

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

February 12, 2018 7:00 PM

City Hall, Assembly Chambers
Regular Meeting 2018-05 - Updated 2/9/18 - 9 am

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **Proclamation - National Engineers Week**

IV. APPROVAL OF MINUTES

A. **January 19, 2018 Special Meeting 2018-02**

B. **January 30, 2018 Special Meeting 2018-04**

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 2017-06(AC) An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for Auke Bay Marine Station Maintenance and Improvements CIP; Funding Provided by the Harbor Fund's Fund Balance.**

This ordinance would transfer \$200,000 from the Harbor Fund to a new

CIP for Auke Bay Marine Station Maintenance and Improvements. Establishment of this CIP would fund a variety of preventative maintenance and repair projects. In addition a small addition of 100 lineal feet of floats would be installed to improve mooring opportunities in Statter Harbor.

The Harbor Fund has a current balance of \$1,485,517. Subsequent to the transfer there would remain \$1,285,517 in the Harbor Fund.

The Docks and Harbors Board, at its regular meeting on January 25, 2018, adopted a recommendation that the Assembly approve this appropriation ordinance.

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

- b. **Ordinance 2017-06(AD) An Ordinance Appropriating to the Manager the Sum of \$480,000 as Funding for the Accessory Apartment Grant Incentive Program, Funding Provided by the Juneau Affordable Housing Fund's Fund Balance.**

This ordinance would appropriate \$480,000 from the Juneau Affordable Housing Fund to the CBJ Accessory Apartment Grant Incentive Program to be used over a five-year period.

The CBJ Accessory Apartment Grant Incentive Program provides \$6,000 incentive grants to homeowners for new accessory apartment units that pass a final inspection and receive a Certificate of Occupancy.

The Juneau Affordable Housing Fund has a current balance of \$749,261. Beginning in FY18, the Juneau Affordable Housing Fund will receive \$400,000 per year for five years from the 1% sales tax fund to pursue housing activities noted in the CBJ Housing Action Plan and the Juneau Economic Development Plan. Subsequent to the transfer the Juneau Affordable Housing Fund fund balance would be \$269,261 until the 1% sales tax funds are made available.

At its January 2, 2018, meeting the Juneau Affordable Housing Commission made a motion to recommend the appropriation for the Accessory Apartment Grant Incentive Program.

At its January 10, 2018, meeting the Finance Committee recommended that an ordinance be drafted and forwarded to the Assembly for consideration.

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

- c. **Ordinance 2017-06(AE) An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for Archipelago Property Development CIP; Funding Provided by the FY18 Dock's Licenses/Fees Revenue.**

This ordinance would transfer funds from the FY18 operating budget to a new CIP for Archipelago Property Development. The funds would be used to develop a preliminary design from plan concepts; generate cost estimates for implementation of the designs; prepare a draft purchase agreement; and include other associated tasks to answer questions regarding the acquisition and development of the Archipelago property.

As this funds transfer would exceed the budgetary authority for the Docks enterprise in FY2018, the Assembly is asked to approve a supplemental budget in the amount of \$200,000.

The Docks and Harbors Board is scheduled to consider this supplemental budget request at a special meeting on February 8, 2018.

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

- d. **Ordinance 2017-06(AF) An Ordinance Appropriating to the Manager the Sum of \$75,000 as Funding for Intervention in Docket U-17-097 with the Regulatory Commission of Alaska, Funding Provided by the General Fund's Fund Balance.**

This Ordinance would appropriate \$75,000 to fund the costs associated with CBJ's participation as an Intervenor, in the matter before the Regulatory Commission of Alaska, where Hydro One Limited is seeking authority to acquire control of Alaska Electric Light & Power Company. AEL&P is the power utility for Juneau. On July 1, 2014, Avista Corp, based in Washington bought out AEL&P's parent Alaska Energy and Resources Company. On July 20, 2017, Avista Corp. announced they would join forces with Hydro One.

The Assembly Finance Committee took up this matter at its meeting on January 10, 2018.

The Assembly Committee of the Whole unanimously recommended this at their meeting of February 5, 2018.

The City Manager recommends this ordinance be introduced on February 12, 2018, and set for public hearing at a Special Assembly meeting on February 26, 2018.

- e. **Ordinance 2017-23(c) An Ordinance Amending the Land Use Code**

Relating to Essential Public Facilities.

This ordinance would provide a process for permitting a facility that will provide an essential public service in a location not otherwise authorized under the Table of Permissible Uses and that would otherwise be extremely difficult to site.

