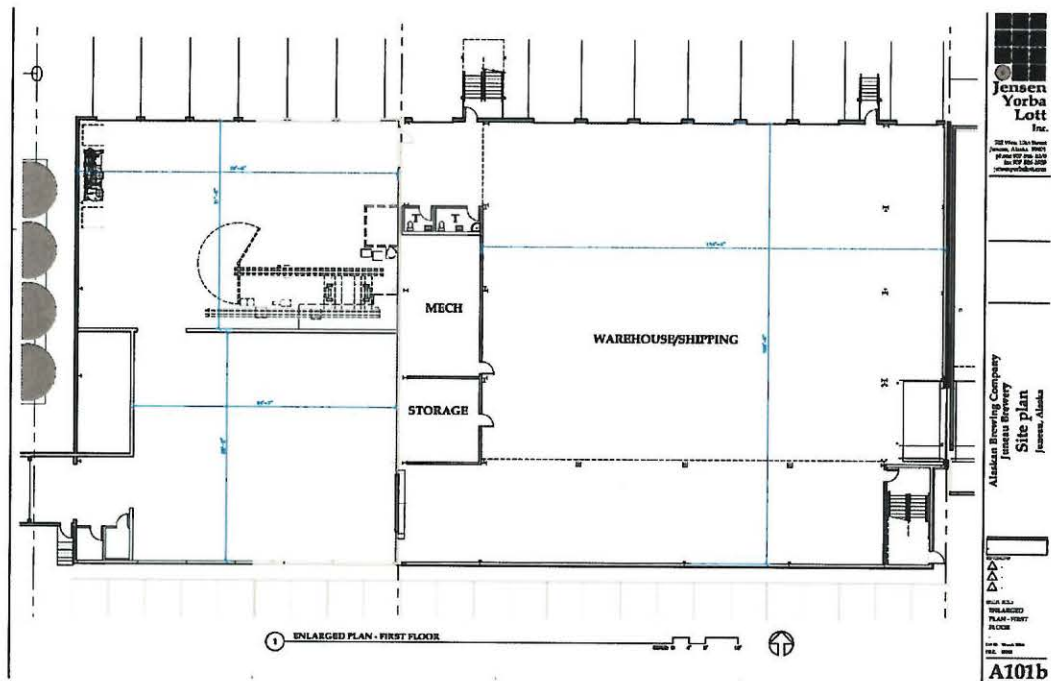
MAR 23 2018



MAR 23 2018

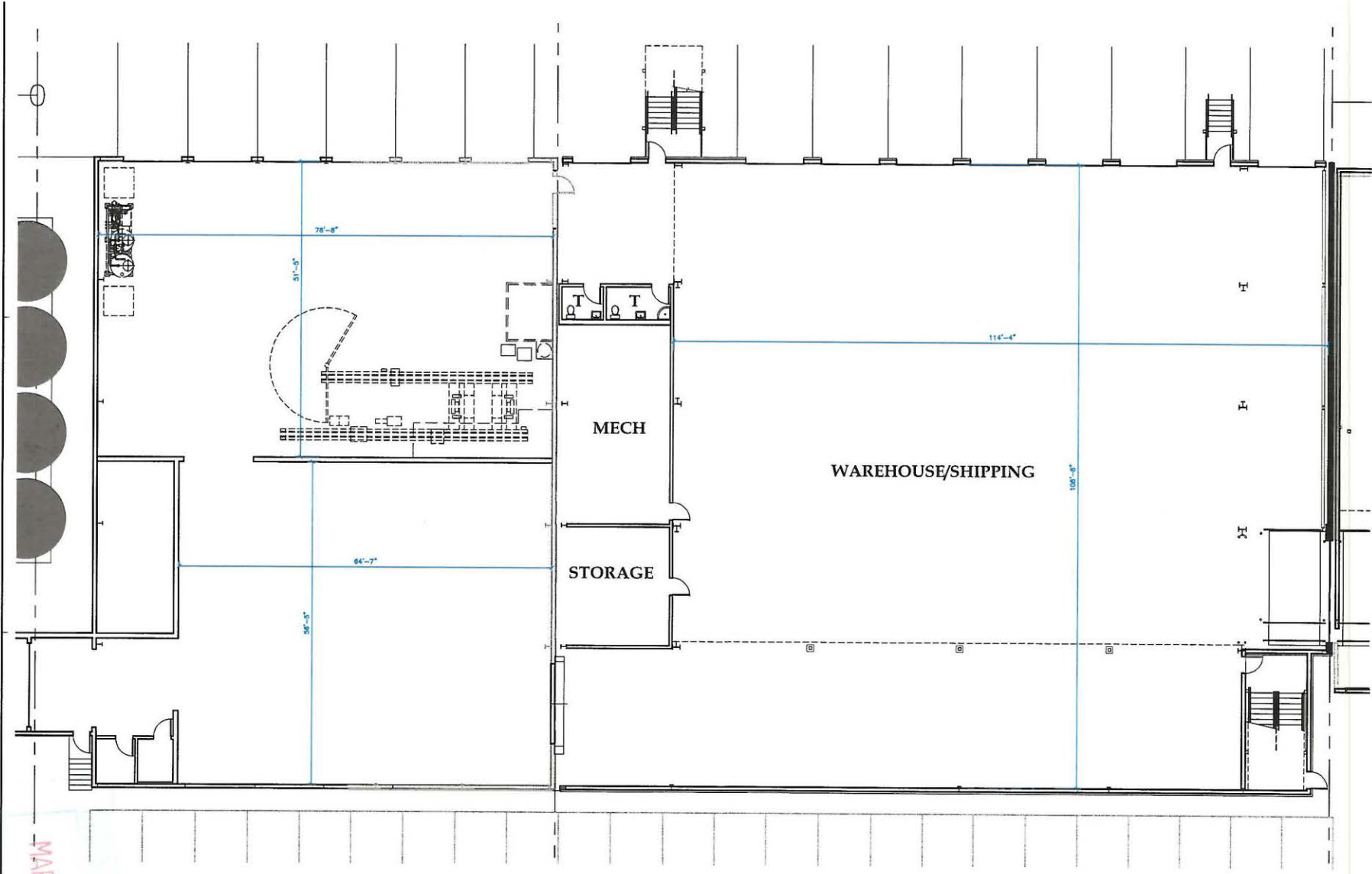
NAME OF BREWER: Alaskan Brewing, LLC

LICENSE: 2534



The above reflects a detailed view of the section labelled *A101b*. A high quality, zoomable, PDF will be included with our submission.

MAR 23 2018



1 ENLARGED PLAN - FIRST FLOOR

SCALE: 0 4' 8' 16'



MAR 23 2018

Jensen Yorba Lott Inc.
 522 West 10th Street
 Juneau, Alaska 99801
 phone 907-586-1070
 fax 907-586-3959
 jensenyorbalott.com

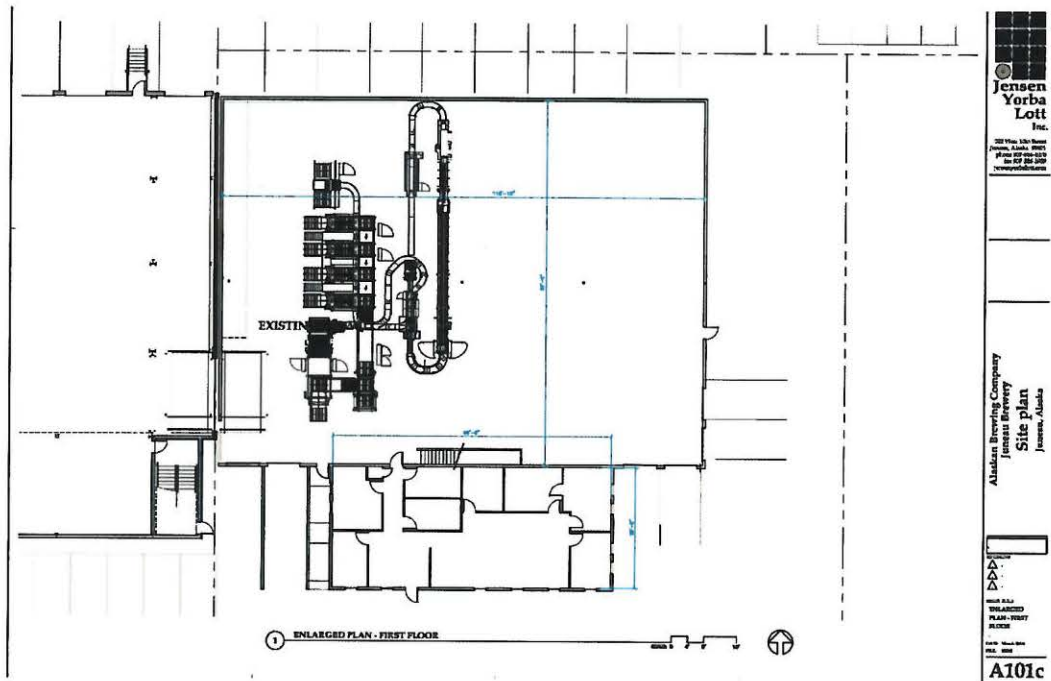
Alaskan Brewing Company
 Juneau Brewery
Site plan
 Juneau, Alaska

REVISIONS
 ▲
 ▲
 ▲
 SHEET TITLE
 ENLARGED
 PLAN - FIRST
 FLOOR
 DATE: March 2018
 FILE: 18010

A101b

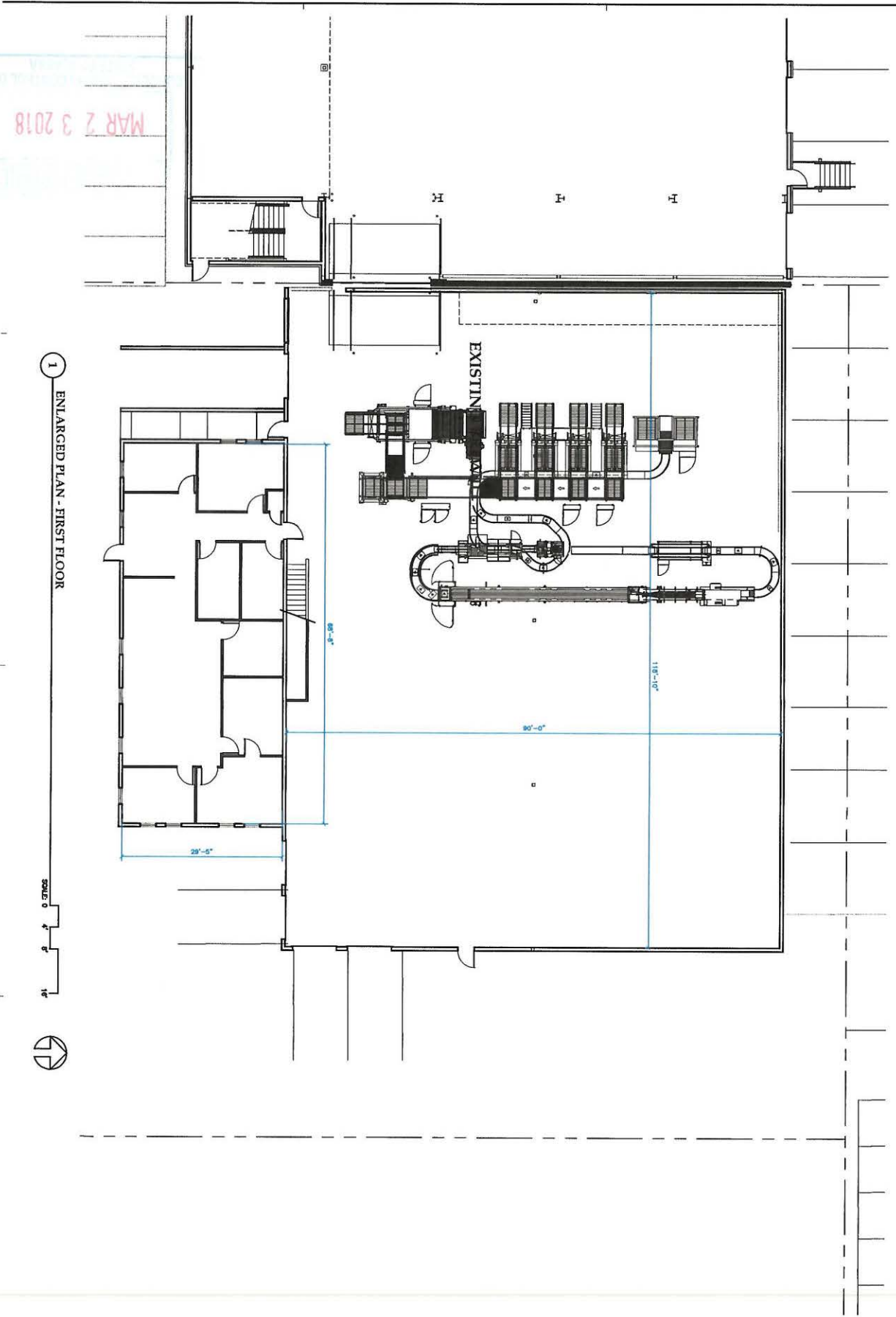
NAME OF BREWER: Alaskan Brewing, LLC

LICENSE: 2534



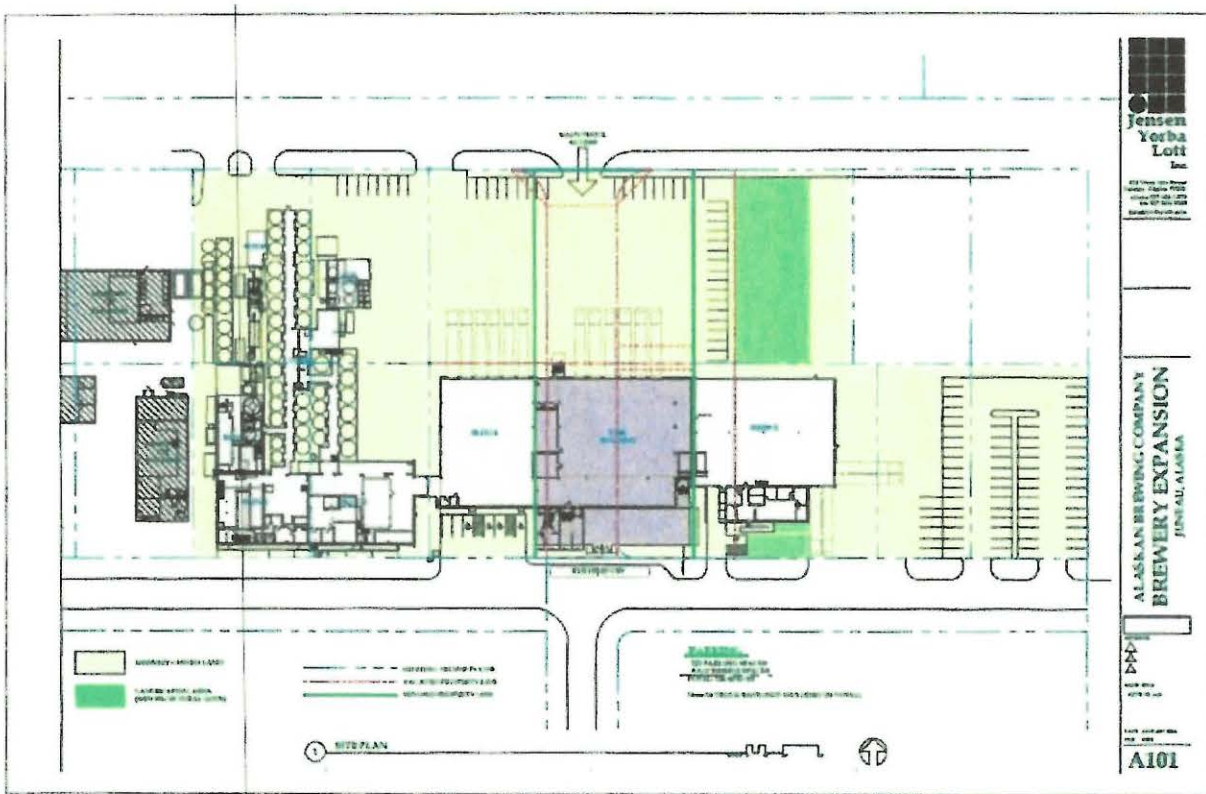
The above reflects a detailed view of the section labelled *A101c*. A high quality, zoomable, PDF will be included with our submission.

MAR 23 2018



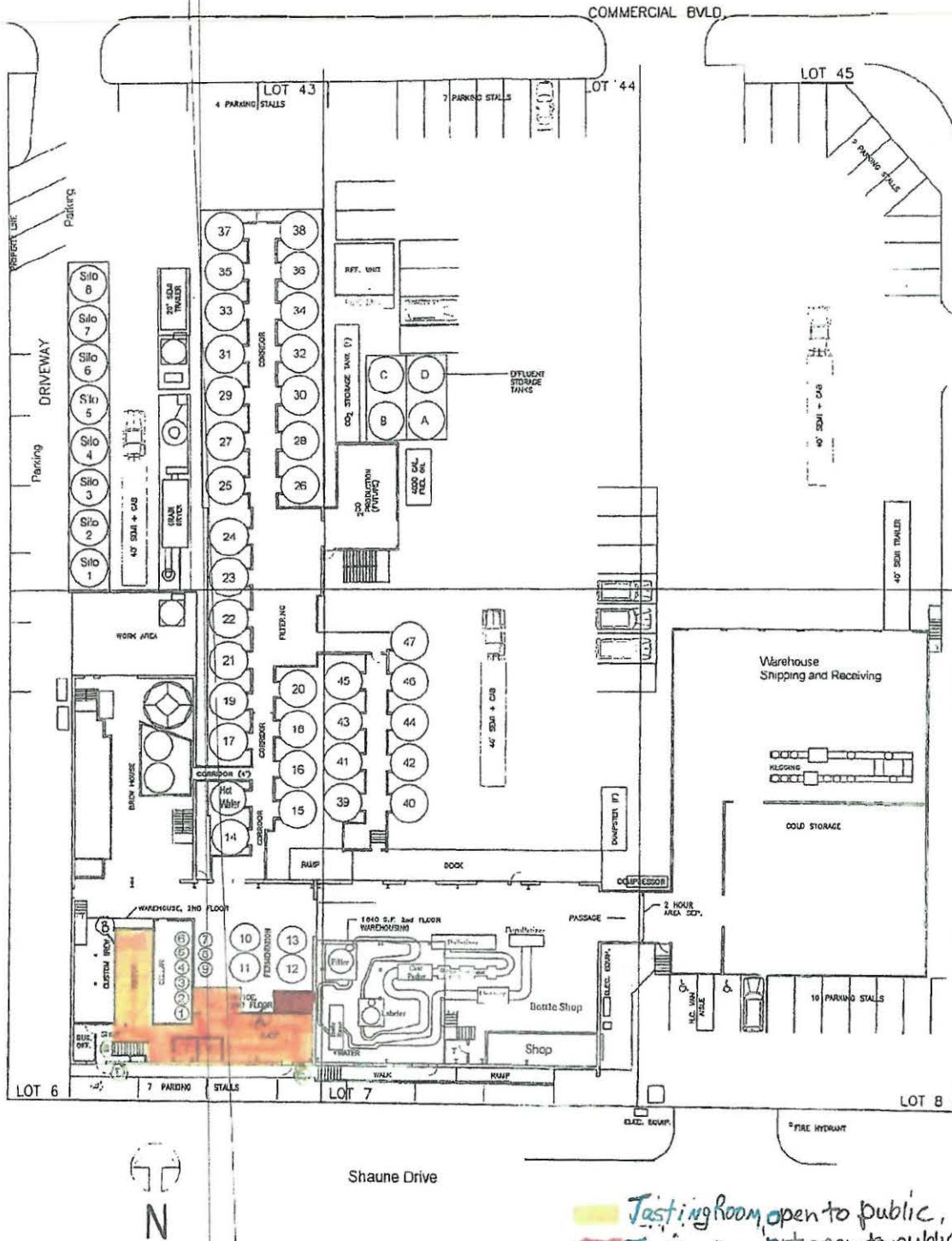
NAME OF BREWER: Alaskan Brewing, LLC

DATE: 2/15/2018



Site map of existing brewery premise, building in grey, white, and purple; Tasting Room located on first floor of first grey building. Yellow background is brewery owned property (lot lines approximate).





Alaskan Brewing Company - Juneau, Alaska First Floor and Master Site Plan



Presented by: The Manager
Introduced: 6/4/2018
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1001

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$50,000 be transferred:

From: CIP

H51-115	Harris Harbor Restroom CIP	\$50,000
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To: CIP

H51-117	ABMS Maintenance and Improvements	\$50,000
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The \$50,000 consists of:

F530	Harbor Funds	\$50,000
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Moved and Approved this _____ day of _____, 2018.

D. Rorie Watt, City Manager

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-29

An Ordinance Authorizing the Manager to Execute a Utility Permit for a Water System Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities.

WHEREAS, the City and Borough of Juneau (CBJ) provides water service through a municipal water system; and

WHEREAS, the municipal water system located near 2570 Douglas Highway, which was recently damaged, is located within a State of Alaska right-of-way; and

WHEREAS, pursuant to AS 19.25.010, AS 35.10.210, and 17 AAC 15.061, the State of Alaska is requiring the CBJ to execute a utility permit before the CBJ can reconstruct the water system; and

WHEREAS, pursuant to CBJ Charter 9.13(a) and its prohibition against payment being made or an obligation being incurred without an appropriation, the CBJ is generally prohibited from agreeing to indemnify; and

WHEREAS, CBJ Charter 9.13(c) carves out an exception to that general prohibition:

Notwithstanding Section 9.13(a) of this Charter, the assembly by ordinance may require payment of funds from appropriations of a later fiscal year or of more than one year for any contract, lease or note or bond obligation, or federal or state grant, or any other federal or state program that the municipality may not otherwise participate in.

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. Pursuant to CBJ Charter 9.13(c), the Manager is authorized to execute a utility permit required by the State and agree, on behalf of the CBJ, to indemnify the State to the extent required by law.

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

Adopted this _____ day of _____, 2018.

Attest: _____
Kendell D. Koelsch, Mayor

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-30

An Ordinance Amending the General Penalty Code.

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

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

Section 2. Amendment of Section. CBJ 01.40.010, Violations penalty, is amended to read:

01.40.010 Violations penalty.

(a) *Definition of violation.* Engaging in any act or practice in contravention of the provisions of this Code or failing, refusing, or neglecting to comply with the requirements of this Code, or an order or regulation issuing from it, constitutes a violation punishable as provided by the section of the Code violated or as stipulated by another section of the Code.

(b) *Penalty classifications.*

(1) Except as otherwise provided, a defendant convicted of a Class A misdemeanor may be sentenced to pay a fine of not more than \$25,000.00, a definite term of imprisonment, or both. The term of imprisonment imposed may not be more than:

(A) One year, if the:

- (i) Conviction is for a crime with a mandatory minimum term of 30 days or more of active imprisonment;
- (ii) Trier of fact finds the aggravating factor, established in accordance with AS 12.55.135(p), that the conduct constituting the offense was among the most serious conduct included in the definition of the offense;
- (iii) Defendant has one or more past criminal convictions for conduct violative of criminal laws, punishable as felonies or misdemeanors, similar in nature to the offense for which the defendant is being sentenced, where the aggravating factor is established in accordance with AS 12.55.1325(p);
- (iv) Conviction is for an assault under CBJ 42.10.010.
- (v) Conviction is for a violation of harassment under CBJ 42.20.110(b)(2).

(B) Thirty days.

...

Section 2. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
 Introduced:
 Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-31

An Ordinance Amending the Land Use Code Relating to Sobering Centers and Emergency Shelters.

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 Table. Category 7.000 of CBJ 49.25.300 Table of Permissible Uses, is amended to read as follows:

	Use Description	RR	D1	D3	D5	D10SF	D10	D15	D18	LC	GC	MU	MU2	WC	WI	I
...	...															
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES															
...	...															
<u>7.600</u>	<u>Sobering centers</u>									3	3	3	3			
...	...															

Section 3. Amendment of Table. CBJ 49.40.210 Minimum space and dimensional standards for parking and off-street loading, is amended to read as follows:

49.40.210 Minimum space and dimensional standards for parking and off-street loading.

(a) Table of minimum parking standards. The minimum number of off-street parking spaces required shall be set forth in the following table. The number of spaces shall be calculated to the nearest whole number.

Use	Spaces Required
...	
Assisted living facility	0.4 parking spaces per maximum number of residents
<u>Sobering centers</u>	<u>1 parking space per six beds, plus 1 visitor parking space</u>
Theaters	1 for each four seats
...	

Section 4. Amendment of Section. CBJ 49.80.120 Definitions, is amended to read:

49.80.120 Definitions.

...

Assisted living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services or emergency shelter. Assisted living use that occurs within a single family dwelling is regulated as a single family dwelling use.

...

Section 5. Amendment of Section. CBJ 49.80.120 Definitions, is amended by the addition of the following definitions to be incorporated in alphabetical order:

Emergency shelter means a temporary residential facility providing accommodations and minimal supportive services for homeless persons on a short-term basis.

Sobering center means a facility that provides temporary shelter for incapacitated and intoxicated persons taken into emergency protective custody pursuant to AS 47.37.170.

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
 Introduced:
 Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-33

An Ordinance Authorizing the Manager to Execute a Permit for Road Reconstruction in a State Right-of-Way with the Alaska Department of Transportation and Public Facilities for the Intersections of D Street and 3rd Street (Douglas Highway) adjacent to 915 and 916 3rd Street and H Street and 3rd Street adjacent to 1316 3rd Street in Downtown Douglas.

WHEREAS, the City and Borough of Juneau (CBJ), in connection with the FY 2018 Capital Improvement Program and routine maintenance of CBJ infrastructure is reconstructing the following street segments in downtown Douglas: D Street, between 2nd and 3rd Street (Douglas Highway), D Street, 3rd to 5th and H Street, between 2nd and 3rd, as shown on the attached Exhibit A map; and

WHEREAS, this project will need to reconstruct the road aprons and sidewalk approaches in the State of Alaska right-of-way (3rd Street); and

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) is authorized by statute to regulate and control access to highways within the State; and

WHEREAS, in order to reconstruct the road aprons, the CBJ will need to secure a permit from ADOT&PF; and

WHEREAS, 17 AAC 10.020(c) requires ADOT&PF, in granting an approach road permit, to include in the permit the following indemnification language:

a requirement that the permittee shall indemnify, defend, and hold harmless the state, or officers, agents, employees, and contractors of the state in any matters pertaining to the driveway or approach road, and that the permittee shall assume all liability or cost in connection with the driveway or approach road; and

WHEREAS, pursuant to CBJ Charter 9.13(a) and its prohibition against payment being made or an obligation being incurred without an appropriation, the CBJ is generally prohibited from agreeing to indemnify; and

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WHEREAS, CBJ Charter 9.13(c) carves out an exception to that general prohibition:

Notwithstanding Section 9.13(a) of this Charter, the assembly by ordinance may require payment of funds from appropriations of a later fiscal year or of more than one year for any contract, lease or note or bond obligation, or federal or state grant, or any other federal or state program that the municipality may not otherwise participate in.

NOW, 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. Pursuant to CBJ Charter 9.13(c), the Manager is authorized to execute the approach road permit required by the State and agree, on behalf of the CBJ, to indemnify the State to the extent required by law.

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

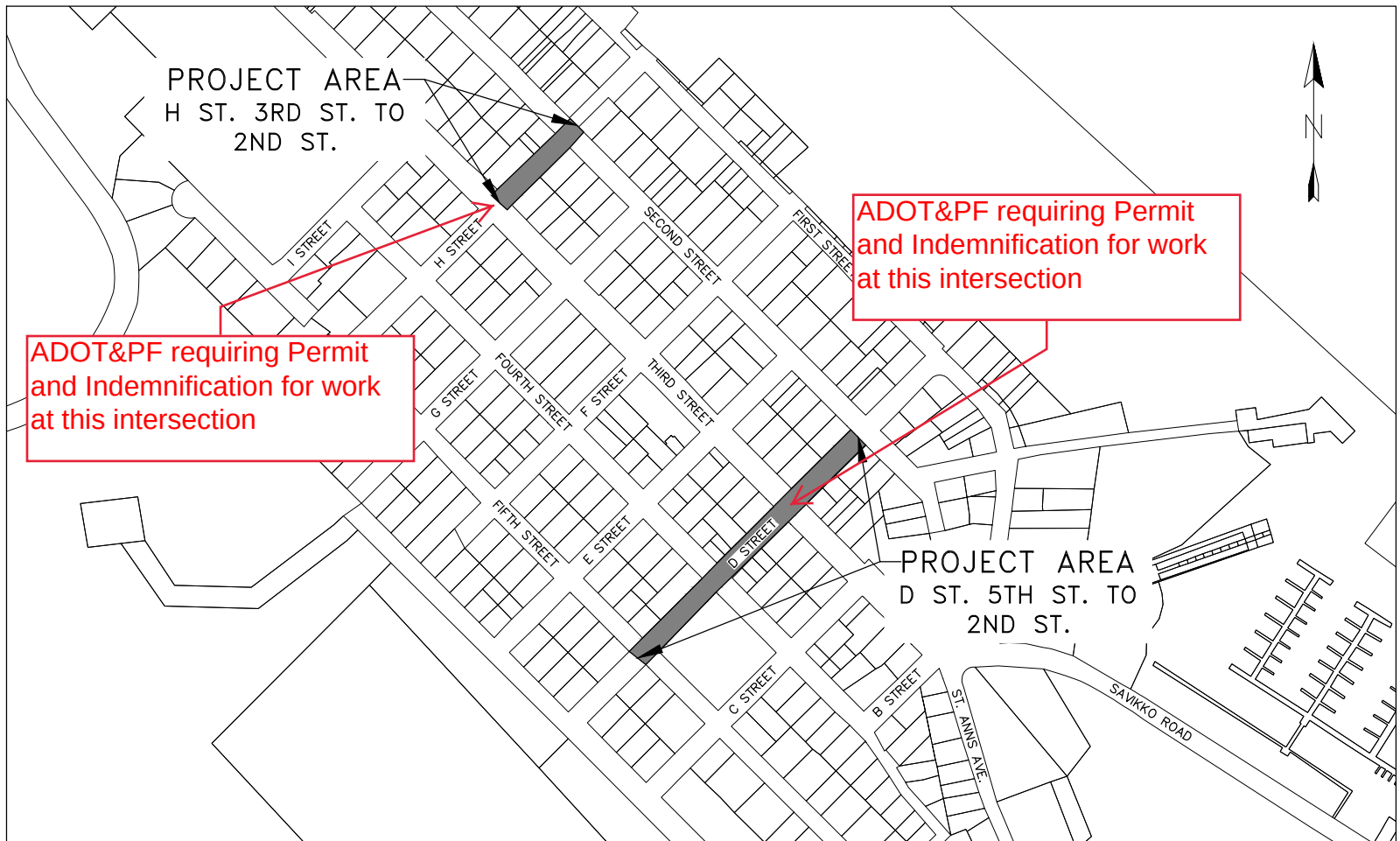
Laurie J. Sica, Municipal Clerk

Exhibit A - Ordinance No. 2018-33

D & H STREETS RECONSTRUCTION

CBJ CONTRACT NO. BE18-247

CITY & BOROUGH OF JUNEAU, ALASKA



PROJECT LOCATION MAP

NTS

Presented by: The Manager
 Introduced: May 14, 2018
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AU)

An Ordinance Appropriating to the Manager the Sum of \$8,180,300 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Increased Revenues and 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 \$8,180,300 for the following Departments' Fiscal Year 2018 operating budgets:

<u>Department</u>	<u>Amount</u>
Bartlett Regional Hospital (BRH)	\$8,000,000
Airport	140,300
Affordable Housing	<u>40,000</u>
Total	\$8,180,300

Section 3. Source of Funds

<u>Department</u>	<u>Source of Funds</u>	<u>Amount</u>
Bartlett Regional Hospital	FY18 Revenues Exceeding Budget	\$8,000,000
Airport	FY18 Revenues Exceeding Budget	140,300
Affordable Housing	Affordable Housing Fund's Fund	<u>40,000</u>
	Balance	
Total		\$8,180,300

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819(c)

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2019 through Fiscal Year 2024, and has determined the capital improvement project priorities for Fiscal Year 2019.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," dated June 1, 2018, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

**FISCAL YEAR 2019
GENERAL SALES TAX IMPROVEMENTS**

DEPARTMENT	PROJECT	FY19 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	\$ 275,000
Parks & Recreation	Park & Playground Deferred Maintenance and Repairs	270,000
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000
General Sales Tax Improvements Total		<u>\$ 1,000,000</u>

**FISCAL YEAR 2019
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Vehicle and Equipment Wash Bays	\$ 1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	McGinnis Subdivision Improvements - Ph 4(Heron)	1,000,000
Street Maintenance	Downtown Street Improvements PH 3	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk & Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters /Interim Valley Transit Center Improvements	500,000
Capital Transit	Bus Shelters /Interim Valley Transit Center Improvements	400,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	100,000
Engineering	EV (Electric Vehicle) Charging Infrastructure	25,000
Engineering	Contract Specification and Contract Language Update	65,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		<u>\$ 9,100,000</u>

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES**

Voter Approved Sales Tax 10/01/13 - 09/30/18

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	\$ 1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	400,000
Engineering	North Douglas Crossing	250,000
Engineering	Business Case/High Level Cost Estimate of New City Hall	150,000
Eaglecrest	Snow Making Equipment	250,000
Manager's Office	JACC Expansion - Performing Arts Center	250,000 *
Parks & Recreation	Lemon Creek Park	250,000
Parks & Recreation	Off-Highway Vehicle (OHV) Park	100,000
Hospital	Rainforest Recovery Center Upgrades	585,000
Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,790,000</u>
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,140,000</u>
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,125,000</u>

* Operating Budget Funding

FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23
PROJECT

DEPARTMENT		FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	Affordable Housing Fund	400,000 *
Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
Parks & Recreation	Building Maintenance	500,000
School District	JSD Buildings Major Maintenance / Match	800,000
Hospital	BRH - Rainforest Recovery Center Upgrades	1,800,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		\$ 6,100,000

FISCAL YEAR 2019
MARINE PASSENGER FEE PRIORITIES

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement - Replacement	150,000
Port of Juneau	Downtown Restroom - Construction (new)	500,000
Port of Juneau	Small Cruiseship Moorage Master Planning	150,000
Engineering	Downtown Sidestreets Phase III	900,000
Engineering	Downtown Wayfinding and Interpretive Signs	450,000
Engineering	Seawalk Major Maintenance	85,000
Engineering	Seawalk Next Phases	250,000
Marine Passenger Fee Priorities Total		\$ 2,635,000

FISCAL YEAR 2019
STATE MARINE PASSENGER FEE PRIORITIES

DEPARTMENT	PROJECT	FY19 BUDGET
Docks and Harbors	Archipelago Property (Acquisition and Development)	\$ 5,750,000
State Marine Passenger Fee Priorities Total		\$ -
State Marine Passenger Fee Priorities Total		\$ 5,750,000

FISCAL YEAR 2019
WATER ENTERPRISE FUND

DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	\$ 215,000
Water Utility	Lee Street Pump Station Replacement	500,000
Water Utility	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	100,000
Water Utility	Crow Hill and Cedar Park PS Control Updates	300,000
Water Utility	Areawide Watermain Repairs	100,000
Water Utility	Birch Lane - Mendenhall to Dogwood	100,000
Water Utility	Columbia and Poplar Reconstruction	220,000
Water Utility	Pavement Management Utility Adjustments	20,000
Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		\$1,600,000

* Operating Budget Funding

**FISCAL YEAR 2019
WASTEWATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Wastewater Utility	Gruening Park Pump Station Replacement	\$ 800,000
Wastewater Utility	Kaiser Forcemain Replacement (Mendenhall River Erosion)	1,000,000
Wastewater Utility	JD Clarifier and Digester tank Floor Improvements	225,000
Wastewater Utility	Anode Repl. on Under Water Portion of Outer Drive FM	250,000
Wastewater Utility	JDTP Infrastructure Imprvmnts (Aeration and Clarifier Roof)	1,000,000
Wastewater Utility	JDTP Vactor Dump/Decant Fac. & Grit Handling Imprvmnts)	125,000
Wastewater Utility	Birch Lane Sewer Replacement	100,000
Wastewater Utility	Columbia and Poplar Reconstruction	220,000
Wastewater Utility	McGinnis Subdivision Utility Adjustments	15,000
Wastewater Utility	Calhoun (8th to Gold Creek) Sewer Replacement	50,000
Wastewater Utility	Pavement Management Utility Adjustments	20,000
Wastewater Utility	ADOT Project Utility Adjustments	40,000
Wastewater Enterprise Fund Total		\$ 3,845,000

**FISCAL YEAR 2019
DOCKS & HARBORS ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks—	Auke Bay Passenger for Hire—Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	500,000
Docks & Harbors Enterprise Fund Total		\$ -
Docks & Harbors Enterprise Fund Total		\$ 2,173,000

**FISCAL YEAR 2019
LANDS FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Lands	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 100,000
Lands	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 150,000
Lands Fund Total		\$ 100,000
Lands Fund Total		\$ 150,000

ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 25,680,000
ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 25,030,000
ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 33,238,000
ORDINANCE 2018-11 OPERATING BUDGET FUNDING TOTAL	\$ 2,490,000 *
ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 2,240,000 *

(c) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019-2024," are capital improvement projects identified as priorities proposed to be undertaken beginning in FY19, but are dependent on other unsecured funding sources. As the sources are secured, the funds will be appropriated:

FISCAL YEAR 2019		
HOSPITAL UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Hospital	Robert F. Valliant Building Siding Replacement	\$ 300,000
Hospital	Medical Arts Building Roof Replacement	\$ 400,000
	Hospital Unscheduled Funding Total	\$ 400,000
	Hospital Unscheduled Funding Total	\$ 700,000

FISCAL YEAR 2019		
AIRPORT UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
Airport	Design/Const. Terminal Reno Ph 2 incl. Dep Lnge Exit Lane	1,300,000
Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
Airport	Space Reconfig - Old Dining Room/Kit. for Admin & Tenants	250,000
Airport	Design&Install Terminal Camera Surveillance System	200,000
Airport	26 MALSR (FAA F&E Project)	3,750,000
	Airport Unscheduled Funding Total	\$ 7,800,000

FISCAL YEAR 2019		
DOCKS AND HARBORS UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Docks	Auke Bay Passenger for Hire - Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	500,000
	Docks & Harbors Unscheduled Funding Total	\$ 1,483,000
	Docks & Harbors Unscheduled Funding Total	\$ 2,173,000

FISCAL YEAR 2019		
EAGLECREST UNSCHEDULED FUNDING REQUESTS		
DEPARTMENT	PROJECT	
Eaglecrest	Upper Loop Overnight Cabin	\$ 50,000
Eaglecrest	Snowmaking Pumping Station	250,000
	Eaglecrest Unscheduled Funding Requests Total	\$ 50,000
	Eaglecrest Unscheduled Funding Requests Total	\$ 300,000

FISCAL YEAR 2019		
ENGINEERING & PW UNSCHEDULED FUNDING REQUESTS		
DEPARTMENT	PROJECT	
Engineering & PW	Facility Upgrades	\$ 1,000,000
Engineering & PW	Water Building Upgrades	300,000
	Engineering & PW Unscheduled Funding Requests Total	\$ 1,300,000

Section 2. Fiscal Year 2019 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY19 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2019 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this ____ day of _____, 2018.

Kendell D. Koelsch Mayor

Attest:

Laurie J. Sica, Municipal Clerk

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819(b)

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2019 through Fiscal Year 2024, and has determined the capital improvement project priorities for Fiscal Year 2019.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," dated June 1, 2018, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

**FISCAL YEAR 2019
GENERAL SALES TAX IMPROVEMENTS**

DEPARTMENT	PROJECT	FY19 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	\$ 275,000
Parks & Recreation	Park & Playground Deferred Maintenance and Repairs	270,000
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000
General Sales Tax Improvements Total		<u>\$ 1,000,000</u>

**FISCAL YEAR 2019
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Vehicle and Equipment Wash Bays	\$ 1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	McGinnis Subdivision Improvements - Ph 4(Heron)	1,000,000
Street Maintenance	Downtown Street Improvements PH 3	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk & Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters /Interim Valley Transit Center Improvements	500,000
Capital Transit	Bus Shelters /Interim Valley Transit Center Improvements	400,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	100,000
Engineering	EV (Electric Vehicle) Charging Infrastructure	25,000
Engineering	Contract Specification and Contract Language Update	65,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		<u>\$ 9,100,000</u>

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES**

Voter Approved Sales Tax 10/01/13 - 09/30/18

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	\$ 1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	400,000
Manager's Office	JACC Expansion - Performing Arts Center	250,000 *
Parks & Recreation	Lemon Creek Park	250,000
Parks & Recreation	Off-Highway Vehicle (OHV) Park	100,000
Hospital	Rainforest Recovery Center Upgrades	585,000
Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,140,000</u>
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,125,000</u>

* Operating Budget Funding

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	Affordable Housing Fund	400,000 *
Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
Parks & Recreation	Building Maintenance	500,000
School District	JSD Buildings Major Maintenance / Match	800,000
Hospital	BRH - Rainforest Recovery Center Upgrades	1,800,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		<u>\$ 6,100,000</u>

**FISCAL YEAR 2019
MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement - Replacement	150,000
Port of Juneau	Downtown Restroom - Construction (new)	500,000
Port of Juneau	Small Cruiseship Moorage Master Planning	150,000
Engineering	Downtown Sidestreets Phase III	900,000
Engineering	Downtown Wayfinding and Interpretive Signs	450,000
Engineering	Seawalk Major Maintenance	85,000
Engineering	Seawalk Next Phases	250,000
Marine Passenger Fee Priorities Total		<u>\$ 2,635,000</u>

**FISCAL YEAR 2019
STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks and Harbors	Archipelago Property (Acquisition and Development)	\$ 5,750,000
State Marine Passenger Fee Priorities Total		<u>\$ -</u>
State Marine Passenger Fee Priorities Total		<u><u>\$ 5,750,000</u></u>

**FISCAL YEAR 2019
WATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	\$ 215,000
Water Utility	Lee Street Pump Station Replacement	500,000
Water Utility	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	100,000
Water Utility	Crow Hill and Cedar Park PS Control Updates	300,000
Water Utility	Areawide Watermain Repairs	100,000
Water Utility	Birch Lane - Mendenhall to Dogwood	100,000
Water Utility	Columbia and Poplar Reconstruction	220,000
Water Utility	Pavement Management Utility Adjustments	20,000
Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		<u>\$1,600,000</u>

* Operating Budget Funding

**FISCAL YEAR 2019
WASTEWATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Wastewater Utility	Gruening Park Pump Station Replacement	\$ 800,000
Wastewater Utility	Kaiser Forcemain Replacement (Mendenhall River Erosion)	1,000,000
Wastewater Utility	JD Clarifier and Digester tank Floor Improvements	225,000
Wastewater Utility	Anode Repl. on Under Water Portion of Outer Drive FM	250,000
Wastewater Utility	JDTP Infrastructure Imprvmnts (Aeration and Clarifier Roof)	1,000,000
Wastewater Utility	JDTP Vactor Dump/Decant Fac. & Grit Handling Imprvmnts)	125,000
Wastewater Utility	Birch Lane Sewer Replacement	100,000
Wastewater Utility	Columbia and Poplar Reconstruction	220,000
Wastewater Utility	McGinnis Subdivision Utility Adjustments	15,000
Wastewater Utility	Calhoun (8th to Gold Creek) Sewer Replacement	50,000
Wastewater Utility	Pavement Management Utility Adjustments	20,000
Wastewater Utility	ADOT Project Utility Adjustments	40,000
Wastewater Enterprise Fund Total		\$ 3,845,000

**FISCAL YEAR 2019
DOCKS & HARBORS ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks—	Auke Bay Passenger for Hire—Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	500,000
Docks & Harbors Enterprise Fund Total		\$ -
Docks & Harbors Enterprise Fund Total		\$ 2,173,000

**FISCAL YEAR 2019
LANDS FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Lands	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 100,000
Lands	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 150,000
Lands Fund Total		\$ 100,000
Lands Fund Total		\$ 150,000

ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 25,030,000
ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 33,238,000
ORDINANCE 2018-11 OPERATING BUDGET FUNDING TOTAL	\$ 2,490,000 *
ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 2,240,000 *

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FISCAL YEAR 2019		
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DEPARTMENT	PROJECT	
Hospital	Robert F. Valliant Building Siding Replacement	\$ 300,000
Hospital	Medical Arts Building Roof Replacement	\$ 400,000
	Hospital Unscheduled Funding Total	\$ 400,000
	Hospital Unscheduled Funding Total	\$ 700,000

FISCAL YEAR 2019		
AIRPORT UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
Airport	Design/Const. Terminal Reno Ph 2 incl. Dep Lnge Exit Lane	1,300,000
Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
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Airport	Design&Install Terminal Camera Surveillance System	200,000
Airport	26 MALSR (FAA F&E Project)	3,750,000
	Airport Unscheduled Funding Total	\$ 7,800,000

FISCAL YEAR 2019		
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	Docks & Harbors Unscheduled Funding Total	\$ 2,173,000

FISCAL YEAR 2019		
EAGLECREST UNSCHEDULED FUNDING REQUESTS		
DEPARTMENT	PROJECT	
Eaglecrest	Upper Loop Overnight Cabin	\$ 50,000
Eaglecrest	Snowmaking Pumping Station	250,000
	Eaglecrest Unscheduled Funding Requests Total	\$ 300,000

FISCAL YEAR 2019		
RECYCLEWORKS UNSCHEDULED FUNDING REQUESTS		
DEPARTMENT	PROJECT	
Engineering & PW	Facility Upgrades	\$ 1,000,000
Engineering & PW	Water Building Upgrades	300,000
	Engineering & PW Unscheduled Funding Requests Total	\$ 1,300,000

Section 2. Fiscal Year 2019 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY19 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2019 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this ____ day of _____, 2018.

Kendell D. Koelsch Mayor

Attest:

Laurie J. Sica, Municipal Clerk

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

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(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

**FISCAL YEAR 2019
GENERAL SALES TAX IMPROVEMENTS**

DEPARTMENT	PROJECT	FY19 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	\$ 275,000
Parks & Recreation	Park & Playground Deferred Maintenance and Repairs	270,000
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000
General Sales Tax Improvements Total		\$ 1,000,000

**FISCAL YEAR 2019
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Vehicle and Equipment Wash Bays	\$ 1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	McGinnis Subdivision Improvements - Ph 4(Heron)	1,000,000
Street Maintenance	Downtown Street Improvements PH 3	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk & Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters /Interim Valley Transit Center Improvements	400,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	100,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		\$ 9,100,000

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/13 - 09/30/18**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	\$ 1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	400,000
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Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		\$ 3,125,000

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
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Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
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Temporary 1% Sales Tax Priorities Total		\$ 6,100,000

**FISCAL YEAR 2019
MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement - Replacement	150,000
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Engineering	Downtown Sidestreets Phase III	900,000
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Engineering	Seawalk Major Maintenance	85,000
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Marine Passenger Fee Priorities Total		<u>\$ 2,635,000</u>

**FISCAL YEAR 2019
STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks and Harbors	Archipelago Property (Acquisition and Development)	\$ 5,750,000
State Marine Passenger Fee Priorities Total		<u>\$ 5,750,000</u>

**FISCAL YEAR 2019
WATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	\$ 215,000
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Water Utility	Columbia and Poplar Reconstruction	220,000
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Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		<u>\$1,600,000</u>

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WASTEWATER ENTERPRISE FUND**

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Wastewater Utility	Gruening Park Pump Station Replacement	\$ 800,000
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DOCKS AND HARBORS ENTERPRISE FUND**

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Docks	Auke Bay Passenger for Hire - Cost Share	\$ 690,000
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**FISCAL YEAR 2019
LANDS FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Lands	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 150,000
Lands Fund Total		\$ 150,000

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ORDINANCE 2018-11 CAPITAL PROJECTS FUNDING TOTAL	\$ 2,240,000 *
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DEPARTMENT	PROJECT	
Hospital	Robert F. Valliant Building Siding Replacement	\$ 300,000
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Hospital Unscheduled Funding Total		\$ 700,000

**FISCAL YEAR 2019
AIRPORT UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
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Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
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Airport Unscheduled Funding Total		\$ 7,800,000

**FISCAL YEAR 2019
EAGLECREST UNSCHEDULED FUNDING REQUESTS**

DEPARTMENT	PROJECT	
Eaglecrest	Upper Loop Overnight Cabin	\$ 50,000
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Eaglecrest Unscheduled Funding Requests Total		\$ 300,000

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Adopted this ____ day of _____, 2018.

Kendell D. Koelsch Mayor

Attest:

Laurie J. Sica, Municipal Clerk



Community Development

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/plancomm

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: April 24, 2018

File No.: CSP2018 0003

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

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding Fiscal Year 2019 Capital Improvement Program (CIP)

The Planning Commission, at its regular public meeting on April 24, 2017, adopted the analysis and findings listed in the attached memorandums dated April 13, 2018, and April 24, 2018. The Commission found that the CIP projects recommended for funding in FY2019 conform to the policies of the Juneau Comprehensive Plan.

Attachments: April 13, 2018, and April 24, 2018, memorandums from Tim Felstead, Planner, Community Development, to the CBJ Planning Commission regarding CSP2018 0003.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

Project Planner:

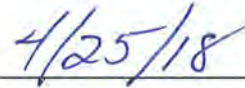
Tim Felstead, Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

City and Borough of Juneau
CBJ Assembly
File No.: CSP2017 0003
April 24, 2018
Page 2 of 2



Filed With City Clerk



Date

cc: Plan Review

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



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

DATE: April 13, 2018

TO: Planning Commission

FROM: Tim Felstead, Planner
Community Development Department

A handwritten signature in black ink, appearing to read 'Tim Felstead', is placed next to the 'FROM:' field.

FILE NO.: CSP2018 0003

PROPOSAL: Planning Commission review of Fiscal Year 2019 Capital Improvement Program.

ATTACHMENTS

Attachment A – FY2019 through 2024 Preliminary Capital Improvement Program

Attachment B – November 15, 2017 Memorandum from Planning Commission to CBJ Public Works and Facilities Committee re: Fiscal Year 2019-2024 Capital Improvement Program

Attachment C – October 17, 2017 memorandum from Rob Steedle (CDD Director) to Planning Commission regarding Planning Commission suggested priorities.

INTRODUCTION

The City and Borough of Juneau prepares a revised Six-Year Capital Improvement Program (CIP) each year. The CIP guides the investment of public funds for maintenance, repair, construction, and acquisition of public infrastructure, facilities and equipment. The CIP is presented to the Assembly in April, along with the draft fiscal year budget, and includes the City Manager recommended project priorities for Fiscal Year (FY) 2019.

The Land Use Code establishes the role of the Planning Commission in the CIP process under CBJ 49.10.170 which states:

Planning Commission
 File No.: CSP2018 0003
 April 13, 2018
 Page 2 of 15

49.10.170(b) Review of the Capital Improvements Program. *Upon adequate notice which shall be provided by the director, the commission shall review annually the capital improvements program of the City and Borough and submit its recommendations to the Assembly.*

The purpose of the Planning Commission review is to ensure the CIP is consistent with the goals of the Comprehensive Plan.

In October 2017, the Commission, at a Committee of the Whole meeting discussed the annual CIP and created a subcommittee which, with the staff and developed recommendations (see **Attachment B**).

The Planning Commission review has been structured to ensure that the CIP is consistent with general programmatic topics that fall under the Planning Commission's purview, rather than focus on detailed project line items. It is intended that the Planning Commission's annual review will follow the general format established, allowing subsequent reviews to track progress on these programmatic goals as a way to help foster consistency and achieve results. The Planning Commission identified four broad categories of potential capital improvements that are relevant to its review authority:

- Housing,
- Community Vitality,
- Transportation, and
- Sustainability.

ORGANIZATION OF THE CIP

The CIP list offers important information for the various capital improvement projects recommended for funding in FY2019 and planned for future years through FY2024. The CIP list consists of sections addressing FY2019 recommendations and funding sources (see **Attachment A, Page 8**), the six-year improvement plan (see **Attachment A, Page 13**), and project descriptions (see **Attachment A, Page 25**). Many projects approved in previous CIP cycles remain funded but do not appear in the FY19 funding list (see Financial Summary of Existing Projects in **Attachment A, Page 33**).

The City Manager recommends CIP priorities to the Assembly according to the following criteria:

Support. Are the projects a high priority of the Department or Committee proposing it, as well as the general public?

Consistency. Are the projects consistent with applicable CBJ plans or policies?

Planning Commission
File No.: CSP2018 0003
April 13, 2018
Page 3 of 15

Health and Safety. Will the improvement address an imminent or expected threat or danger to users or occupants?

Maintenance or Repair of Existing Property. Will the projects prevent further deterioration or damage to property?

Local Match for Federal/State Grants. Are funds required to match federal or state capital project funds?

Maintenance Impact. Will the improvement or projects increase efficiency and reduce on-going operating costs?

Economic Development Stimulus. Will the improvement directly or indirectly stimulate beneficial economic development in the community?

Anticipated Need. Will the projects enhance or expand an existing facility or service to accommodate increased public use?

Recreational. Will the projects establish, enhance or expand a facility or service to accommodate new or increase public use?

Funding Alternatives. Will there be funding alternatives explored for each project?

The report is organized into sections that are summarized below.

City Manager Recommended Priorities: The priorities for FY2019 are organized by funding source.

FY2019 General Sales Tax Improvements: Includes projects that were funded under a five year, voter-approved, 1% temporary sales tax. Funds must be split 1% for police, fire, street maintenance, snow removal, EMT/ambulance services, parks and recreation, libraries and other general purposes; 1% for roads, drainage, retaining walls, sidewalks, stairs, and other capital projects; and 1% for water and sewer system extensions, an emergency budget reserve, youth activities, and other general public services.

FY2019 Area Wide Sales Tax Improvements: The table lists the specific projects recommended for funding under area wide sales tax and the amount of funding provided to each improvement in FY2017.

Temporary 1% Sales Tax Improvements: A voter approved temporary 1% sales tax, effective October 1, 2013, through September 30, 2018, was more recently approved again effective

Planning Commission
File No.: CSP2018 0003
April 13, 2018
Page 4 of 15

October 01, 2018 – September 30, 2023. This section of the CIP lists the capital improvements the Manager is recommending to be funded under this temporary tax in FY2019.

FY2019 Marine Passenger Fees: Includes the projects funded by the voter-approved \$5 per passenger tax for cruise ship passengers. The charges are appropriated to address the impacts caused by the marine passenger ship industry. This section of the CIP lists the capital improvements that the Manager is recommending to be funded by this tax and the amount of funding provided to each improvement in FY2019.

FY2019 State Marine Passenger Fees: Five dollars per passenger comes from Alaska's cruise ship passenger fee, passed by a citizens' initiative in 2008 and revised in 2010. This section of the CIP lists the capital improvements that the Manager is recommending to be funded by this program and the amount of funding provided to each improvement in FY2019.

FY2019 Water Enterprise Fund: This fund was established to account for the CBJ's water utility operations. The CBJ's water utility provides potable water for the majority of the City and Borough residents residing within the roaded service area. The water utility is largely self-supported through user service fees. This section of the CIP lists the capital improvements recommended by the City Manager to be funded by the Water Enterprise Fund and the amount of funding provided to each improvement in FY2019.

FY2019 Wastewater Enterprise Fund: This fund was established to account for the activities of the CBJ's wastewater treatment operations. The sewer utility provides for wastewater treatment facilities for most of the populated roaded areas. The sewer utility fund is largely supported through user services fees. This section of the CIP lists the capital improvements recommended by the City Manager to be funded by the Sewer Enterprise Fund and the amount of funding provided to each improvement in FY2019.

FY 2019 Docks & Harbors Enterprise Fund: This fund was established to account for the activities of CBJ's Docks and Harbors. The Docks and Harbors Department exists to plan, develop, and manage CBJ's marine-related property and facilities. To this end, the Board develops and provides services to promote and accommodate marine related commerce, industry, fisheries, recreation, and visitors. The Docks and Harbors enterprise fund is financially supported through user services fees. This section of the CIP lists the capital improvements recommended by the City Manager to be funded by the Docks and Harbors Enterprise Fund and the amount of funding provided to each improvement in FY2019.

FY2019 Lands Fund: Land Fund into which most of the revenues from the sale or lease of land are to be deposited (except for properties of enterprise funds such as the Airport or Docks and Harbors). The Lands Fund is intended to provide revenue required for the subdivision, development, and disposal of CBJ lands as well as other costs of managing CBJ property. Additionally, the Land Fund is the source of money used to acquire properties needed for public purposes which are not funded by an enterprise account or CIP account. This section of the CIP

Planning Commission
 File No.: CSP2018 0003
 April 13, 2018
 Page 5 of 15

identifies the capital improvement recommend by the City Manager to be funded by the Lands Fund and the amount of funding in FY2019.

Furthermore, there are three categories of “unscheduled” funding. Unscheduled requests are appropriations from enterprise entities (water, sewer, Bartlett Hospital, Airport, Eaglecrest etc.) that do not happen as part of the CIP but are identified as priorities that are proposed to be undertaken beginning FY19 and are dependent other unsecured funding sources. As sources are secured, requests to appropriate them to the projects will be made.

Six-Year Department Improvement Plans: Outlines the Six-Year Departmental Improvement Plans of each department for FY2019 through FY2024. The table is organized by department and lists the project name, priority ranking, estimated expenditures for each fiscal year, and the type of activity of the project.

THE COMPREHENSIVE PLAN

The CIP fulfills several purposes. It is a planning document that organizes and schedules projects and activities. It is a statement of budgetary policy that directs funds toward priorities. It is an investment guide that portrays the physical infrastructure and other improvements that support commerce and community.

The Comprehensive Plan addresses capital improvements in Chapter 18, *Implementation and Administration*. Standard Operating Procedure 18.1 SOP1 states:

Evaluate all ordinances, plans, capital improvement and public programs to ensure their consistency with the Comprehensive Plan. For specific land use or permit applications, require the applicant, whether a public agency or a private property owner, to demonstrate compliance to each applicable policy or provide evidence why an exception to a policy is warranted. Incorporate statements regarding compliance/non-compliance with Policies into findings of fact that provide the legal basis for determining approval or disapproval of a development application. (Emphasis added.)

Policy 18.6 states:

To develop a six-year capital improvement program to implement the Comprehensive Plan by coordinating urban services, land use decisions, and financial resources and to provide adequate funding for capital improvements to ensure the policies, standard operating procedures, development guidelines, implementing actions and subarea guidelines of the Comprehensive Plan are implemented.

Planning Commission
File No.: CSP2018 0003
April 13, 2018
Page 6 of 15

Further Implementing Actions:

18.6 SOP1 states:

Prepare an annual Six-year Capital Improvement Program. Request that CBJ departments, the public, and policy bodies nominate potential capital improvement projects from a variety of sources including the Comprehensive Plan and suggestions of resident and special interest groups, CBJ officials, advisory commissions and others.

18.6.SOP2 states:

CDD staff will analyze each CIP project list for conformity with the Comprehensive Plan.

It is this last implementing action that is the focus of this review. The purpose is to determine if the proposed projects of the FY2019-FY2024 CIP support the policies and implementing actions of the Comprehensive Plan.

Comprehensive Plan policies and implementing actions that support the FY2019 CIP list are:

Policy 2.1 Sustainability

To build a sustainable community that endures over generations, and is sufficiently farseeing and flexible to maintain the vital and robust nature of its economic, social, and environmental support systems.

Policy 2.2 Sustainability

To model sustainability through its operations, practices, and projects.

Policy 4.1 Housing

To facilitate the provision and maintenance of safe, sanitary and affordable housing for its residents.

Policy 4.5 Provision of Public Facilities

To plan for the timely and efficient provision of an appropriate level of public facilities and services in all developed and developing areas of the CBJ.

Policy 5.1 Economic Development

To develop and sustain a diverse economy, providing opportunities for employment for all residents.

Policy 5.2 Downtown Juneau

Through a cooperative effort with the State of Alaska, to plan for and support development of an attractive setting, facilities, and other services to enhance the

State Capitol, and strive to provide an atmosphere conducive to good leadership in the State, accessible to and supportive of all people of the State of Alaska.

Policy 5.3 Downtown Juneau

To maintain and strengthen downtown Juneau as a safe, dynamic and pleasant center for government and legislative activities, public gatherings, cultural and entertainment events, and residential and commercial activities in a manner that complements its rich historic character and building forms.

Implementing Action 5.3.IA3 (in part): *Facilitate the pedestrian usage of Downtown physical improvements, Land Use Code amendments or other programs or initiatives which could include: B. Extend the waterfront seawalk.*

Policy 5.6 Tourism and Visitors

To encourage tourism, convention and other visitor-related activities through the development of appropriate facilities and services, while protecting Juneau's natural and cultural attractions for local citizens and visitors alike, and to participate in the accommodation of the future growth of tourism in a manner that addresses both community and industry concerns.

Implementing Action 5.6IA3: *Work with representatives from the cruise line industry, private developers, Juneau Convention and Visitors Bureau, and other tourism-related businesses to plan and develop additional or improved moorage and berthing facilities, including additional lightering and short-term moorage facilities.*

Standard Operating Procedure 5.6.SOP4: *Support Eaglecrest as a regional recreation and tourist facility.*

Policy 5.9 Port Facilities

To facilitate availability of sufficient and suitable water-based facilities and associated land-based acreage to support water-dependent uses, and to work closely with the public and private sectors to facilitate sustainable marine commerce recreation, public access to the shoreline and enjoyment of the waterfront through development of well-designed port facilities.

Policy 5.14 Seafood Industry and Commercial Fishing

To support the development and expansion of the seafood industry and of services and facilities that benefit commercial fishing activity and to attract and retain harvesters, processors, and sustainable aquaculture activities in Juneau.

Policy 6.4

To provide cost-effective and energy efficient facilities, systems and infrastructure that strengthens Juneau's role as the State Capital.

Policy 6.5 Energy Efficiency

To incorporate technologies and operating practices that will promote efficient and cost effective energy use into all of its new and existing buildings and energy-using projects.

Standard Operating Procedure 6.5SOP1: *Replace inefficient street lighting and lighting in CBJ buildings and facilities upon replacement cycle.*

Implementing Action 6.5-IA5: *Continue to incorporate LEED-Juneau principles and standards when designing public structures and facilities, with appropriate fuel cost sensitivity analyses over the long term life of the Project.*

Implementing Action 6.5-IA6: *When designing new facilities or major renovation of CBJ-owned facilities, analyze life-cycle costs of energy applications, and use that analysis to guide future development.*

Implementing Action 6.5-IA7: *Analyze the workings of the CBJ water and wastewater facilities and incorporate energy saving methods and technologies where appropriate.*

Policy 6.10 Energy Efficient Buildings

To encourage cost effective, energy efficient building and remodeling practices.

Policy 6.11 Energy Use

To encourage industrial and commercial users to be as efficient as possible in their use of energy; to use renewable energy sources and to make energy by-products available for use elsewhere in the community.

Policy 7.3 Riparian Habitat

To protect riparian habitat, including stream corridors and lake shorelines, from adverse effects of development and to provide a higher level of protection for non-urban shorelines in public ownership.

Policy 7.7. Water Quality

To protect, maintain and improve surface water, groundwater and marine water quality in its jurisdiction so that all waters are in compliance with federal and state water quality standards and continue to allow aquatic life to thrive.

Policy 7.9 Air Quality

To continue educational programs, capital improvement projects, and regulatory measures to protect and improve air quality.

Policy 7.16 Gravel Resources

To conserve and protect known gravel deposits and to protect them from conflicting land uses.

Policy 8.1 Airport

To promote and support aviation safety; to develop and maintain airport facilities meeting the aviation transportation needs for the CBJ, its residents, visitors, and commerce; and to work with the public and private sectors to facilitate commerce, economic development, and access to Alaska's capital city.

Policy 8.3 Marine Transport

To promote and facilitate marine transport systems and to provide facilities to transport cargo, vehicles, and passenger transportation, commercial fishing industries, and recreational water travel.

Policy 8.4 Regional Transportation System

To support the improvement of transportation facilities and systems that reinforce Juneau's role as the capital city of Alaska, and a regional transportation and service center.

Policy 8.5 Local Transportation System

To promote a balanced, well-integrated local multi-modal surface transportation system that provides safe, convenient and energy-efficient access and transport for people and commodities.

Standard Operating Procedure 8.5-SOP1: *Provide a safe, convenient, reliable and low-cost public transit and rapid transit system within the Urban Service Area to ensure that within that area, everyone has the ability to access work, school, services, shopping and leisure activities by public transit, with stops located so as to be within ½ mile of each other along routes.*

Implementing Action 8.5 – IA6: *To reduce the demand for land-consuming parking spaces, reduce use of fossil fuels, and encourage the use of public transit, the CBJ government and community should urge downtown federal, state, and local government agencies, as well as private-sector employees to participate in a Coordinated Downtown Transportation Management Program managed by CBJ staff or a third party. The program could include, but would not be limited to, the following features:*

D. Convenient and free parking for car- and van-pool vehicles, preferential parking for car-sharing, electric, hybrid and other alternate fuel-powered or multiple-user vehicles;

E. Instituting residential parking programs to discourage commuting motorists from long-term on-street parking in residential neighborhoods;

F. Satellite parking within shuttle distance to major destinations in downtown Juneau.

G. Working with the State of Alaska to allow off-hour parking in state employee parking facilities and lots to ease evening and wee-end event parking congestion;

H. Increasing parking enforcement, as nearly all of these parking-related actions require enforcement or they will be of minimal utility;

Policy 8.6 Alternative Transportation

To promote and facilitate transportation alternatives to private vehicles as a means of reducing congestion and air pollution and the consumption of fossil fuels, and to provide safe, and healthy means of transportation to all people.

Development Guideline 8.6.DG1: *Require sidewalks and bicycle paths or lanes along existing or newly constructed arterial and collector streets where appropriate, and provide or work with DOT to provide such amenities along existing roads to provide safe and healthy means of transportation to all people.*

Policy 9.1 Parks and Recreation

To provide quality dispersed outdoor recreational opportunities; and to acquire and develop sufficient local parks and recreational facilities in locations convenient to all areas of the CBJ. Places given priority for new facilities include rapidly developing areas and currently developed areas which lack adequate parks and recreation facilities.

Standard Operating Procedure 9.1SOP3: *Pursue funding for acquisition and development of parks and recreation facilities through traditional funding mechanisms such as the CBJ Capital Improvements Program, State Legislative process, and Federal funding opportunities; maximize the use of federal and state matching funds; investigate creative and innovative funding mechanisms for the acquisition and development of parks, facilities, trails, and programs; explore*

cooperative management agreements, joint ventures, private/public partnerships or other protocols to facilitate progress.

Policy 9.2 Parks and Recreation

To develop and maintain an interconnected non-motorized trail system that is complementary with, and may be contiguous with, unfragmented fish and wildlife corridors along anadromous fish streams within the roaded area that provides fish and wildlife and human access to the sea from the uplands.

Policy 12.1 Public Facilities

To plan for the timely and efficient provision of an appropriate level of public facilities and services in all developed and developing areas within the urban service area.

Policy 12.2 Public Facilities

To extend public water, sewer and storm drainage, and earth retention facilities to all areas within the urban service area.

Policy 12.4 Public Facilities

To facilitate the reduction of waste materials generated and disposed by households and businesses through promotion of an aggressive solid waste diversion and program including activities facilitating waste prevention, reuse and recycling.

Policy 12.5 Public Facilities

To promote efficient, safe, convenient, cost-effective and environmentally sound methods for the disposal of solid and hazardous waste.

Policy 13.1 Police Protection

To provide adequate and efficient police protection for the community.

Policy 13.2 Fire Protection and Emergency Services

To provide adequate and efficient fire protection and field emergency medical care for all. It is further the policy of the CBJ to maintain an incident response organization to effectively respond to large scale events and disasters.

Policy 13.3 Medical Services

To promote quality medical and social services in the CBJ to ensure the safety, health, well-being and self-sufficiency of its residents.

Policy 14.1 Schools

To provide a strong system of high quality public education to enable all students to become well educated, informed residents who understand and appreciate diverse

Planning Commission
 File No.: CSP2018 0003
 April 13, 2018
 Page 12 of 15

cultures and who are equipped to pursue further education and compete successfully in the work force.

The projects in the CIP can be linked to policies in the Comprehensive Plan, and the CIP can be characterized as a tool that aids in implementing the plan. The table below only evaluates projects that have funding requested for FY2019. The fifth column was added with the purpose of showing which of the board categories established by the Commission the project fits.

DEPARTMENT	Division	Priority	Project	Consistency with Comp Plan	PC Category
Administration	Manager's Office	1	IT - Infrastructure Upgrades	N/A	N/A
		2	Vehicle & Equipment Wash Bays	Policy 2.2, 7.7	Sustainability
		3	Bonded Debt Service	N/A	N/A
		4	Budget Reserve	Policy 2.1, 2.2	Community vitality
		5	Housing	Policy 4.1, 4.2	Housing
		6	Public/Private Port Infrastructure Plan	Policy 5.1, 5.6, 5.9	Transportation

Airport		1	Design/Const. Passenger Boarding Bridge Gate 2	Policy 8.1, 8.4	Transportation
		2	Design/Const. Terminal Reno Ph 2 Including Departure Lounge Exit Lane	Policy 8.1, 8.4	Transportation
		3	Design SREF Phase 2 Sand/Chemical Storage/Fuel	Policy 8.1, 8.4	Transportation
		4	Space Reconfig (old dining rm/kitn) for Tenants & Admin	Policy 8.1, 8.4	Transportation
		5	Design & Install Terminal Camera Surveillance System	Policy 8.1, 8.4	Transportation
		6	26 MALSR (FAA F&E Project)	Policy 8.1, 8.4	Transportation

BRH		1	Rainforest Recovery Center Upgrades	Policy 13.3	Community vitality
		2	Robert F. Valliant Building Siding Replacement	Policy 13.3	Community vitality
		3	Medical Arts Building Roof Replacement	Policy 13.3	Community vitality

Docks & Harbors	Docks	1	Visitor Information Kiosk Replacement	Policy 5.6, 8.3	Community vitality
		2	Downtown Restrooms Construction (new)	Policy 5.3, 5.6	Community vitality
		3	Small Cruiseship Moorage Master Planning	Policy 5.6, 5.9, 8.3	Community vitality
		4	Archipelago Property (Acquisition and Development)	Policy 5.6, 5.9	Community vitality
		5	Auke Bay Passenger for Hire - Cost Share	Policy 5.6	Community vitality

Planning Commission
File No.: CSP2018 0003
April 13, 2018
Page 13 of 15

Docks & Harbors	Harbors	1	Statter Harbor Breakwater Safety Improvements	Policy 8.3	Community vitality
		2	Areawide Anode Installation Matching Funds	Policy 8.3	Transportation
		3	ABMS D&H/UAS Cost Share Agreement	Policy 8.3	Community vitality
		4	Cost Share with ACOE for Breakwater Feasibility	Policy 8.3	Community vitality

Eaglecrest		1	Deferred Maintenance - Mountain Operations Improvements	Policy 5.6, 9.1	Community vitality
		2	Upper Loop Overnight Cabin	Policy 5.6	Community vitality
		3	Snowmaking Pumping Station	Policy 5.6	Community vitality

Lands & Resources		1	Pits and Quarries Infrastructure Maintenance & Expansion	Policy 7.16	Community vitality
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Parks & Recreation	Building Maintenance	1	Deferred Building Maintenance - Downtown Library Windows General Sales Tax Improvements	Policy 6.5, 6.10	Sustainability
		2	Deferred Building Maintenance	Policy 6.5, 6.10, 9.1	Community vitality
		3	Deferred Building Maintenance - Arboretum Building Repairs	Policy 6.5, 6.10, 9.1	Sustainability
	Parks/Rec Areas	1	Park & Playground Repairs & Maintenance	Policy 9.1	Community vitality
		2	Sports Field Resurfacing & Repairs	Policy 9.1	Community vitality
		3	Capital School Park Retaining Wall-Design & Short Term Repairs	Policy 9.1	Community vitality
	Trail Maintenance	1	Christopher Trail - Cope Park to Flume	Policy 9.1, 9.2	Community vitality
		2	Crow Hill Trail - Gast School to Crow Hill Road	Policy 8.6, 9.1	Transportation

Public Works and Engineering Department	Capital Transit	1	Bus Shelters/Interim Valley Transit Center	Policy 8.5, 8.6	Transportation
		2	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	Policy 6.6, 8.5, 8.6	Transportation
	Engineering	1	Contract Specification & Contract Language Update	Policy N/A	N/A
		2	Downtown Side Streets Phase III	Policy 5.6, 8.5, 8.6	Transportation
		3	Downtown Wayfinding and Interpretive Signs	Policy 5.6	Community vitality
		4	Seawalk Major Maintenance	Policy 5.6, 9.1	Transportation
		5	Seawalk Next Phases	Policy 5.6, 9.1	Transportation
	RecycleWorks	1	RecycleWorks Waste Diversion Program	Policy 12.4, 12.5, 12.6, 12.8	Sustainability
	Streets	1	Pavement Management	Policy 7.9, 12.1	Transportation
		2	Areawide Drainage Improvements	Policy 7.7, 12.2	Sustainability
		3	McGinnis Subdivision Improvements, Ph IV (Heron)	Policy 8.6, 7.7, 12.1	Transportation
		4	Downtown Street Improvements Ph III	Policy 5.6, 8.6, 12.1	Transportation

Planning Commission
 File No.: CSP2018 0003
 April 13, 2018
 Page 14 of 15

Public Works and Engineering Department (cont.)	Streets (cont.)	5	Gold Creek Flume Repairs	Policy 9.1, 12.1, 12.3	Community vitality
		6	Sidewalk & Stairway Repairs	Policy 8.6	Transportation
		7	Birch Lane Improvements, Ph II - Mendenhall to Dogwood	Policy 8.6, 7.7, 12.1	Transportation
		8	Columbia and Poplar Reconstruction	Policy 8.6, 7.7, 12.1	Transportation
	Wastewater Utility	1	Wastewater Infrastructure Maintenance - JDTP Structural Improvements (Aeration and Clarifier Roof)	Policy 12.1	Community vitality
		2	Gruening Park Pump Station Replacement	Policy 12.1	Community vitality
		3	Birch Lane - Mendenhall to Dogwood	Policy 12.1	Transportation
		4	Columbia and Poplar Reconstruction	Policy 12.1	Transportation
		5	Kaiser Forcemain Replacement (Mendenhall River Erosion)	Policy 12.1	Community vitality
		6	Anode Replacement on Under Ocean Portion of Outer Drive FM	Policy 12.1	Community vitality
		7	McGinnis Subdivision, Heron Way Manhole Adjustments	Policy 12.1	Community vitality
		8	Calhoun Sewer Replacement W 8th to Gold Creek	Policy 12.1	Community vitality
		9	JDTP Vactor Dump and Grit Handling Improvements	Policy 7.7	Sustainability
		10	JD Clarifier and Digester Tank Floor Improvements	Policy 12.1	Community vitality
		11	Pavement Management Utility Adjustments	Policy 12.1	Community vitality
		12	ADOT Project Utility Adjustments	Policy 12.1	Community vitality
	Water Utility	1	Birch Lane - Mendenhall to Dogwood	Policy 12.1	Community vitality
		2	Columbia and Poplar Reconstruction	Policy 12.1	Community vitality
		3	Lee Street Pump Station Replacement	Policy 12.1	Community vitality
		4	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	Policy 12.1	Community vitality
		5	Crow Hill and Cedar Park PS Control Updates	Policy 12.1	Community vitality
		6	Pavement Management Utility Adjustments	Policy 12.1	Community vitality
		7	ADOT Project Utility Adjustments	Policy 12.1	Community vitality
		8	Last Chance Basin Underground Fuel Tank Removal & Reloc.	Policy 12.1	Community vitality
		9	Areawide Watermain Repairs	Policy 12.1	Community vitality

Schools		1	JSD Buildings Major Maintenance / Match	Policy 14.1	Community vitality
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Planning Commission
File No.: CSP2018 0003
April 13, 2018
Page 15 of 15

FINDINGS

Do the CIP projects listed for funding in the FY2019 conform to the policies of the Juneau Comprehensive Plan?

Projects proposed for funding in FY2019 conform to the policies of the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Planning Commission report to the Assembly that the CIP projects recommended for funding in FY2019 conform to the policies of the Juneau Comprehensive Plan.

City & Borough of Juneau, Alaska



Photo Courtesy of Juneauhistory.com

Old Glacier Highway
Spring Thaw - 1932

Preliminary-Capital Improvement Program

Fiscal Years 2019 through 2024

**CITY AND BOROUGH OF JUNEAU
CAPITAL IMPROVEMENT PROGRAM**

FISCAL YEARS 2019-2024



Prepared By
City and Borough of Juneau
Engineering & Public Works Department
June 1, 2018

INTRODUCTION

Each year, the City and Borough of Juneau (CBJ) adopts a capital improvement program (CIP). The legal requirements applicable to the CIP are set forth in Section 9 of the CBJ Charter. In general, the CIP is a plan of capital improvements proposed for a six-year period, together with an estimated cost of each improvement and the proposed method of financing it. The CIP serves as the overarching strategic plan for improving the public infrastructure of Juneau and is collectively developed by the CBJ Assembly, its boards and commissions, CBJ staff, and the citizens of CBJ.

The CBJ Charter requires the City Manager to assemble and submit a CIP to the Assembly by April 5th of each year. This document is the City Manager's CIP. The Charter further requires this document to be available for public inspection. This document is available from the CBJ Engineering Department at the third floor of the Marine View Building in downtown Juneau or from CBJ's web pages at http://www.juneau.org/engineering/CIP_Process.php.

By May 1st, the Charter requires the Assembly to hold a public hearing on the CIP. In addition to the Charter requirement, the Assembly holds public hearings at its Public Works and Facilities Committee. The Planning Commission reviews it for conformance with the Area Wide Comprehensive Plan. The meetings are announced in the Juneau Empire, on the CBJ's web pages, and the public access channel. Citizens are encouraged to provide their comments at these meetings.

By June 15th, the Assembly must adopt its own CIP or the City Manager's CIP. In practice, the Assembly uses the City Manager's CIP as the starting point, adjusts it during the public comment period, and adopts its own CIP at the same time it adopts the budget in early June.

If you would like more information about the CIP please contact Roger Healy by phone at (907) 586-0800 or by email: Roger.Healy@juneau.org

FY 2019 CIP RECOMMENDATIONS

This section of the preliminary six-year CIP plan lists capital project priorities of the City and Borough of Juneau for FY 2019 that are being recommended by the City Manager. A table is presented to show the name of each improvement, the department recommending the improvement, and the amount and type of funding being recommended.

A summary table at the end of the section lists all funding sources, and the total amount recommended for expenditure in each fund.

The City Manager recommends capital improvement projects according to the following criteria:

Support: Projects that are a high priority of the Department or Committee proposing it, as well as the general public.

Consistency: Projects that are consistent with applicable CBJ plans or policies.

Health and Safety: Projects that will address an imminent or expected threat or danger to users or occupants.

Maintenance or Repair of Existing Property: Projects that will prevent further deterioration or damage to property.

Local Match for Federal/State Grants: Funds required to match federal or state capital project funds.

Maintenance Impact: Projects that will increase efficiency and reduce on-going operating costs.

Economic Development Stimulus: Projects that directly or indirectly stimulate economic development in the community.

Anticipated Need: Projects that enhance or expand an existing facility or service to accommodate increased public use.

Recreational: Projects that establish, enhance or expand a facility or service to accommodate new or increase public use.

Funding Alternatives: Funding alternatives are explored for each project.