The proposed permitting process closely follows the conditional use permit process. The key distinguishing differences are the proposed facility does not have to be a permissible use as specified in the Land Use Code, and the process is reserved for only those developments that will be providing an essential public service.

The Planning Commission reviewed the ordinance at its August 8, 2017, and September 12, 2017, meetings and recommended the Assembly adopt it. The Assembly Committee of the Whole considered the ordinance at its March 20, 2017, October 23, 2017, and January 29, 2018, meetings.

At its meeting on January 29, 2018, the committee recommended amendments, which are identified by the bold italicized and strike-through language in version (c) of the ordinance.

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

f. **Ordinance 2018-06 An Ordinance Amending the Land Use Code Relating to Setbacks for Energy Efficiency Improvements.**

A significant number of buildings in the community are built to the maximum setback line, and many older homes encroach into setbacks. Many of those property owners have requested to add exterior insulation to their homes and offices in order to increase their energy efficiency, but under current code, setback encroachments are generally prohibited.

The code does, however, provide for certain exceptions to that general rule for things like roof eaves, sheds, and decks. This ordinance would amend that provision, CBJ 49.25.430, to add a setback exception for exterior insulation to encroach up to eight inches into a setback. (Eight inches was determined to be a reasonable number given our climate, insulation materials, and types of existing buildings.) On balance, this ordinance would increase the energy efficiency of buildings and help the community achieve its sustainability goals without significantly impacting adjacent property owners.

The Title 49 Committee discussed this ordinance in the fall of 2017. The Planning Commission recommended the Assembly adopt this ordinance at

its meeting on January 23, 2018.

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

- g. **Ordinance 2018-07 An Ordinance Amending Title 72 of the City and Borough of Juneau Code Relating to Driving Without a License.**

Alaska Statute 28.01.010 prohibits municipalities from enacting traffic ordinances that are inconsistent with state law.

AS 28.01.010, the state law requiring drivers to be licensed, was amended from a misdemeanor offense to an infraction.

This ordinance would amend the corresponding CBJ offense (CBJ 72.10.065), from a B misdemeanor to an infraction, as required by state law.

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

- h. **Ordinance 2018-08 An Ordinance Amending the Land Use Code Related to Roadway Construction Standards.**

This ordinance would amend Title 49 to establish a process by which the Community Development Director and the Planning Commission can waive street standards for street reconstruction projects when warranted by the circumstances.

The Planning Commission is scheduled to review this ordinance on February 13, and the Public Works and Facilities Committee is scheduled to review it on February 26.

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

2. Resolutions

- a. **Resolution 2808 A Resolution Adopting the Juneau Renewable Energy Strategy.**

This resolution would adopt the Juneau Renewable Energy Strategy as an aspirational document to be used to inform future decision-making and policy. Adoption of this strategy is not intended to commit the City and Borough to a particular action, schedule, or methodology.

On July 25, 2015, a draft version of the Renewable Energy Strategy was presented to the Assembly. This draft was the basis for public consultation, and a series of well-attended public information and education sessions on a variety of energy-related topics that are relevant

to the strategy document. The Juneau Commission on Sustainability and staff have further refined the strategy document taking into account public feedback. At its June 13, 2017, meeting, the Juneau Commission on Sustainability voted to move the amended Juneau Renewable Energy Strategy to the Assembly for support. The Assembly Committee of the Whole considered the plan at its meeting on January 29, 2018, and approved forwarding the plan to the Assembly for adoption by resolution.

The City Manager recommends this resolution be adopted.

3. Bid Award

a. **Bid Award - Waterfront Facilities Corrosion Control**

This project provides corrosion protection for the steel sheet pile wall and associated metal elements of the Marine Park bulkhead. The work includes installation of an impressed current cathodic protection system; electrical improvements; and other associated work.

A public bid opening occurred on February 2, 2018. The Docks and Harbors Board was scheduled to review the bids at a special Board Meeting on February 8, 2018.

The City Manager recommends the bid be awarded to Island Contractors, Inc. in the amount of \$228,440.

4. Liquor License

a. **Liquor License Renewals 2018/2019**

The following 2018/2019 liquor license renewal applications received from the Alcohol Beverage Control Board are before the Assembly for one of the following actions: to protest, waive its right to protest, or refer this matter to the Assembly Human Resources Committee for additional review and recommendation.

The local governing body's 60-day comment period expires as of March 10 and March 12 respectively for the below licenses. If the Assembly should choose to take action other than waive its right to protest, special meetings would need to be scheduled to take action prior to the expiration of the 60-day comment period.