Presented by: The City Manager
 Introduced: #### 2018
 Drafted by: Engineering & Public Works Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 Through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2019 through Fiscal Year 2024, and has determined the capital improvement project priorities for Fiscal Year 2019.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," dated June 1, 2018, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

FISCAL YEAR 2019		
GENERAL SALES TAX IMPROVEMENTS		
DEPARTMENT	PROJECT	FY19 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	275,000
Parks & Recreation	Park & Playground Repairs and Maintenance	270,000
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000
General Sales Tax Improvements Total		\$ 1,000,000

**FISCAL YEAR 2019
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Managers Office	Vehicle and Equipment Wash Bays	1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	Mc Ginnis Subdivision Improvements - Ph 4 (Heron)	1,000,000
Street Maintenance	Downtown Street Improvements Phase III	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk and Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters / Valley Transit - Transfer Center	400,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	100,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		\$ 9,100,000

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/13 - 09/30/18**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Hospital	Rainforest Recovery Center Upgrades	585,000
Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000
Temporary 1% Sales Tax Priorities Total		\$ 3,125,000

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	Housing	400,000
Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
Parks and Recreation	Building Maintenance	500,000
School District	JSD Buildings Major Maintenance / Match	800,000
Hospital	BRH - Rainforest Recovery Center Upgrades	1,800,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000
Temporary 1% Sales Tax Priorities Total		\$ 6,100,000

FISCAL YEAR 2019**MARINE PASSENGER FEE PRIORITIES (draft -out for public comment)**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement	150,000
Port of Juneau	Downtown Restroom Construction (new)	500,000
Port of Juneau	Small Cruiseship Moorage Master Planning	150,000
Engineering	Downtown Sidestreets Phase III	900,000
Engineering	Downtown Wayfinding and Interpretive Signs	450,000
Engineering	Seawalk Major Maintenance	85,000
Engineering	Seawalk Next Phases	250,000
Marine Passenger Fee Priorities Total		\$ 2,635,000

FISCAL YEAR 2019**STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks And Harbors	Archipelago Property (Acquisition and Development)	\$ 5,750,000
State Marine Passenger Fee Priorities Total		\$ 5,750,000

FISCAL YEAR 2019**WATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	215,000
Water Utility	Lee Street Pump Station Replacement	500,000
Water Utility	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	100,000
Water Utility	Crow Hill and Cedar Park PS Control Updates	300,000
Water Utility	Areawide Watermain Repairs	100,000
Water Utility	Birch Lane - Mendenhall to Dogwood	\$ 100,000
Water Utility	Columbia and Poplar Reconstruction	220,000
Water Utility	Pavement Management Utility Adjustments	20,000
Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		\$1,600,000

FISCAL YEAR 2019**WASTEWATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Wastewater Utility	Greening Park Pump Station Replacement	\$ 800,000
Wastewater Utility	Kaiser Forcemain Replacement (Mendenhall River Erosion)	1,000,000
Wastewater Utility	JD Clarifier and Digester tank Floor Improvements	225,000
Wastewater Utility	Anode Repl on Under Water Portion of Outer Drive FM	250,000
Wastewater Utility	JDTP Infrastructure Imprvmnts (Aeration and Clarifier Roof)	1,000,000
Wastewater Utility	JDTP Vactor Dump/Decant Fac. and Grit Handling Imprvmnts	125,000
Wastewater Utility	Birch Lane - Mendenhall to Dogwood	100,000
Wastewater Utility	Columbia and Poplar Reconstruction	220,000
Wastewater Utility	McGinnis S/D -Heron Way Manhole Adjustments	15,000
Wastewater Utility	Calhoun Sewer Replacement W8th to Gold Ck	50,000
Wastewater Utility	Pavement Management Utility Adjustments	20,000
Wastewater Utility	ADOT Project Utility Adjustments	40,000
Wastewater Enterprise Fund Total		\$ 3,845,000

**FISCAL YEAR 2019
DOCKS AND HARBORS ENTERPRISE FUND**

DEPARTMENT	PROJECT	
Docks	Auke Bay Passenger for Hire - Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	500,000
Docks and Harbors Enterprise Fund Total		\$ 2,173,000

**FISCAL YEAR 2019
LANDS FUND**

DEPARTMENT	PROJECT	
LANDS	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 150,000
LANDS Fund Total		\$ 150,000
ORDINANCE 2018-XX CAPITAL PROJECTS FUNDING TOTAL		\$ 20,170,000
ORDINANCE 2018-XX OPERATIONS PROJECTS FUNDING TOTAL		\$ 1,440,000 *

(c) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019-2024," are capital improvement projects identified as priorities proposed to be undertaken beginning in FY19, but are dependent on other unsecured funding sources. As the sources are secured, the funds will be appropriated:

**FISCAL YEAR 2019
HOSPITAL UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	
Hospital	Robert F. Valliant Building Siding Replacement	\$ 300,000
Hospital	Medical Arts Building Roof Replacement	400,000
HOSPITAL Funding Total		\$ 700,000

**FISCAL YEAR 2019
AIRPORT UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
Airport	Design/Const. Terminal Reno Ph 2 incl. Dep Lnge Exit Lane	1,300,000
Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
Airport	Space Reconfig - Old Dining Room/Kit. for Admin & Tenants	250,000
Airport	Design&Install Terminal Camera Surveillance System	200,000
Airport	26 MALSR (FAA F&E Project)	3,750,000

Airport Unscheduled Funding Total \$ 7,800,000

UNSCHEDULED FUNDING REQUESTS

DEPARTMENT	PROJECT	
Eaglecrest	Upper Loop Overnight Cabin	\$ 50,000
Eaglecrest	Snowmaking Pumping Station	250,000
Unscheduled Funding Total		\$ 300,000

Section 2. Fiscal Year 2019 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY19 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2019 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this ____ day of _____, 2018.

Mayor

Attest:

Laurie Sica, Clerk

FY 2019 CIP RECOMMENDATIONS

Department	Division	Priority	Project	Funding Source	Amount
Administration	Manager's Office	1	IT - Infrastructure Upgrades	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 400,000
				Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 400,000
		2	Vehicle & Equipment Wash Bays	Areawide Sales Tax Priorities	\$ 1,150,000
		3	Bonded Debt Service	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 1,040,000
		4	Budget Reserve	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 400,000
		5	Housing	Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 400,000
		6	Public/Private Port Infrastructure Plan	Marine Passenger Fee Priorities	\$ 150,000
				Administration Total Funding:	\$ 3,940,000
Airport		1	Design/Const. Passenger Boarding Bridge Gate 2	Airport Unscheduled Funding	\$ 2,000,000
		2	Design/Const. Terminal Reno Ph 2 Including Departure Lounge Exit Lane	Airport Unscheduled Funding	\$ 1,300,000
		3	Design SREF Phase 2 Sand/Chemical Storage/Fuel	Airport Unscheduled Funding	\$ 300,000
		4	Space Reconfig (old dining rm/kitn) for Tenants & Admin	Airport Unscheduled Funding	\$ 250,000
		5	Design & Install Terminal Camera Surveillance System	Airport Unscheduled Funding	\$ 200,000
		6	26 MALSR (FAA F&E Project)	Airport Unscheduled Funding	\$ 3,750,000
				Airport Total Funding:	\$ 7,800,000
BRH		1	Rainforest Recovery Center Upgrades	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 585,000
				Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 1,800,000
		2	Robert F. Valliant Building Siding Replacement	Hospital Unscheduled Funding	\$ 300,000
		3	Medical Arts Building Roof Replacement	Hospital Unscheduled Funding	\$ 400,000
				BRH Total Funding:	\$ 3,085,000
Docks & Harbors	Docks	1	Visitor Information Kiosk Replacement	Marine Passenger Fee Priorities	\$ 150,000
		2	Downtown Restrooms Construction (new)	Marine Passenger Fee Priorities	\$ 500,000

FY 2019 CIP RECOMMENDATIONS

Department	Division	Priority	Project	Funding Source	Amount
Eaglecrest		3	Small Cruiseship Moorage Master Planning	Marine Passenger Fee Priorities	\$ 150,000
		4	Archipelago Property (Acquisition and Development)	State Marine Passenger Fee Priorities	\$ 5,750,000
		5	Auke Bay Passenger for Hire - Cost Share	Docks and Harbors Enterprise Fund	\$ 690,000
		1	Statler Harbor Breakwater Safety Improvements	Docks and Harbors Enterprise Fund	\$ 333,000
		2	Areawide Anode Installation Matching Funds	Docks and Harbors Enterprise Fund	\$ 300,000
	Harbors	3	ABMS D&H/UAS Cost Share Agreement	Docks and Harbors Enterprise Fund	\$ 350,000
		4	Cost Share with ACOE for Breakwater Feasibility	Docks and Harbors Enterprise Fund	\$ 500,000
		Docks & Harbors Total Funding:			
	Eaglecrest		1	Deferred Maintenance - Mountain Operations Improvements	General Sales Tax Improvements
		2	Upper Loop Overnight Cabin	Unscheduled Funding Requests	\$ 50,000
		3	Snowmaking Pumping Station	Unscheduled Funding Requests	\$ 250,000
				Eaglecrest Total Funding:	\$ 575,000
Lands & Resources		1	Pits and Quarries Infrastructure Maintenance & Expansion	Lands Fund	\$ 150,000
	Lands & Resources Total Funding:				\$ 150,000
Parks & Recreation	Bldg Maintenance	1	Deferred Building Maintenance - Downtown Library Windows	General Sales Tax Improvements	\$ 175,000
		2	Deferred Building Maintenance	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 380,000
				Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 500,000
	3	Deferred Building Maintenance - Arboretum Building Repairs	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 120,000	
	Parks/Rec Areas	1	Park & Playground Repairs & Maintenance	General Sales Tax Improvements	\$ 270,000
		2	Sports Field Resurfacing & Repairs	General Sales Tax Improvements	\$ 80,000
		3	Capital School Park Retaining Wall-Design & Short Term Repairs	General Sales Tax Improvements	\$ 200,000

FY 2019 CIP RECOMMENDATIONS

Department	Division	Priority	Project	Funding Source	Amount
Trail Maintenance		1	Christopher Trail - Cope Park to Flume	Areawide Sales Tax Priorities	\$ 90,000
		2	Crow Hill Trail - Gast School to Crow Hill Road	Areawide Sales Tax Priorities	\$ 20,000
Parks & Recreation Department Total Funding:					\$ 1,835,000
Public Works and Engineering Department					
	Capital Transit	1	Bus Shelters/Interim Valley Transit Center	Areawide Sales Tax Priorities	\$ 400,000
		2	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	Areawide Sales Tax Priorities	\$ 100,000
	Engineering	1	Contract Specification & Contract Language Update	Areawide Sales Tax Priorities	\$ 90,000
		2	Downtown Side Streets Phase III	Marine Passenger Fee Priorities	\$ 900,000
		3	Downtown Wayfinding and Interpretive Signs	Marine Passenger Fee Priorities	\$ 450,000
		4	Seawalk Major Maintenance	Marine Passenger Fee Priorities	\$ 85,000
		5	Seawalk Next Phases	Marine Passenger Fee Priorities	\$ 250,000
	RecycleWorks	1	RecycleWorks Waste Diversion Program	Temporary 1% Sales Tax - 10/01/13 - 09/30/18	\$ 200,000
				Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 200,000
	Streets	1	Pavement Management	Areawide Sales Tax Priorities	\$ 1,200,000
		2	Areawide Drainage Improvements	Areawide Sales Tax Priorities	\$ 250,000
		3	McGinnis Subdivision Improvements, Ph IV (Heron)	Areawide Sales Tax Priorities	\$ 1,000,000
		4	Downtown Street Improvements Ph III	Areawide Sales Tax Priorities	\$ 1,100,000
		5	Gold Creek Flume Repairs	Areawide Sales Tax Priorities	\$ 300,000
		6	Sidewalk & Stairway Repairs	Areawide Sales Tax Priorities	\$ 300,000
		7	Birch Lane Improvements, Ph II - Mendenhall to Dogwood	Areawide Sales Tax Priorities	\$ 1,000,000
		8	Columbia and Poplar Reconstruction	Areawide Sales Tax Priorities	\$ 2,100,000
	Wastewater Utility	1	Wastewater Infrastructure Maintenance - JDTP Structural Improvements (Aeration and Clarifier Roof)	Temporary 1% Sales Tax - 10/01/18 - 09/30/23	\$ 2,000,000
				Wastewater Enterprise Fund	\$ 1,000,000
		2	Gruening Park Pump Station Replacement	Wastewater Enterprise Fund	\$ 800,000
		3	Birch Lane - Mendenhall to Dogwood	Wastewater Enterprise Fund	\$ 100,000
		4	Columbia and Poplar Reconstruction	Wastewater Enterprise Fund	\$ 220,000
		5	Kaiser Forcemain Replacement (Mendenhall River Erosion)	Wastewater Enterprise Fund	\$ 1,000,000
Total of all projects: \$ 10,880,000					

FY 2019 CIP RECOMMENDATIONS				
Department	Division	Priority	Project	Funding Source
			Anode Replacement on Under Ocean Portion of Outer Drive FM	Wastewater Enterprise Fund
		6		\$ 250,000
		7	McGinnis Subdivision, Heron Way Manhole Adjustments	Wastewater Enterprise Fund
		8	Calhoun Sewer Replacement W 8th to Gold Creek	\$ 15,000
		9	JDTP Vactor Dump and Grit Handling Improvements	\$ 50,000
		10	JD Clarifier and Digester Tank Floor Improvements	\$ 125,000
		11	Pavement Management Utility Adjustments	\$ 225,000
		12	ADOT Project Utility Adjustments	\$ 20,000
				\$ 40,000
	Water Utility	1	Birch Lane - Mendenhall to Dogwood	Water Enterprise Fund
		2	Columbia and Poplar Reconstruction	\$ 100,000
		3	Lee Street Pump Station Replacement	Water Enterprise Fund
		4	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	\$ 220,000
		5	Crow Hill and Cedar Park PS Control Updates	\$ 500,000
		6	Pavement Management Utility Adjustments	Water Enterprise Fund
		7	ADOT Project Utility Adjustments	\$ 100,000
		8	Last Chance Basin Underground Fuel Tank Removal & Reloc.	\$ 300,000
		9	Areawide Watermain Repairs	Water Enterprise Fund
				\$ 20,000
				\$ 45,000
				\$ 215,000
				\$ 100,000
			Public Works & Engineering Department Total Funding:	\$ 17,370,000
Schools		1	JSD Buildings Major Maintenance / Match	Temporary 1% Sales Tax - 10/01/18 - 09/30/23
			Schools Total Funding:	\$ 800,000

Attachment A: FY19-24 CIP

SUMMARY OF FY 2019 CAPITAL IMPROVEMENT PROJECTS FUNDING SOURCES		
FUNDING SOURCES	General Sales Tax Priorities	\$ 1,000,000
	Areawide Sales Tax Priorities	\$ 9,100,000
	Temporary 1% Sales Tax Priorities - Voter Approved Sales 10/01/13 - 09/30/18	\$ 3,125,000
	Temporary 1% Sales Tax Priorities - Voter Approved Sales 10/01/18 - 09/30/23	\$ 6,100,000
	Marine Passenger Fee Priorities	\$ 2,635,000
	State Marine Passenger Fee Priorities	\$ 5,750,000
	Water Enterprise Fund	\$ 1,600,000
	Wastewater Enterprise Fund	\$ 3,845,000
	Docks and Harbors Enterprise Fund	\$ 2,173,000
	Lands Fund	\$ 150,000
	Hospital Unscheduled Funding	\$ 700,000
	Airport Unscheduled Funding	\$ 7,800,000
	Unscheduled Funding Requests	\$ 300,000

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS

This section of the CIP shows the capital improvement plan for each CBJ department for fiscal years 2019 – 2024. The plans were submitted by the director of the department and were developed in conjunction with a governing board or committee. For example, the Docks and Harbors plan was submitted by the Port Director and developed by the Port Director and the Docks and Harbors Board.

The projects identified for 2019 are those recommended by the City Manager for funding in FY19. Projects identified by the City Manager in years 2020 and 2021 will be recommended for funding in the coming fiscal years. Those projects identified for funding beyond 2021 provide a general direction of capital spending in those years, not a specific direction.

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
Administration Manager's Office	IT - Infrastructure Upgrades	1	\$ 800,000	\$ 400,000	\$ 400,000	\$ 400,000			
	Vehicle & Equipment Wash Bays	2	\$ 1,150,000						
	Bonded Debt Service	3	\$ 1,040,000						
	Budget Reserve	4	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000		
	Housing	5	\$ 400,000						
	Public/Private Port Infrastructure Plan	6	\$ 150,000						
	Willoughby Parking Structure	7							\$ 5,500,000
	Landslide/Avalanche/Mass Wasting Norway Pt to South End of Gastineau Ave.	8							\$ 200,000
	Composting Feasibility Study	9							\$ 100,000
	Wayfinding and Gateway Signage - Auke bay	10							\$ 250,000
	W Douglas Road Feasibility Study/Plan	11							\$ 250,000
	Cordova St. Alternate Access	12							\$ 5,000,000
	Move Riverbend Elem. Access to Dimond Park Signalized Entrance	13							\$ 1,500,000
	Replace Montana Creek Bridge - (Past Rifle Range)	14							\$ 500,000
	North Douglas Channel Crossing	15							\$ 90,000,000
	Administration Total:		\$ 3,940,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 400,000	\$ 103,300,000	
Airport	Design/Const. Passenger Boarding Bridge Gate 2	1	\$ 2,000,000						
	Design/Const. Terminal Reno Ph 2 Including Departure Lounge Exit Lane	2	\$ 1,300,000						
	Design SREF Phase 2 Sand/Chemical Storage/Fuel	3	\$ 300,000						
	Space Reconvg (old dining rm/kitn) for Tenants & Admin	4	\$ 250,000						
	Design & Install Terminal Camera Surveillance System	5	\$ 200,000						
	26 MAL SR (FAA F&E Project)	6	\$ 3,750,000						
	Const. Taxiway A Rehab	7		\$ 17,000,000					
	Const. Taxiway E Realignment (Geometry)	8		\$ 2,000,000					
	Const. Taxiway D-1 Relocation (RIM)	9		\$ 1,000,000					
	Multi-Modal Feasibility Planning	10		\$ 10,000					
	Const. Terminal Renovation, Phase II	11		\$ 15,000,000					
	Replace Trash Compactors and Pads	12		\$ 100,000					
	SREF Building Phase II Sand/Chemical Storage, Fuel	13			\$ 10,300,000				
	Passenger Terminal Parking Lot Rehab	14				\$ 3,000,000			
	Terminal Area (121) Apron Rehabilitation	15				\$ 3,500,000			
	Terminal Area (135) Apron Rehabilitation	16				\$ 6,000,000			
	Emergency Vehicle Access Road (EVAR) Extend Design/Construction	17				\$ 500,000			
	Acquire Wetlands Access Vehicle (w/CCFR)	18				\$ 250,000			
	Replace Snow Removal Equipment	19				\$ 5,000,000			
	NE Development Area Sewer Infrastructure	20				\$ 100,000			

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS

Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future
CBJ	Phase 1C SREB (remainder of maintenance shop) Non-FAA Eligible	21				\$5,500,000		
	Design & Reconstruct Alex Holden Way, Cessna & Renshaw	22					\$2,200,000	
	Design & Construct Terminal Reno, Ph III (Knuckle)	23					\$24,000,000	
	Design/Construct Taxiway C Reconfiguration	24						\$5,000,000
	Design/Construct Safety Area Grading @ RW Shoulder and NAVAIDs (2025)	25						\$ 3,300,000
	Design/Construct Conversion of Runway 8/26 to 9/27 - MAGVAR (2025)	26						\$ 200,000
	Reconstruct West GA Taxilanes (2026)	27						\$ 2,500,000
	Reconstruct West Tiedown Apron (2026)	28						\$ 3,000,000
	Replace ARFF Truck (2026)	29						\$ 1,000,000
	Reconstruct East GA Taxilanes (2027)	30						\$ 2,000,000
	Reconstruct East Tiedown Apron (2027)	31						\$ 3,000,000
	Reconstruct E-1 Ramp (2027)	32						\$ 5,500,000
	Terminal Expansion Planning - Baggage, Departure Lounge	33						\$ 600,000
	Parking Garage	34						\$ 20,000,000
	Snow Removal Equipment Acquisition	35						\$ 5,000,000
	ARFF Truck Replacement	36						\$ 1,000,000
	Demolish (old) Sand/Chem Facility	37						\$ 300,000
	Terminal Infrastructure Replacement	38						\$ 5,000,000
	Airport Master Plan Update	39						\$ 1,200,000
	Relocate/Construct FAA ATCT	40						\$ 50,000,000
	Terminal Expansion Construction	41						\$ 10,000,000
	Landside Access Roads Pavement Rehab	42						TBD
BRH	Airfield Pavement Rehab	43						TBD
	Civil Air Patrol Hangar Relocation	44						TBD
	Fish & Wildlife Service Hangar Relocations	45						TBD
	Airport Total:		\$ 7,800,000	\$ 35,110,000	\$ 10,300,000	\$ 23,850,000	\$ 26,200,000	\$ 118,600,000
	Rainforest Recovery Center Upgrades	1	\$ 2,385,000					
	Robert F. Vaillant Building Siding Replacement	2	\$ 300,000					
	Medical Arts Building Roof Replacement	3	\$ 400,000					
	Asphalt Replacement Drive From Admin to JMC	4		\$ 500,000				
	RFC Remodel	5		\$ 2,500,000				
	Parking Ramp (200 places)	6						\$ 4,000,000
	Operating Room Renovation	7						\$ 16,500,000
	Information Services Facility with Generator	8						\$ 2,000,000
	BOPS Replacement	9						\$ 9,000,000
	Remodel Laboratory (5000 sq. ft.)	10						\$ 3,750,000
	Child & Adolescent Mental Health Unit	11						\$ 23,125,000
	Maintenance Building for Equipment	12						\$ 750,000

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS

Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future
	Oxygen Tank (Bulk) Storage	13						\$ 500,000
	Relocate & Remodel Biomed, Dietary, Laundry, Materials Management Bldg.	14						\$ 2,500,000
	Pharmacy Remodel to Comply with UPC 500	15						\$ 400,000
	BRH Total:		\$ 3,085,000	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 62,525,000
Docks & Harbors								
Docks	Visitor Information Kiosk Replacement - Const.	1	\$ 150,000					
	Downtown Restrooms - Construction	2	\$ 500,000					
	Small Cruiseship Moorage Master Planning	3	\$ 150,000					
	Archipelago Property (Acquisition/Development)	4	\$ 5,750,000					
	Auke Bay Passenger For Hire - Cost Share	5	\$ 690,000					
	Marine Park Sheet Pile Coating - Phase III of III	6	\$ 500,000					
	Security Checkpoint Shelters	7	\$ 300,000					
	Shore Power at Cruise Ship Berths	8						\$ 25,800,000
Docks Total:			\$ 7,240,000	\$ 800,000	\$ -	\$ -	\$ -	\$ 25,800,000
Harbors	Slatter Breakwater Safety Improvements	1	\$ 333,000					
	Area Wide Anode Installation Matching Funds	2	\$ 300,000					
	ABMS D&H/UAS Cost Share Agreement	3	\$ 350,000					
	Cost Share w/ACOE for Breakwater Feasibility	4	\$ 500,000					
	Aurora Harbor Rebuild-Phase III	5	\$ 7,000,000					
	Analaga Harbor Fish Cleaning Float	6	\$ 300,000					
	Auke Bay Net Repair Float	7	\$ 300,000					
	Aurora Harbor Dredging	8	\$ 350,000					
	Wayside Float Maintenance Dredging	9	\$ 350,000					
	Aurora Harbormaster Building and Shop	10						\$ 3,000,000
	Douglas Harbor Uplands Improvements	11						\$ 2,000,000
	North Douglas Boat Ramp Improvements	12						\$ 1,000,000
	Juneau Fisheries Terminal Development	13						\$ 10,000,000
	Fish Sales Facility/Seaplane Float	14						\$ 1,000,000
	Marine Services Center	15						\$ 10,000,000
	Taku Harbor Stockade Point Float Replacement	16						\$ 300,000
Harbors Total:			\$ 1,483,000	\$ 8,300,000	\$ -	\$ -	\$ -	\$ 27,300,000
Docks & Harbors Total:			\$ 8,723,000	\$ 9,100,000	\$ -	\$ -	\$ -	\$ 53,100,000
Eaglecrest Ski Area								
	Deferred Maintenance - Mountain Operations Improvements:							
	Lodge Maintenance/Improvements	1	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Lift Operations - Misc Lift Parts	2	\$ 15,000		\$ 15,000		\$ 15,000	
	Mountain Operations - Trail Conditioning	3	\$ 65,000		\$ 10,000		\$ 15,000	
	Mountain Operations - Hiking Trails	4	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Mountain Operations - Trail Maintenance				\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
	Mountain Operations - Snowmaking & Water Line Replacement/Improvement	6	\$ 40,000	\$ 40,000		\$ 40,000		\$ 40,000	
	Lift Operations - Black Bear Motor	7	\$ 10,000	\$ 35,000		\$ 60,000	\$ 90,000		
	Upper Loop Overnight & Dayuse Cabin (Grant Request)	8	\$ 50,000						
	Snowmaking Pumping Station (Grant Request)	9	\$ 250,000						
	Mountain Operations - Caretaker Shack	10		\$ 50,000		\$ 30,000			
	Mountain Operations - Nordic Improvements	11		\$ 40,000	\$ 30,000			\$ 60,000	
	Mountain Operations - Septic System Upgrades	12		\$ 40,000					
	Lift Operations - Magic Carpet	13				\$ 25,000	\$ 35,000		
	Generator Building Repairs	14			\$ 100,000				
	Eaglecrest Ski Area Total:		\$ 575,000	\$ 350,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 245,000	
	Fire								
	Replace Juneau Station SCBA Compressor	1						\$ 85,000	
	Air Intake Relocation at Glacier Fire Station	2							
	Replace & Renovate Burn Pits at Fire Training Center	3						\$ 1,200,000	
	Apparatus Door Replacement at Juneau Station	4						\$ 250,000	
	Juneau Station Kitchen Counter & Appliance Replacement	5						\$ 20,000	
	Door Replacement at Glacier Station	6						\$ 250,000	
	Addition to Auke Bay Station for Live-in Quarters & Training Rooms	7						\$ 1,200,000	
	Fire Department Master Plan	8						\$ 75,000	
	Platform Ladder Truck	9						\$ 1,400,000	
	SCBA Airpak Replacement	10						\$ 773,900	
	New Roof & Siding At Glacier Fire Station	11						\$ 1,550,000	
	Lemon Creek Fire Station Design	12						\$ 950,000	
	Hagevig Regional Training Center Improvements	13						\$ 1,500,000	
	Lemon Creek Fire Station Construction & Permits	14						\$ 12,000,000	
	Millennium Door Security System Expansion	15						\$ 65,000	
	Douglas Fire Station Renovation	16						\$ 75,000	
	Station Alerting System for Volunteer Stations	17						\$ 120,000	
	Glacier Station Classroom Technology Upgrade	18						\$ 65,000	
	Fire Department Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,578,900	
Lands & Resources									
	Pits and Quarries Infrastructure Maintenance & Expansion	1	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	
	Stabler Quarry Infrastructure & Expansion	2	\$ 200,000	\$ 200,000		\$ 50,000		\$ 1,000,000	
	Lemon Creek Material Sources Infrastructure & Expansion	3			\$ 75,000		\$ 50,000	\$ 500,000	
	Pederson Hill Subdivision: Infrastructure Phase I	4			\$ 1,500,000				
	Land Management Plan Implementation Studies	5	\$ 125,000	\$ 125,000					
	Lands & Resources Total:		\$ 150,000	\$ 475,000	\$ 1,725,000	\$ 200,000	\$ 200,000	\$ 1,650,000	

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
Parks & Recreation	Building Maintenance								
Centennial Hall	Building Maintenance	1	\$ 175,000						
		2	\$ 880,000	\$ 1,165,000	\$ 1,200,000	\$ 1,240,000	\$ 1,280,000	\$ 5,000,000	
		3	\$ 120,000						
		4							
Centennial Hall	Building Maintenance Total:		\$ 1,175,000	\$ 1,165,000	\$ 1,200,000	\$ 1,240,000	\$ 1,280,000	\$ 5,350,000	
		1		\$ 400,000	\$ 1,400,000				
		2		\$ 1,300,000	\$ 1,400,000				
			\$ -	\$ 1,700,000	\$ 2,800,000	\$ -	\$ -	\$ -	
Library	Centennial Hall Total:			\$ 87,000					
		1							
		2		\$ 45,000					
		3		\$ 65,000					
Rec Buildings	Library Total:	4							
			\$ -	\$ 197,000	\$ -	\$ -	\$ -	\$ -	
		1			\$ 1,400,000	\$ 3,600,000			
		2		\$ 975,000					
Parks/Rec Areas	Recreation Buildings Total:	3		\$ 280,000					
		4			\$ 90,000		\$ 1,650,000		
		5							
		6							
Parks/Rec Areas	Recreation Buildings Total:	7							
		1	\$ -	\$ 1,255,000	\$ 1,490,000	\$ 3,600,000	\$ 1,650,000	\$ 60,000	
		2	\$ 270,000	\$ 275,000	\$ 280,000	\$ 285,000	\$ 290,000	\$ 300,000	
		3	\$ 80,000	\$ 250,000	\$ 255,000	\$ 260,000	\$ 265,000	\$ 275,000	
Parks/Rec Areas	Recreation Buildings Total:	4	\$ 200,000		\$ 2,500,000				
		5		\$ 500,000					
		6		\$ 800,000					
		7		\$ 25,000					
Parks/Rec Areas	Recreation Buildings Total:	8		\$ 120,000					
		9		\$ 175,000					
		10		\$ 250,000					
		11		\$ 250,000					
Parks/Rec Areas	Recreation Buildings Total:	12		\$ 150,000					
		13		\$ 350,000					
		14		\$ 275,000					
		15		\$ 300,000					
Parks/Rec Areas	Recreation Buildings Total:	16		\$ 250,000					
		17		\$ 80,000					
		18			\$ 100,000				
		19			\$ 375,000				
Parks/Rec Areas	Recreation Buildings Total:	19			\$ 530,000				

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
Trail Maintenance	Adair/Kennedy Field Lighting Repairs	20			\$ 50,000				
	Amalga Meadows Public Use Cabin	21			\$ 75,000				
	Savikko Park Paving, Sidewalk & Drainage Repairs	22			\$ 375,000				
	Homestead Park Repairs & ADA Improvements	23			\$ 450,000				
	Evergreen Cemetery Headstone Restoration for City Founding Figures - Juneau, Harris, Kowee	24			\$ 30,000				
	Auke Lake Wayside Restrooms, Dock & Picnic Shelter	25			\$ 550,000				
	False Outer Point Campground & Vault Toilet	26			\$ 200,000				
	Arboretum ADA Walkways	27			\$ 75,000				
	Jackie Renninger Skate Park Parking Lot Paving	28			\$ 285,000				
	Adair/Kennedy Lower Press Box Repairs	29			\$ 50,000				
	Melvin Park Field Lighting Repairs	30			\$ 500,000				
	Arboretum Greenhouse	31			\$ 200,000				
	Adair/Kennedy Tennis Court & Basketball Court Repairs	32			\$ 350,000				
	Mendenhaven Park Parking Lot Repairs/Paving	33			\$ 30,000				
	Park Maintenance Shop Covered Storage	34			\$ 50,000				
	Dimond Park Softball Field Lighting	35				\$ 600,000			
	Miller Fields (Glacier Valley Elementary School) Parking Lot Paving	36				\$ 300,000			
	Sunshine Cove Vault Toilet	37						\$ 150,000	
	Adair/Kennedy Track Replacement	38						\$ 1,500,000	
	Adair/Kennedy Artificial Turf Baseball & Softball Fields	39						\$ 8,500,000	
	Parks/Rec Areas Total:		\$ 550,000	\$ 4,050,000	\$ 5,770,000	\$ 2,085,000	\$ 1,455,000	\$ 10,725,000	
	Christopher Trail (Cope Park to Flume Trail)	1	\$ 90,000						
	Crow Hill Trail - Gast School to Crow Hill Road	2	\$ 20,000						
	Kaxdigoowu Heen Del Trail Repairs (repair failing asphalt and new re-route)	3		\$ 385,000					
	Update Trails Plan	4		\$ 50,000					
	General Trail Repairs	5		\$ 40,000	\$ 45,000	\$ 50,000	\$ 55,000	\$ 65,000	
	Perseverance Trail Bridges Phase I (Phase II 2021)	6		\$ 250,000	\$ 250,000				
	Switzer Trail System	7		\$ 100,000					
	Lena Point Trail	8		\$ 150,000					
	Breadline Trail	9		\$ 100,000					
	Treadwell Ditch Trail (From 5th St. via Mt. Jumbo Trail)	10		\$ 200,000					
	North Douglas Trail System	11		\$ 150,000					
	Trail Signage	12		\$ 75,000					
	Trail Maintenance Total:		\$ 110,000	\$ 1,500,000	\$ 295,000	\$ 50,000	\$ 55,000	\$ 65,000	
	Parks & Recreation Department Total:		\$ 1,835,000	\$ 9,867,000	\$ 11,555,000	\$ 6,975,000	\$ 4,440,000	\$ 16,200,000	
Police Department									
	Digital Evidence Management System & Interface with City Attorney/District Attorney	1						\$ 125,000	
	CAD System Replacement	2						\$ 600,000	
	Communications Center Furniture	3						\$ 100,000	

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS

Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future
	JPD Needs Assessment	4						\$ 75,000
	Radio Study	5						\$ 95,000
	Building Flooring Replacement	6						\$ 350,000
	EOD Vehicle	7						\$ 300,000
	Impound Lot Improvements	8						\$ 90,000
	Radio Console Upgrades	9						\$ 350,000
	Interface from TrACS to RMS	10						\$ 25,000
	Encrypted Radio Channel	11						\$ 200,000
	Crow Hill/Downtown Repeater	12						\$ 50,000
	Simul Cast	13						\$ 200,000
	Building Air Rebalancing	14						\$ 30,000
	Radio Paging Interface with CAD	15						\$ 30,000
	Physical Evidence Storage	16						\$ 400,000
	K9 Vehicle	17						\$ 50,000
	Crow Hill Microwave	18						\$ 35,000
	Clean Agent Fire Suppression	19						TBD
	Bear Cat Vehicle	20						\$ 300,000
	Bike Rodeo Kit	21						\$ 15,000
	Recruiting Kiosk	22						\$ 10,000
	Replace Covered Carport	23						TBD
	Car Wash Bay at 7 Mile Shop	24						\$ 833,000
	Smaller MIC	25						\$ 80,000
	Downtown Substation & JPD Radio Problems	26						\$ 50,000
	Radio Console for Backup Dispatch Location	27						\$ 225,000
	Police Department Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,618,000
Public Works & Engineering								
Capital Transit	Bus Shelters/Interim Valley Transit Center	1	\$ 400,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	2	\$ 100,000					
	Purchase & Install Bus Shelters on Loop Road	3		\$ 180,000				
Capital Transit Total:			\$ 500,000	\$ 230,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Engineering	Contract Specification & Contract Language Update	1	\$ 90,000					
	Downtown Side Streets Phase III	2	\$ 900,000					
	Downtown Wayfinding and Interpretive Signs	3	\$ 450,000					
	Seawalk Major Maintenance	4	\$ 85,000	\$ 1,200,000	\$ 2,000,000	\$ 2,000,000		
	Seawalk Next Phases	5	\$ 250,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000		
Engineering Department Total:			\$ 1,775,000	\$ 3,200,000	\$ 4,000,000	\$ 4,000,000	\$ -	\$ -
RecycleWorks			\$ 400,000	\$ 400,000	\$ 400,000	\$ 200,000		
RecycleWorks Total:			\$ 400,000	\$ 400,000	\$ 400,000	\$ 200,000	\$ -	\$ -
Streets	Pavement Management	1	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000
	Areawide Drainage Improvements	2	\$ 250,000	\$ 250,000	\$ 250,000		\$ 250,000	\$ 250,000
	McGinnis Subdivision Improvements, LID, Ph IV	3	\$ 1,000,000					

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS										
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future		
Wastewater Utility	Downtown Street Improvements, Ph III	4	\$ 1,100,000							
	Gold Creek Flume Repairs	5	\$ 300,000							
	Sidewalk & Stairway Repairs	6	\$ 300,000							
	Birch Ln Improvements - Mendenhall Blvd to Dogwood Ph II	7	\$ 1,000,000							
	Columbia and Poplar Reconstruction	8	\$ 2,100,000							
	Calhoun Ave Improvements - Main St to Gold Creek, Ph I	9		\$ 1,100,000						
	Capital Avenue, Willoughby to 9th Street	10		\$ 600,000						
	Sidewalk & Stairway Repairs	11		\$ 250,000	\$ 200,000	\$ 250,000	\$ 200,000	\$ 200,000	\$	200,000
	Calhoun Ave Improvements - Main St to Gold Creek, Ph II	12		\$ 1,000,000						
	Hospital Drive	13		\$ 1,200,000						
	Delta Dr Improvements	14		\$ 950,000						
	Aspen Ave Improvements (Mend Blvd to Taku)	15		\$ 1,200,000						
	River Road Improvements - LID	16		\$ 2,000,000						
	Nowell Ave Improvements (South of Cordova)	17			\$ 1,200,000					
	Behrends Ave Improvements	18			\$ 1,100,000					
	Misty Ln Improvements - Bayview Subd	19			\$ 600,000					
	Conifer Ln Reconstruction	20			\$ 400,000					
	Goodwin Rd Improvements	21			\$ 1,100,000					
	Poplar Ave (Mendenhall Blvd to Taku Blvd)	22			\$ 850,000					
	Chelsea Ct Reconstruction	23			\$ 600,000					
	Retaining Wall Repairs	24				\$ 200,000				
	Nowell Ave Improvements (North of Cordova)	25				\$ 600,000				
	Thunder Mountain Rd Improvements	26				\$ 1,100,000				
	Starlight Court Improvements - Bayview Sub	27				\$ 800,000				
	Crest St Improvements - Old Dairy to Yandukin Dr	28				\$ 1,100,000				
	Alpine Ave - Mallard to Airport Blvd	29				\$ 700,000				
	Lakeview Ct Reconstruction	30				\$ 600,000				
	Dogwood Ln Improvements - (Columbia to Mendenhall	31				\$ 600,000				
	Foster Ave Improvements - (South of Cordova)	32					\$ 1,200,000			
	Dogwood Ln Improvements - (Mendenhall to Poplar Ave)	33					\$ 800,000			
	Vintage Blvd - Riverside to Egan	34					\$ 1,200,000			
	Melrose Street Reconstruction & Drainage	35					\$ 1,100,000			
	Crow Hill Dr Improvements	36					\$ 1,100,000			
	Long Run Dr Improvements - Drainage-Riverside to End	37						\$ 1,300,000	\$	
	Eyelet Ct Improvements	38						\$ 400,000	\$	
	Lawson Creek Rd	39						\$ 950,000	\$	
	Troy Avenue Improvements	40						\$ 1,100,000	\$	
	Radcliffe Road - Berner's to the End	41						\$ 750,000	\$	
	Streets Division Total:		\$ 7,250,000	\$ 9,750,000	\$ 7,500,000	\$ 7,150,000	\$ 7,050,000	\$ 6,150,000	\$	
Wastewater Utility	Gruening Park Pump Station Replacement	1	\$ 800,000							
	Kaiser Forcemain Replacement (Mendenhall River Erosion)	2	\$ 1,000,000							
	JD Clarifier and Digester Tank Floor Improvements	3	\$ 225,000							

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS										
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future		
	Wastewater Infrastructure Maintenance - JDTP Structural Imp - (Aeration and Clarifier Roof)	4	\$ 3,000,000							
	Anode Replacement on Under Ocean Portion of Outer Drive FM	5	\$ 250,000							
	JDTP Vector Dump and Grit Handling Improvements	6	\$ 125,000							
	Birch Ln Improvements - Mendenhall Blvd to Dogwood	7	\$ 100,000							
	Columbia and Poplar Reconstruction	8	\$ 220,000							
	McGinnis Subdivision Heron Way Manhole Adjustments	9	\$ 15,000							
	Calhoun Sewer Replacement W 8th to Gold Creek	10	\$ 50,000							
	Pavement Management Utility Adjustments	11	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 25,000	\$ 25,000	\$ 25,000	
	ADOT Project Utility Adjustments	12	\$ 40,000	\$ 25,000	\$ 30,000	\$ 15,000	\$ 15,000	\$ 35,000	\$ 35,000	
	MWWTP Pretreatment Improvements	13		\$ 1,000,000	\$ 2,000,000					
	JDTP Pretreatment Improvements	14		\$ 500,000	\$ 2,500,000					
	ABTP Tank Repairs	15		\$ 1,150,000		\$ 2,250,000				
	SCADA (Supervisory Control and Data Acquisition)	16		\$ 100,000	\$ 100,000	\$ 100,000				
	Pump Station upgrades (7 outdated stations remain)	17		\$ 950,000	\$ 1,100,000	\$ 2,000,000	\$ 200,000			
	JDTP Office/Lab Building Updates	18		\$ 250,000						
	Basin Recirculation Pump Replacements - MWWTP	19		\$ 1,500,000			\$ 500,000	\$ 450,000		
	Pump and Motors Improvements/Lift Station Upgrades	20		\$ 350,000		\$ 250,000				
	ABTP Disinfection Upgrades	21		\$ 400,000						
	ABTP Generator/Backup Power	22		\$ 800,000						
	Delta Dr Road Improvements - Street Recon	23		\$ 75,000						
	Aspen Ave Improvements (Mend Blvd to Taku) - Street Recon	24		\$ 150,000						
	River Road Paving LID - Street Reconstruction	25		\$ 25,000						
	Hospital Drive Road Improvements - Street Reconstruction	26		\$ 35,000						
	Outer Drive Pump Station Pump Replacements and VFD Upgrades	27			\$ 950,000					
	MWWTP SBR/WS/TS Pump Replacement	28			\$ 1,000,000					
	JDTP Facility Structural Improvements	29			\$ 250,000	\$ 900,000	\$ 900,000	\$ 650,000		
	ABTP Facility Structural and Painting Projects	30			\$ 100,000					
	MWWTP Furnace and Above Ground Fuel System Upgrades	31			\$ 650,000					
	Behrends Road Street Reconstruction	32			\$ 100,000					
	W. 9th St & Indian St. Improvements (8th to Capital) Recon	33			\$ 150,000					
	Conifer Ln Reconstruction	34			\$ 25,000					
	Poplar Ave Mendenhall to Taku - Street Reconstruction	35			\$ 90,000					
	Chelsea Ct Reconstruction	36			\$ 50,000					
	Bayview Subdivision - Starlight and Misty Improvements	37			\$ 950,000					
	Goodwin Rd Improvements & Pump Station Replacement	38			\$ 850,000					
	MWWTP SBR Basin Repairs (Structural) & Resurfacing/Resealing	39				\$ 2,000,000	\$ 2,500,000	\$ 1,600,000		
	MWWTP Outfall Maintenance & Rehabilitation	40				\$ 1,000,000				
	ABTP SCADA and Instrumentation Upgrades	41				\$ 350,000				
	ABTP Structural and Building Upgrades	42				\$ 650,000				

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS

Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future
Water Utility	JDTP SCADA and Instrumentation Upgrades	43				\$ 850,000		
	JDTP Instrumentation Upgrades	44				\$ 400,000		
	Thunder Mountain Rd Improvements	45				\$ 35,000		
	Crest, Alpine, Airport Area Roads - Street Recon	46				\$ 150,000		
	Lakeview Ct Reconstruction	47				\$ 100,000		
	Dogwood Lane - Street Recon	48				\$ 1,500,000		
	W. Juneau Pump Station Pump Replacements & VFD Upgrades	49					\$ 1,050,000	
	MWWTP Treatment Process Upgrades	50					\$ 1,500,000	
	MWWTP Site Improvements (lighting, security, access)	51					\$ 500,000	
	JDTP Outfall Maintenance and Rehabilitation	52					\$ 1,000,000	
	Foster Ave Improvements	53					\$ 200,000	
	Vintage Blvd - Street Recon	54					\$ 125,000	
	Melrose Street Reconstruction	55					\$ 125,000	
	JDTP Site Improvements (lighting, security, access)	56						\$ 120,000
	JDTP Treatment Process Upgrades	57						\$ 1,000,000
	MWWTP Facility Structural and Painting projects	58						\$ 500,000
	Wastewater Utility All Facilities Plan Update	59						\$ 850,000
	Long Run (Riverside to River) - Street Reconstruction	60						\$ 150,000
	Eyelet Ct - Street Recon	61						\$ 55,000
	Lawson Creek Rd - Street Recon	62						\$ 100,000
	Troy Avenue Improvements - Street Recon	63						\$ 45,000
	Wastewater Utility Division Total:		\$ 5,845,000	\$ 7,330,000	\$ 10,915,000	\$ 12,570,000	\$ 4,125,000	\$ 2,760,000
	Last Chance Basin Underground Fuel Tank Removal & Reloc.	1	\$ 215,000					
	Lee Street Pump Station Replacement	2	\$ 500,000					
	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	3	\$ 100,000					
	Crow Hill and Cedar Park PS Control Updates	4	\$ 300,000					
	Areawide Watermain Repairs	5	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Birch Lane Mendenhall to Dogwood - Street Recon	6	\$ 100,000					
	Columbia and Poplar Reconstruction	7	\$ 220,000					
	Pavement Management Utility Adjustments (valve boxes, vault lids etc.)	8	\$ 20,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 10,000	\$ 10,000
	ADOT Project Utility Adjustments (provide valve boxes, vault lids, etc.)	9	\$ 45,000		\$ 50,000		\$ 50,000	
	Cedar Park Pump Station Backup Generator Replacement	10		\$ 600,000				
	LCB Well Pump VFD Conversion and Programming Upgrades	11		\$ 900,000				
	Lena Reservoir Pax Mixer	12		\$ 300,000				
	Last Chance Basin Well Rehab #6	13		\$ 75,000				
	Hospital Drive Valve Vault Automation and SCADA Communication	14		\$ 450,000				
	Bonnie Brae Pump Station Upgrades	15		\$ 200,000				

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
	Metering System Upgrades, MIU's Replacement 10 year Life Span 1500 MIU's	16		\$ 225,000					
	MOV Installations & Communications Mill Tunnel, W. Juneau, Crowhill	17		\$ 800,000					
	Hospital Drive Water System Replacement - Street Recon	18		\$ 150,000					
	Delta Drive Water Rehab - Street Recon	19		\$ 100,000					
	River Road Paving LID Utility Adjustments - Street Recon	20		\$ 20,000					
	Savikko Road Waterline Replacement - Street Recon	21		\$ 75,000					
	West Juneau Reservoir Improvements, Mixer, Cathodic Protection	22			\$ 150,000				
	Last Chance Basin Well Rehab #7	23			\$ 75,000				
	PRV Station Improvements/Upgrades, Crowhill, 5th Street Douglas	24			\$ 500,000				
	Egan Drive Water Crossings Repl, Norway Point, Highland Drive, Salmon Creek	25			\$ 800,000				
	W 9th and Indian St - 8th to Capital Ave Water System - Street Recon	26			\$ 175,000				
	Goodwin Road Water System - Street Recon	27			\$ 100,000				
	Misty Lane - Bayview - Water System - Street Recon	28			\$ 60,000				
	Behrends Ave Water System - Street Recon	29			\$ 100,000				
	Poplar Ave Water System - Street Recon	30			\$ 100,000				
	Chelsea Ct water System - Street Recon	31			\$ 60,000				
	Engineers Cutoff Water Replacement	32			\$ 1,500,000				
	Outer Drive Watermain Replacement Main Street South To Admiral Way/S. Franklin	33				\$ 500,000			
	Metering Upgrades, Radio Read, Master Station, Mobile Pack	34				\$ 500,000			
	Mill Tunnel PRV Station Access	35				\$ 125,000			
	Well #3 Onsite Chlorine Generation Replacement	36				\$ 350,000			
	Cope Park Pump Station Upgrades, Pumps, Motors, and Communications	37				\$ 400,000			
	Mendenhall Peninsula Water Replacement - Glacier Hwy to Engrs Cutoff	38				\$ 3,000,000			
	East Valley Reservoir Improvements - power to res, mixer, cathodic protection	39				\$ 250,000			
	Last Chance Basin Well #3 Rehab	40				\$ 75,000			
	Thunder Mountain Rd Water System - Street Recon	41				\$ 180,000			
	Starlight Court - Bayview - Water System - Street Recon	42				\$ 200,000			
	Crest & Alpine Streets (Airport Area) Water System - Street Recon	43				\$ 300,000			
	Lakeview Ct Water - Street Recon	44				\$ 100,000			
	Montgomery Street Lemon Creek Water Replacement	45				\$ 180,000			
	Salmon Creek Onsite Chlorine Generation Replace/Upgrade	46					\$ 260,000		
	Last Chance Basin Well #4 Rehab	47					\$ 100,000		

SIX-YEAR DEPARTMENT IMPROVEMENT PLANS									
Division	Project	Priority	FY19	FY20	FY21	FY22	FY23	Future	
	Mill Tunnel Cleaning and Reconditioning	48					\$ 2,500,000		
	Lena Area Water System Replacement	49					\$ 2,500,000		
	Downtown Stairway/Easements 3rd St. Franklin to Gold Street - Street Recon	50					\$ 220,000		
	Vintage Boulevard - Street Recon	51					\$ 250,000		
	Dogwood Water System - Columbia to Poplar - Street Recon	52					\$ 150,000		
	Melrose Street - Street Recon	53					\$ 150,000		
	I Street Douglas Watermain Replacement - Street Recon	54					\$ 185,000		
	Foster Avenue Water System Replacement - Street Recon	55					\$ 100,000		
	Crow Hill Reservoir Improvements, Mixer, Cathodic Protection	56						\$ 150,000	
	Last Chance Basin Well #5 Rehab	57						\$ 100,000	
	Channel Crossing Automation and SCADA Communication	58						\$ 400,000	
	4th Street Douglas Watermain Replacement - Street Recon	59						\$ 250,000	
	First Street Douglas Water System Replacement - Street Recon	60						\$ 300,000	
	Harris Street 4th to 5th Watermain Replacement - Street Recon	61						\$ 140,000	
	Long Run Drive - Riverside to River - Street Recon	62						\$ 225,000	
	Eyelet Ct - Street Recon	63						\$ 45,000	
	Lawson Creek Road - Street Recon	64						\$ 100,000	
	Troy Avenue - Street Recon	65						\$ 75,000	
	Crow Hill Drive Water System - Street Recon	66						\$ 75,000	
	N Douglas Highway Waterline Replacement - Bridge to 4000 Block	67						\$ 3,600,000	
Water Utility Division Total:			\$ 1,600,000	\$ 4,003,000	\$ 3,778,000	\$ 6,268,000	\$ 6,575,000	\$ 3,600,000	
Public Works & Engineering Department Total:			\$ 17,370,000	\$ 24,513,000	\$ 26,243,000	\$ 30,038,000	\$ 17,800,000	\$ 5,570,000	\$ 14,530,000
Schools									
JSD Buildings Major Maintenance / Match		1	\$	\$ 800,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 200,000
Schools Total:			\$	\$ 800,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 200,000

FY 2019 CIP PROJECT DESCRIPTIONS			
Department	Division	Priority	Project Description
Administration	Manager's Office	1	IT INFRASTRUCTURE UPGRADES - funds will be used to upgrade CBJ's IT systems, allowing for operational efficiencies, enhanced management reporting and more effective customer services. Projects include dispatch for Juneau Police Department and Capital City Fire/Rescue, enhancements to electronic payments and implementation of security cameras.
		2	VEHICLE & EQUIPMENT WASH BAYS PLANNING & DESIGN - This project will construct environmentally friendly wash bays for all CBJ vehicles and equipment to be washed. There is currently no specific location for departments to wash and care for the vehicle and equipment that CBJ has spent millions of dollars purchasing. It is imperative this equipment be cleaned and cared for to prevent corrosion and premature failures. This facility will not only provide a needed location to clean equipment but will also provide a wash facility that will contain the run off from such activity. Funding level approved for FY18 was only about half of what is needed to construct this facility, even after cutting back the design as far as possible and still have an end product that will meet the needs of CBJ.
		3	BONDED DEBT SERVICE - These funds will be used for bond debt repayment.
		4	BUDGET RESERVE - These funds will be used to increase the City's budget reserve.
		5	HOUSING - These funds would provide funding for housing activities that target families and individuals who earn 120% of the Area Median Income and below. The fund can be used by local housing developers, non-profit agencies and social service agencies for the creation, acquisition, rehabilitation or preservation of affordable housing. Examples of the types of projects that could utilize the fund include phase two of Housing First, development of a rapid re-housing program, winter or emergency shelter programs, senior housing and housing targeted for low-income and homeless populations.
		6	PUBLIC/PRIVATE PORT INFRASTRUCTURE PLAN - These funds will fund a master plan study that would assess the existing docks and needs for the future, including infrastructure and governance.
		1	DESIGN/CONST. PASSENGER BOARDING BRIDGE GATE 2 - As of October 2017, Alaska Airlines has discontinued use of combi aircraft (aircraft serving both passengers and freight configuration) and has converted to full passenger configuration aircraft (and separate freight configured aircraft), there is a need for another passenger boarding bridge (jetway). At this time, full passenger configured aircraft that utilize Gate 2 must board their passenger by going down the stairs, walk across the ramp, and back up the aircraft aft stairs. This project was originally scheduled for Federal Fiscal Year (FFY) 17, however, JNU Airport's status to a small hub limits the type of federal funding for this lower level priority project. The project was moved to FFY18 since no other JNU projects were scheduled which would usurp the Entitlement funds.

Attachment A: FY19-24 CIP

Airport

18

FY 2019 CIP PROJECT DESCRIPTIONS			
Department	Division	Priority	Project Description
BRH		2	DESIGN/CONST. TERMINAL RENO PH 2 INCLUDING DEPARTURE LOUNGE EXIT LANE - This design phase includes part of the north end terminal and central knuckle areas. The FAA will only fund design costs for the pro rata share of the eligible portions of the terminal renovations. This phase also includes design/construct of the Departure Lounge Secured Exit Lane System.
		3	DESIGN SREF PHASE 2 SAND/CHEMICAL STORAGE/FUEL - This project is to design Phase 2 of the SREF, to include design of the sand/chemical facility and fueling facility.
		4	SPACE RECONFIG (OLD DINING ROOM/KITCHEN) TENANTS & ADMIN - This construction project will reconfigure the old abandoned restaurant kitchen and dining areas into office spaces for airport business and construction projects personal. Also included will be the construction of storage space for food and gift shop concessionaires, additional tenant office lease space, and a new public meeting room.
		5	DESIGN & INSTALL TERMINAL CAMERA SURVEILLANCE SYSTEM - This would be upgrade to current camera system as well as additional recording devices.
		6	23 MALSR (FAA F&E PROJECT) - The Airport currently has an abbreviated MALS system on the Runway 26 approach which goes out to the 800' station. Installing the remaining system out to 2400' on the approach would decrease the minimums for instrument equipped airlines to approximately one-half mile, thus increasing safety and efficiency into JNU. This has support from the Airport Board, the CBJ Assembly, Alaska Congressional Delegation and the airlines (Alaska and Delta). The State has participated in a special Legislative Grant of \$93,750 for the remaining light installation.
			RAINFOREST RECOVERY CENTER UPGRADES - funds would be used to develop a detox bay to allow for on-site detoxification of patients and to create an addition assessment center at the Rainforest Recovery Center. The detox bay would reduce volume of patients at the medical and mental health unit departments, and reduce wait times in the emergency department. The addition assessment center would serve as a single point of entry to provide assessment, placement and outpatient treatment of substance use disorders.
		1	
		2	ROBERT F. VALLIANT BUILDING SIDING REPLACEMENT - Funds will be used to repair siding that is leaking.
		3	MEDICAL ARTS BUILDING ROOF REPLACEMENT - Funds will be used to replace roof.

FY 2019 CIP PROJECT DESCRIPTIONS		
Department	Division	Priority
Docks & Harbors		Project Description
		VISITOR INFORMATION KIOSK REPLACEMENT - The visitor information kiosk serves cruise ship passengers needing information about Juneau. It is located in a strategic location near one of the two city owned docks that support the cruise industry. The current kiosk has exceeded its design life. The facility does not meet ADA standards, has inadequate heating, and does not provide adequate shelter for patrons.
		DOWNTOWN RESTROOMS CONSTRUCTION - This project has been brought forward at the request of the Assembly to address the lack of adequate restroom facilities in the downtown waterfront area.
		SMALL CRUISESHIP MOORAGE MASTER PLANNING - The increased number of small cruise ships have adversely impacted and strained Docks and Harbors' ability to provide suitable dock space. This master planning effort would examine the future business need and develop a holistic plan which would enable this industry to thrive in a sustainable manner.
		ARCHIPELAGO PROPERTY (ACQUISITION AND DEVELOPMENT) - This project would acquire and develop a portion of the vacant Archipelago Property located downtown near the cruise berths, which serves over one million cruise ship passengers each year. The project entails acquisition of the property from the private land owner and developing additional staging for shore side vans to accommodate increased number of cruise passengers arriving on the larger post-Panamax sized cruise ships.
		AUKE BAY PASSENGER FOR HIRE - COST SHARE - this project includes installation of a boarding float, gangway, and passenger loading zone to serve cruise ship passengers connecting with whale watching and fish charter operators.
		STATTER HARBOR BREAKWATER SAFETY IMPROVEMENTS - to infill the open areas of the breakwater structure with fiberglass reinforced plastic grates that would close the open cells to allow pedestrian traffic yet allow the structure to adequately provide wave reduction to the overall harbor.
		AREAWIDE ANODE INSTALLATION MATCHING FUNDS - Docks and Harbors has applied for a matching grant to install zinc anodes to existing newer steel piling of Douglas, Harris, and Statter Harbors. Anodes protect the piling and provide longer life for the facility. Performing this work on multiple harbors at one time saves money by reducing mobilization costs. The funds identified would provide the required match for the ADOT Municipal Harbor Grant.
	ABMS D&H/UAS COST SHARE AGREEMENT - CBJ Docks and Harbors recently acquired the Auke Bay Marine Station from the federal government. The property was split with the University of Alaska. In the partition agreement UA and D&H agreed to share expenses to address access and utility relocation to account for the newly created property line. The funds of this project would design and construct the necessary relocations to comply with the CBJ Platting requirements for the subdivision.	

Attachment A: FY19-24 CIP

FY 2019 CIP PROJECT DESCRIPTIONS			
Department	Division	Priority	Project Description
Eaglecrest		9	COST SHARE WITH ACOE FOR BREAKWATER FEASILITY - This project would investigate the feasibility of a new wave attenuator at Statter Harbor which would allow expansion of the harbor and provide access to the newly acquired Auke Bay Marine Station. The Army Corps of Engineers would perform the study but requires a local funding match. The funds of this CIP item would provide the CBJ match.
		1	DEFERRED MAINTENANCE - LIFT/MOUNTAIN OPERATIONS IMPROVEMENTS - which include the following projects:
			Lodge Maintenance and Pub Renovations - Eaglecrest will be doing some small renovations to the Base Lodge to create a delineated space for Beer and Wine sales with our third party vendor. Eaglecrest will also continue to fund small to medium projects that ensure the building remains in serviceable condition until the lodge undergoes a major remodel. In the near term this includes roof maintenance, new flooring, deck repair and upgrades to the fire suppression system.
			Lift Operations - Misc. Lift Parts - These funds will be used to keep up on the ongoing maintenance and servicing to our Chair Lifts. The Lift maintenance staff has held an extremely high standard of repair on our ski lifts and these funds will ensure that this continues. During our annual inspection that State Inspector described the condition on the lifts as exceptional. Being that our ski lifts are older in age it is of importance that we continue with this high standard of repair.
Attachment A: FY19-24 CIP			
			Mountain Operations Trail Conditioning - The continued work on improving drainage around the mountain smoothing out low points and preventing washouts greatly improves the ability for the mountain to operate during low snow conditions providing a dependable skiing experience. We are in the need of culvert replacement and upgrades in certain locations to eliminate the risk of damaging erosion during peak storm and flood events that are occurring more frequently. This is an ongoing effort to continually improve the condition of the slopes.
			Mountain Operations - Hiking Trails - The Master Plan outlines hiking trails/multi-use trails as a top priority for the future of Eaglecrest. We will continue a multi-year plan to create more hiking/multi-use trails within the CBJ/Eaglecrest Boundary.
			Mountain Operations - Trail Maintenance - The trail network at Eaglecrest was overgrown after many years of little annual maintenance. We have begun a program of yearly maintenance to reclaim the ski trail network enabling Eaglecrest to open as early as possible with the safest conditions possible. This will include cutting and trimming by hand all trails at Eaglecrest on a rotating basis.

FY 2019 CIP PROJECT DESCRIPTIONS			
Department	Division	Priority	Project Description
			Mountain Operations - Snowmaking & Water Line Replacement/Improvements - We will begin multi-year plan to repair/replace the current snowmaking system and increase snowmaking coverage of the lower mountain. The mountain will also be working to install a spur leg of pipe to expand snowmaking coverage to the bottom of Black Bear and the top of the Hooter Chair Lift over the next couple of years to fortify access to the higher elevations that typically remain above the snowline. Investments in snowmaking maintenance and expansion will allow Eaglecrest to better handle low snow years and open as early as possible. In addition the snowmaking lines feed the hydroelectric system which significantly lowers our electric usage annually. The pipeline from Cropley Lake is showing increasing signs of decay and patching and welding is becoming less effective. The plan calls for replacement with new pipe in sections over the next few years.
			Black Bear Motor Upgrades - The motor and drive terminal upgrades will be an ongoing project over the next couple of years. This motor room is the least weather resistant and most difficult to perform maintenance on. Electricity to the motor is current powered by a diesel generator. We will be looking at options to do a phased in approach to a new drive terminal to guarantee continued consistent safe operations into the future. It is the ultimate goal to be able to provide electrical grid power to the bottom of Black Bear in the near future.
		2	UPPER LOOP OVERNIGHT CABIN - This has been a goal in the Eaglecrest Master Plan and with the Board of Directors for many years. We have now started looking at different locations and designs with the goal of refining the costs over the next couple of months with an interested party that is looking to raise funds to support the effort.
		3	SNOWMAKING PUMPING STATION - to install a booster pumping station into our snowmaking line to increase flow and pressure to our snowguns, increasing efficiency and production of our system when making snow at higher elevations on the mountain. We are working to refine the scope and cost of this project to execute in the coming years.
Lands & Resources		1	PITS AND QUARRIES INFRASTRUCTURE MAINTENANCE & EXPANSION - continue to provide funding for major maintenance (ex. haul roads, scales, truck wheel washes, environmental controls, drainage structures, etc.) and expansion activities to continue to meet the needs of the material users.
Parks & Rec	Bldg. Maintenance	1	DEFERRED BUILDING MAINTENANCE - DOWNTOWN LIBRARY WINDOWS - Funds will be used to replace the downtown library windows, original to the building, with thermal/energy efficient windows and seals.
		2	DEFERRED BUILDING MAINTENANCE - Funds are for on-going capital funded projects to repair CBJ buildings. These funds will be used to improve public safety and reduce liability for potential injury by funding repairs of critical park elements like walkways, parking areas, area lighting, site security components and other site amenities.

FY 2019 CIP PROJECT DESCRIPTIONS			
Department	Division	Priority	Project Description
Public Works and Engineering Department	Parks/Rec Areas	3	DEFERRED BUILDING MAINTENANCE - ARBORETUM BUILDING REPAIRS - Repair exterior walls and replace windows. All single-pane sash windows need to be replaced with energy efficient windows. The aging siding on the building also needs to be repaired.
		1	PARK AND PLAYGROUND REPAIRS AND MAINTENANCE - This CIP funds repairs to park facilities throughout Juneau, including repair/maintenance of playgrounds and equipment and also replacement of playground equipment that has outlived its useful life. Many of Juneau's playgrounds are more than 25 years old. Due to their age, these playgrounds do not comply with modern safety standards or the Americans with Disabilities Act.
		2	SPORTS FIELD RESURFACING & REPAIRS - This CIP funds repairs to sports fields throughout Juneau, including softball, baseball, soccer, and football fields. Sport fields require repairs, replacements and preventative maintenance as surfacing is worn away and drainage problems require improvements. If fields surfaces are not properly maintained, adult and student athletes could suffer injuries.
	3	CAPITAL SCHOOL PARK RETAINING WALL - DESIGN & SHORT TERM REPAIRS - Repair hillside retaining wall. The retaining wall at Capital School Park is in need of significant repair due to weathering of aging concrete.	
	Trail Maintenance	1	CHRISTOPHER TRAIL - COPE PARK TO FLUME - Re-route unsafe trail. The Christopher Trail runs from Cope Park over Gold Creek to the popular Flume Trail. The Cope Park section is deteriorating to the point that the trail will soon be too unsafe to use. A new bridge will have to be constructed downstream of the current bridge, and approximately 500 feet of new trail will have to be created where it will join the Flume Trail.
		2	CROW HILL TRAIL - GAST SCHOOL TO CROW HILL ROAD - Construct a trail from Douglas Highway to Fifth Street and then to the Crow Hill road. This area is highly used and has not had a maintained trail prior to this. It was discovered how popular this area was to transit during the reconstruction of waterline in the area.
Public Works and Engineering Department			
Capital Transit	1	BUS SHELTERS/ VALLEY TRANSIT/TRANSFER CENTER IMPROVEMENTS - Provide funding for siting and locating the Valley transit center and provide match funds for potential FTA grant funding to assist with the construction of the Valley transit center. Funds will also be used to install and replace bus shelters.	
	2	INSTALL ELECTRIC BUS CHARGER AT BUS BARN (20% MATCH FOR FTA) - Install a charger to facilitate charging the electric bus we are in the process of ordering. The bus is expected to be delivered to Juneau in spring 2019.	

Attachment A: FY19-24 CIP

Attachment A: FY19-24 CIP

Department	Division	Priority	Project Description
Engineering		1	CONTRACT SPECIFICATION & CONTRACT LANGUAGE UPDATE - the CBJ Construction Contract and specifications have not been comprehensively updated since 2003 and are outdated. This project will update the contract and specifications to the 21st century.
		2	DOWNTOWN SIDE STREETS PHASE III - This funding will provide for street reconstruction of Phase III of the Downtown Street Improvement project. This phase includes Front Street, Seward Street and Ferry Way
		3	DOWNTOWN WAYFINDING AND INTERPRETIVE SIGNS - this funding will pay for the fabrication and installation of wayfinding and interpretive signage in the downtown area and the Willoughby district. Throughout the public process for the Downtown Streets Improvement, the public commented on the lack of signage in the downtown area to direct visitors to attractions, services, and businesses. The public requested an improved wayfinding and interpretive program with consistent and accurate information.
		4	SEAWALK MAJOR MAINTENANCE - The anticipated upcoming work for 2018-2019 includes transition repair at the Icehouse Dock, Franklin Dock by the bathrooms, and the Fisherman's Memorial.
		5	SEAWALK NEXT PHASE - Funds will be used for continued efforts on next phase(s) of the seawalk. Activities will include surveying, geotechnical investigations, property appraisals and negotiations, cost estimating, permitting and preparation of conceptual and detailed design plans.
RecycleWorks			RECYCLEWORKS WASTE DIVERSION PROGRAM - The RecycleWorks program, which diverts waste from the landfill and prolongs the life of the landfill, is operated primarily through contracts and these costs have risen significantly. By partially funding operational costs of recycling, household hazardous waste, and junk vehicle collection programs, these funds would maintain services to the community and reduce an increase to user rates.
		1	PAVEMENT MANAGEMENT - This is an on-going pavement management program to provide routine maintenance to paved roads including asphalt overlays, and other preventative maintenance treatments to CBJ streets. Pavement maintenance is required to extend the functional life of the road surfaces an additional 5 to 10 years. The program also provides capital funding to purchase and repair specialized asphalt maintenance equipment and to purchase necessary paving materials (oil, aggregates, chemicals) for pavement maintenance.
		1	AREAWIDE DRAINAGE IMPROVEMENTS - This is a multi-phase project that involves permitting, design, and construction of storm drainage improvements to both surface and underground infrastructure throughout the Juneau area to reduce the impacts from seasonal flooding and ground water damage to private and public property. Failure to repair or replace failing culverts and storm sewer piping may result in significant damage to roadways and adjacent private properties.
	Streets	2	

FY 2019 CIP PROJECT DESCRIPTIONS		
Department	Division	Project Description
	Wastewater Utility	3 MCGINNIS SUBDIVISION IMPROVEMENTS, PHASE IV (Heron) - This project will continue with the routine maintenance improvements to streets within the McGinnis subdivision. Improving the road sub-base adding sidewalks and street lights where needed. Replacing utilities as needed. Also improve drainage systems as needed.
		4 DOWNTOWN SIDE STREETS PHASE III - This funding will provide for routine maintenance street reconstruction of Phase III of the Downtown Street Improvement project. This phase includes Front Street, Seward Street and Ferry Way.
		5 GOLD CREEK FLUME REPAIRS - This project will make various routine maintenance repairs to the Gold Creek Flume that have been recommended by the Corp of Engineers after their thorough walk through inspection in April 2017. Patching areas concrete has eroded away enough to expose rebar and holes that have formed that need filled in.
		6 SIDEWALK AND STAIRWAY REPAIRS - Reconstruct and repair areawide stairs and sidewalks. Programmed repair of sidewalks and stairs reduces maintenance costs and promotes pedestrian safety.
		7 BIRCH LANE IMPROVEMENTS, PH II - MENDENHALL TO DOGWOOD - Routine maintenance to reconstruct existing roadway, improve drainage and replace utilities as needed. Roadway base to be excavated and replaced with shot rock to improve drainage under roadway and new asphalt applied.
		8 COLUMBIA AND POPLAR RECONSTRUCTION - Routine maintenance to reconstruct existing roadway, improve drainage and replace utilities as needed. Roadway base to be excavated and replaced with shot rock to improve drainage under roadway and new asphalt applied.
		1 GRUENING PARK PUMP STATION REPLACEMENT - Replace pump station that is past its service life prior to construction of the Glacier Highway Vanderbuilt to Walmart Project.
		2 KAISER FORCEMAIN REPLACEMENT (MENDENHALL RIVER EROSION) - Replace the existing pipeline or construct revetment to protect the pipeline for the Kaiser forccmain crossing to Taku Boulevard that has been undermined and exposed by the down cutting of the Mendenhall River.
		3 JD CARLIFIER AND DIGESTER TANK FLOOR IMPROVEMENTS - Provide funds to rehabilitate the 40-plus year old concrete floors in the clarifier and the sludge digester tanks. The concrete floors are failing, introducing concrete chips and debris into the treatment stream.
		4 WASTEWATER INFRASTRUCTURE MAINTENANCE - JDTP INFRASTRUCTURE IMPROVEMENTS - This project will repair the 1970's vintage metal building structures that enclose the Aeration Basins and Clarifier tanks. The roof structures, and walls will be rehabilitated as well as other needed structural improvements.
		5 ANODE REPLACEMENT ON UNDER OCEAN PORTION OF OUTER DRIVE FM - The Anodes at the connection points of the underwater force main from Outer Drive forccmain that runs across the Cruise Ship turning basin to the JD Plant require replacement.

FY 2019 CIP PROJECT DESCRIPTIONS		
Department	Division	Project Description
		JDTP VACTOR DUMP AND GRIT HANDLING IMPROVEMENTS - Provide additional funds for the JD Vactor Dump Project and begin looking at improvements to the grit handling and processing from the influent settling basin/grit chamber since the two are directly related.
		BIRCH LANE IMPROVEMENTS, PH II - MENDENHALL TO DOGWOOD - Provide funds to reconstruct Wastewater Utility infrastructure with the associated street reconstruction project.
		COLUMBIA AND POPLAR RECONSTRUCTION - Provide funds to reconstruct Wastewater Utility infrastructure with the associated street reconstruction project.
		MCGINNIS SUBDIVISION IMPROVEMENTS, HERON WAY MANHOLE ADJUSTMENTS - Provide funds to adjust Wastewater Utility infrastructure with the associated street reconstruction project.
		CALHOUN AVE SEWER REPLACEMENT W 8th TO GOLD CREEK - replace existing sewer infrastructure as part of the reconstruction of this segment of street.
		PAVEMENT MANAGEMENT UTILITY ADJUSTMENTS - Provide funds to adjust Wastewater Utility infrastructure with the associated paving projects.
		ADOT PROJECT UTILITY ADJUSTMENTS - Provide manhole covers and adjustment materials to ADOT road construction projects Egan, 10th to Main, Glacier Hwy Walmart to Vanderbuilt etc.
		LAST CHANCE BASIN UNDERGROUND FUEL TANK REMOVAL & RELOC - Remove existing emergency generator underground fuel storage tank due to significant increase (costs and staff time) in regulatory req'ts and replace with day tank in generator building.
		LEE STREET PUMP STATION REPLACEMENT - Replace outdated, under sized pump with new pumps with capacity to provide domestic and fire flow to the neighborhood it serves.
		SALMON CREEK FILTER PLANT UPGRADES (ADEC GRANT MATCH) - Provide additional funding to cover complete expenditure of 990k of ADEC Grant funds to fix additional items that were not included in original project because of uncertain project funding.
		CROW HILL AND CEDAR PARK PS CONTROL UPGRADES - Replace outdated controls at these pump stations, the controls are late 1980's technology and not in production any longer. Currently, most of the replacement control parts are only available on E Bay.
		AREAWIDE WATERMAIN REPAIRS - Ongoing program used to repair emergency breaks and known trouble areas as time and funding allows.
	Water Utility	BIRCH LANE - MENDENHALL TO DOGWOOD - Replace the old and failing water system in this neighborhood in conjunction with the Street reconstruction project.

FY 2019 CIP PROJECT DESCRIPTIONS		
Department	Division	Project Description
		PRIORITY
		7
		8
		9
Schools		COLUMBIA AND POPLAR RECONSTRUCTION - Replace the old and failing water system in this neighborhood in conjunction with the Street reconstruction project.
		PAVEMENT MANAGEMENT UTILITY ADJUSTMENTS - Provide funds to adjust Water Utility infrastructure with the associated street reconstruction project.
		ADOT PROJECT UTILITY ADJUSTMENTS - Provide water valve boxes and fire hydrants to ADOT road construction projects Egan, 10th to Main, Glacier Hwy Walmart to Vanderbuilt etc.
		JSD BUILDINGS MAJOR MAINTENANCE / MATCH -fund ongoing civil, architectural, mechanical and electrical deferred maintenance projects and provide matching funds to any other outside maintenance or construction grant funding that could be acquired.

FINANCIAL SUMMARY OF CURRENT PROJECTS

This section of the CIP provides a financial summary for the capital improvements that were active on February 14, 2018. A table is presented showing the project name, budget, commitments, expenditures to date, and the funds available to complete each improvement. This financial information is obtained from Infor (formally known as Lawson), CBJ's official accounting system.

CAPITAL IMPROVEMENT PROJECTS Financial Summary as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
A50-001	Airport CIP Project Design	\$ 305,331.00	\$ 69,453.50	\$ 243,312.75	\$ (7,435.25)	
A50-031	Airport Construction Cont. Res	\$ 47,151.00	\$ -	\$ -	\$ 47,151.00	
A50-033	Airport Revolving Capital Rese	\$ 488,600.00	\$ -	\$ -	\$ 488,600.00	
A50-061	Airport Water/Sewer Extension	\$ 1,107,695.00	\$ 6,366.75	\$ 1,103,170.80	\$ (1,842.55)	
A50-071	Purchase Land/Airport Expansio	\$ 1,000,000.00	\$ -	\$ 33,821.66	\$ 966,178.34	
A50-078	Runway Safety Area (RSA)	\$ 26,443,625.49	\$ -	\$ 26,228,278.04	\$ 215,347.45	
A50-079	Runway Rehabilitation	\$ 23,689,281.82	\$ 29,548.03	\$ 22,826,180.55	\$ 833,553.24	
A50-080	Master Plan Study	\$ 787,789.00	\$ 14,419.69	\$ 785,360.77	\$ (11,991.46)	
A50-081	Runway 26 MALSR	\$ 93,750.00	\$ -	\$ 3,652.88	\$ 90,097.12	
A50-083	ARFF Building Modifications	\$ 2,611,722.20	\$ 88,931.44	\$ 2,195,446.09	\$ 327,344.67	
A50-084	RSA Phase IIB & Fence	\$ 868,025.00	\$ 11,448.61	\$ 835,929.65	\$ 20,646.74	
A50-085	New Terminal Renovation	\$ 7,486,919.86	\$ 161,154.07	\$ 901,283.20	\$ 6,424,482.59	
A50-086	SREB	\$ 20,897,208.40	\$ 1,994,017.41	\$ 15,042,071.57	\$ 3,861,119.42	
A50-087	Twy A & RIM	\$ 800,000.00	\$ 28,845.78	\$ 734,429.50	\$ 36,724.72	
A50-088	Constr RSA IIB	\$ 3,646,000.00	\$ 15,978.60	\$ 2,858,563.23	\$ 771,458.17	
A50-089	Part 121 Ramp	\$ 612,414.24	\$ 5,000.00	\$ 538,902.72	\$ 68,511.52	
A50-090	Design Twy A Rehab/E&D-1 Reali	\$ 2,011,000.00	\$ 1,072,969.00	\$ 10,265.09	\$ 927,765.91	
A50-091	RSA 2C-NE/NW Quad Apron	\$ 11,481,020.00	\$ -	\$ 3,661.98	\$ 11,477,358.02	
A50-092	Float Pond Improvements	\$ 816,000.00	\$ 36,516.00	\$ 4,961.71	\$ 774,522.29	
A50-093	Snow Removal Equipment	\$ 5,145,121.00	\$ -	\$ 427.30	\$ 5,144,693.70	
A50-094	Ramp LED Lighting	\$ 256,000.00	\$ -	\$ 3,221.03	\$ 252,778.97	
B55-059	Child & Adolescent Mental Heal	\$ 6,000,000.00	\$ 44,240.00	\$ 14,120.36	\$ 5,941,639.64	
B55-073	BRH Information Services Facil	\$ 1,000,000.00	\$ -	\$ -	\$ 1,000,000.00	
B55-074	BRH Operating Room Renovation	\$ 2,000,000.00	\$ -	\$ -	\$ 2,000,000.00	
B55-075	BRH Roof for Medical Arts Bldg	\$ 250,000.00	\$ -	\$ -	\$ 250,000.00	
B55-076	BRH Roof Replacement - RRC	\$ 300,000.00	\$ 100,000.00	\$ 7,199.46	\$ 192,800.54	
D12-016	PRISM Core Financial Conversio	\$ 6,100,000.00	\$ 415,540.50	\$ 5,675,046.55	\$ 9,412.95	
D12-017	PRISM Core Financial Conver II	\$ -	\$ 415,540.50	\$ -	\$ (415,540.50)	
D12-027	Cultural Gateway	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	
D12-045	Manager's Energy Efficiency	\$ 434,340.23	\$ 723.06	\$ 253,369.95	\$ 180,247.22	
D12-046	Capitol Plaza Planning	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	

CAPITAL IMPROVEMENT PROJECTS Financial Summary as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
D12-047	Areawide EV Charging Stations	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	
D12-070	Open Space Waterfront Land Acq	\$ 3,934,404.43	\$ -	\$ 2,023,840.36	\$ 1,910,564.07	
D12-081	Gastineau Apartments Demo	\$ 1,800,000.00	\$ 7,650.97	\$ 1,692,067.72	\$ 100,281.31	
D12-095	Vehicle&Equipment Wash Bays Pl	\$ 1,050,000.00	\$ 242.00	\$ 74,486.63	\$ 975,271.37	
D14-019	Lemon Creek 2nd Access	\$ 300,000.00	\$ -	\$ 130,441.03	\$ 169,558.97	
D14-020	Lemon Creek Gravel Scale Rplcm	\$ 100,000.00	\$ -	\$ 94,050.00	\$ 5,950.00	
D14-037	North Lemon Creek Gravel Sourc	\$ 787,265.00	\$ 7,203.00	\$ 602,538.73	\$ 177,523.27	
D14-051	Pederson Hill Land Srvy & Plan	\$ 6,465,560.21	\$ 3,308,836.00	\$ 689,593.86	\$ 2,467,130.35	
D14-060	N. Douglas Highway Extension	\$ 2,972,785.02	\$ 473,105.61	\$ 2,419,366.93	\$ 80,312.48	
D14-096	Stabler Quarry Infr&Expansion	\$ 1,065,000.00	\$ 17,432.50	\$ 332,577.05	\$ 714,990.45	
D23-059	City Museum Exhibit Case Repl	\$ 100,000.00	\$ 7,215.50	\$ 59,240.21	\$ 33,544.29	
D24-001	AJ Mine	\$ 250,000.00	\$ 15,000.00	\$ 142,727.70	\$ 92,272.30	
D24-010	Contaminated Sites Reporting	\$ 176,951.00	\$ 4,101.51	\$ 104,605.47	\$ 68,244.02	
D24-044	Stormwater Mgmt Standard II	\$ 21,520.58	\$ -	\$ -	\$ 21,520.58	
D28-054	Mountain Operations and Lift	\$ 1,528,132.00	\$ 76,596.00	\$ 1,438,339.33	\$ 13,196.67	
D28-097	Eaglecrest Learning Center & L	\$ 3,558,963.97	\$ 40,646.55	\$ 3,501,512.06	\$ 16,805.36	
D28-098	EagleDfrd Maint/Mtn Ops Impvm	\$ 475,000.00	\$ 111,750.00	\$ 151,648.96	\$ 211,601.04	
D44-049	Juneau Arts & Culture Center	\$ 600,000.00	\$ -	\$ 569,990.83	\$ 30,009.17	
D71-053	Capital Transit Bus Shelters	\$ 632,980.00	\$ -	\$ 336,077.06	\$ 296,902.94	
D71-084	Capital Transit-Transit Plan	\$ 175,000.00	\$ -	\$ 169,220.13	\$ 5,779.87	
D71-085	Capital Transit Maint Shop	\$ 6,488,301.00	\$ 39,871.83	\$ 6,091,653.99	\$ 356,775.18	
D71-086	Transit Technology	\$ 100,000.00	\$ -	\$ 97,885.71	\$ 2,114.29	
D71-087	DT Passenger Trans Improv	\$ 150,000.00	\$ 50,000.00	\$ 15,968.24	\$ 84,031.76	
D71-089	Valley Transit Transfer Statio	\$ 300,000.00	\$ -	\$ -	\$ 300,000.00	
F21-037	Central Fire Station Paving	\$ 350,000.00	\$ -	\$ 295,441.82	\$ 54,558.18	
H51-083	Marine Pk/Steamship Whrf II	\$ 210,000.00	\$ -	\$ 163,519.28	\$ 46,480.72	
H51-091	Waterfront Seawalk	\$ 9,164,456.00	\$ 51,549.14	\$ 9,117,449.70	\$ (4,542.84)	
H51-092	Waterfront Seawalk II	\$ 15,234,700.00	\$ 804,965.23	\$ 14,075,921.00	\$ 353,813.77	
H51-093	Statter Harbor Loading Fac/EI	\$ 26,444,440.49	\$ 61,523.40	\$ 26,261,108.37	\$ 121,808.72	
H51-095	Downtown Cruise Ship Berth Enh	\$ 11,443,081.88	\$ 3,224.92	\$ 11,437,908.74	\$ 1,948.22	
H51-100	Aurora Harbor Improvements	\$ 17,141,940.88	\$ 1,878,776.41	\$ 13,730,708.18	\$ 1,532,456.29	