License #3695 South of the Bridge, LLC d/b/a Louie's Douglas Inn (Beverage Dispensary License); Location: 915 3rd Street, Douglas

License #4943 Specialty Imports Inc. d/b/a Specialty Imports (General Wholesale License); Location: 540 W. 8th Street,

Juneau

Staff from the Finance, Fire, Public Works/Utilities, Police, and Community Development departments have reviewed the above renewals and recommend the Assembly waive its right to protest these renewals. CBJ Code 20.25.025 sets out the basis by which the Assembly may protest a license renewal.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals for the 2018/2019 renewal period.

5. Transfers

a. **Transfer T-996 Transfer of \$1,160,282 from 14 CIPs to 6 Existing CIPs and 3 New CIPs.**

This transfer is the result of closing 10 CIPs. These funds will be transferred to similar projects in need of funding. The highlights are as follows:

- 10 CIPs will be closed following the transfer of funds.
- Three new CIPs are being created – Transit Electronic Fare Boxes, Glacier Fire Station HVAC Improvements and Sitka Street Reconstruction.
- Funds are being transferred to six existing CIPs to provide additional funds necessary to complete the projects.

These transfer requests were forwarded by the Assembly Public Works and Facilities Committee on January 8, 2018, and January 29, 2018.

The City Manager recommends these transfers and closeouts be approved.

VIIIPUBLIC HEARING

A. **Ordinance 2017-06(AB) An Ordinance Appropriating to the Manager the Sum of \$74,918 as Funding for the 2015 State Homeland Security Program/SHSP; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.**

These funds are being provided to reimburse the CBJ for additional expenses incurred in direct support of the goals and activities of the State Homeland Security Program. The grant performance period is from September 1, 2015 to March 31, 2018.

There is no match requirement for this grant.

The City Manager recommends this ordinance be adopted.

B. Ordinance 2018-02 An Ordinance Authorizing the Manager to Convey Property Located on Egan Drive between West 10th Street and Main Street to the Alaska Department of Transportation and Public Facilities.

The Alaska Department of Transportation & Public Facilities applied for a direct negotiated sale of 507 square feet (a fraction of Lot 3, USS 3566) across Egan Drive from Centennial Hall in order to facilitate the state's reconstruction of Egan Drive between Tenth Street and Main Street. Along with the negotiated sale, ADOT&PF requested the CBJ grant the State eight permanent easements and ten temporary easements along Egan Drive for the same purpose.

The Assembly passed a motion authorizing the manager to negotiate the sale at its July 31, 2017, meeting. The Harbor Board heard the issue at its August 7, 2017, meeting and adopted the Lands Division's recommendation for approval. The City/State Project proposal in its entirety (encompassing both the sale and the easements) was brought to the Planning Commission at its August 8, 2017, meeting. The Commission voted to recommend to the Assembly approval of the project with two conditions to the disposals of land (both the negotiated sale and the easements.)

After the Commission considered the project and while negotiating the direct sale, it was determined that in lieu of the eight permanent easements, it was in the best interest of both parties for the CBJ to instead sell the property that had been contemplated for the permanent easements. (ADOT&PF's federal grant requires it to have exclusive control over the property. If that condition were granted the State as part of an easement, the CBJ would carry liability exposure for property over which it would have no control.)

This ordinance would authorize the sale of all property previously identified for disposal by permanent easement, as well as the fraction of Lot 3, USS 3566 originally sought by ADOT&PF, for the appraised, fair market value.

The City Manager recommends this ordinance be adopted.

C. Resolution 2810 A Resolution Authorizing the Manager to Convey Easements to the Alaska Department of Transportation and Public Facilities along Egan Drive from 10th Street to Main Street.

The Alaska Department of Transportation & Public Facilities requested ten temporary construction easements across CBJ property to facilitate the reconstruction of Egan Drive between Tenth Street and Main Street. The project will include the widening of sidewalks to ADA standards, adding bike lanes where appropriate and updating intersections and pedestrian facilities. These easements are part of a larger disposal, identified in Ordinance 2018-02.

The Lands Committee reviewed this request and approved a motion of support in favor of granting the easements at its August 7, 2017, meeting. The Planning

Commission provided a recommendation to the Assembly for granting these easements at its August 8, 2017, meeting.

The fair market value of the easements was determined by appraisal to be \$13,785.

The City Manager recommends this resolution be adopted.

D. Ordinance 2018-05 An Ordinance Authorizing the Manager to Execute Approach Road Approval to Construct Permit Agreement (#27037) with the Alaska Department of Transportation and Public Facilities.

In order to complete construction of a road leading from the Pederson Hill Subdivision to Glacier Highway as required by Title 49, the CBJ must obtain approval (an approach road permit) from the Department of Transportation and Public Facilities (ADOT&PF).