CAPITAL IMPROVEMENT PROJECTS Financial Summary as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
H51-101	Cruise Berth Improvements	\$ 73,757,482.12	\$ 47,532.71	\$ 70,137,047.81	\$ 3,572,901.60	
H51-103	Weather Monitor & Communicatio	\$ 172,500.00	\$ -	\$ 168,162.74	\$ 4,337.26	
H51-104	Dock Catholic Protection	\$ 500,000.00	\$ 39,627.78	\$ 229,256.43	\$ 231,115.79	
H51-105	Amalga Fish Cleaning Station	\$ 50,000.00	\$ -	\$ 8,692.20	\$ 41,307.80	
H51-106	Statter Harbor Breakwtr Sfty I	\$ 466,000.00	\$ 70,450.00	\$ 11,110.40	\$ 384,439.60	
H51-107	Tug Assist	\$ 110,920.00	\$ -	\$ 6,300.00	\$ 104,620.00	
H51-108	Statter Improv-Phase III	\$ 9,200,000.00	\$ 231,675.13	\$ 521,660.43	\$ 8,446,664.44	
H51-109	Taku Harbor Deferred Maintenanc	\$ 200,000.00	\$ 17,630.00	\$ 739.68	\$ 181,630.32	
H51-110	Visitor Info Kiosk Replmt-Desi	\$ 25,000.00	\$ -	\$ 579.00	\$ 24,421.00	
H51-112	Dwntwn Restrooms Location/Desi	\$ 75,000.00	\$ -	\$ -	\$ 75,000.00	
H51-113	Waterfront Seawalk	\$ 577,780.00	\$ 72,288.50	\$ 49,628.35	\$ 455,863.15	
H51-114	Cruise Ship Uplands Staging Ar	\$ 100,000.00	\$ -	\$ 10,000.00	\$ 90,000.00	
H51-115	Harris Harbor Restrooms	\$ 200,000.00	\$ 325.00	\$ 8,786.79	\$ 190,888.21	
M14-062	Switzer Area Muni Land Dev	\$ 1,550,000.00	\$ 174,789.12	\$ 1,092,091.61	\$ 283,119.27	
M15-002	IT Infrastructure Modernizatio	\$ 1,430,382.35	\$ 190,015.68	\$ 1,000,662.16	\$ 239,704.51	
P41-059	Parks & Playground Improvement	\$ 4,087,798.06	\$ 261,720.53	\$ 3,586,020.96	\$ 240,056.57	
P41-085	Sportfield Repairs	\$ 1,543,139.00	\$ 3,628.75	\$ 1,039,329.62	\$ 500,180.63	
P41-088	Outer Point Trail	\$ 145,000.00	\$ 15,102.00	\$ 127,341.90	\$ 2,556.10	
P41-089	Restrooms, Paving, & Concessio	\$ 1,307,788.99	\$ 71,384.25	\$ 963,182.19	\$ 273,222.55	
P41-090	Bridge Park	\$ 1,560,000.00	\$ 346,688.02	\$ 1,280,195.88	\$ (66,883.90)	
P41-091	Horse Tram Trail Repairs	\$ 125,000.00	\$ 50,000.00	\$ -	\$ 75,000.00	
P41-092	Sports Field Resurfacing-Repai	\$ 190,000.00	\$ -	\$ -	\$ 190,000.00	
P41-093	Parks & Playground Maint & Rep	\$ 270,000.00	\$ -	\$ -	\$ 270,000.00	
P41-094	Treadwell Arena Prkng Lot Lite	\$ 50,000.00	\$ -	\$ 2,248.35	\$ 47,751.65	
P41-095	Playground Rebuild	\$ 1,334,074.14	\$ 191,676.08	\$ 108,857.75	\$ 1,033,540.31	
P42-076	Arboretum Park Lot & Conservato	\$ 90,000.00	\$ 21,550.00	\$ 79,761.83	\$ (11,311.83)	
P42-077	Arboretum Residence Def Maint	\$ 127,000.00	\$ 42,573.86	\$ 52,478.14	\$ 31,948.00	
P44-073	Deferred Bldg Maintenance III	\$ 7,690,503.00	\$ 456,021.66	\$ 7,003,881.43	\$ 230,599.91	
P44-085	Mt Jumbo Gym Roof	\$ 250,000.00	\$ -	\$ -	\$ 250,000.00	
P44-086	AB Pool Short Term Repairs	\$ 395,000.00	\$ -	\$ 5,587.42	\$ 389,412.58	
P44-087	Cent. Hall Floor Replacement	\$ 125,000.00	\$ 6,382.00	\$ 106,026.42	\$ 12,591.58	

CAPITAL IMPROVEMENT PROJECTS Financial Summary as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
P44-088	Deferred Building Maintenance	\$ 1,300,000.00	\$ 15,923.00	\$ 1,113.83	\$ 1,282,963.17	
P46-069	Auke Lake Wayside POT/PT Match	\$ 170,000.00	\$ 24,321.33	\$ 67,761.84	\$ 77,916.83	
P46-078	Treadwell Historic Plan&Const	\$ 128,001.19	\$ -	\$ 110,630.69	\$ 17,370.50	
P46-079	Diamond Park Swimming Pool	\$ 21,850,364.88	\$ 263,776.12	\$ 21,379,656.41	\$ 206,932.35	
P46-089	Bicycle Racks	\$ 50,000.00	\$ -	\$ 50,028.51	\$ (28.51)	
P46-090	OHV Park Site Analysis	\$ 245,000.00	\$ -	\$ 95,394.22	\$ 149,605.78	
P46-091	Under Thunder Trail	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	
P46-101	ZGYC & AB Pool Improvements	\$ 55,000.00	\$ -	\$ -	\$ 55,000.00	
P46-102	Trail Improvements	\$ 200,000.00	\$ 20,000.00	\$ 1,580.77	\$ 178,419.23	
P46-103	Kax Trail Bridge River Bank St	\$ 400,000.00	\$ -	\$ 514.05	\$ 399,485.95	
P46-104	Treadwell Ditch Trail Repairs	\$ 150,000.00	\$ 666.70	\$ 72,843.88	\$ 76,489.42	
P46-105	Treadwell Mine Park Preservn	\$ 275,000.00	\$ 31,538.75	\$ 158,168.36	\$ 85,292.89	
P46-106	Augustus Brown Pool Covers	\$ 151,863.85	\$ -	\$ 2,374.65	\$ 149,489.20	
P46-107	Hut to Hut	\$ 50,000.00	\$ -	\$ -	\$ 50,000.00	
P47-072	Centennial Hall Renovation	\$ 3,820,230.49	\$ -	\$ 3,795,578.36	\$ 24,652.13	
P48-087	Willoughby District Parking	\$ 1,574,465.52	\$ 16,107.30	\$ 159,669.46	\$ 1,398,688.76	
P48-088	Downtown Parking Management	\$ 575,000.00	\$ -	\$ 24,440.80	\$ 550,559.20	
R72-004	Pavement Management	\$ 11,280,457.33	\$ 138,232.00	\$ 10,951,124.21	\$ 191,101.12	
R72-035	Sidewalk & Stairway Repairs	\$ 980,000.00	\$ 12,668.83	\$ 890,091.40	\$ 77,239.77	
R72-038	Valley Snow Storage Permitting	\$ 1,791,562.00	\$ 3,497.50	\$ 1,648,514.03	\$ 139,550.47	
R72-048	MtnnaCrkRd Closure/Prkg Mdfctn	\$ 100,000.00	\$ -	\$ 85,701.41	\$ 14,298.59	
R72-053	Eagles Edge Utility LID	\$ 3,714,856.30	\$ 120,629.20	\$ 3,438,262.84	\$ 155,964.26	
R72-056	Areawide Drainage Improvements	\$ 1,291,736.00	\$ -	\$ 701,782.41	\$ 589,953.59	
R72-059	Main Street 2nd to 7th	\$ 3,287,605.00	\$ -	\$ 3,283,425.49	\$ 4,179.51	
R72-060	City Shop Demolition/Removal	\$ 300,000.00	\$ 88,853.73	\$ 206,137.00	\$ 5,009.27	
R72-061	Industrial Boulevard Match	\$ 1,365,428.00	\$ -	\$ 208,782.15	\$ 1,156,645.85	
R72-081	St Maint Shop Design - New Loc	\$ 13,941,135.00	\$ 75,552.00	\$ 13,814,822.43	\$ 50,760.57	
R72-101	Glacier Ave Intersection	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	
R72-103	Flood Plain Mapping Tech Assist	\$ 150,000.00	\$ -	\$ 57,347.50	\$ 92,652.50	
R72-104	Lakewood Subdivision Reconstru	\$ 2,818,322.00	\$ 1,347.50	\$ 2,796,370.13	\$ 20,604.37	
R72-107	Meadow Lane Improvements	\$ 1,325,000.00	\$ 63,221.25	\$ 1,222,565.90	\$ 39,212.85	

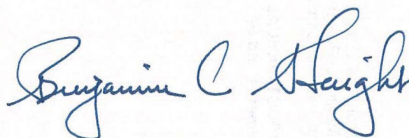
CAPITAL IMPROVEMENT PROJECTS Financial Summary as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
R72-109	Vactor Dump	\$ 150,000.00	\$ -	\$ 146,976.13	\$ 3,023.87	
R72-110	Areawide Snow Storage Facility	\$ 250,000.00	\$ -	\$ -	\$ 250,000.00	
R72-111	Distin/W. 8th St. Reconstructi	\$ 1,371,000.00	\$ 33,282.80	\$ 1,186,543.85	\$ 151,173.35	
R72-112	McGinnis Sub LID Ph 1	\$ 3,740,000.00	\$ 869,955.19	\$ 1,995,665.70	\$ 874,379.11	
R72-113	Scott Drive Improvements	\$ 524,000.00	\$ -	\$ 520,653.85	\$ 3,346.15	
R72-114	Blueberry Hills Road	\$ 2,754,908.00	\$ 62,406.20	\$ 2,149,862.81	\$ 542,638.99	
R72-115	Dunn Street	\$ 536,349.68	\$ 18,668.80	\$ 488,961.05	\$ 28,719.83	
R72-116	Downtown Street Improvements	\$ 4,957,449.96	\$ 2,243,995.90	\$ 2,374,791.77	\$ 338,662.29	
R72-117	DOT Riverside/Stephen Richards	\$ 250,000.00	\$ -	\$ 25,961.00	\$ 224,039.00	
R72-119	Front St. Douglas	\$ 900,000.00	\$ -	\$ 794,322.90	\$ 105,677.10	
R72-120	River Rd Reconstruct LID	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	
R72-121	Bridge Repairs	\$ 150,000.00	\$ 9,704.57	\$ 12,922.84	\$ 127,372.59	
R72-122	Retaining Wall Repairs	\$ 150,000.00	\$ 50,400.00	\$ 63,273.11	\$ 36,326.89	
R72-123	West 8th Street Reconstruction	\$ 720,000.00	\$ 55,340.25	\$ 553,203.32	\$ 111,456.43	
R72-125	Aspen Avenue-Mend to Portage	\$ 1,869,237.00	\$ 985.75	\$ 1,751,223.86	\$ 117,027.39	
R72-126	F St Douglas- 3rd to 5th	\$ 650,000.00	\$ 360,695.00	\$ 68,301.70	\$ 221,003.30	
R72-127	East Street-5th to 6th	\$ 595,000.00	\$ 8,442.32	\$ 458,817.59	\$ 127,740.09	
R72-128	Pavement Management	\$ 765,000.00	\$ -	\$ -	\$ 765,000.00	
R72-129	Sidewalk & Stairway Repairs	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	
R72-130	Shaune Dr Imprv-Anka to Barrow	\$ 885,000.00	\$ 28,486.50	\$ 41,990.77	\$ 814,522.73	
R72-131	Birch Lane Sewer Replacement	\$ 1,675,000.00	\$ 94,246.00	\$ 15,040.04	\$ 1,565,713.96	
R72-132	Calhoun Av Imprv-Main to Gold	\$ 300,000.00	\$ -	\$ -	\$ 300,000.00	
R72-133	Douglas Side Streets -D and E	\$ 975,000.00	\$ 60,524.00	\$ 8,740.27	\$ 905,735.73	
S02-094	Gastineau Elem Reno	\$ 13,322,674.59	\$ 121,812.18	\$ 13,145,524.08	\$ 55,338.33	
S02-101	JSD Facilities Reno and Repair	\$ 150,662.00	\$ -	\$ 135,252.11	\$ 15,409.89	
S02-102	JSD Def maint and Minor Impov	\$ 1,950,000.00	\$ 329,647.50	\$ 708,851.61	\$ 911,500.89	
S02-103	JSD Comprehensive Facility Pla	\$ 300,000.00	\$ 500.00	\$ 147,553.32	\$ 151,946.68	
U76-004	Wastewater SCADA Improvements	\$ 812,284.21	\$ -	\$ 109,961.11	\$ 702,323.10	
U76-014	Auke Bay Sewer Extension	\$ 75,000.00	\$ -	\$ 49,783.84	\$ 25,216.16	
U76-015	JD Plant Infrastructure Improv	\$ 204,245.00	\$ -	\$ 185,437.12	\$ 18,807.88	
U76-100	Glacier Hwy Sewer-Anka to Walm	\$ 1,825,766.00	\$ 50,136.83	\$ 570,662.00	\$ 1,204,967.17	

CAPITAL IMPROVEMENT PROJECTS						
Financial Summary						
as of February 14, 2018						
Activity	Project Name	Budget	Commitments	Actuals	Funds Available	
U76-103	Facilities Planning	\$ 250,000.00	\$ -	\$ -	\$ -	\$ 250,000.00
U76-106	Treatment Plants Headworks Imp	\$ 5,610,000.00	\$ 644,232.89	\$ 3,144,345.61	\$ -	\$ 1,821,421.50
U76-107	MWWTP Instrumentation Upgrades	\$ 300,000.00	\$ -	\$ -	\$ -	\$ 300,000.00
U76-108	MWWTP Roof Repair	\$ 1,100,000.00	\$ -	\$ -	\$ -	\$ 1,100,000.00
U76-109	BioSolids Treatment and Dispos	\$ 20,713,505.75	\$ 14,033,756.00	\$ 5,945,335.22	\$ -	\$ 734,414.53
U76-111	RealTime Cruise WW Dschrg Mntr	\$ 50,000.00	\$ -	\$ -	\$ -	\$ 50,000.00
U76-112	JDTP New Vactor Dump	\$ 500,000.00	\$ -	\$ -	\$ -	\$ 500,000.00
U76-113	Maier Dr Forcemain Emerg Repai	\$ 500,000.00	\$ 154,656.50	\$ 45,989.42	\$ -	\$ 299,354.08
W75-036	Areawide Water Main Repairs	\$ 505,433.00	\$ 5,378.77	\$ 467,805.20	\$ -	\$ 32,249.03
W75-037	Lst Chance Basin Hydro-Geo Inv	\$ 5,454,136.00	\$ -	\$ 3,433,821.97	\$ -	\$ 2,020,314.03
W75-046	SCADA Upgrades	\$ 405,000.00	\$ -	\$ 78,740.82	\$ -	\$ 326,259.18
W75-048	Back Loop Rd Auke Bay Waterlin	\$ 926,575.54	\$ -	\$ 730,686.69	\$ -	\$ 195,888.85
W75-050	Egan Drive Water - Main to Ten	\$ 2,080,939.00	\$ 5,322.50	\$ 942,481.04	\$ -	\$ 1,133,135.46
W75-051	Brotherhood Bridge Waterline	\$ 50,000.00	\$ -	\$ 33,595.43	\$ -	\$ 16,404.57
W75-052	Crow Hill Reservoir improvemen	\$ 700,000.00	\$ 37,604.45	\$ 478,171.49	\$ -	\$ 184,224.06
W75-054	Douglas Highway Water Repl.	\$ 3,339,157.41	\$ 1,744,307.25	\$ 231,845.13	\$ -	\$ 1,363,005.03
W75-055	Salmon Creek Filtration Projec	\$ 1,290,067.71	\$ 68,072.00	\$ 5,731.71	\$ -	\$ 1,216,264.00
		\$ 507,894,262.77	\$ 35,750,339.94	\$ 372,195,705.63	\$ -	\$ 99,948,217.20



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Date: November 15, 2017

From: Ben Haight, Chair
Planning Commission 

To: Roger Healey, Director of Engineering
Assembly Public Works and Facilities Committee

RE: Planning Commission CIP Recommendations, 2018-2024

Background: Each year, the Planning Commission is tasked with reviewing and recommending to the Assembly whether to approve the Borough's six-year Capital Improvement Program (CIP). The Commission understands that this review is intended to ensure that the CIP is consistent with the Comprehensive Plan and other City and Borough plans, such as the Land Use Master Plan, Juneau Economic Development Plan, and Climate Action and Implementation Plan.

Over the last two years, in coordination with the CBJ Manager's Office and CDD Director, an effort has been made to make Planning Commission review of the CIP list more meaningful by allowing for an early recommendation of Planning Commission priorities in addition to final review before formal Assembly adoption. Planning Commission review of the draft CIP document early in the review process allows more timely recommendations for use by the Manager's Office and Borough Assembly as the CIP list is assembled.

It is intended that the Planning Commission's annual review will continue to follow the general format established here, allowing subsequent reviews to track progress on these goals as a way to help foster consistency and achieve results.

Planning Commission review has been structured to include both a summary of general Policy Recommendations that fall under the Planning Commission's purview, as well as a list of recommended Specific Projects that follow from the general recommendations. These recommendations are offered to help ensure that the Borough's broad development and planning needs are met.

A. POLICY RECOMMENDATIONS: The Planning Commission has identified three general categories that are relevant to its review authority and that should inform an evaluation of the consistency of potential capital improvements with the Comprehensive Plan: Housing, Community Vitality, and Sustainability. The following general goals reflect those priorities and draw from current City and Borough plans:

Public Works & Facilities Committee
CIP Recommendations, 2018-2024
CDD Case No.: CSP2017 0016
November 16, 2017
Page 2 of 3

Housing:

1. Develop incentive programs to promote desired housing development. Such programs should be derived from recommendations of the CBJ Housing Officer, Affordable Housing Commission, Economic Development Plan, and the Housing Action Plan.
2. Focus housing initiatives in the near-term on Downtown, which the Commission identifies as under-served by CBJ efforts to improve and increase housing stock Borough-wide.
3. Explore public/private mechanisms to help create new or renovated housing inventory, with a focus on under-utilized facilities.

Community Vitality:

1. Continue to focus on Willoughby District improvements, including parking garage, waterfront and sea walk development, and integrated seasonal visitation opportunities.
2. Strengthen the CBJ Land Management Plan including by working across CBJ departmental land designations to prioritize parcels for acquisition or disposal relative to CBJ and community needs, including housing, infrastructure, and recreation.
3. Initiate goals and actions from the Lemon Creek Area Plan to address the fact that Lemon Creek carries a disproportionate share of community industrial and service needs, with a deficit of public amenities like recreational areas, parks, trails, and community facilities.

Sustainability:

1. Prioritize and enact recommendations from the Climate Action and Implementation Plan and Juneau Commission on Sustainability annual report.
2. Prioritize recycling and landfill diversion strategies, such as organic waste composting, and work toward waste volume reduction while long-term waste solutions are studied.

B. SPECIFIC PROJECTS: The following detailed projects would implement Planning Commission priorities from the general policy goals above, and are recommended for CBJ action:

- (Housing) Initiate a new mass wasting study across the downtown area. A new study would have several benefits, including the potential to increase the inventory of developable land and to remove financing barriers where regulatory and development ambiguity exists. A study would have the benefit of providing a better understanding CBJ liability and establishing a more accurate risk assessment.

Public Works & Facilities Committee
 CIP Recommendations, 2018-2024
 CDD Case No.: CSP2017 0016
 November 16, 2017
 Page 3 of 3

- (Housing) Fund and maintain the accessory apartment incentive grant program and implement a similar grant incentive program for the creation of apartments in larger mixed-use facilities, in either new or renovated units. Recent 1% Sales Tax funds may be an appropriate funding source.
- (Housing) Develop a home energy efficiency program with incentives to reduce electrical costs and improve housing affordability in Juneau. Many housing units rely on inefficient and costly electric resistance baseboards for heat. A program to provide assistance and incentives for homeowners and landlords to improve energy efficiency and to convert from electric resistance to alternate sources would provide benefits to AEL&P, homeowners, and renters.
- (Community Vitality) Adopt recommendations of the Lemon Creek Area Plan and implement a capital program to add recommended improvements. Of these improvements, a multi-modal trail linking Dzantik'i Heeni Middle School and Switzer Creek to the Pinewood Neighborhood is seen as an important initial priority because it would create better neighborhood function and encourage on-going citizen involvement with a visible first step.
- (Community Vitality) Develop and implement a seasonal downtown circulator with simple on/off transit nodes that link primary pedestrian areas, including a specific emphasis on the Willoughby District. This step should help lessen traffic congestion in the downtown core, particularly South Franklin Street.
- (Sustainability) Develop an Electric Vehicle charging plan for CBJ-managed facilities and streets. All CBJ construction and street projects should plan for and incorporate EV charging infrastructure.
- (Sustainability) Adopt procedures and tracking software to monitor and report CBJ energy use and costs consistently across all departments and facilities. This action is recommended in the Comprehensive Plan, the Juneau Climate Action and Implementation Plan (2011), the draft Juneau Renewable Energy Strategy (2017), and the Juneau Commission on Sustainability's Annual Reports and CIP Recommendations for 2016 and 2017.
- (Sustainability) Initiate a study of opportunities for organic waste composting.



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October 17, 2017

**From: Rob Steedle, Director
 Community Development Department**

To: Planning Commission Committee of the Whole

Subject: Review of FY2019-FY2024 Capital Improvement Projects

Due to the State of Alaska's ongoing financial challenges, the CBJ is directing the majority of its Capital Improvement Program (CIP) funds to maintenance of existing facilities and other infrastructure and to debt service. A review of the projects funded in fiscal year 2018 illustrates this; only \$350,000 of the \$5.6 million of sales tax was allocated for projects other than maintenance. While keeping this in mind, it is important for the Planning Commission to keep recommending general improvements to realize the vision of our adopted plans.

Last year the Commission advocated for housing, and there is progress in that area. The 1% temporary sales tax authorized by the voters earlier this month includes an allocation of \$2 million for housing programs. The Affordable Housing Commission will be working with CBJ staff to make recommendations about the specific program areas to be funded.

The Commission also expressed interest in examining the potential for identifying more buildable land on the slopes surrounding downtown. The State of Alaska's Division of Community and Regional Affairs made a study of mass wasting in Juneau its first priority for FEMA funding in the next fiscal year. There is, of course, no guarantee that it will be funded, and the CBJ could look for other grant funds. Having a CIP match could be helpful.

Finally, the Commission advocated for landfill diversion. Two million dollars of the 1% temporary sales tax is allocated for CBJ's RecycleWorks, CBJ's solid waste program. These funds could potentially be used for a composting initiative in addition to the other services already provided by RecycleWorks.



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

Date: April 24, 2018
From: Tim Felstead, Planner
Community Development Department
To: Planning Commission
RE: Updated projects in FY19 Capital Improvement Program

A handwritten signature in black ink, appearing to read 'Tim Felstead', is written over the 'From:' line of the memo.

CSP2018 0003 – Planning Commission review of Fiscal Year 2019 Capital Improvement Program

Attachment A – Memorandum from Director of Public Works and Engineering for Assembly Finance Committee meeting packet, April 4, 2018. Revised Draft CIP list.

Attachment B – Assembly Finance Committee meeting minutes April 11, 2018.

Since the draft 2019 CIP project list that was reviewed in the staff report to the Planning Commission, it has been revised by the Assembly Finance Committee.

Attachments A and B provide details of adjustments made to the draft CIP resolution.

In particular, the additional projects relate to policies regarding:

- Improved transit (Policies 8.5 and 8.6)
- Support for a performing arts facility (Policy 9.1 and specifically Implementing Action 9.1-IA20), Improvements to recreational facilities (Policy 9.1)
- Improvements to harbor facilities (Policy 8.3)
- Promotion of clean transportation options (policy 8.6)
- Promotion of recycling (Policies 12.4, 12.5, 12.6 and 12.8)

The additional projects do not alter staff's recommendation that Draft FY19 CIP projects conform to the policies of the Juneau Comprehensive Plan.



DATE: March 15, 2018

TO: Jesse Kiehl, Chair
Assembly Finance Committee

FROM: Roger Healy, PE, Director
Engineering & Public Works Department

RE: FY 2019 Capital Improvement Program – Revisions to Resolution Serial No. 2819

The following revisions are recommended to the Finance Committee for inclusion within proposed Resolution No. 2819 after review by the PWFC on February 26 and further staff review. These changes would be incorporated into the final version of Resolution No. 2819 at the direction of the Committee.

Delete the following items:

Fiscal Year 2019

Areawide Sales Tax Priorities

Capital Transit	Install Electric Bus Charger At Bus Barn (20% Match for FTA)	\$100,000
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Fiscal Year 2019

Temporary 1% Sales Tax Priorities

Voter Approved Sales Tax 10/01-13 – 09/30/18

Hospital	Rainforest Recover Center	\$585,000
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Fiscal Year 2019

State Marine Passenger Fee Priorities

Docks and Harbors	Archipelago Property (Acquisition and Development)	\$5,750,000
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Fiscal Year 2019

Docks and Harbors Enterprise Fund

Docks	Auke Bay Passenger for Hire - Cost Share	\$690,000
Harbors	Statter Harbor Breakwater Safety Imprvmnts	\$333,000
Harbors	Areawide Anode Installation match	\$300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	\$350,000
Harbors	Cost Share w/ACOE for Brkwater Feasibility	\$500,000

Fiscal Year 2019

Hospital Unscheduled Funding

Hospital	Robert F. Valliant Siding Replacement	\$300,000
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Revise the following items:

Fiscal Year 2019		
Areawide Sales Tax Priorities		
Capital Transit	Bus Shelters/Valley Transit - Transfer Center	\$500,000

Fiscal Year 2019		
Lands Fund		
LANDS	Pits and Quarries Infrastructure Maintenance And expansion	<u>\$100,000</u>
	Lands Fund Total	\$100,000

New items:

Fiscal Year 2019		
Temporary 1% Sales Tax Priorities		
Voter Approved Sales Tax 10/01-13 – 09/30/18		
Manager	JACC Expansion – Performing Arts Center	\$250,000
Parks and Recreation	Lemon Creek Neighborhood Park	\$250,000
Parks and Recreation	Off - Highway Vehicle (OHV) Park	\$100,000

Fiscal Year 2019		
Docks and Harbors Unscheduled Funding		
Docks and Harbors	Waterfront Marine Park to Taku Dock, Upland Improvements	\$10,000,000
Harbors	Statter Harbor Breakwater Safety Imprvmnts	\$333,000
Harbors	Areawide Anode Installation match	\$300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	\$350,000
Harbors	Cost Share w/ACOE for Bkwater Feasibility	\$500,000
	Unscheduled Funding Total	\$11,483,000

Fiscal Year 2019		
Recycleworks Enterprise Unscheduled Funding		
Engineering & Public Works	Facility Upgrades	\$1,000,000
Engineering & Public Works	Water Building Upgrades	<u>\$300,000</u>
	Recycleworks Enterprise Fund Total	\$1,300,000

Presented by: The City Manager
Introduced: ### 2018
Drafted by: Engineering & Public Works Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 Through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2019 through Fiscal Year 2024, and has determined the capital improvement project priorities for Fiscal Year 2019.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," dated June 1, 2018, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

FISCAL YEAR 2019				REVISION NOTES
GENERAL SALES TAX IMPROVEMENTS				
DEPARTMENT	PROJECT	FY19 BUDGET		
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	275,000		
Parks & Recreation	Park & Playground Repairs and Maintenance	270,000		
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000		
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000		
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000		
General Sales Tax Improvements Total		\$	1,000,000	
FISCAL YEAR 2019				
AREAWIDE SALES TAX PRIORITIES				
DEPARTMENT	PROJECT	FY19 BUDGET		

Managers Office	Vehicle and Equipment Wash Bays	1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	Mc Ginnis Subdivision Improvements - Ph 4 (Heron)	1,000,000
Street Maintenance	Downtown Street Improvements Phase III	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk and Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters / Valley Transit - Transfer Center	500,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	\$100,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		\$ 9,100,000

added \$100k from Bus charger deletion

Deleted per PWFC 2/26 discussion

FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/18

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	JACC Expansion - Performing Arts Center	\$ 250,000
Hospital	Rainforest Recovery Center Upgrades	\$585,000
Parks & Recreation	Lemon Creek Park	250,000
Parks & Recreation	Off-Highway Vehicle (OHV) Park	100,000
Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		\$ 3,140,000

* Added- Voter Approved 1% project obligation. Funds are from RRC Upgrades Deleted - misunderstanding in funding. Funds to go to JACC OHV and LC Park that were unfunded Voter approved projects
 Added- Voter Approved 1% project obligation. Funds are from RRC Upgrades
 Added- Voter Approved 1% project obligation. Funds are from RRC Upgrades

FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	Affordable Housing Fund	400,000
Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
Parks and Recreation	Building Maintenance	500,000
School District	JSD Buildings Major Maintenance / Match	800,000
Hospital	BRH - Rainforest Recovery Center Upgrades	1,800,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		\$ 6,100,000

* Changed Title per Bob B.direction

FISCAL YEAR 2019

MARINE PASSENGER FEE PRIORITIES (draft - out for public comment)		
DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement	150,000
Port of Juneau	Downtown Restroom Construction (new)	500,000
Port of Juneau	Small Cruiseship Moorage Master Planning	150,000
Engineering	Downtown Sidestreets Phase III	900,000
Engineering	Downtown Wayfinding and Interpretive Signs	450,000
Engineering	Seawalk Major Maintenance	85,000
Engineering	Seawalk Next Phase	250,000
Marine Passenger Fee Priorities Total		\$ 2,635,000

FISCAL YEAR 2019

STATE-MARINE PASSENGER FEE PRIORITIES		
DEPARTMENT	PROJECT	FY19 BUDGET
Docks And Harbors	Archipelago Property (Acquisition and Development)	\$5,750,000
State-Marine Passenger Fee Priorities Total		\$ --

Deleted per PWFC 2/26 discussion

FISCAL YEAR 2019

WATER ENTERPRISE FUND		
DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	215,000
Water Utility	Lee Street Pump Station Replacement	500,000
Water Utility	Salmon Creek Filter Plant Upgrades (ADSC Grant Match)	100,000
Water Utility	Crow Hill and Cedar Park PS Control Updates	300,000
Water Utility	Areawide Watermain Repairs	100,000
Water Utility	Birch Lane - Mendenhall to Dogwood	\$ 100,000
Water Utility	Columbia and Poplar Reconstruction	220,000
Water Utility	Pavement Management Utility Adjustments	20,000
Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		\$1,600,000

FISCAL YEAR 2019

WASTEWATER ENTERPRISE FUND		
DEPARTMENT	PROJECT	FY19 BUDGET
Wastewater Utility	Gruening Park Pump Station Replacement	\$ 800,000
Wastewater Utility	Kaiser Foremain Replacement (Mendenhall River Erosion)	1,000,000
Wastewater Utility	2D Clarifier and Digester tank Floor Improvements	225,000
Wastewater Utility	Anode Repl. on Under Water Portion of Outer Drive FM	250,000
Wastewater Utility	JDTF Infrastructure Improvements (Aeration and Clarifier Roof)	1,000,000
Wastewater Utility	JDTF Vactor Dump/Decant Fac. and Grit Handling Improvements	125,000
Wastewater Utility	Birch Lane - Mendenhall to Dogwood	100,000
Wastewater Utility	Columbia and Poplar Reconstruction	220,000
Wastewater Utility	McGinnis S/D -Heron Way Manhole Adjustments	15,000
Wastewater Utility	Calhoun Sewer Replacement W8th to Gold Ck	50,000
Wastewater Utility	Pavement Management Utility Adjustments	20,000
Wastewater Utility	ADOT Project Utility Adjustments	40,000
Wastewater Enterprise Fund Total		\$ 3,845,000

FISCAL YEAR 2019 DOCKS AND HARBORS ENTERPRISE FUND		
DEPARTMENT	PROJECT	
Docks	Auke Bay Passenger for Hire - Cost Share	\$690,000
Harbors	Statter Harbor Breakwater Safety Improvements	\$333,000
Harbors	Areawide Anode Installation Matching Funds	\$300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	\$350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	\$500,000
Docks and Harbors Enterprise Fund Total		\$ 2,173,000

Moved to FY19 UNSCHEDULED FUNDING per D&H request

FISCAL YEAR 2019 LANDS FUND		
DEPARTMENT	PROJECT	
LANDS	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 100,000
LANDS Fund Total		\$ 100,000
ORDINANCE 2018-XX CAPITAL PROJECTS FUNDING TOTAL		\$ 25,030,000
ORDINANCE 2018-XX OPERATIONS PROJECTS FUNDING TOTAL		\$ 2,490,000 *

Reduced from \$150k to \$100k to balance Lands bottom Ops budget

(c) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019-2024," are capital improvement projects identified as priorities proposed to be undertaken beginning in FY19, but are dependent on other unsecured funding sources. As the sources are secured, the funds will be appropriated:

FISCAL YEAR 2019 HOSPITAL UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Hospital	Robert F. Vaillant Building Roof Replacement	\$300,000
Hospital	Medical Arts Building Roof Replacement	400,000
HOSPITAL Funding Total		\$ 400,000
FISCAL YEAR 2019 AIRPORT UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
Airport	Design/Const. Terminal Reno Ph 2 incl. Dep Lnge Exit Lane	1,300,000
Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
Airport	Space Reconfig - Old Dining Room/Kit. for Admin & Tenants	250,000
Airport	Design&Install Terminal Camera Surveillance System	200,000
Airport	26 MALSR (FAA F&E Project)	3,750,000
Airport Unscheduled Funding Total		\$ 7,800,000

Deleted - funds already in process of being appropriated from Hospital reserves

FISCAL YEAR 2019 DOCKS AND HARBORS UNSCHEDULED FUNDING		
DEPARTMENT	PROJECT	
Docks	Auke Bay Passenger for Hire - Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000

Moved D&H FY19 Proposed CIP Projects to "Unscheduled" per request.

Harbors	ABMS D&H/UAS Cost Share Agreement		350,000
	Cost Share with ACOE for Breakwater Feasibility		500,000
Harbors	Docks and Harbors Unscheduled Funding Total		\$ 2,173,000
EAGLECREST UNSCHEDULED FUNDING REQUESTS			
DEPARTMENT	PROJECT		
	Upper Loop Overnight Cabin	\$	50,000
Eaglecrest	Snowmaking Pumping Station		250,000
Eaglecrest	Unscheduled Funding Total		\$ 300,000
FISCAL YEAR 2019			
RECYCLEWORKS UNSCHEDULED FUNDING			
Engineering and PW	Facility Upgrades	\$	1,000,000
Engineering and PW	Water Building Upgrades		300,000
	Recycleworks Unscheduled Funding Total		\$ 1,300,000

Section 2. Fiscal Year 2019 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY19 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2019 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of _____, 2018.