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).

Version (b) of the ordinance attaches the State's January 25, 2018, letter on the indemnification letter as an exhibit to the ordinance. The Committee of the Whole considered this ordinance at its January 29, 2018, meeting and approved forwarding it to the full assembly for public hearing.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

A. Juneau Seventh-Day Adventist Christian School v. CBJ Assessor Office

Additional motions were received after this agenda packet was closed and printed. The Presiding Officer will provide updated information at the meeting.

X. NEW BUSINESS

A. Regulation Vessel Anchoring Requirements - Docks and Harbors

The Docks & Harbors Board held a public hearing at its January 25, 2018, regular board meeting to establish new regulations pertaining to anchoring on CBJ-owned tidelands. 05 CBJAC 40.065 (Anchoring Out Requirements) would assert authority to regulate vessels anchored on submerged lands owned by the City & Borough of Juneau. The drafted regulations would allow vessels to anchor for a 24-hour period without restriction. Anchoring for longer periods would require either a short-term or long-term permit issued by Docks & Harbors.

The proposed regulations were vetted through the Docks & Harbors Operations-Planning Committee and publicly advertised for a minimum of 21 days prior to the board hearing and action. The board received no written comments on the new regulation; one member of the public provided testimony at the public hearing.

In reviewing proposed regulations, CBJ 01.60.260 provides that the Assembly may:

1. Take affirmative action to approve the regulation.
2. Take affirmative action to disapprove the regulation. (If the Assembly disapproves the regulation, the Assembly may state its reasons for doing so, but it may not specify explicit conditions for subsequent approval or direct the requesting department to adopt any particular amendments to the regulation.)
3. Allow the regulation to take effect and be deemed approved by not actively considering the regulation. (The Assembly's historical practice is to move 'orders of the day,' requiring the body to consider the next item on its agenda without active consideration of the regulation in order to allow the regulation to take effect without explicit Assembly action.)
4. Direct that an ordinance or resolution in lieu of the regulation be prepared for its consideration.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

- A. Update on CBJ's Open Litigation

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

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

Meeting Minutes - January 19, 2018

MEETING NO. 2018-02: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 8:00 a.m. by Mayor Ken Koelsch.

I. CALL TO ORDER / 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: Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Carl Uchytel, Port Director; Patty Wahto, Airport Manager; Robert Barr, Library Director; Matt Scranton, MIS Director; Jane Sebens, Deputy Attorney; Kirk Duncan, Parks and Recreation Director; Greg Chaney, Lands Manager; Rob Steedle, Community Development Director; Lisa Phu, Public Information Officer; Tom Mattice, Emergency Programs Manager; Roger Healy, Engineering and Public Works Director.

II. AGENDA TOPICS

A. Update from CBJ DC Lobbyist Katie Kachel

Katie Kachel, Juneau's federal lobbyist with Chambers, Conlon and Hartwell, introduced herself. Three major updates include the budget, tax reform and an infrastructure bill. As of today, the Senate is considering passage of another continuing resolution through February 16, which passed the House last night, with a few contentious issues to make it uncertain if the Senate will pass it, making a government shutdown uncertain. No one wants that to happen. Tax reform passed and includes the opening of the Alaska National Wildlife Refuge ANWR to oil exploration. The reform eliminates the advanced refunding of municipal bonds but preserves the deductibility of private activity bonds. The low income housing tax credit was preserved. Third, an infrastructure bill is in the works and bill writers in the House and Senate are deferring to President. Broadly, it contains \$200 billion over 10 years, which includes rural project block grants of \$50 billion, \$50 billion for transformative, "huge" mega-projects, and money to existing loan programs for those big projects, and \$100 billion to state and local governments.

Four areas of focus for her work for Juneau include positioning a Coast Guard cutter in Juneau, preserving federal jobs in Juneau, specifically NOAA, the marijuana issue (legal in the state and not legal federally) and the President's request to revisit earmarks.

Ms. Kachel said that Congressman Young has a bill referencing banking for medical marijuana. Senator Murkowski has one on banking and one on decriminalization. Senator Sullivan is looking at the issue of "de-conflicting" federal vs. state's rights.

Representative Kito asked Ms. Kachel if she had heard anyone cite "Congress shall make no law impeding interstate commerce" in reference to federal laws impeding commerce between states which have legalized marijuana. Ms. Kachel said she could look into that.

Senator Egan asked a fast response cutter for home porting in Juneau. Ms. Kachel said no decisions have been made yet and Juneau will need to engage with the Coast Guard on many levels, early and often, as other communities are working on this aggressively.