Attest: _____ Mayor

Laurie Sica, Clerk

Presented by: The City Manager
 Introduced: #### 2018
 Drafted by: Engineering & Public Works Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2819

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2019 Through 2024, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2019.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2019 through Fiscal Year 2024, and has determined the capital improvement project priorities for Fiscal Year 2019.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," dated June 1, 2018, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019 - 2024," are pending capital improvement projects to be undertaken in FY19:

FISCAL YEAR 2019		
GENERAL SALES TAX IMPROVEMENTS		
DEPARTMENT	PROJECT	FY19 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	275,000
Parks & Recreation	Park & Playground Repairs and Maintenance	270,000
Parks & Recreation	Sports Field Resurfacing & Repairs	80,000
Parks & Recreation	Capital School Park Ret. Wall Design & Short Term Repairs	200,000
Parks & Recreation	Deferred Building Maintenance - Downtown Library Windows	175,000
General Sales Tax Improvements Total		\$ 1,000,000

**FISCAL YEAR 2019
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Managers Office	Vehicle and Equipment Wash Bays	1,150,000
Street Maintenance	Pavement Management	1,200,000
Street Maintenance	Areawide Drainage Improvements	250,000
Street Maintenance	Mc Ginnis Subdivision Improvements - Ph 4 (Heron)	1,000,000
Street Maintenance	Downtown Street Improvements Phase III	1,100,000
Street Maintenance	Gold Creek Flume Repairs	300,000
Street Maintenance	Sidewalk and Stairway Repairs	300,000
Street Maintenance	Birch Lane Improvements Ph 2 - Mendenhall to Dogwood	1,000,000
Street Maintenance	Columbia and Poplar Reconstruction	2,100,000
Capital Transit	Bus Shelters / Valley Transit -Transfer Center	400,000
Capital Transit	Install Electric Bus Charger at Bus Barn (20% Match for FTA)	100,000
Engineering	Contract Specification and Contract Language Update	90,000
Parks & Trail Maintenance	Christopher Trail - Cope Park to Flume	90,000
Parks & Trail Maintenance	Crow Hill Trail - Gast School to Crow Hill Road	20,000
Areawide Sales Tax Priorities Total		<u>\$ 9,100,000</u>

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/13 - 09/30/18**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Bonded Debt Service	1,040,000 *
Manager's Office	Budget Reserve	400,000 *
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Hospital	Rainforest Recovery Center Upgrades	585,000
Parks & Recreation	Deferred Building Maintenance	380,000
Parks & Recreation	Deferred Building Maintenance - Arboretum Building Repairs	120,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		<u>\$ 3,125,000</u>

**FISCAL YEAR 2019
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/18 - 09/30/23**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	IT - Infrastructure Upgrades	\$ 400,000
Manager's Office	Housing	400,000 *
Public Works	Wastewater Infrastructure Maintenance - JDTP Structural Imp	2,000,000
Parks and Recreation	Building Maintenance	500,000
School District	JSD Buildings Major Maintenance / Match	800,000
Hospital	BRH - Rainforest Recovery Center Upgrades	1,800,000
Public Works	Waste - RecycleWorks Waste Diversion Program	200,000 *
Temporary 1% Sales Tax Priorities Total		<u>\$ 6,100,000</u>

FISCAL YEAR 2019**MARINE PASSENGER FEE PRIORITIES (draft -out for public comment)**

DEPARTMENT	PROJECT	FY19 BUDGET
Manager's Office	Public/Private Port Infrastructure Plan	\$ 150,000
Port of Juneau	Visitor Information Kiosk Replacement	150,000
Port of Juneau	Downtown Restroom Construction (new)	500,000
Port of Juneau	Small Cruiseship Moorage Master Planning	150,000
Engineering	Downtown Sidestreets Phase III	900,000
Engineering	Downtown Wayfinding and Interpretive Signs	450,000
Engineering	Seawalk Major Maintenance	85,000
Engineering	Seawalk Next Phases	250,000
Marine Passenger Fee Priorities Total		\$ 2,635,000

FISCAL YEAR 2019**STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY19 BUDGET
Docks And Harbors	Archipelago Property (Acquisition and Development)	\$ 5,750,000
State Marine Passenger Fee Priorities Total		\$ 5,750,000

FISCAL YEAR 2019**WATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Water Utility	Last Chance Basin Underground Fuel Tank Removal and Reloc.	215,000
Water Utility	Lee Street Pump Station Replacement	500,000
Water Utility	Salmon Creek Filter Plant Upgrades (ADEC Grant Match)	100,000
Water Utility	Crow Hill and Cedar Park PS Control Updates	300,000
Water Utility	Areawide Watermain Repairs	100,000
Water Utility	Birch Lane - Mendenhall to Dogwood	\$ 100,000
Water Utility	Columbia and Poplar Reconstruction	220,000
Water Utility	Pavement Management Utility Adjustments	20,000
Water Utility	ADOT Project Utility Adjustments	45,000
Water Enterprise Fund Total		\$1,600,000

FISCAL YEAR 2019**WASTEWATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY19 BUDGET
Wastewater Utility	Gruening Park Pump Station Replacement	\$ 800,000
Wastewater Utility	Kaiser Forcemain Replacement (Mendenhall River Erosion)	1,000,000
Wastewater Utility	JD Clarifier and Digester tank Floor Improvements	225,000
Wastewater Utility	Anode Repl. on Under Water Portion of Outer Drive FM	250,000
Wastewater Utility	JDTP Infrastructure Imprvmnts (Aeration and Clarifier Roof)	1,000,000
Wastewater Utility	JDTP Vactor Dump/Decant Fac. and Grit Handling Imprvmnts	125,000
Wastewater Utility	Birch Lane - Mendenhall to Dogwood	100,000
Wastewater Utility	Columbia and Poplar Reconstruction	220,000
Wastewater Utility	McGinnis S/D -Heron Way Manhole Adjustments	15,000
Wastewater Utility	Calhoun Sewer Replacement W8th to Gold Ck	50,000
Wastewater Utility	Pavement Management Utility Adjustments	20,000
Wastewater Utility	ADOT Project Utility Adjustments	40,000
Wastewater Enterprise Fund Total		\$ 3,845,000

**FISCAL YEAR 2019
DOCKS AND HARBORS ENTERPRISE FUND**

DEPARTMENT	PROJECT	
Docks	Auke Bay Passenger for Hire - Cost Share	\$ 690,000
Harbors	Statter Harbor Breakwater Safety Improvements	333,000
Harbors	Areawide Anode Installation Matching Funds	300,000
Harbors	ABMS D&H/UAS Cost Share Agreement	350,000
Harbors	Cost Share with ACOE for Breakwater Feasibility	500,000
Docks and Harbors Enterprise Fund Total		\$ 2,173,000

**FISCAL YEAR 2019
LANDS FUND**

DEPARTMENT	PROJECT	
LANDS	Pits and Quarries Infrastructure Maintenance and Expansion	\$ 150,000
LANDS Fund Total		\$ 150,000
ORDINANCE 2018-XX CAPITAL PROJECTS FUNDING TOTAL		\$ 33,238,000
ORDINANCE 2018-XX OPERATIONS PROJECTS FUNDING TOTAL		\$ 2,240,000 *

(c) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2019-2024," are capital improvement projects identified as priorities proposed to be undertaken beginning in FY19, but are dependent on other unsecured funding sources. As the sources are secured, the funds will be appropriated:

**FISCAL YEAR 2019
HOSPITAL UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	
Hospital	Robert F. Valliant Building Siding Replacement	\$ 300,000
Hospital	Medical Arts Building Roof Replacement	400,000
HOSPITAL Funding Total		\$ 700,000

**FISCAL YEAR 2019
AIRPORT UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	
Airport	Design/Const. Passenger Boarding Bridge gate 2	\$ 2,000,000
Airport	Design/Const. Terminal Reno Ph 2 incl. Dep Lnge Exit Lane	1,300,000
Airport	Design SREF Phase 2 Sand/Chemical Storage/Fuel	300,000
Airport	Space Reconfig - Old Dining Room/Kit. for Admin & Tenants	250,000
Airport	Design&Install Terminal Camera Surveillance System	200,000
Airport	26 MALSR (FAA F&E Project)	3,750,000

Airport Unscheduled Funding Total \$ 7,800,000

UNSCHEDULED FUNDING REQUESTS

DEPARTMENT	PROJECT	
Eaglecrest	Upper Loop Overnight Cabin	\$ 50,000
Eaglecrest	Snowmaking Pumping Station	250,000
Unscheduled Funding Total		\$ 300,000

Section 2. Fiscal Year 2019 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY19 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2019 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this ____ day of _____, 2018.

Mayor

Attest:

Laurie Sica, Clerk

**City and Borough of Juneau
Minutes - Assembly Finance Committee Meeting
Wednesday, April 11, 2018, 5:30 p.m.**

I. Call to Order

The meeting was called to order at 5:30 PM by Jesse Kiehl, Chair.

II. Roll Call

Committee Members Present: Jesse Kiehl, Chair; Norton Gregory, Mary Becker, Beth Weldon, Loren Jones, Jerry Nankervis, Rob Edwardson, and Mayor Ken Koelsch.

Committee Members Participating Telephonically: Maria Gladziszewski (Connection began around 6:07pm.)

Committee Members Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Bob Bartholomew, Finance Director; Carl Uchtyl, Port Director, Docks & Harbors; Roger Healy, Director, Engineering & Public Works; Patty Wahto, Airport Manager, Juneau International Airport; John Coleman, Airport Business Manager, Juneau International Airport; Dave Scanlan, Eaglecrest Manager; Scott Ciambor, Chief Housing Officer; Sam Muse, Controller; and Elisabeth Jensen, Budget Analyst.

Others Present: Amy Skilbred, Executive Director, Juneau Community Foundation; Reed Stoops, Juneau Community Foundation Board of Directors; John Pugh, Juneau Parks Foundation; and Eric Boraas, Executive Director, Trail Mix Inc.

III. Change to Agenda

Item IX.B. "Information Item - Audit Engagement", was added to the end of the agenda.

IV. Approval of Minutes

The April 4, 2018 minutes were approved with technical correction.

V. Docks & Harbors

Carl Uchtyl, Port Director; presented the FY19/20 Proposed Budget for Docks & Harbors found on pages 6-20 of the meeting packet.

Mr. Uchtyl responded to questions from the Assembly members.

**Loren Jones, moved to ACCEPT the Docks & Harbors budget as proposed.
Without OBJECTION.**

**Minutes - Assembly Finance Committee Meeting
Wednesday, April 11, 2018, 5:30 p.m.**

VI. Juneau International Airport

Patty Wahto, Airport Manager; presented the FY19/20 Proposed Budget for the Airport found on pages 20-27 of the meeting packet.

Ms. Wahto responded to questions from the Assembly members.

Ms. Wahto invited everyone to attend the Ribbon Cutting for the Airport Snow Removal Equipment Building (SREB) on April 19, 2018, at 4:00 PM.

Beth Weldon, moved to ACCEPT the Juneau International Airport budget as proposed. Without OBJECTION.

The meeting recessed at 6:30 PM.

The meeting reconvened at 6:39 PM.

VII. Juneau Community Foundation – Teacher Excellence Fund Investment Performance, Treadwell Trail Grant, Juneau Park Program, and Social Service Grant Program.

Amy Skilbred, Executive Director, Juneau Community Foundation, discussed her memo on pages 28 – 30 of the packet.

Ms. Skilbred responded to questions from the committee.

Norton Gregory requested costing information for the Substance Abuse Plan and the Mental Health Plan. Ms. Skilbred stated she would follow-up with further information.

Loren Jones, moved to direct staff to prepare an ordinance providing \$50,000 to the Juneau Community Foundation, to be used as needed (without being an endowment) to leverage other funds for Juneau Parks, and ask staff to determine the funding source. Without OBJECTION.

Mayor Koelsch requested that Chris Mertl be permitted to testify before the AFC on the topic before Assembly approval of the proposed ordinance.

Mr. Jones said he had spoken to Mr. Mertl several times, but had no objection to the Mayor's request to hear from Mr. Mertl again.

Minutes - Assembly Finance Committee Meeting Wednesday, April 11, 2018, 5:30 p.m.

VIII. Capital Improvements Projects Program Budget / Plan – For Action

Roger Healy presented the Capital Improvements Program plan found on pages 31 – 43 of the meeting packet.

The initial resolution on pages 39 – 43 was provided to the PWFC on February 26, 2018. Changes outlined in the memo on pages 31 – 32 of the meeting packet outline the recommendations of the PWFC and further staff review, which was in turn incorporated into the resolution found on pages 33 – 37 of the meeting packet. The AFC reviewed the same set of documents at their meeting on April 4, 2018.

Loren Jones, moved to amend the CIP Resolution 2819, by removing “Unscheduled Funding - Auke Bay Passenger for Hire – Cost Share - \$690,000” (pg. 36); by decreasing “Engineering - Contract Specification and Contract Language Update” from \$90,000 to \$65,000 (pg. 34); and using the balance of \$25,000 to fund a new line item for “Engineering – EV (Electric Vehicle) Charging Infrastructure” in the amount of \$25,000. Without OBJECTION.

Loren Jones, moved to forward CIP Resolution 2819, as amended, to the full Assembly for approval.

Mr. Gregory, moved to amend the motion to forward the CIP Resolution 2819, as amended, asking to fund Eaglecrest Snowmaking Pumping Station - \$250,000 (pg. 37) in FY19 from Fund Balance.

Mr. Jones, moved to amend the motion to refer Eaglecrest Snowmaking Pumping Station - \$250,000 (pg. 37) in FY19 to the AFC’s Budget Season Pending List for further review. Without OBJECTION

Without OBJECTION – Original motion as amended to forward CIP Resolution, as amended, to the full Assembly for approval.

IX. Manufacturing Tax Credits

Bob Bartholomew presented the annual information (pages 44-47 of the packet) and recommended the body forward the item to the full Assembly for approval.

Mr. Jones asked if the company that had not submitted an application for annual exemption this season had been contacted by staff.

Mr. Bartholomew stated that Taku Smokeries had been contacted prior to the application deadline.

Mayor Koelsch, moved the AFC forward the Business Property Tax Manufacturing Exemption Amounts to the Assembly for approval. Without OBJECTION.

Minutes - Assembly Finance Committee Meeting
Wednesday, April 11, 2018, 5:30 p.m.

X. Information Items

Chair Kiehl notified the Assembly members that he will sign the Audit Engagement letter, including the fee inflation adjustment already included in the contract.

Without OBJECTION.

XI. Next Meeting Date

Wednesday, April 18, 2018

XII. Adjournment

Meeting was adjourned at 8:07 PM

Presented by: The Manager
 Introduced: April 4, 2018
 Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2018-10

**An Ordinance Establishing the Rate of Levy for Property Taxes
 for Calendar Year 2018 Based Upon the Proposed Budget for Fiscal Year 2019.**

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

Section 2. Rates of Levy. The following are the rates of levy on taxable property within the City and Borough of Juneau for the Calendar Year beginning January 1, 2018, based upon the proposed budget for Fiscal Year 2019 beginning July 1, 2018.

<u>Operation Mill Rate by Service Area</u>	<u>Millage</u>
Roaded Service Area	2.30
Fire Service Area	0.36
Areawide	6.70
<u>Operating Total</u>	<u>9.36</u>
<u>Debt Service</u>	<u>1.30</u>
<u>Total</u>	<u>10.66</u>

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

Adopted this _____ day of _____, 2018.

 Kendell D. Koelsch, Mayor

Attest:

 Laurie J. Sica, Municipal Clerk

Presented by: The Manager
 Introduced: April 4, 2018
 Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2018-11(b)

**An Ordinance Appropriating Funds from the Treasury
 for FY19 City and Borough Operations**

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

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau, excluding the Juneau School District, for the fiscal year beginning July 1, 2018, and ending June 30, 2019. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE :

State Support	\$ 18,071,500	\$ 18,075,000
Federal Support	2,606,400	3,306,400
Taxes	102,686,800	
Charges for Services	136,666,400	136,667,200
Licenses, Permits, Fees	11,163,300	
Fines and Forfeitures	308,700	
Rentals and Leases	4,838,600	
Investment & Interest Income	2,948,400	
Sales	678,800	
Other Revenue	323,200	
Total Revenue	280,292,100	280,996,400
General Governmental Fund Balance Decrease	1,371,100	1,998,000
All Other Funds Fund Balance (Increase)/Decrease	(6,368,000)	(5,626,600)
Support From Other Funds	65,399,200	66,111,500
Total Estimated Funding Sources	\$ 340,694,400	\$ 343,479,300

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

APPROPRIATION:

General Governmental Funds:

Mayor and Assembly	\$ 5,199,300	\$ 5,538,500
City Manager	2,715,600	2,827,700
City Clerk	372,100	377,000
Human Resources	639,800	648,400
Management Information Systems	2,764,800	2,794,700
Capital City Fire	4,275,900	4,285,700
Capital City Rescue	4,501,500	4,511,100
Capital Transit	6,863,200	6,929,000
Community Development	2,949,500	2,992,700
General Engineering	523,900	530,000
Finance	5,670,100	5,752,400
Law	2,338,300	2,363,100
Libraries	3,492,200	3,534,800
Parks and Recreation:		
Parks and Landscape	2,188,800	2,213,200
Recreation	5,708,300	5,763,400
Visitor Services	1,139,000	1,148,800
Police	15,159,100	15,658,000
Streets	5,359,200	5,395,200
Support To Other Funds:		
School District	27,789,100	
Debt Service	56,300	
All Other Funds	800,000	825,000
Interdepartmental Charges	(4,579,100)	
Capital Projects Indirect Cost Allocation	(524,300)	
Total	95,402,600	96,830,700

Special Revenue Funds:

Sales Tax	1,081,800	
Hotel Tax	24,500	
Tobacco Excise Tax	41,100	
Affordable Housing	116,000	
Downtown Parking	461,200	461,700
Eaglecrest	2,700,500	
Lands	1,199,200	1,153,000
Library Minor Contributions	100,000	
Marine Passenger Fee	5,500	
Port Development	5,500	
Support To Other Funds	58,759,000	59,444,200
Total	64,494,300	65,133,800

Debt Service Funds	18,030,200	
Special Assessment Funds:		
Special Assessment	121,400	
Support To Other Funds	<u>248,900</u>	251,000
Total	<u>370,300</u>	372,400
Jensen-Olson Arboretum	90,000	
Enterprise:		
Juneau International Airport	<u>7,427,700</u>	7,492,900
Bartlett Regional Hospital	<u>100,907,400</u>	100,692,400
Boat Harbors	<u>3,987,900</u>	4,015,500
Docks	<u>1,768,400</u>	1,782,000
Water	<u>3,414,900</u>	3,446,600
Wastewater	<u>11,269,800</u>	11,344,500
Waste Management	<u>1,441,800</u>	1,444,900
Support To Other Funds	5,445,000	
Interdepartmental Charges	(11,000)	
Total	<u>135,651,900</u>	135,652,800
Internal Service Funds:		
Equipment Acquisition	3,476,300	
Fleet Maintenance	<u>2,141,400</u>	2,153,500
Building Maintenance	<u>2,488,700</u>	2,509,000
Risk Management	<u>22,609,100</u>	22,620,200
Interdepartmental Charges	<u>(29,130,400)</u>	(29,109,600)
Total	<u>1,585,100</u>	1,649,400
Capital Projects:		
Capital Projects	<u>23,007,700</u>	23,627,500
CIP Engineering	<u>2,062,300</u>	2,092,500
Total	<u>25,070,000</u>	25,720,000
Total Appropriation	<u>\$ 340,694,400</u>	\$ 343,479,300

\

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

Adopted this __ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
 Introduced: April 4, 2018
 Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2018-11

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Total	1,585,100
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Total	25,070,000
Total Appropriation	\$ 340,694,400

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

Adopted this __ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

BEFORE THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU

SOUTHEAST ALASKA LAND TRUST,	)	
<i>Appellant,</i>	)	
	)	
v.	)	
	)	Appeal of:
CITY AND BOROUGH OF JUNEAU	)	2016-03-29 Email
ASSESSOR,	)	2016-07-28 Letter
<i>Appellee.</i>	)	
	)	

ASSESSOR’S PETITION FOR RECONSIDERATION (CBJ 01.50.180)

A. The decision would apply to the parcel with the no trespassing signage.

There is undisputed evidence that from at least October 2014 through April 2016, Lot 43 had large railroad timbers with multiple signs reading “PRIVATE PROPERTY – KEEP OUT” and “NO PARKING.”¹ The railroad timbers and signage are the only improvements on the parcel and entirely cover the parcel (Lot 43).²

In its first decision, the Assembly held that signage is a relevant factor for the Assessor to consider.³ Because of the generalized assertions made and the lack of any specific facts in the affidavit submitted by SEAL Trust (which was the only piece of evidence submitted by SEAL Trust purporting to show evidence of actual use), the Assessor found the prohibitory signage –which would have allowed SEAL Trust to criminally trespass individuals from using Lot 43 – meaningful.

The Assembly’s May 14, 2018, decision would mean that prohibitory signage is

¹ Ex. 1 (Assessor’s Second Brief at 11-12 and R. 487-488).

² Ex. 2 at 4 (R. 428).

³ Ex. 3 at 7 (R. 624, “We hold facilities and signage are factors to consider, but not legal prerequisites to finding outdoor recreational use as a nonprofit charitable purpose.”).

irrelevant. A parcel would be able to qualify for the charitable purpose exemption based on “public recreational use” even if the parcel is signed to specifically prohibit such public use.

B. SEAL Trust admits that there were no essential improvements identifying each parcel and giving the public reasonable notice that its parcels were available for public use.

In the Assembly’s first decision, it cited to the *Dena Nena Henash* case, stating “the exclusive use test requires analysis of whether the property is being used exclusively for a charitable purpose.”⁴ And as the *Dena Nena Henash* court noted, the burden to show exclusive use and eligibility for an exemption is on the taxpayer, with exemptions strictly construed against the taxpayer and in favor of the taxing authority.⁵ Finding it plausible that SEAL Trust had not understood it “needed to show evidence of actual use at all,” the Assembly remanded the issue back to the Assessor to give SEAL Trust “the opportunity to provide the Assessor with any reasonable form of evidence of actual use for public recreational purposes, on each of its 15 parcels.”⁶

On remand, SEAL Trust submitted exactly one piece of evidence: an affidavit from its executive director that presented only generalized use information.⁷ The Assessor found the affidavit to be insufficient—standing alone—to prove actual, exclusive, recreational use of the parcels.

The Hearing Officer did not give any deference to the Assessor’s weighing of the

⁴ Ex. 3 at 10 (R. 627)

⁵ *Fairbanks N. Star Borough v. Dena Nena Henash*, 88 P.3d 124, 129 (Alaska 2004).

⁶ Ex. 3 at 11 (R. 627).

⁷ Ex. 4 (R. 632).

sufficiency of SEAL Trust’s evidence. Despite the Assembly’s direction to the Assessor to consider evidence of actual exclusive use and its instruction as to the factors that could be considered, the Hearing Officer ignored that Assembly direction and found the mere fact that an affidavit had been submitted to be important.

By adopting the Hearing Officer’s proposed decision, the Assembly tethers itself with form over substance. The Assessor never challenged the form (affidavit) of how SEAL Trust presented its evidence. In denying SEAL Trust the exemption, the Assessor found the affidavit was insufficient to provide the substantial evidence needed to support granting the exemption. The Assessor concluded that the totality of facts – the generalized affidavit in light of the lack of signage, the lack of improvements of any kind giving notice to the public that the parcels were available for recreational use⁸, the lack of recreational facilities, and the lack of onsite parking, was insufficient evidence to justify granting the exemption.⁹

⁸ The Assessor focused on such essential improvements because those are the essential improvements on the Mendenhall Wetlands, which the Assembly used for its recreational purpose authority in the first decision:

Because outdoor recreational activities like walking, hiking, birdwatching and wildlife viewing do not depend on the provision of facilities, facilities are but one consideration and not a prerequisite to finding a nonprofit charitable purpose based on recreational use. Noteworthy is that the Mendenhall Wetlands State Game Refuge is considered by the State to have a recreational purpose though, as SEAL Trust points out, it lacks facilities.

Ex. 3 at 7.

⁹ Ex. 5 (R. 633-634); Ex. 6 (SEAL Trust admits that its “properties lack signage, informational kiosks, bear-resistant trash cans, and other items that the Assessor now calls ‘essential improvements.’”); Ex. 7 (R. 301: “These sites are now without access or connectivity to public services...”); Ex 2 at 1-2 (R. 425- 426).

The decision adopted by the Assembly on May 14th does not consider this “substantial evidence” question. The decision is predicated solely upon a finding that affidavits are a “reasonable form of evidence,” which was never disputed. The Assembly’s decision on May 14th grants SEAL Trust the charitable exemption simply because SEAL Trust presented an affidavit purporting to describe recreational use, despite it admitting that its parcels lacked the essential improvements necessary for a reasonable person to have any notice that its land was available for public recreational use and despite the “PRIVATE PROPERTY – KEEP OUT” signs.

In summary, if the Assembly’s May 14th decision remains standing, it could be precedent for the following points of law:

1. A parcel can qualify for the charitable purpose exemption based on public recreational use despite signs that prohibit public use.
2. A parcel can qualify for the charitable purpose exemption based on public recreational use when the parcel lacks any essential improvements (i.e. informational kiosk, boundary signage, on-site parking, etc.) to give a reasonable person notice that the land is even available for public use.
3. A parcel can qualify for the charitable purpose exemption based on public recreational use despite never providing evidence of where the use occurs, how often the use occurs, or who the users are.
4. Despite the CBJ’s position that vacant land was not eligible for an A.S. 29.45.030(a)(3) exemption, which the taxpayer conceded, and the superior court’s conclusion in *Catholic Bishop of Juneau v. CB J* (2009) (Shrine of St. Therese exemption case), the CBJ Assembly now concludes the opposite is true as a matter of State law.¹⁰

¹⁰ Ex. 8 (Assessor’s Second Brief at 21-23).

5. Despite Alaska having more public land available for recreational use than any other state and SEAL Trust's appraiser stating that the highest and best use of its vacant land would be for housing, the Assembly declares that making vacant land available for public recreation in Alaska is a charitable purpose.

The Assembly should vacate the May 14th decision and either:

1. Deny the exemption to Lot 43. Then moot the remainder of this appeal by granting SEAL Trust a community purpose exemption for tax year 2016 just like the Assessor has granted for the tax years before and after this appeal, refund the \$500 appeal fee, and request the Manager to consider refunding interest on the taxes paid; or
2. Because of the precedence this decision may have on future exemption decisions, the Assembly should reconsider the appeal and issue its own decision in this matter to answer the unresolved issue: given the facts of this case, did the Assessor err in finding that SEAL Trust's vacant parcels did not qualify for a charitable purpose property tax exemption.

City & Borough Attorney
 City & Borough of Juneau, Alaska
 155 South Seward Street, Juneau, Alaska 99801
 ph: 907-586-5242 CBJLaw.Service@juneau.org

DATED: May 18, 2018



Bob Bartholomew
CBJ Finance Director

DATED: May 18, 2018



Robert H Palmer III
AK Bar No. 1405032
Assistant Municipal Attorney
Attorney for CBJ Assessor

Although I am concerned that I cannot consider the May 19 affidavit, I have proceeded according to the Assembly's decision dated April 5, 2017.⁴⁵

A. Lot 43 does not qualify for the charitable purpose exemption because the “Private Property Keep Out” and “No Parking” signs prohibited public use.

If there are signs that prohibit public use, there cannot be a charitable purpose based on recreational use because there is no charity.⁴⁶

The Assembly's April 5 Decision never addressed Lot 43 and it did not reverse the Assessor's determination that the “No Trespassing” and “Private Property Keep Out” made Lot 43 nonexempt for 2016. Lot 43 is a small vacant lot and was completely subject to the prohibitory signs.⁴⁷ From approximately October 2014 through at least April 2016, Lot 43 had large railroad timbers with multiple prohibitory signs posted:⁴⁸



Figure 1⁴⁹

⁴⁵ R. 633-634.

⁴⁶ *Matanuska-Susitna Borough v. King's Lake Camp*, 439 P.2d 441, 445 (Alaska 1968).

⁴⁷ R. 403-404; R. 428; R. 234-238.

⁴⁸ R. 178 (picture of timbers dated October 2014); R. 234-237 (pictures of timbers and signs dated April 2016); R. 412 (dated June 2016 Assessor stating the signs and timbers were recently removed); R. 419 (On July 20, 2016, Ms. Gillum stated “I recognize those signs and timbers were recently removed...”); R. 463.

⁴⁹ R. 234.

Figure 2⁵⁰Figure 3⁵¹

Because public use of Lot 43 was prohibited by the posted signs and because parking was prohibited, Lot 43 to does not qualify for the charitable exemption for 2016.

B. SEAL Trust's remaining 13 vacant parcels do not qualify for the charitable exemption.

There is no evidentiary dispute regarding the character of the remaining land: "All of these properties are presently being conserved in their natural, undeveloped condition..."⁵² SEAL Trust's land is vacant. There is simply insufficient evidence in this record for the Assessor to grant the charitable exemption.

⁵⁰ R. 236.

⁵¹ R. 237.

⁵² R. 417.

2. Parcel #13: North Douglas Lot 43

One parcel, #13, abuts the eastern extent of the Mendenhall Wetlands State Game Refuge, but is not within the Mendenhall Wetlands State Game Refuge.¹⁹

Parcel #13 has direct road access from North Douglas Highway and is developed with an area that could be used as a parking lot.²⁰ There is also a short steep trail from the parking area down to the saltwater.²¹ However “SEAL Trust is not actively encouraging parking on this property as the site still needs work before it will be ready for full utility.”²²

SEAL Trust purchased parcel #13 with state funds to create “a fishing access site along North Douglas Highway for use by the general public.”²³ SEAL Trust later explained there were three reasons for acquiring this parcel: (1) provide an undevelopable property buffer for the adjacent Mendenhall Wetlands State Game Refuge, (2) preserve undeveloped, scenic viewsheds, and (3) provide public access for fishing.²⁴

¹⁹ R. 166.

²⁰ SEAL Trust Opening Brief at 4; R. 407 & 411; See R. 217-221.

²¹ R. 405.

²² R. 405.

²³ R. 159; R. 403.

²⁴ R. 403.

However, from approximately October 2014 through at least April 2016, the property had large railroad timbers with multiple “No Parking” and “Private Property Keep Out” signs posted:²⁵



Figure 1²⁶



Figure 2²⁷



Figure 3²⁸

Parcel #13 is not encumbered with any development restrictions or conservation easements.²⁹

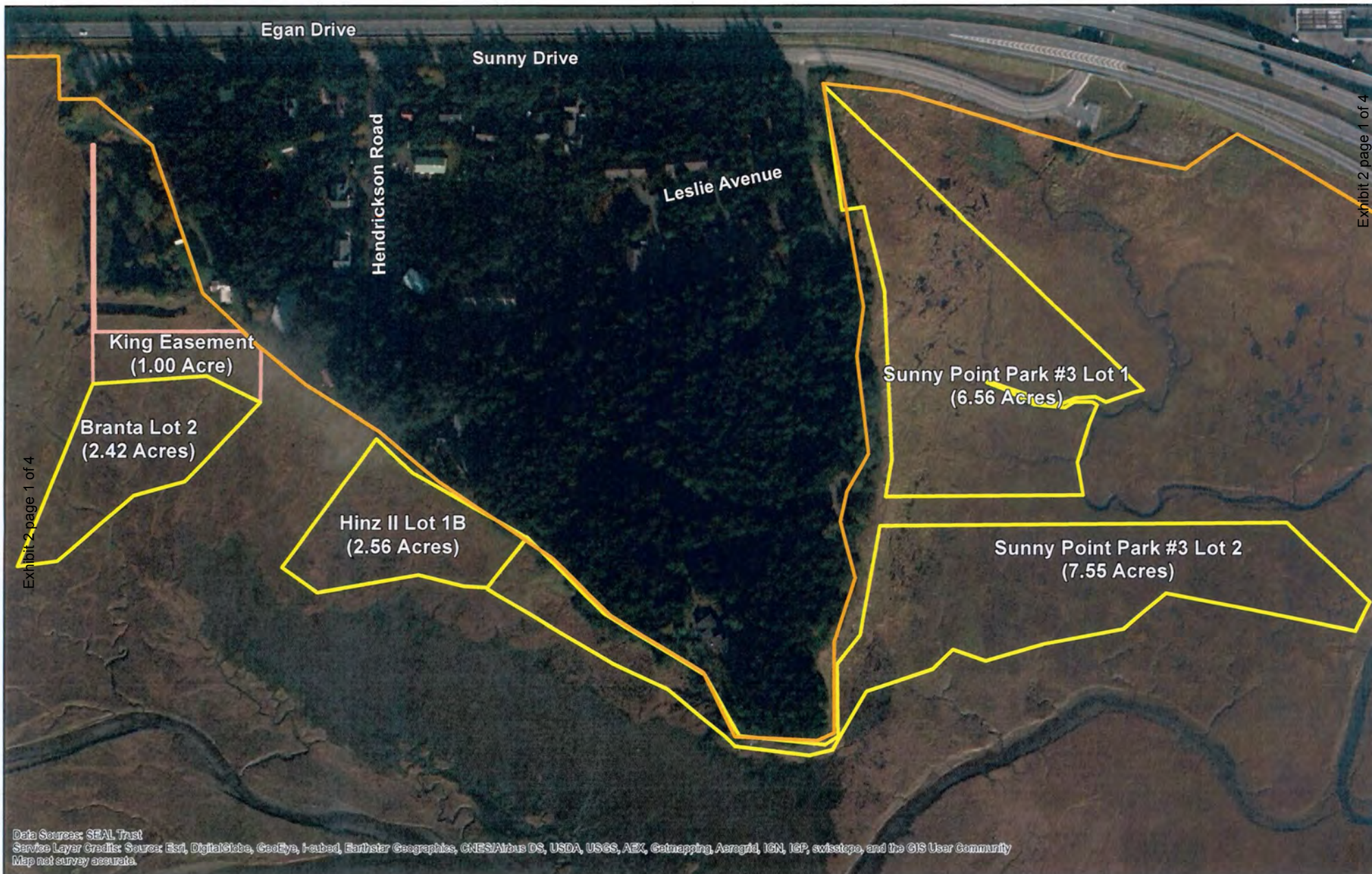
²⁵ R. 161; R. 217-221; R. 395; R. 401-403; SEAL Trust Opening Brief at 4.

²⁶ R. 217.

²⁷ R. 219.

²⁸ R. 220.

²⁹ See R. 403; R. 161-201.



-  SEAL Trust Properties
-  King Easement
(Owned by Jim and Mary Lou King)
-  Refuge Boundary (1976)

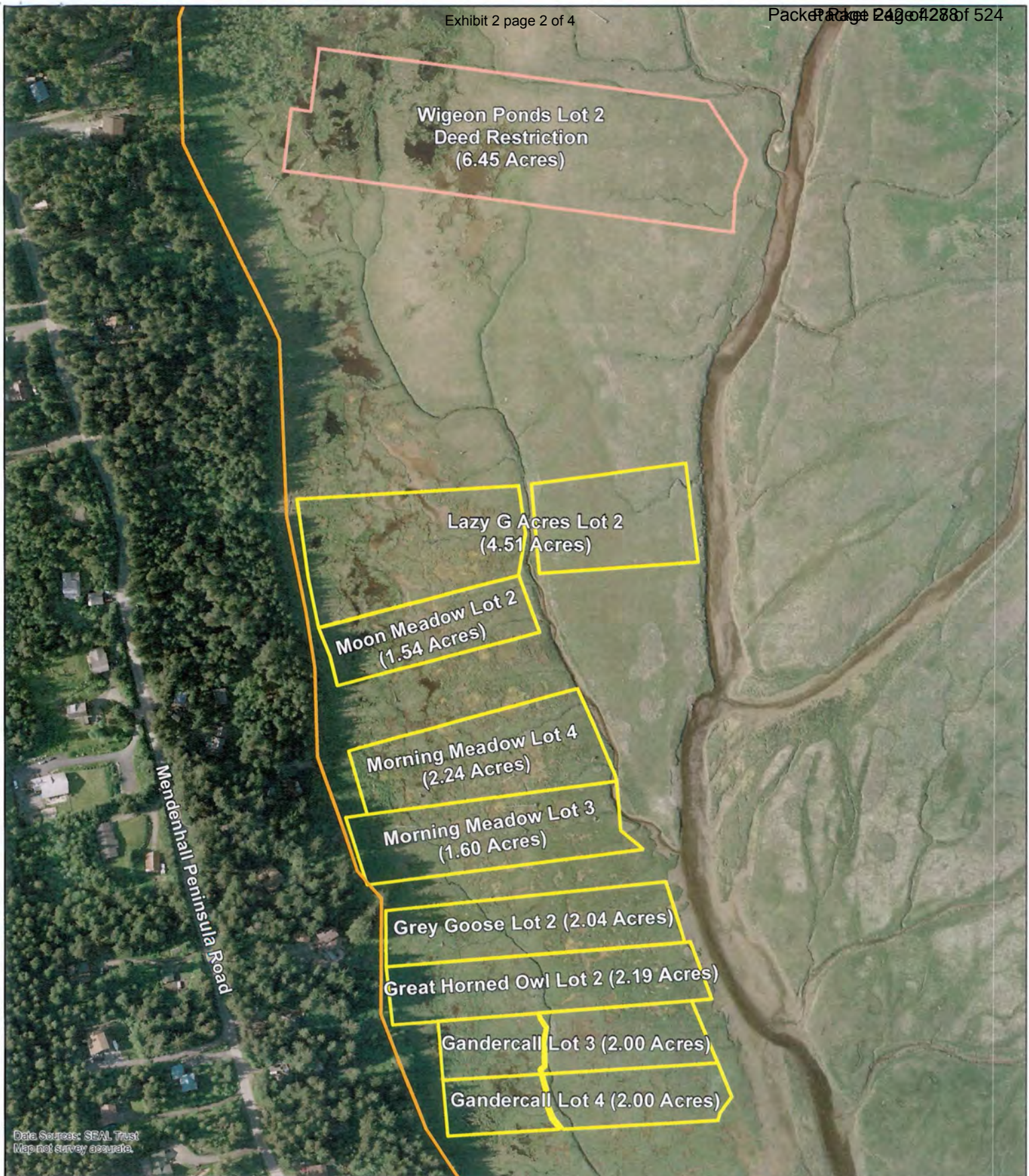
Sunny Point Properties
 Mendenhall Wetlands State Game Refuge
 19.09 Acres
 Juneau, Alaska



0 250 500 Feet

Date Prepared: July 19, 2016
 Prepared by: Allison Gillum





SEAL Trust Properties



State of Alaska Property



Refuge Boundary (1976)

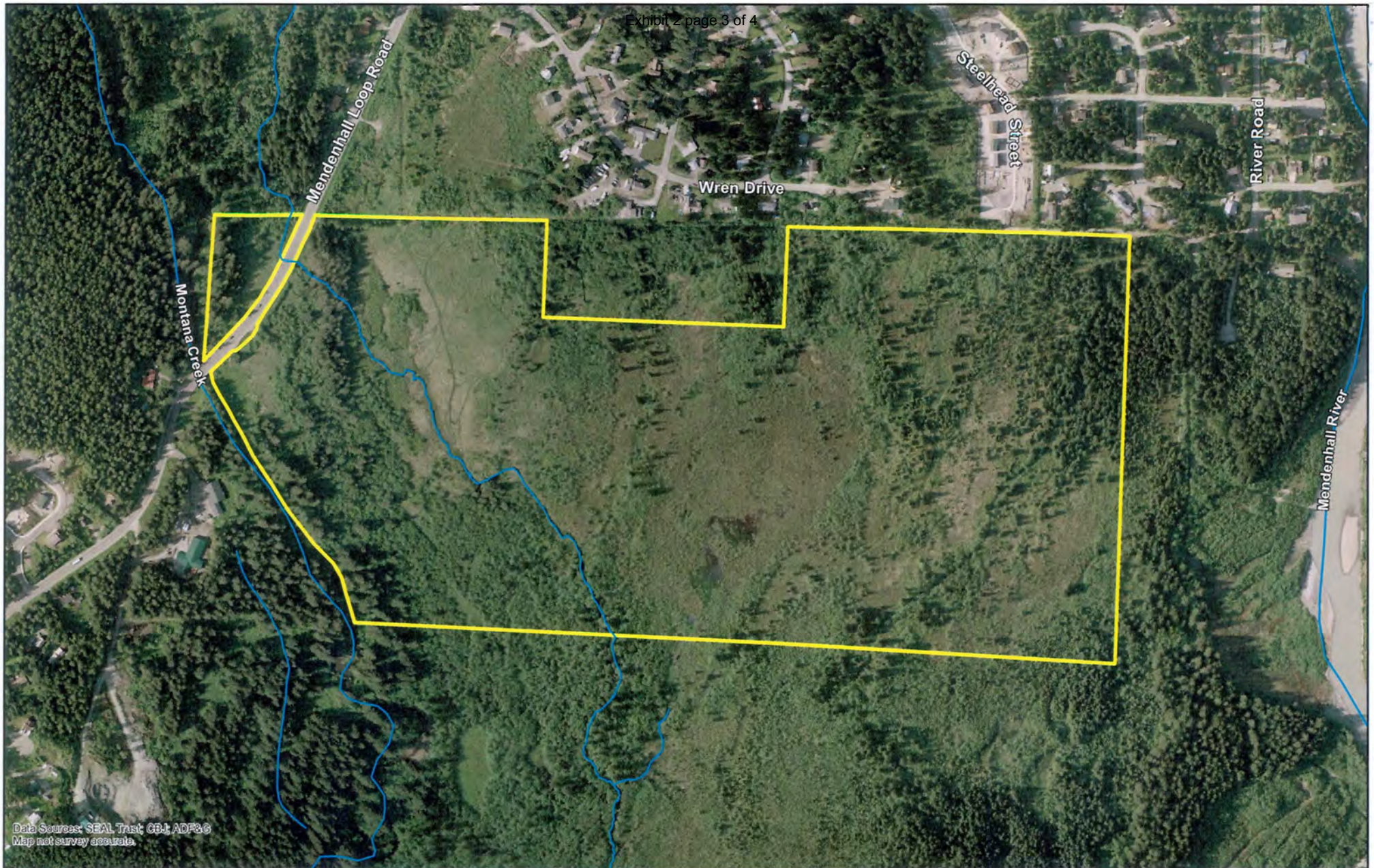
Mendenhall Peninsula Properties
Mendenhall Wetlands State Game Refuge
18.12 Acres
Juneau, Alaska



0 200 400 Feet



Date Prepared: July 19, 2016
Prepared by: Allison Gillum



Data Sources: SEAL Trust; CBL ADF&G
Map not survey accurate



Montana Creek Wetlands Boundary



ADF&G Anadromous Waters

Aerial Photograph Map
Montana Creek Wetlands
127.77 acres
Juneau, Alaska



0 110 220 Feet



Date Prepared: July 19, 2016
Prepared by: Allison Gillum



Data Sources: SEAL Trust; CBJ; ADF&G
Map not survey accurate.

-  Property Boundary
-  CBJ Parcels

Aerial Photograph Map
USS 3173 Lot 43
0.2 acres
Juneau, Alaska



DAH No. 17-0877-MUN Record Page 42 of 43



Date Prepared: July 19, 2016
Prepared by: Allison Gillum

BEFORE THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU

SOUTHEAST ALASKA LAND TRUST

Appellant,

vs.

CITY AND BOROUGH OF JUNEAU
ASSESSOR

Appellee,

Appeal of CBJ Assessor Decisions:
2016-03-29 Email
2016-07-28 Letter

DECISION ON APPEAL

I. Introduction

This appeal seeks Assembly review of the CBJ Assessor's decision denying Appellant Southeast Alaska Land Trust ("SEAL Trust") a charitable purpose property tax exemption under AS 29.45.030(a)(3), with respect to 14 parcels of property.¹ Both parties were represented by counsel.² Based on careful review and consideration of the agency record, the parties' briefing, and the oral arguments presented at a February 1, 2017 hearing, the Assembly³ sets aside the Assessor's

¹ The initial Notice of Appeal filed April 18, 2016, challenged the Assessor's decisional March 29, 2016 email. [R. 98-102] On August 15, 2016, following a stay of the appeal to facilitate the parties' further exchange of information and resolution efforts, SEAL Trust filed a revised Notice of Appeal which added the Assessor's July 28, 2016 letter to the decision being challenged. We consider this formal, more comprehensive July document to be the Assessor's final decision (hereafter "Assessor Decision").

² Attorney Lael Harrison represented the Appellant and Assistant Municipal Attorney Robert Palmer represented the Assessor.

³ Seven of nine Assembly members participated in this appeal.

charitable purpose legal conclusion and remands this matter for further proceedings consistent with this decision.⁴

II. Appeal Issues Stipulated to by the Parties

1. Whether the SEAL Trust has a nonprofit charitable purpose.
2. Whether each of SEAL Trust's 14 properties are being used for an exempt purpose.

III. Statement of the Case

The facts in this appeal are largely undisputed. SEAL Trust is an Alaska non-profit corporation "organized exclusively for educational, scientific, and charitable purposes within the meaning of §501(c)(3) of the United States Internal Revenue Code" with its "purposes [being]" "to conserve Alaska's lands and natural and cultural resources for the benefit of the general public." [R. 74; 30; 50-55] The Assessor has also not challenged SEAL Trust's statement that the subject properties:

"were acquired for the purpose of protecting natural resources, habitat, and open natural space as well as for public recreation, scientific study, and education . . . [and that] [a]ll of the 14 parcels are presently being conserved in their natural, undeveloped condition and provide natural habitat for wildlife as well as open space for public recreation, scientific study, and education, furthering SEAL Trust's conservation purposes and mission."⁵

Thirteen of the lots abut⁶ the Mendenhall Wetlands State Game Refuge ("Refuge") and the other lot buffers Montana Creek. [R. 402-403]

From 2011 through 2015, SEAL Trust applied for and was granted the community purpose exemption under CBJ 69.10.020(8), an optional local exemption under State law that the Assessor

⁴ As required by CBJ 01.50.140(b)(4), the parties were given the opportunity to review and file written objection to the Assembly's proposed decision. Only the Appellee filed an objection, which the Assembly considered prior to adopting its proposed decision without modification.

⁵ Opposition Brief of CBJ Assessor ("Assessor's Brief") at 2 [citing SEAL Trust at R. 402]

⁶ The Assessor's Brief indicates that twelve of these thirteen parcels are located "*within*" the Refuge, while the SEAL Trust refers to all thirteen of these lots being "*adjacent*" to the Refuge. Cf. Assessor Brief at 4, 6 and SEAL Trust Brief at 3-4.

indicated would have also been granted in 2016, had SEAL Trust applied for it.⁷ Instead, in 2016 SEAL Trust applied for the charitable purpose exemption in AS 29.45.030(a)(3), which exempts from taxation “property used exclusively for non-profit religious, charitable, cemetery, hospital, or educational purposes.”

The Assessor denied the application concluding SEAL Trust did not have a nonprofit charitable purpose because recreational facilities are required to qualify recreational use as a charitable purpose, and land preservation alone, is not a charitable purpose.⁸ The Assessor further concluded that even if a charitable purpose could be established, denial was appropriate because there was “no evidence of any use, let alone charitable use of the parcels.”⁹ Quoting the Appellant, the Assessor added, “SEAL Trust does not keep records of who actually used the parcel and how often the parcel was used.”¹⁰

IV. Standard of Review and Burden of Proof

This administrative appeal is governed by CBJ 01.50. The Assembly’s decision “may affirm, modify or set aside the [Assessor’s] decision in whole or part.”¹¹ The Assembly may also “remand any issue to the agency.”¹²

The Assessor’s interpretation of the charitable purpose exemption presents primarily a question of law. We concur with the parties that the substitution of judgment standard applies to questions of law, whereby deference is not given to the Assessor’s interpretation of law.¹³ Rather

⁷ Assessor Decision at 2.

⁸ See Assessor Decision at 3-5.

⁹ Assessor Decision at 5.

¹⁰ Assessor Decision at 5.

¹¹ CBJ 01.50.140(a).

¹² *Id.*

¹³ *Fairbanks N. Star Borough v. Dena Nena Henash*, 88 P.3d 124, 128 (Alaska 2004); Assessor Brief at 10-11; SEAL Trust Brief at 2.

we are to apply our independent judgment and adopt the rule of law most persuasive in light of precedent, reason and policy.¹⁴

To the extent we review a factual finding of the Assessor, we agree with the Assessor that the substantial evidence standard applies. As defined by the Alaska Supreme Court, “[s]ubstantial evidence is evidence that a reasonable mind might accept as adequate to support a conclusion.”¹⁵

The burden of proof is on SEAL Trust, both as the appellant in this administrative appeal, and as the taxpayer seeking a tax exemption.¹⁶

V. The Charitable Purpose Exemption Law

The charitable purpose exemption originates in the Alaska Constitution, Article IX §4:

The real and personal property of the State or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law, shall be exempt from taxation . . .

This mandatory exemption is codified in Alaska Statutes 29.45.030:

(a) The following property is exempt from general taxation:

...
(3) property used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes.

The Alaska Supreme Court has interpreted the charitable purpose exemption to require a two-part analysis: “first, whether there is a nonprofit, charitable purpose, and second, whether the property is being exclusively used for an exempt purpose.”¹⁷

Neither the Constitution nor the Alaska Statutes defines “charitable purposes.” Citing to this lack of a definition, in charitable purpose tax exemption cases the Alaska Supreme Court has

¹⁴ *Id.*

¹⁵ Assessor’s Brief at 10 (citing *Williams v. Ketchikan Gateway Borough*, 295 P.3d 374, 375 (Alaska 2013) (internal citations omitted)).

¹⁶ CBJ 01.50.070(b); *Dena Nena Henash*, 88 P.3d at 129.

¹⁷ *Dena Nena Henash*, 88 P.3d at 130.

approvingly repeated the following statement as “typifying the ‘broad scope’ given to [the terms ‘charity’ and ‘charitable’]:

It is quite clear that what is done out of good will and a desire to add to the improvement of the moral, mental, and physical welfare of the public generally comes within this meaning of the word ‘charity.’ To crowd out coarseness, cruelty, brutality from social man undoubtedly results in this this betterment.”¹⁸

The Court has gone on to observe:

“We later characterized this statement as ‘the broad common law definition of “charity”’ . . . This definition provides some guidance, but it does not purport to specify prerequisites for eligibility. It provides only a general framework for determining eligibility. Applying this framework, we have concluded that properties used for a youth summer recreational camp, a youth hostel, and a church radio station were being used for charitable purposes.”¹⁹

CBJ Code 69.10.020(1) incorporates into local law the mandatory State law exemptions, including the charitable purpose exemption, by a single generic reference to “property exempted by state or federal law.”

CBJ 69.10.005, the Definition section, includes some phraseology from Alaska case law:

Property used exclusively means

...

2) For charitable use, that property owned by a nonprofit charitable corporation and which is used only for the purpose of improving the moral, mental and physical welfare of the public generally.

VI. FINDINGS AND CONCLUSIONS

A. WHETHER SEAL TRUST HAS A NONPROFIT CHARITABLE PURPOSE.

The first issue we are asked to review is the Assessor’s conclusion that the SEAL Trust failed to show it had a nonprofit charitable purpose. The Assessor Decision provides:

In summary, I cannot find a charitable purpose based on recreational use or land preservation because the evidence submitted by SEAL Trust describes that public use is prohibited in all or portions of the parcels and describes that there are no

¹⁸ *Dena Nena Henash*, 88 P.3d at 132 (Alaska 2004)(citing *Matanuska-Susitna Borough v. King’s Lake Camp*, 439 P.2d 441, 445 (Alaska 1968) (citation omitted).

¹⁹ *Id.*

recreational facilities. Furthermore, state law does not authorize land preservation as an exemption, and exemptions are strictly construed. Ultimately the legislature is uniquely suited to determine if land protection efforts confer significant economic and social benefit to warrant exempting those parcels from taxation. As evidenced by AS 29.45.062, the legislature reached a different determination.

We conclude the Assessor's nonprofit charitable purpose determination was in error for the following reasons.

1. SEAL Trust's organizational documents reflect the twofold nonprofit purpose SEAL Trust asserts should qualify as charitable: conservation and public recreation.

SEAL Trust asserts it has a twofold nonprofit charitable purpose: conserving lands in Alaska with significant natural and cultural values for the benefit of the general public, and making that land open and available in its natural condition for public recreational use consistent with conservation. Without reaching the 'charitable' character question, we find these two nonprofit purposes are well documented in SEAL Trust's organizational documents and elsewhere in the record.²⁰

2. Recreational use can qualify as a charitable purpose under Alaska law.

The parties agree that recreational use can qualify as a charitable purpose under Alaska law, as recognized by the Alaska Supreme Court in the *Matanuska-Susitna Borough v. King's Lake Camp*.²¹ The disagreement is with the Assessor's statement, "I find that recreational use can be a charitable purpose *when recreational facilities are provided*."²²

3. The criteria the Assessor applied to determine whether SEAL Trust established recreational use as a nonprofit charitable purpose were flawed.

SEAL Trust's legal argument on this point has merit.²³ While there were recreational

²⁰ See [R. 30-34, 49]

²¹ See 430 P.2d 441 (Alaska 1968), Assessor Decision at 3 and SEAL Trust Brief at 9-11.

²² *Id.* (emphasis added)

²³ See SEAL Trust Brief, at 10-11, 10.

facilities in the *King's Lake Camp* case, and the court observed “it has frequently been held that the providing of recreational facilities, such as accommodations for campers, is a charitable use of the property,”²⁴ neither the Legislature nor the Alaska Supreme Court have dictated that facilities are *required* to establish public recreational use of land as a charitable purpose. We do not interpret the charitable purpose exemption to require recreational facilities either.

Because outdoor recreational activities like walking, hiking, birdwatching and wildlife viewing do not depend on the provision of facilities, facilities are but one consideration and not a prerequisite to finding a nonprofit charitable purpose based on recreational use. Noteworthy is that the Mendenhall Wetlands State Game Refuge is considered by the State to have a recreational purpose though, as SEAL Trust points out, it lacks facilities.²⁵

It also appears the Assessor put significant weight on the lack of signage indicating the undeveloped parcels were “available for public use.”²⁶ There is no bright line test that *requires* signage to be posted showing property is open to public use in order to find a nonprofit charitable purpose. Considering Alaska’s common law definition for finding a charitable purpose “does not purport to specify prerequisites for eligibility,”²⁷ we hold facilities and signage are factors to consider, but not legal prerequisites to finding outdoor recreational use as a nonprofit charitable purpose.

4. The finding in the Assessor’s charitable purpose analysis that public use is prohibited in all or a portion of the SEAL Trust parcels is not supported by substantial evidence.

We do not find substantial evidence in the record showing SEAL Trust prohibits public use

²⁴ *King's Lake*, 439 P.2d. at 446.

²⁵ See SEAL Trust Brief at n.63 and Reply Brief at 10.

²⁶ Assessor Decision at 3.

²⁷ *Dena Nena Henash*, 88 P.3d at 132.

of its properties. We therefore cannot uphold denial of SEAL Trust's nonprofit charitable purpose claim for that reason. The Assessor relies largely on a SEAL Trust comment that, "[t]o achieve its conservation purpose, allowing public access is not required, and in some cases may be prohibited in order to protect sensitive or important resources for the good of the entire community."²⁸ In light of the rest of the record, we do not find this statement constitutes *substantial evidence* that SEAL Trust does in fact prohibit public use of all or a portion of its property.

Rather, SEAL Trust described how each parcel can be accessed by the public and answered "yes" to whether members of the public could reasonably access each parcel without trespassing.²⁹ There is also nothing in the record showing the Assessor disputed these descriptions of dispersed footpaths and public access to the parcels.³⁰

5. Because SEAL Trust adequately established a nonprofit charitable purpose based on recreational use, we need not decide whether conservation *alone* is a charitable purpose under the Alaska Constitution 9.4 and AS 29.45.030(a).

We expressly decline to decide whether conservation alone is a charitable purpose under the Alaska Constitution 9.4 and AS 29.45.030(a). The answer is not ascertainable from the plain language of either the Constitution or the Statute, nor has the issue ever been addressed by the Alaska Supreme Court in interpreting the charitable purpose exemption. It is an undecided question under state law.

6. We do not, however, interpret AS 29.45.062(a), which provides for the reduction in assessed value of property subject to a conservation easement, to prevent an otherwise qualified taxpayer, from receiving a charitable purpose exemption under AS 29.45.030(a).

Because both the taxpayer qualifications and the substantive requirements of these two

²⁸ [R. 403]

²⁹ [R. 404-405]

³⁰ SEAL Trust Brief at 4-5; SEAL Trust Reply Brief at 8.

statutory provisions are very different, we do not agree with Appellee's argument that AS 29.45.062(a) legally precludes a qualified taxpayer with a conservation easement from seeking to qualify for a charitable purpose exemption. No particular taxpayer status is required to obtain a reduced assessment on account of a conservation easement under that statute. In fact, the property can be use for entirely private purposes. The charitable purpose exemption, on the other hand, requires exclusive nonprofit charitable use of property for the broader public good. We see no legal reason why a nonprofit corporation could not seek to qualify for tax relief under either or both provisions.

B. WHETHER EACH OF SEAL TRUST'S 14 PROPERTIES ARE BEING USED FOR AN EXEMPT PURPOSE.

The charitable purpose exemption analysis requires a two-part inquiry: "first, whether there is a nonprofit, charitable purpose, and second, whether the property is being exclusively used for an exempt purpose."³¹ The Assessor answered the second prong of the exemption question in this summary fashion:

Even if there was a nonprofit, charitable purpose of each parcel, I cannot grant the exemption because SEAL Trust has not provided evidence of any use. Notably, SEAL Trust provided no evidence of any use, let alone charitable use of the parcels: "SEAL Trust does not keep records of who actually used the parcel and how often the parcel was used." Without evidence of actual charitable use, I cannot grant an exemption.³²

Having found SEAL Trust to have a nonprofit charitable purpose, and having reviewed the Assessor's findings with respect to the exclusive use test, we remand to the Assessor to take additional evidence on the question of whether each of SEAL Trust's 14 properties is being used for an exempt purpose, in keeping with the following findings:

³¹ *Dena Nena Henash at 130 Alaska 2004.*

³² Assessor Decision at 5

1. The Assessor is correct to require evidence of actual use of the property.

To the extent SEAL Trust urged that conservation alone should be a sufficient charitable purpose, it appears SEAL Trust believed that showing its parcels were *available* for public use was sufficient for satisfying the actual, exclusive use for exempt purposes.³³ However, Alaska law requires evidence of actual use for the exempt purposes, so on remand SEAL Trust must provide evidence that each of the subject parcels is actually used for conservation and public recreational purposes.

2. Records specifically identifying who used the property and/or how often the property was used are not required to show the property is actually and exclusively used for exempt purposes.

The exclusive use test requires analysis of whether the property is being used exclusively for a charitable purpose.³⁴ The Alaska Supreme Court has “interpreted ‘exclusive use’ to require that all uses of the property be for the ‘direct and primary’ exempt purpose.” The SEAL Trust’s charitable purpose is conservation and public recreation. When asked by the Assessor whether any commercial uses or other non-exempt uses occur on the parcel, SEAL Trust responded: “No commercial uses or other non-exempt uses occur on any of SEAL Trust’s 14 properties.”³⁵ The Assessor has not disputed this statement or identified *nonexempt* purposes for which the SEAL Trust property is used.

On remand, SEAL Trust must still show *actual use* of the 14 parcels for its exempt purpose. For this part of the analysis, we do not believe SEAL Trust’s failure to “keep records of who actually used the parcel and how often the parcel was used,” is fatal to satisfying the actual use test. Such

³³ See [R.400-401] and SEAL Trust Brief at 5.

³⁴ See *Dena Nena Henash*, 88 P3d. 124, 132 (Alaska 2004).

³⁵ [R. 404]

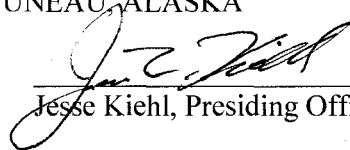
documentation might make it easier to prove actual use for exempt purposes, but is not a legal requirement.

To the extent SEAL Trust did not think it needed to show evidence of actual use at all, and that the Assessor appears to have found SEAL Trust's lack of specific records to be dispositive, on remand SEAL Trust should be given the opportunity to provide the Assessor with any reasonable form of evidence of actual use for public recreational purposes, on each of its 14 parcels.

DATED this 5th day of April 2017.

ASSEMBLY OF THE CITY AND BOROUGH
OF JUNEAU, ALASKA

By:


Jesse Kiehl, Presiding Officer

**AFFIDAVIT OF EXECUTIVE DIRECTOR
IN SUPPORT OF APPLICATION FOR
CHARITABLE PURPOSES TAX EXEMPTION
OF SOUTHEAST ALASKA LAND TRUST**

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

1. I am the Executive Director of the Southeast Alaska Land Trust (the "SEAL Trust").
2. One of my job duties as Executive Director is to monitor the use and condition of properties owned by the SEAL Trust.
3. Another of my job duties is to communicate with the SEAL Trust's members and supporters, and with members of the general public, about the SEAL Trust's properties.
4. In calendar year 2016, in the course of executing these job duties, I both personally observed people using the SEAL Trust's properties in the City and Borough of Juneau for recreational purposes, and spoke to people who reported to me that they used the SEAL Trust's properties for recreational purposes.
5. Some of the recreational purposes that I observed and that were reported to me included:
 - a. Walking
 - b. Hiking
 - c. Birdwatching
 - d. Fishing
 - e. Hunting
6. I personally observed and/or received reports of such recreational use on each of the SEAL Trust's 14 properties within the City and Borough of Juneau during calendar year 2016.

Allison Gillum
Allison Gillum

5/19/2017
Date

SUBSCRIBED AND SWORN TO before me this 19th day of May in 2017.



Katie Hein
Signature

Katie Hein
Printed Name

Notary Public for Alaska
My Commission Expires: November 3rd, 2020



Address: 155 Municipal Way, Juneau, AK 99801
Phone: 907-586-5220, Fax: 907-586-4520

OFFICE OF THE ASSESSOR

June 16, 2017

Allison Gillum
Executive Director
Southeast Alaska Land Trust
119 Seward Street, Suite 2
Juneau, Alaska 99801

SEAL Trust submitted an affidavit dated May 19, 2017, purporting to describe recreational uses that occurred on the 14 properties in issue. Because the charitable purpose exemption is an exemption required under state law (as opposed to authorized by city code), I consulted with the state assessor.

The state assessor agreed with my assessment that placing property, especially vacant undeveloped property, into a protective trust with undisclosed access and use restrictions does not meet the test for charitable use. The concept of charity has to do with the element of gift and providing a good or service at a cost below the cost of providing that same thing by other means. Unlike the charitable provision of a subsidized youth camp in *Matanuska-Susitna Borough v. King's Lake Camp*, 439 P.2d 441, 443 (Alaska 1968), SEAL Trust has not provided sufficient evidence of similar charitable uses on every one of the 14 properties. While the presence of recreational facilities is not dispositive for the charitable purpose exemption, a taxpayer is not eligible for the charitable purpose exemption based on a recreational purpose when the property is vacant and lacks recreational improvements like parking lots, restrooms, informational kiosks, posted rules, boundary signs, trash cans, etc. (R. 402-403); there are no signs indicating the public can use any parcel (R. 403); and when SEAL Trust relies on other property owners and other entities to provide parking and access to SEAL Trust's parcels (R. 404-405). Thus, SEAL Trust has not provided sufficient evidence of what charity it provides or how it is being provided at a lower cost through donation or the element of gift.

The state assessor also agreed that it is the applicant's burden to prove the exemption is warranted, and that in this case, the affidavit submitted fails to satisfy that burden as self-serving affidavits are not probative¹ and prior statements contradict the substance of the affidavit.

¹ *Peterson v. Wirum*, 625 P.2d 866, 870 (Alaska 1981) (stating that post hoc self-serving statements are not probative); *State v. Agoney*, 608 P.2d 762, 764 (Alaska 1980) (describing that a party's self-serving statements are not admissible unless they qualify for some exception to the hearsay rule or are used for non-hearsay purpose).

For example, on July 20, 2016, SEAL Trust stated that it does not have records of any use of the properties (R. 406), yet the affidavit now claims SEAL Trust has records of use in 2016. Furthermore, SEAL Trust had signs posted that prohibited public access on one parcel (R. 217, 219, 220) and even stated that it may prohibit public access on other parcels (R. 403), yet the affidavit fails to address or apportion those restrictions. Moreover, at oral argument, counsel for SEAL Trust described that bird hunting was prohibited on SEAL Trust property because of a CBJ law (42.20.050), yet the affidavit states that hunting has occurred on the property in 2016 despite Ordinance 2017-08 only allowing hunting as of May 24, 2017.

Although I am concerned that I cannot consider the May 19 affidavit, *I have proceeded* according to the Assembly's decision dated April 5, 2017.

Respectfully,

A handwritten signature in blue ink that reads "Robin Potter". The signature is fluid and cursive, with the first name "Robin" and last name "Potter" clearly distinguishable.

Robin Potter ACAA III
Assessor, Finance Department
City & Borough of Juneau
155 S. Seward Street
Juneau, AK 99801
907.586.0333

opportunity to provide the Assessor with any reasonable form of evidence of actual use for public reactional purposes on each of its 14 parcels.”⁴

The Assessor’s objections also state: “The Assembly never made a charitable purpose determination for any parcel.”⁵ But the Assembly actually stated: “SEAL Trust adequately established a nonprofit charitable purpose [for all its parcels] based on recreational use.”⁶

Similarly, the Assessor states that “the Assembly’s First Decision opened the door for the Assessor require evidence of essential improvements.”⁷ But the Assembly actually stated: “The criteria the Assessor applied to determine whether SEAL Trust established recreational use as a nonprofit charitable purpose [including requiring recreational facilities] were flawed.”⁸ The Assembly specifically considered the lack of signage and facilities⁹ on these parcels and held that the “SEAL Trust adequately established a nonprofit charitable purpose based on recreational use.”

⁴ R. 628.

⁵ Page 2.

⁶ R. 625.

⁷ Objections at 3.

⁸ R. 623.

⁹ For the first time in these Objections, the Assessor makes a new and strained argument about “essential improvements.” She argues that “essential improvements” are somehow different from “recreational facilities,” and that she can still deny the SEAL Trust’s exemption for lack of “essential improvements” if not for lack of “recreational facilities.” This is not an argument that she made to the Assembly in the first appeal, nor to the OAH before these objections, so she cannot raise it now. In any case, the Assembly was aware that the SEAL Trust’s properties lack signage, informational kiosks, bear-resistant trash cans, and other items that the Assessor now calls “essential improvements” and still held that the properties had a charitable recreational purpose.

HORAN & COMPANY

REAL ESTATE APPRAISERS/CONSULTANTS

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May 12, 2016

Allison Gillum | Executive Director
Southeast Alaska Land Trust
119 Seward Street, Suite 15
Juneau, Alaska 99801

Sent via email: allison@setrust.net

Re: Appraisal Report Market Value, Various Conservation Lots Within the Mendenhall Wetlands State Game Refuge, Juneau, Alaska; Our File # 16-038.

Dear Ms. Gillum,

This appraisal has been prepared to accompany your appeal for the 2016 assessed values of the variously identified parcels for which SEAL Trust holds title as Conservation Lots under the provisions of the City and Borough of Juneau code: CBJ 49.15.460(5) (E).

It appears the original assessed values were generally reflective of the prices paid by SEAL Trust for these lots prior to their encumbrance with the Conservation Lot Deed Restrictions. In order to provide economic incentive-fairness to the upland owners, the land was purchased at prices based on its highest and best use as part of the larger upland tract, which was connected to access, utilities, and provided other economic benefits to the overall larger parcel owner. These values are higher than the value of the land acquired as severed Conservation Lots. These sites are now without access or connectivity to public services and are further restricted by the Conservation Lot Deed Restrictions. We have, therefore, developed the value of the land acquired as part of the larger parcels as excess or surplus land unencumbered by the Conservation Lot Deed Restrictions. We then have estimated market discounts and acre price ranges that would be applicable to the severed sites to indicate the market value of the interest held by SEAL Trust as of January 1, 2016. The land, in this condition, has very little economic utility and therefore, minimum economic highest and best use value.

The estimated market values, retrospective to the effective date of the 2016 assessment, January 1, 2016, are summarized in the table below.

SEAL Trust's primary purpose of conservation directly conflicts with the provision of public access for recreation.⁸³

In addition, there is authority in the First Judicial District holding vacant land does not qualify for the charitable purpose exemption.

In *Catholic Bishop of Juneau v CBJ* (2009), the Superior Court in Juneau was asked if the properties at the Shrine of Saint Therese qualified for the charitable or religious purpose exemption. The court concluded the improved land used for exempt purposes qualified, but vacant land does not qualify for a property tax exemption.

In the Order on Cross-Motions for Summary Judgment, the court stated:

The contested rental cabins/lodge at the Shrine of Saint Therese are exempt from property taxation. Vacant land owned by the Shrine is subject to taxation as there is no evidence to support a conclusion that vacant land is subject to a religious or charitable tax exemption. There are, however, apparent fact questions in this case about the precise legal description of the vacant land subject to taxation.⁸⁴

In the Order on Motion for Reconsideration, the court stated:

The Shrine asks what vacant land the court referred to in its summary judgment order. The vacant land is the vacant land the Church paid property taxes for prior to 2002, which is neither improved nor has structures on it. This court's reference to grounds was to improved grounds.⁸⁵

Like the court's conclusion in *Catholic Bishop of Juneau*, vacant land used for conservation purposes cannot independently qualify for the charitable purpose

⁸³ *Supra* note 77.

⁸⁴ *Catholic Bishop of Juneau v CBJ*, 1JU-07-549CI, Order on Cross Motions for Summary Judgment at 25 (Nov. 11, 2009).

⁸⁵ *Id.*, Order on Motion for Reconsideration (Nov. 19, 2009).

exemption. Preservation of vacant land alone is not charitable. The charitable purpose exemption in Alaska requires more of a benevolent gift to the public than prohibiting development, especially residential development.⁸⁶

VI. CONCLUSION

Tax exemptions are narrowly construed in favor of the taxing authority, which means SEAL Trust has the burden—not the Assessor—to produce evidence sufficient to prove every one of the 14 properties qualifies for the charitable exemption. The Assessor is prohibited from only looking at Ms. Gillum’s supplemental affidavit because the substantial evidence standard requires evaluation of the record as a whole.

SEAL Trust has had copious opportunities to cure its defective original exemption application, yet it still fails to provide sufficient evidence to qualify all fourteen properties for the charitable purpose exemption. Because recreational use is not the primary purpose of these properties, it cannot be the basis for the charitable purpose exemption. Even if it could, multiple signs prohibited all public use of Lot 43, which categorically disqualifies it for the charitable purpose exemption. Regarding the remaining 13 lots, SEAL Trust failed to provide evidence of some degree of permanent recreational use and none of the properties had the essential improvements to give the public the bare minimum amount of notice and indication the property was actually

⁸⁶ *E.g.* R. 193 (describing for Lot 43, the highest and best use is for residential development); R. 377 (describing for the Black Bear lot that the parcel would appeal to owners who want low density residential development and the highest and best use of the parcel would be to hold for future speculative development); R. 311- 314 & R. 316 (describing that the highest and best use of the Mendenhall Parcels was to increase residential density or as surplus lands).



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Administration

OFFICE OF ADMINISTRATIVE HEARINGS

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April 24, 2018

By Email

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Robert H. Palmer
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Re: *In the Matter of Southeast Alaska Land Trust*, OAH No. 17-0877-MUN

Dear counsel:

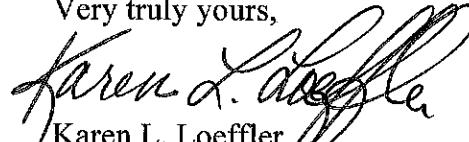
Attached please find the Proposed Decision on Appeal After Remand in the above captioned matter. Further objections and responses are governed by CBJ 01.50.140(c), which provides:

- (1) Within five days of service the ... proposed decision on a party, a party may file a written objection to all of any part of the proposed decision to which objection is taken, the basis for the objection, and the action which the objecting party seeks to have the appeal agency take. Within three days of the service on a party of objections, a party may file a written statement in support of the proposed decision. The hearing officer shall reconsider the proposed decision in light of timely filed objections and statements of support and shall promptly prepare any amendments to be made to the proposed decision or shall issue a statement that the objections to and the statements in support of the proposed decision have been considered and that no change in the proposed decision should be made. The hearing officer shall set forth the reason for any amendment or for the rejection of timely filed objections.
- (2) If no timely objections are filed, at the first regular meeting at which the matter may be scheduled or at a special meeting held for that purpose following the close of business on the last day upon which objections to the decision could have been filed, the proposed decision shall be placed before the appeal agency. If a timely objection is filed, at the first regular meeting at which the matter may be scheduled or at a special

meeting held for that purpose following the day upon which the hearing officer's response to the objections is filed with the appeal agency, the proposed decision, the timely filed written objections, the timely filed statements in support, and the hearing officer's response to the objections shall be placed before the appeal agency. Unless rejected or modified by an affirmative vote of the appeal agency on a motion to reject or modify the proposed decision, as amended by the hearing officer if such an amendment has been filed, shall be deemed adopted by the appeal agency and shall be the appeal agency decision. No testimony or evidence of any nature other than that contained in a timely filed objection may be received by the appeal agency at the meeting at which the proposed decision is presented.

(3) If the proposed decision is rejected by the appeal agency, the matter shall be immediately referred to the hearing officer for a rehearing of the appeal after notice to the parties; provided, the appeal agency may refer the appeal to a different hearing officer, may limit the scope of the rehearing to specified issues, may request the hearing officer to reconsider the proposed decision solely in light of new evidence raised in an objection, may place similar or different limits or conditions on the rehearing or reconsideration by the hearing officer, may remand the matter, or may rehear the matter itself after notice to the parties.

Very truly yours,


Karen L. Loeffler
Administrative Law Judge

cc: CBJ Municipal Clerk
Amy Mead, Municipal Attorney

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL
BY THE CITY AND BOROUGH OF JUNEAU**

In the Matter of	)	
	)	
SOUTHEAST ALASKA LAND TRUST	)	OAH No. 17-0877-MUN
	)	

PROPOSED DECISION ON APPEAL AFTER REMAND

I. Introduction

Southeast Alaska Land Trust (“SEAL Trust”) appeals the decision of the City and Borough of Juneau (“CBJ”) Tax Assessor (the “Assessor”) denying SEAL Trust’s application for a charitable purposes tax exemption for 14 parcels of land. This is the second appeal from a decision of the Assessor (“Assessor’s Second Decision”) to deny tax exemption for these parcels under AS 29.45.030(a)(3)—the Alaska “charitable purposes” tax exemption statute. The Assessor’s original decision denying SEAL Trust the exemption was set aside by the CBJ Assembly. The Assembly remanded the matter to the Assessor for a decision on the sole issue of whether SEAL Trust could show actual use of the parcels. SEAL Trust submitted an affidavit by its Executive Director, stating based on her observations and reports made to her, that all the properties had been used for recreational purposes. The Assessor again denied SEAL Trust’s charitable purposes exemption, and SEAL Trust again appealed.

The Assessor’s second denial was based, for the most part, on legal principles and factual findings already rejected by the Assembly and thus, is law of the case. The Assessor’s other reasons involved an apparent off-the-record reliance on advice from the State Assessor and rejection of the evidentiary value of the affidavit submitted by the Executive Director of SEAL Trust. The basis for the Assessor’s second denial is contrary to the Assembly Decision and controlling legal authority. The Assessor’s Second Decision denying SEAL Trust’s requested charitable purposes tax exemption under AS 29.45.030(a)(3) is set aside in whole part.¹

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¹ See CBJ 01.50.140(a).

II. Factual and Procedural History²

A. *The First Appeal*

1. Background

SEAL Trust is an Alaska nonprofit corporation “organized exclusively for educational, scientific, and charitable purposes’...with its ‘purposes [being] to conserve Alaska’s lands and natural and cultural resources for the benefit of the general public’.”³ Thirteen of the parcels abut the Mendenhall Wetlands State Game Refuge. One parcel buffers Montana Creek.⁴ SEAL Trust acquired the parcels:

for the purpose of protecting natural resources, habitat, and open natural space as well as for public recreation, scientific study, and education....All of the 14 parcels are presently being conserved in their natural, undeveloped condition and provide natural habitat for wildlife as well as open space for public recreation, scientific study, and education, furthering SEAL Trust’s conservation purposes and mission.⁵

For many years SEAL Trust applied for and was granted exemption from taxation under the “community purpose” exemption contained in CBJ 69.10.101(8). In 2016, SEAL Trust applied for the tax exemption for the parcels under the State of Alaska “charitable purposes” exemption contained in AS 29.45.030(a)(3). SEAL Trust based its claim for exemption on its two charitable purposes of conservation and public recreation.⁶

The Assessor denied SEAL Trust’s application, finding SEAL Trust did not have a charitable purpose because recreational facilities are required to establish tax exempt status for recreational use, and that land preservation alone is not a charitable purpose under the law.⁷ The Assessor further denied the exemption on the grounds that SEAL Trust had not provided evidence of any actual use of the properties, since “SEAL Trust does not keep records of who actually used the parcel and how often the parcel was used.”⁸

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² Most of the relevant facts are not in dispute and are detailed in the Assembly Decision.

³ Assembly Decision p. 2, quoting AR 74, 30, 50-55.

⁴ Id. citing AR 402-403.

⁵ Id. quoting AR 402.

⁶ Assembly Decision pp. 2-3.

⁷ Assembly Decision p.3, Assessor Letter of July 28, 2016, denying Nonprofit charitable exemption AR 5-12.

⁸ Id.

2. The Argument⁹

SEAL Trust appealed the Assessor's denial to the Assembly, which heard argument on February 1, 2017.¹⁰ At oral argument, SEAL Trust pointed out that no profit or commercial activities take place on the properties, and each parcel was selected for its conservation and recreational values. With regard to some of the Assessor's specific concerns, SEAL Trust explained that all parcels were open to public use and accessible, and specifically addressed Assembly questions concerning no parking signs that existed on one parcel at the time of the first submission.¹¹ SEAL Trust also explained the context of their answer to the Assessor's question concerning who used the parcel and how often it was used. SEAL Trust acknowledged that they do not keep records of names and numbers of actual users, but explained that they were not aware that the Assessor considered this an essential qualifying issue.¹² Finally, SEAL Trust addressed specific concerns about why hunting was not allowed on the parcels and distinguished the process and criteria used to select their properties from lots that could be described as just "vacant land,"¹³

The Assessor, through counsel, argued, consistent with her denial letter, that facilities and improvements are required to establish recreational charitable purpose tax exemption.¹⁴ Counsel also focused on the Assessor's second basis for denial, which was that evidence of actual use is required.¹⁵ In response to questions posited by Assembly Members on the latter point, counsel provided further explanation of what the Assessor believed would qualify as evidence of actual use.

In its argument, SEAL Trust compared the charitable use exemption to the test for a religious exemption. As SEAL Trust pointed out, no one "asks churches to prove how big their congregations are".¹⁶ Mayor Koelsch picked up that point and asked Assessor's counsel:

MAYOR KOELSCH: The Appellants compare to the religious exemption test, both in briefs and in the argument here. And the question would be, I guess: what records does the Assessor require a church to show of who attends?

⁹ Because much of the Assessor's arguments on appeal after remand are governed by law of the case, it is important to lay out the issues previously argued and actually decided by the Assembly in the first appeal in detail.

¹⁰ Transcript of Proceedings, AR 526-634.

¹¹ Id. pp. 21-23, AR 545-47.

¹² Id. p. 50, AR 574.

¹³ Id. pp. 51-54, AR 575-76.

¹⁴ Id. pp. 29-35, AR 553 – 559.

¹⁵ Id.

¹⁶ Id. p. 10, AR 534.

Counsel answered:

MR PALMER: The only thing the Assessor would need is some record to show that there are people attending that church. It could be one person. It could be 300. The actual number doesn't matter, just some records of actual use....¹⁷

A few lines later, counsel again reiterated that frequency of use "is irrelevant, so long as there's some amount of charitable use on this property".¹⁸ As to what types of records are necessary, counsel stated that the applicant needed to prove use with "either affidavits or statements."¹⁹

3. The Assembly Decision

On April 5, 2017, the Assembly issued its Decision on Appeal. In its Decision, the Assembly held that SEAL Trust has a nonprofit charitable purpose, overturning the Assessor's decision to the contrary. The Assembly noted that SEAL Trust's organizational documents establish its twofold charitable purposes of conservation and recreation. The Assembly found the Assessor erred as a matter of law when she determined that facilities are required to establish public recreational use as a charitable purpose. In support of this point the Assembly noted that many outdoor recreational activities do not depend on facilities. The Assembly found "[n]oteworthy is that the Mendenhall Wetlands State Game Refuge is considered by the State to have a recreational purpose though, as Seal Trust points out, it lacks facilities."²⁰ The Assembly also rejected the Assessor's emphasis on signage as a legal requirement. The Decision notes that these items may be factors but are not legal requirements for a finding of charitable purposes.

The Decision also addressed some of the Assessor's factual findings. The Assembly found that the Assessor's finding that SEAL Trust prohibits public use on all or a portion of its parcels was not supported by substantial evidence.

Based on its overturning of the Assessor's decision as to charitable purposes, the Assembly did not reach the issue of whether conservation alone qualifies as a charitable purpose under Alaska law.

Finally, the Assembly determined that the Assessor was correct that the law requires proof of actual use for exempt purposes. However, the Assembly rejected the Assessor's suggestion that records specifically identifying who used the property and/or how often is a legal requirement to establish the exemption.

¹⁷ Id. pp. 26-27, AR 550-551.

¹⁸ Counsel then reiterated this a third time. Id. pp. 47, AR 571.

¹⁹ Id. p. 27, AR 551.

²⁰ Decision on Appeal ("Assembly Decision") p. 7, AR 624.

The Assembly then remanded the matter to the Assessor for a determination on the issue of proof of actual use, stating: “on remand SEAL Trust should be given the opportunity to provide the Assessor with any reasonable form of evidence of actual use for public recreational purposes, on each of its 14 parcels.”²¹

4. The Assessor’s Second Decision on Remand

On remand, SEAL Trust provided the Assessor with an affidavit of its Executive Director. The affidavit provided:

1. I am the Executive Director of the Southeast Alaska Land Trust (the "SEAL Trust").
2. One of my job duties as Executive Director is to monitor the use and condition of properties owned by the SEAL Trust.
3. Another of my job duties is to communicate with the SEAL Trust's members and supporters, and with members of the general public, about the SEAL Trust's properties.
4. In calendar year 2016, in the course of executing these job duties, I both personally observed people using the SEAL Trust's properties in the City and Borough of Juneau for recreational purposes and spoke to people who reported to me that they used the SEAL Trust's properties for recreational purposes.
5. Some of the recreational purposes that I observed and that were reported to me included:
 - a. Walking
 - b. Hiking
 - c. Birdwatching
 - d. Fishing
 - e. Hunting
6. I personally observed and/or received reports of such recreational use on each of the SEAL Trust's 14 properties within the City and Borough of Juneau during calendar year 2016.²²

By letter dated June 16, 2017, the Assessor again denied SEAL Trust’s application for a charitable purposes tax exemption under Alaska law.²³ In her decision, the Assessor essentially gave little or no weight to SEAL Trust’s affidavit. Thus, in the first sentence of the denial letter, the Assessor referred to the affidavit as “purporting” to describe recreational uses and dismissed the affidavit as “self-serving and not probative”. The Assessor further stated that the affidavit

²¹ *SEAL Trust v. CBJ Assessor*, Appeal of CBJ Assessor Decisions 2016-03-29, 2016-07-28, Assembly Decision p. 11.

²² Although not record evidence of actual use, SEAL Trust’s affidavit is consistent with an Assembly Member’s comment at the oral argument on the first appeal, that he too had seen people use the properties. Tr. p. 37, AR 561.

²³ Office of the Assessor Letter of June 16, 2017 to Allison Gillum, Executive Director of SEAL Trust, AR 658-59. (Assessor’s Second Decision.)

was inconsistent with SEAL Trust's prior statement that it did not keep records of use of the properties and that the property was used for recreational activities including hunting.

The Assessor again characterized the SEAL Trust properties as vacant undeveloped land – making no reference to the evidence of conservation and recreational purposes in the selection of the parcels in the record and specifically noted by the Assembly in its decision. The Assessor again stated that the parcels were not eligible for the charitable purpose exemption based on recreational purposes absent improvements and facilities, as the property does not qualify “when the property is vacant and lacks recreational improvements like parking lots, restrooms, informational kiosks, posted rules, boundary signs, trash cans etc.”

In legal support of her conclusions, the Assessor cited *Matanuska-Susitna Borough v. Kings Lake Camp*.²⁴ She also appeared to place central reliance on an off-the-record consultation with the State Assessor in which, according to her decision, she received an opinion that placing “vacant undeveloped property into a protective trust with undisclosed access and use restrictions” does not meet the charitable use test.²⁵

In addition, the Assessor's denial appeared to apply new legal tests and new criteria not previously raised or addressed in these proceedings. The letter states: “[t]he concept of charity has to do with the element of gift and providing a good or service at a cost below the cost of providing that same thing by other means.” In the same paragraph, the Assessor later states “SEAL Trust relies on other property owners and other entities to provide parking and access to SEAL Trust's parcels.” Based on this new legal test and criteria, the Assessor found, “SEAL Trust has not provided sufficient evidence of what charity it provides or how it is being provided at a lower cost through donation or the element of gift.”²⁶

SEAL Trust responded to the June 16, 2017 Assessor's letter asking if this was the final decision and, if not, what further evidence or information the Assessor would need. In its letter, SEAL Trust pointed out that it had not provided evidence going to legal issues already decided in the Assembly Decision and explained why there were no inconsistencies between the Executive Director's affidavit and previous statements.²⁷

²⁴ 439 P.2d 441, 443 (Alaska 1968).

²⁵ Assessor's Second Decision p. 1. At oral argument on appeal after remand, Assessor's counsel candidly acknowledged that this sentence is the only evidence of what description of the issue the Assessor might have used when soliciting the State Assessor's opinion.

²⁶ Id.

²⁷ SEAL Trust letter to Robert Palmer, dated June 27, 2017. AR 635-37.

The Assessor responded that the letter of June 16, 2017 contained her final decision, and SEAL Trust timely filed its appeal.²⁸

III. Discussion

A. *The Charitable Purposes Exemption in State Law*

As set forth in the Assembly Decision, and repeated here, the charitable purposes exemption originates in the Alaska Constitution, Article IX §4:

The real and personal property of the State or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law, shall be exempt from taxation . . .

This mandatory exemption is codified in Alaska Statutes 29.45.030:

(a) The following property is exempt from general taxation:...

(3) property used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes.

The Alaska Supreme Court has interpreted the charitable purposes exemption to require a two-part analysis: “first, whether there is a nonprofit, charitable purpose, and second, whether the property is being exclusively used for an exempt purpose.”²⁹

The Assessor correctly notes that SEAL Trust bears the burden to prove its properties qualify for tax exempt status, and tax exemptions are strictly construed against the taxpayer. However, these principles are juxtaposed against the broad scope given to the terms charity and charitable purposes in the cases cited.³⁰

The Assembly decided the first issue in SEAL Trust’s favor in the first Appeal. The Assembly Decision remanded the case to the Assessor to address evidence of actual use of the parcels at issue for recreational purposes. The Decision states: “on remand SEAL Trust should be given the opportunity to provide the Assessor with any reasonable form of evidence of actual use for public recreational purposes, on each of its 14 parcels.”³¹ Thus, the issue on remand is whether SEAL Trust submitted such evidence and whether SEAL Trust, therefore, demonstrated actual use of the properties as the issue was defined in the Assembly Decision.

²⁸ AR 648, 638-39.

²⁹ *Fairbanks North Star Borough v. Dena Nena Henash*, 88 P.3d 124, 130 (Alaska 2004).

³⁰ *Id.* at 129, 133. See also, *Kings Lake Camp*, 439 P.2d at 445.

³¹ Assembly Decision p. 11.

The issues presented by the Assessor's denial letter, as with the previous denial, are primarily issues of law. Thus, the substitution of judgment standard applies, and the Assembly does not give deference to the Assessor's interpretation of law.³²

B. *The Assessor's Second Decision Relied on Issues Already Determined in the First Appeal and Errors of Governing Law*

1. The Law of the Case Doctrine

The law of the case doctrine "generally 'prohibits the reconsideration of issues which have been adjudicated in a previous appeal in the same case.' Previous decision on such issues—even questionable decisions—become the 'law of the case' and should not be reconsidered on remand or in a subsequent appeal except where there 'exist exceptional circumstances' presenting a 'clear error constituting manifest injustice.'"³³ The doctrine is grounded in the principle that "successive appeals should narrow the issues in a case, not expand them." Applying law of the case serves the purposes of judicial efficiency by avoiding indefinite litigation, providing for consistency in results and essential fairness.³⁴ Application of law of the case is not limited to issues expressly addressed, but also applies to issues that could have been raised in the first appeal but were not.

2. The Assessor's Requirement that Parcels Contain Facilities and Improvements

SEAL Trust argues that the Assessor's Second Decision denying their application on remand exceeded the scope of the remand, and that the Decision, and the Assessor's brief on appeal, primarily re-address and re-argue matters that were addressed and decided by the first appeal.³⁵ SEAL Trust's argument on this point is well taken.

Two principles of law of the case apply to the primary legal basis contained in the Assessor's Decision. In her Decision, the Assessor compares the SEAL Trust parcels to the youth camp addressed in the Alaska Supreme Court's *King's Lake Camp* decision, and again finds that the parcels do not qualify for a charitable use exception because they lack improvements and facilities. The Assembly, on the first appeal, addressed that case and this exact issue.³⁶ Thus, the

³² *Fairbanks N. Star Borough v. Dena Nena Henash*, 88 P.3d 124, 128 (Alaska 2004). See also, *Beal v. Beal*, 209 P.3d 1012, 1016 (Alaska 2009) (question of whether law of the case applies and whether court considering scope of remand has exceeded that scope is reviewed de novo).

³³ *Beal*, 209 P.3d at 2016-2017 (internal citations omitted).

³⁴ *Id.* at 2017.

³⁵ SEAL Trust Reply Br. at 1.

³⁶ Assembly Decision p. 7.

Assembly's finding on direct appeal is law of the case and covers the Assessor's attempt to re-address the parcels' lack of facilities and improvements. Even absent that previous ruling, the Assessor's reliance on *Kings Lake Camp* is misplaced. In that case, the court addressed the question of whether receipt of fees for use of charitable property would preclude a finding of tax exempt status. The case does not stand for the proposition, relied on by the Assessor, that to qualify for a recreational purpose tax exemption, recreational properties must have improvements.³⁷

3. The Assessor's Reliance on New Legal Principles

In addition to revisiting the previous claim of lack of facilities, the Assessor's Second Decision raises new issues that could have been part of the original appeal but were never previously raised. Thus, the Decision applies a new legal standard, stating: "the concept of charity has to do with the element of gift and providing a good or service at a cost below the cost of providing the same thing by other means."³⁸ In this statement, the Assessor appears to apply a new test, not raised in the previous Decision or litigated on the first appeal. Law of the case prohibits application of this new standard to SEAL Trust's application on remand. Moreover, as with the issue above, the Assessor's recitation of this legal standard does not comport with the law.³⁹

4. The Assessor's Rejection of Seal Trust's Affidavit

The Assessor's rejection of SEAL Trust's affidavit suffers from similar infirmities to the issues discussed above. First, deciding that an affidavit of the Executive Director is insufficient as a matter of law to establish actual use of the property is inconsistent with the Assembly's Decision on remand, which explicitly stated that SEAL Trust should be given the opportunity to prove actual use "with any reasonable form of evidence."⁴⁰ Second, at the oral argument on the first appeal, counsel for the Assessor specifically acknowledged that the applicants could prove use "with either affidavits or statements."⁴¹ Finally, the Assessor's citation for *Peterson v. Wirum*, 625 P.2d 866 (Alaska 1981) and *State v. Agoney*, 608 P.2d 762 (Alaska 1980) for the

³⁷ While the Assessor's Second Decision gives lip service to the Assembly's Decision where it states that facilities may be a factor to be considered, viewing the Assessor's statement in context makes it clear the Assessor simply went back to her previous position that such facilities are a legal requirement.

³⁸ Assessor decision p. 1, AR 633.

³⁹ See *Dena Nena Henash*, 88 P. 3d at 135-136 (rejecting argument that charitable purpose requires gift to the public of free services or lessening of government burden.)

⁴⁰ Assembly Decision p. 11.

⁴¹ Tr. p. 27, AR 551.

proposition that the SEAL Trust affidavit does not provide probative evidence misreads both cases.

Peterson involved a contract dispute in which the parties had filed cross motions for summary judgment. The court, in considering whether summary judgment was appropriate, found that there were no relevant factual disputes between the parties, even though affidavits filed during the litigation gave differing subjective views of the parties as to intent at the time the contracts were entered. The opinion does refer to self-serving statements of subjective intent given during the litigation as not probative. However, in context, the court was speaking to whether the statements were probative of the issue before the court – the intent of the parties at the formation of the contract. The opinion makes no broad pronouncement about the validity of affidavits provided during litigation.⁴²

Agoney has even less bearing. It involved a criminal case in which the court was applying the excited utterance exception to the hearsay rule contained in Alaska Rule of Evidence, 803(2). The court simply noted the heightened importance of applying the test of spontaneous, excited or impulsive statements to the decision whether to admit a statement of a criminal defendant because of the criminal defendant/party's motive to fabricate.

Neither case has any applicability to the affidavit submitted by SEAL Trust's Executive Director. The Assessor's decision to give little or no weight to the affidavit is contrary to the instructions on remand and unsupported by law. The Assessor's attempt to attack the credibility of the affidavit is also flawed; it relies on factual findings previously rejected by the Assembly Decision and/or statements inconsistent with the record.

On page two of the Assessor's Second Decision, the Assessor claims that SEAL Trust's affidavit is inconsistent with its earlier statements. That statement is simply incorrect. As part of the first application process, the Assessor asked SEAL Trust who used the parcels and how often they were used. SEAL Trust answered that they did not keep such records. That answer is not inconsistent with the Executive Director's affidavit, which states that her information was based on personal observation and statements from people she had spoken to. Nothing in the affidavit is based on any suggestion that SEAL Trust has records of who uses the property or how often.

The issue of whether the public was prohibited access to certain parcels by signage or otherwise (Assessor's Second Decision p. 2) was directly addressed in the first appeal at oral

⁴² Id. at 870 and nt. 6.

argument, where an Assembly Member noted that there was lots of evidence in the record that the parcels were open and accessible, and in the Assembly Decision, where the Assembly found that the Assessor's previous finding was not supported by substantial evidence.⁴³ Similarly, SEAL Trust explained the issue concerning hunting on its lands both in the original appeal and again in its letter to the Assessor.⁴⁴

5. The Assessor's Reliance on an Opinion of the State Assessor

The Assessor's brief on appeal appropriately does not attempt to argue that reliance on the State Assessor's opinion should be given any weight. As counsel candidly acknowledged at the oral argument, nothing in the record explains what information the Assessor provided to the State Assessor. Moreover, the one sentence in the Assessor's letter describing the issue does not accurately portray the situation presented by SEAL Trust's application.

C. *Other Issues Raised in the Brief of the Assessor*

SEAL Trust's appeal is from the Assessor's Second Decision. Whether the reasoning in that document should be upheld is the only matter at issue on this appeal. Therefore, issues argued in the Second Brief of the Assessor, but not listed as part of the Assessor's Second Decision, are prohibited by law of the case, or are irrelevant to this appeal. This would apply to two arguments contained in the Second Brief of the Assessor, but not mentioned in the Decision or contained within the scope of the remand:

- The argument that SEAL Trust parcels do not qualify for tax exempt status because recreation is not their primary purpose. (Br. at 8.)
- The argument that SEAL Trust failed to prove where on each parcel recreation occurred. (Br. at 20).⁴⁵

D. *Conservation*

In its Decision, the Assembly decided not to address the question of whether conservation qualified as a charitable purpose under AS 29.45.030(a)(3). At oral argument on this appeal, SEAL Trust correctly noted that this question need not be decided unless it is determined that SEAL Trust does not qualify for the exemption under the recreational use issue contained in the remand. For sake of completeness the issue is briefly addressed here.

⁴³ Assembly Decision pp. 7-8. See also Transcript pp. 12 and 21, AR 536, 545.

⁴⁴ See SEAL Trust letter to Assessor, AR 635, 636.

⁴⁵ The arguments that SEAL Trust excluded the public (Assessor's Br. at 11) and that the recreational purpose exemption requires a high degree of permanency (Assessor's Br. at 12) are covered by the Assembly's previous findings and the analysis in this decision concerning the Assessor's requirement of permanent facilities.

In the first appeal, both parties addressed the issue of conservation with opposing views, and both raise the issue again briefly in their briefs on the second appeal, referring to their earlier briefing. The Assembly correctly noted in its first Decision that the Alaska Supreme Court has never ruled on the issue of whether conservation qualifies as a charitable purpose for purposes of tax exemption. In their briefing, the parties each cite lines of authorities from other states that have answered the question both yes and no. As SEAL Trust pointed out at oral argument, and in its case citations, the more modern trend has been to find that use of land for conservation purposes qualifies as a charitable purpose. The Assessor's contrary authorities involve two cases from 1950 and 1966.⁴⁶ Moreover, simply taking notice of the importance of conservation to Alaska in many spheres would suggest, as a prediction, that when and if the matter comes before the Alaska courts, the likely ruling would be to follow the more modern trend.

E. SEAL Trust's Request for Refund of its Appeal Fee

SEAL Trust requests that its appeal fee be refunded. CBJ 01.50.150(b) states, in part: "A party entitled to costs may be allowed fees paid as a condition of filing the appeal." Section (c) states: "If a refund of an appeal filing fee is authorized by ordinance or resolution, the appeal agency shall determine whether all or a portion of the refundable part of the fee is to be refunded to the successful appellant." Since there does not appear to be any ordinance authorizing the refund of the appeal fee for a successful applicant in the CBJ, the matter of whether to refund the SEAL Trust's appeal fee is left to the discretion of the Assembly. SEAL Trust has also requested a refund of the taxes paid in protest with interest. CBJ 69.10.090(c) appears to leave the determination concerning payment of interest on refunded taxes to the City Manager, absent a judgment in Superior Court.

IV. Conclusion

The Assessor's Second Decision denying SEAL Trust's application for charitable purposes tax exemptions for 14 parcels of land pursuant to AS 29.45.030(a)(3) is set aside in whole part. CBJ 01.50.140(a). On remand, SEAL Trust provided sufficient proof of actual use of

⁴⁶ Compare *Greentree Foundation v. Nassau County Assessor*, 142 A.3d 665 (N.Y. App.Ct. 2016); *Francis Small Heritage Trust, Inc. v. Town of Limington*, 98 A.3d 1012 (Me. Supreme Ct. 2014); *Santa Catalina Island Conservancy v. County of Los Angeles*, 178 Cal.Rptr. 708 (Ca. App. Ct. 1981); *Little Miami Inc. v. Kinney*, 428 N.E.2d 859 (Ohio Supreme Ct. 1981); *New England Forestry Foundation v. Bd. of Assessors of Hawley*, 9 N.E.3d 310, 320 (Mass. 2014); *Pecos River Open Spaces, Inc. v. County of San Miguel*, 2013 WL 309847, *3 (N.M. App. Ct. 2013); *Turner v. Trust for Public Land*, 445 So.2d 1124, 1126 (Fla. App. Ct. 984) (cases cited by SEAL Trust Br. on 1st appeal at pp. 7- 9, AR 466-468) with *Nature Conservancy v. Town of Nelson*, 107 N.H. 316, 320-21 A.2d 776, 779 (1966) and *City & Cty. of Denver v. George Washington Lodge Ass'n*, 121 Colo. 470, 474, 217 P.2d 617, 619 (1950) (cases cited by Assessor in Br. on 1st Appeal at p. 15 nt. 34, AR 496).

the parcels to be eligible for the charitable purposes tax exemption. The Assessor's bases for denying the application were prohibited by the doctrine of law of the case, and were in error as a matter of law, and/or not based on substantial evidence. SEAL Trust is entitled to refund of its tax payments filed under protest. The decision whether to refund the taxes paid under protest with interest is left to the City Manager under CBJ 69.10.090(c).

DATED: April 24, 2018.

By: Karen L. Loeffler
 Karen L. Loeffler
 Administrative Law Judge

Certificate of Service: I certify that on April 24, 2018, a true and correct copy of this proposed decision was distributed by email to: the CBJ municipal clerk, Assistant Municipal Attorney Robert Palmer and Lael Harrison, counsel for SEAL Trust. A courtesy copy was also emailed to: Municipal Attorney Amy Mead.

By: Raehel Azad
 Office of Administrative Hearings

MEMORANDUM

CITY AND BOROUGH OF JUNEAU

Lands and Resources Division Office
155 S. Seward St., Juneau, Alaska 99801
Greg.Chaney@juneau.org
(907) 586-0205

TO: Assembly
FROM: Greg Chaney, CBJ Lands Manager
SUBJECT: Alan and Ellen Rogers Land Trade Proposal
DATE: May 25, 2018

Introduction

In the fall of 2017, Alan and Ellen Rogers of 812 Fritz Cove Rd (Smuggler's Cove Rd) contacted the Lands and Resources Division with a proposal to exchange a strip of land along the northwest boundary of their property (including waterfront) for a portion of upland CBJ parkland. They would pay all survey and subdivision costs.

Currently the Rogers reside in a 500 square foot cabin at the water's edge, which requires a steep 160 foot descent to access their dwelling. Wishing to "age in place", the Rogers' proposal would help them build a structure on a level surface near the driveway used to access the property.

On December 29th, 2017, Lands staff conducted an initial site visit to the Rogers' property and ground-truthed property corners. During this site visit, it came to staff's attention that a shed and a semi-permanent storage shelter had been placed within the access easement,



which was not permitted under the terms of the easement. If the proposed land trade is not approved, these structures will have to be relocated onto the Rogers' property.

Image 1: Regional View



History of the Area

In 2005, the City and Borough of Juneau approved the construction of a perpetual driveway and utility easement to the Smugglers Cove Pioneers Association within CBJ parklands at the end of the Mendenhall Peninsula. Before the easement was granted, property owners accessed their landlocked parcels either on foot or by boat.

According to a July 11th, 2005 memo from former Lands Manager Steve Gilbertson:

"The subject properties were subdivided in 1954 by the federal government with no land access. At the time, there were no such requirements for providing formal access. A number of these situations were created around the community and gradually there has been a movement of the property owners to obtain easements and develop driveways."

Staff Analysis

The 2016 Land Management Plan lists the Mendenhall Peninsula LND-0520 property as *retain/dispose*.

Initially Mr. Rogers proposed a land trade with CBJ that would be equivalent in area and submitted a proposed sketch (**Sketch-Attachment 1**).

After an initial review, it was clear that the Rogers' waterfront property was more valuable than the CBJ uplands. In order to establish equal monetary values for the two parcels, Mr. Rogers hired an appraiser approved by the Lands Manager, Charles Horan and Associates, to derive an equal value trade so that the value of the two parcels to be traded between the Rogers' and CBJ would be equivalent; a diagram proposed by Mr. Rogers was provided as a guideline (**Diagram-Attachment 2**).

The appraiser determined that 1 square foot of Mr. Rogers waterfront property was worth 2.5 square feet of upland property in this region (**Appraisal-Attachment 3**). Since approximately 70% of the land proposed to be acquired from CBJ is already a developed driveway while the beach offered in exchange is easily accessed by pedestrians or boats and has relatively high recreational value, it appears that this proposal would be in the best interest of the City.

On May 1st, 2018, Lands staff brought this topic to the Parks and Recreation Advisory Committee where Director Kirk Duncan and Project Manager Alix Pierce shared with the committee that Parks staff had no concerns with the proposed land trade moving forward, especially because in the upcoming Master Plan Update, this region may be considered for divestment.

Parks and Rec staff then recommended to the PRAC that the equal value land trade proposed by Alan and Ellen Rogers is found to be generally acceptable and to forward the proposal to the Lands Committee for further consideration and recommendations.

This recommendation was then discussed and called to a vote; the recommendation passed 5 to 2. The two objections were primarily based on the two dissenting PRAC members feeling that the land trade was not of benefit to the public.

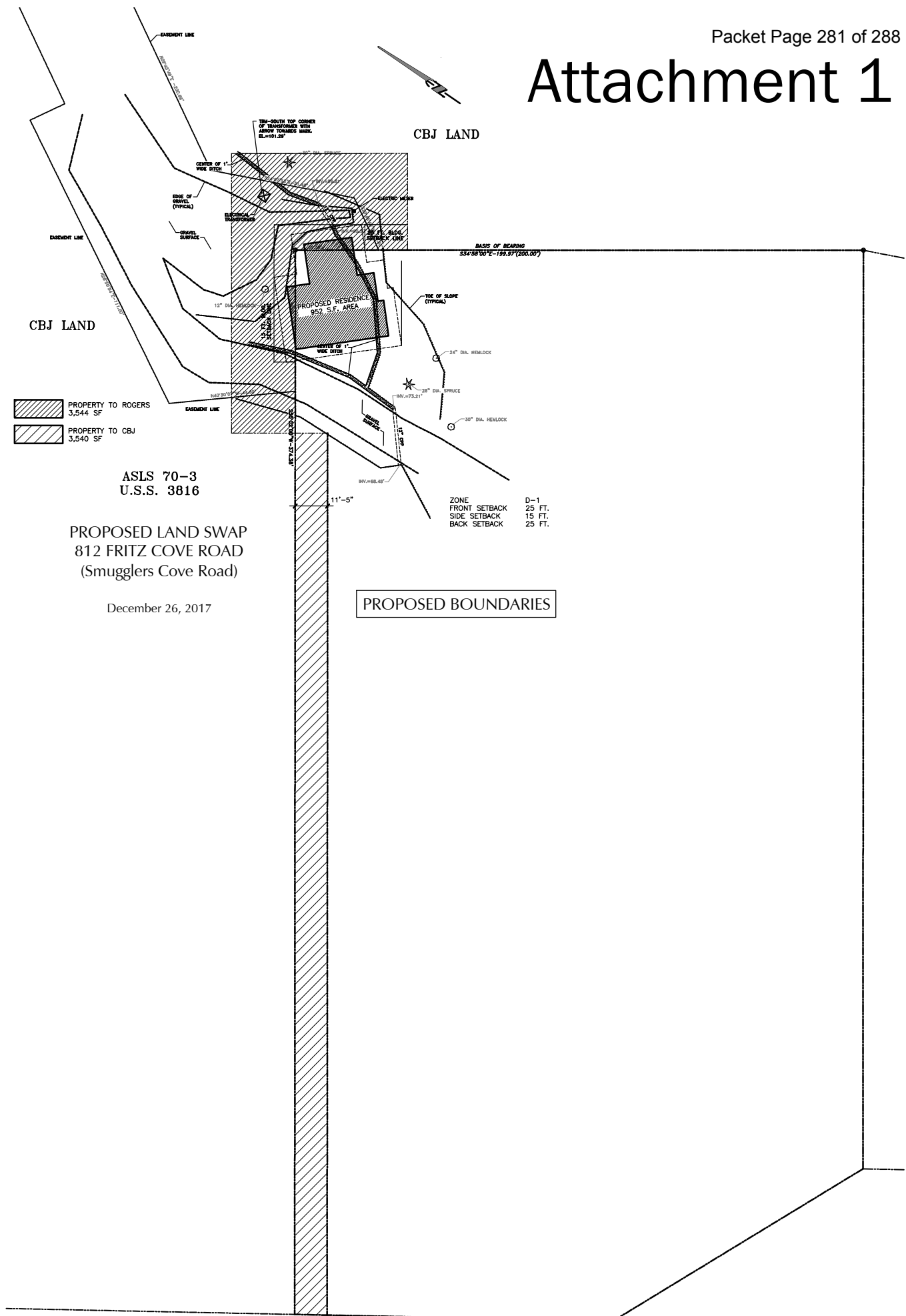
CBJ§53.09.230(a) stipulates that prior to considering a land exchange, the Assembly must determine if it is appropriate to work *“by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the manager may commence negotiations for the...exchange...of City and Borough land.”*

In this case, the original proposer (Rogers family) is an adjacent property owner with a unique set of circumstances. It is extremely unlikely that any other party would have the opportunity to propose a land exchange on similar terms. The primary unique feature of this exchange is that the Rogers have an access easement across CBJ Park land. This easement has been developed as a driveway and does not retain features that would normally be associated with natural area park land while the beach front being offered is in its natural state.

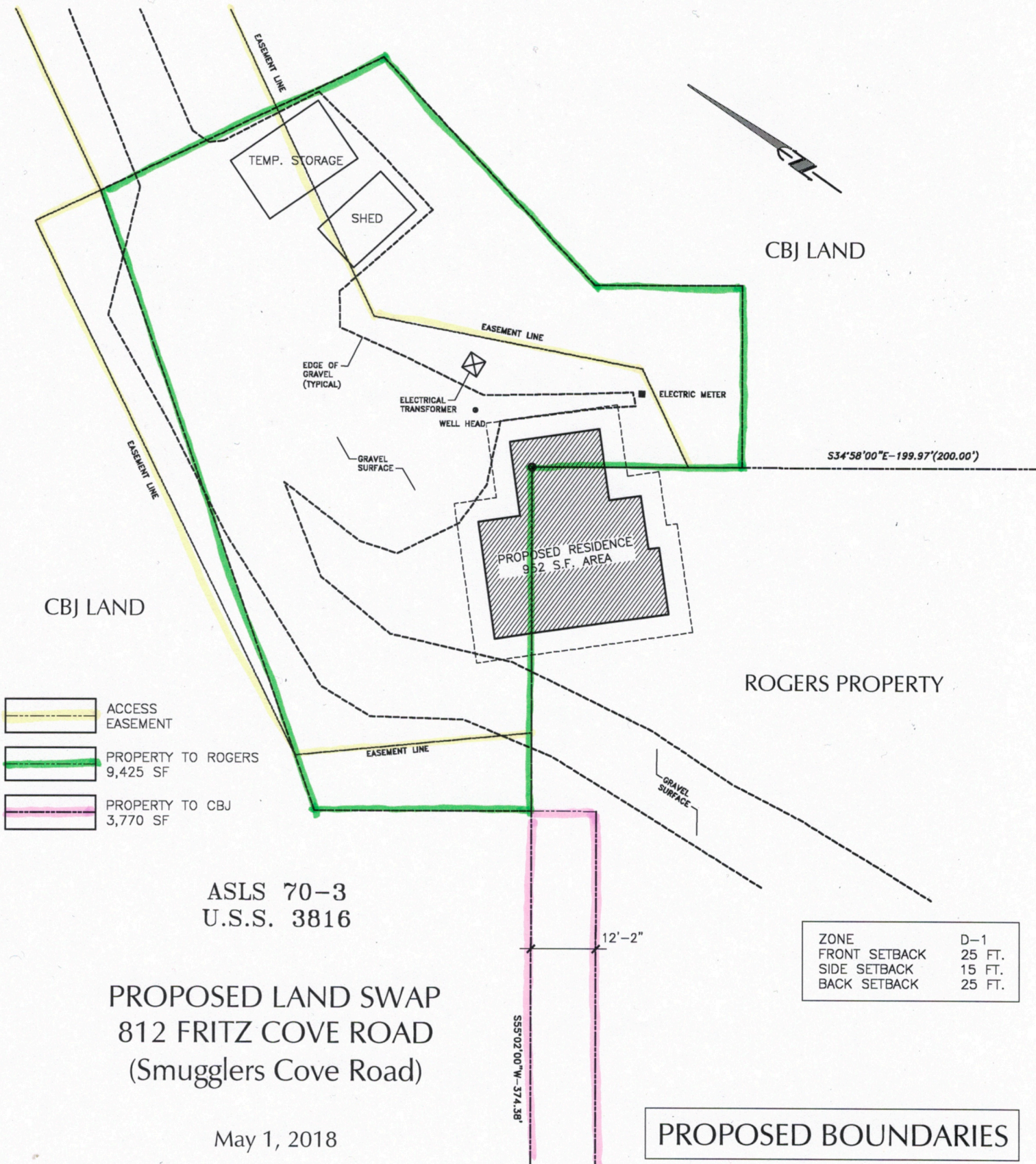
The final alignment of the new property lines will be determined by a professional surveyor working collaboratively with the Community Development Department as well as Engineering and Public Works Department to meet appropriate subdivision requirements. If the Assembly adopts an ordinance authorizing the proposed land trade, processing the lot line adjustment should not take more than two years.

The Lands Committee reviewed the concept at their May 21, 2018 meeting and passed a motion to forward the land trade proposal to the full Assembly with a positive recommendation.

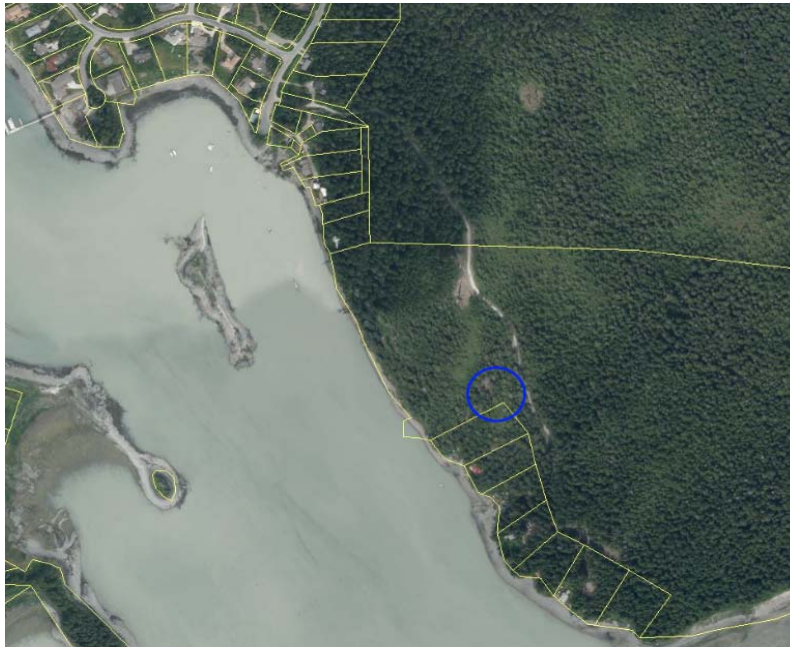
If the Assembly finds the proposed equal value land trade to be generally acceptable, a motion to work directly with the Rogers family will be required. Final terms of the land trade will be negotiated by the Manager and approved by ordinance.



Attachment 2



**APPRAISAL REPORT TO DETERMINE AN
UPLAND TO WATERFRONT VALUE RATIO
FOR A PROPOSED LAND SWAP ON
THE MENDENHALL PENINSULA**



**AERIAL PHOTO OF PROPOSED LAND EXCHANGE BETWEEN ALAN ROGERS
& THE CITY AND BOROUGH OF JUNEAU**

PREPARED FOR: Alan & Ellen Rogers
P.O. Box 34401
Juneau, Alaska 99803

PREPARED BY: Charles E. Horan, MAI
Slater M. Ferguson
Horan & Company, LLC
403 Lincoln Street, Suite 210
Sitka, Alaska 99835

EFFECTIVE DATE: February 15, 2018

REPORT DATE: March 7, 2018

OUR FILE NO.: 18-009

REAL ESTATE APPRAISERS/CONSULTANTS

CHARLES E. HORAN, MAI / WILLIAM G. FERGUSON,
JOSHUA C. HORAN, AND SLATER FERGUSON

403 LINCOLN STREET, SUITE 210, SITKA, ALASKA 99835

PHONE NUMBER: (907)747-6666 FAX NUMBER (907)747-7417 commercial@horanappraisals.com

March 7, 2018

Alan & Ellen Rogers
P.O. Box 34401
Juneau, Alaska 99803

Re: Appraisal report to determine a waterfront to upland value ratio for a proposed land swap on the Mendenhall Peninsula; Our file 18-009

Dear Alan and Ellen Rogers:

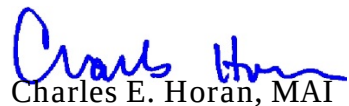
We have completed a ratio study of the nominal SF value of waterfront to uplands relative to the proposed land exchange at 812 Fritz Cove Road (Smuggler's Cove Road) between Alan and Ellen Rogers (Rogers) and the City and Borough of Juneau (CBJ). The Rogers own the waterfront parcel described as ASLS 70-3, CBJ Parcel Number 4B2001080010, containing approximately 1.67 acres. They wish to convey to the CBJ a strip of land along their Northwest boundary of their lot, including the waterfront, in exchange for an upland area of CBJ lands within a large 90 acre parcel described as ASLS 78-171 LT 3A FR. In the exchange, the CBJ lands will be increased by more valuable waterfront land and reduced by a yet to be determined amount of lesser valuable upland area. It's the desire of the parties to exchange these lands based on a general value ratio of waterfront to upland properties of otherwise similar characteristics. We have considered the character of the Rogers waterfront lands and a hypothetically similar adjacent upland tract and concluded a reasonably market responsive ratio for this trade as follows.

Uplands SF Value: Waterfront SF Value 2.5:1

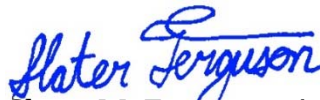
This indicated value 2.5 SF of uplands for each 1 SF of waterfront lands is based on a ratio study which we have described and summarized in the following report. It sets forth the Assumptions and Limiting Conditions, the Certification of Appraisal, methodologies, definitions, and the most pertinent data considered in arriving at this opinion.

Thank you for this opportunity be of service, if you have any questions or comments please don't hesitate to call.

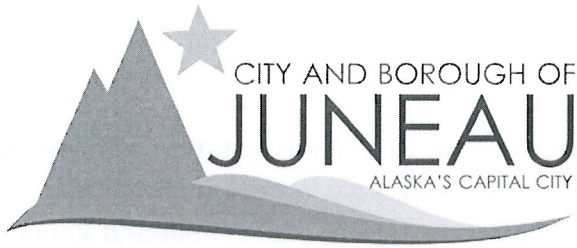
Respectfully submitted,



Charles E. Horan, MAI
Horan & Company, LLC



Slater M. Ferguson, Appraiser Trainee
Horan & Company, LLC



Juneau Commission
on Sustainability

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155 S. Seward Street • Juneau, AK 99801

May 24, 2018

John Neary, Director
Mendenhall Glacier Visitor Center
Tongass National Forest, Juneau Ranger District
U.S. Forest Service
8510 Mendenhall Loop Road
Juneau, AK 99801

Subject: Mendenhall Glacier Recreation Area Planning Process

Dear Mr. Neary:

The City and Borough of Juneau (CBJ) Assembly-appointed Juneau Commission on Sustainability (JCOS) offers these comments on the Mendenhall Glacier Recreation Area (MGRA) planning process underway by the U.S. Forest Service (USFS). The JCOS promotes initiatives and actions that support a vibrant and healthy community now and into the future and the Commission's view extends broadly to encompass the economic, social, and environmental well-being of Juneau. Over the past three years JCOS has led the far-reaching public efforts that culminated in the CBJ Assembly's recent adoption of the *Juneau Renewable Energy Strategy* (JRES) which calls for 80% of Juneau's energy use provided by renewable sources by 2045. The JCOS is tasked with identifying and collaborating with residents, businesses and agencies to implement the multi-pronged strategies that will move the community forward on a sustainable path that reduces Juneau's dependence on fossil fuels and thereby lowers our greenhouse gas emissions.

The planning underway to improve and enhance the MGRA for the next 20 to 50 years dovetails well with the 25-plus year timeframe for substantial actions under the JRES. The USFS has the timely opportunity to incorporate innovative, energy-efficient concepts into its ultimate design for a MGRA expansion that accommodates more visitors in a smart, sustainable way. The current MGRA planning identifies components that will not only offer a spectacular experience for visitors but will also support Juneau's energy future by shifting MGRA-associated transportation, space heating, and power at the visitor facilities to renewable hydro-powered electricity to the maximum extent possible. The JCOS strongly endorses several innovative concepts in the MGRA planning that would champion the following key strategies of the JRES:

Mendenhall Glacier Visitor Center
 Mendenhall Glacier Recreation Area Planning Process
 May 24, 2018
 Page 2 of 3

Electrification of Transportation to Reduce Fossil Fuel Use. Transportation represents the dominant use of fossil fuels and largest source of greenhouse gas emissions in Juneau. In the past two years some electric vehicle (EV) charging infrastructure has been built and Juneau residents are rapidly adopting EVs for personal use. Efforts are now underway to begin to electrify CBJ's bus and vehicle fleets and build fast-charging stations that also support retail and commercial users.

In keeping with the JRES, the JCOS strongly encourages the USFS to incorporate electric transportation infrastructure for tourist transit as a central feature of the MGRA planning. The community's EV infrastructure is expanding and innovative extremely fast chargers built into the MGRA parking system and downtown will make electric tour buses and vans viable, cost-effective, and desirable alternatives in the not too distant future. Tour companies or people movers that embrace this technology should be rewarded with incentives such as preferred parking and first-in-line access to facilities and shuttles.

JCOS also supports the establishment of a remote (bus) parking area along Glacier Spur Road with electric shuttles moving visitors to and from the visitor facilities. Eliminating vehicle congestion, noise, air pollution, and avoiding expansive parking areas in the kettle ponds near the lakefront will greatly enhance the visitors' experience of viewing the spectacular scenery. Park and shuttle rides are common features of today's well-designed tourist sites, and the MGRA lends itself to this configuration. Noise- and smell-free electric shuttles would be ideal vehicles for this natural setting.

As the Mendenhall Glacier recedes, the concept of a remote "research station" along the west flank of the MGRA makes great sense as an opportunity to bring visitors closer to the glacier. Accessing the proposed West Glacier station via electric boats launched from the visitor area provides another opportunity for the USFS to embed energy efficiency and cost effectiveness into the overall planning and design. The quiet, non-polluting electric boats would also lessen impacts on wildlife and enhance visitor and Juneau resident experiences throughout the MGRA.

Energy-efficient Heating and Construction of Visitor Facilities to Reduce Fossil Fuel Use. Switching local space heating off fossil fuels to renewable energy in Juneau is the second key objective in the JRES. The MGRA planning for a new Visitor Hub building and the remodeled Visitor Center should incorporate highly efficient heat pumps and use other state-of-the-art energy materials and building techniques. The JCOS believes these well-designed buildings will offer an additional educational opportunity to showcase energy efficiency in a northern climate to visitors from all over the world.

Provide a New Renewable Energy Supply in Juneau. A third strategy in Juneau's energy future is increasing the supply of renewable energy as demand and opportunities justify. While

Mendenhall Glacier Visitor Center
Mendenhall Glacier Recreation Area Planning Process
May 24, 2018
Page 3 of 3

the concept is for a demonstration project, JCOS nevertheless champions a small-scale hydropower system on Nugget Creek or Steep Creek to power the Mendenhall Glacier Visitor buildings and EV transportation facilities. A modern-day hydropower “plant” at or near the site of the former Nugget Creek system of the 1930s – 1950s would provide renewable power and provide MGRA visitors with an educational opportunity about Juneau’s history of powering local mines in the past and our hydropower of today. Excess and off-season hydropower from this project might be added to Juneau power grid.

In summary, JCOS believes that the MGRA planning process provides several opportunities for incorporating efficient, clean energy concepts into the overall design for future improvements to enhance the visitor experience at the Mendenhall Glacier. JCOS strongly encourages the USFS to fully embrace Juneau’s goals for renewable energy and to avoid 20th Century fossil-fueled concepts as it continues its MGRA planning.

Thank you for your time and consideration of these comments.

Sincerely,

Rorie Watt, City Manager
City & Borough of Juneau

OR

Duff Mitchell, Chair
Juneau Commission on Sustainability

cc: City & Borough of Juneau Assembly