Representative Parish spoke about the retirement of a long time director at the NOAA research facility and asked how to ensure that if there are federal cuts to science funding we preserve those jobs. Ms. Kachel said that Senator Sullivan is on the Commerce Committee, which has policy jurisdiction over NOAA, and Senator Murkowski is on the Appropriations Committee that works on the budget. We need to keep this on their radar.

Senator Egan referred to the "Cole memo" regarding marijuana and expressed his concerns about local Juneau businesses involved in the marijuana industry. Ms. Kachel said that the silver lining of U.S. Attorney Jeff Sessions stand on marijuana would be to put pressure on Congress to act on this state's rights issue.

B. Updates from Senator Egan, Representative Kito, Representative Parish

Senator Egan said the session started Tuesday and the main focus is the budget. 60 legislators hold different views, so it is difficult, and he is hoping for a 90 day session. We need to stabilize the economy, especially in Juneau, which has lost 400 state jobs to date. He supports continued Medicaid expansion and said much of the funding for it could come from the Marine Highway System's budget if it is not provided by the Federal government. Revenue sharing is in trouble from the state and it deeply affects us. The small communities use revenue sharing to leverage federal funding. He spoke about his retirement bill, said Representative Kito has a companion bill, and said there should be a choice for state employees to choose

either a defined benefits or defined contribution retirement option as a "Tier 5." The ferry is our lifeline in Southeast Alaska. It is one of the few toll roads in the state in which passengers pay revenue to general fund. The new Glenn and Seward highways have no toll. Senator Egan acknowledged Juneau's request for \$2 million for transportation projects and said he continues to support Juneau Access. The two new dayboats being built in Alaska are behind schedule, and parts will be built out of state. We didn't want to use federal funds because of the restrictions, but some of our state money will now be used to build the vessel in Vancouver, Washington. Senator Egan acknowledged Juneau's request for \$2 million for transportation projects and said he continues to support Juneau Access.

Representative Kito said it is time to pull together and end the finger pointing and us/them thinking. We need to realize "them" is "us," we are all one people, residents of Juneau, the state, and the U.S. Politically we are continually blaming other people for our problems. We have an opportunity to move forward despite it being an election year and he echoed the Governor's remarks to "do the work" that needs to be done. The state is currently generating only 25-30% of the revenue needed for state government. When we continue to cut, services are decreased or shifted to local governments. He would like to open a dialogue with the Alaska Municipal League about shifting responsibilities and outlining the services that the state will provide and services the municipalities will provide. He is the chair of the Legislative Council and they are updating the sexual harassment policy. The Alaska Marine Highway System (AMHS) is a priority and he will introduce a bill to provide for sustainable funding in order to allow the AMHS to publish a ferry schedule that can be relied upon to have the budget to back it up. The Governor wants to stabilize the level of revenue sharing. The Governor's capital plan is matched to the implementation of a 1.5% payroll tax, focuses on maintenance of infrastructure and would put people to work. We do not have a sustainable budget now - we have to take funds from savings this year. The only increase in the Governor's budget was \$34 million for public safety. He said there are other boroughs with a population base that could support local police, similar to how Juneau has picked up that responsibility. He will propose a term limit bill to provide only 4 terms for House and 2 terms for Senate and asked if Alaska wants a citizen legislature or a full-time legislature. He spoke about the need for revenue measures and said that to balance the budget, oil prices would have to return to over \$80 per barrel. Decreased state spending increases the tax burden on local governments and reduces state services, schools, Medicaid, the university, debt service, and functioning state departments. We all need to step forward and help.

Mr. Edwardson asked about the reason for a name change from revenue sharing to community assistance. Mr. Kito said some were concerned that Alaska didn't have revenue so the program is providing assistance. The program is important because

if we allow some small communities to fail, they become wards of state and the state has to manage the communities when local government is not available.

Ms. Weldon asked about cuts to school bond debt obligation. Representative Kito said the Governor did reduce bond debt reimbursement payments two years ago, did not do that last year, and does not propose to do it this year. Bond debt payments will stand but the program is no longer available for application and the longer it takes to get the program back, the worse facilities get.

Ms. Kachel asked for more information on the bill regarding the AMHS and Mr. Kito explained the need for healthy forward funding so the schedule can be maintained and advertised.

Ms. Gladziszewski asked if there were any plans to pay the marine highway back from funds used for Medicaid? Representative Kito said the Governor provided \$20 million.

Representative Parish spoke about his HB213 to provide more efficient management of the public education trust fund. His plan keeps dividends and the corpus of the fund separate, with a move to more percent of market value while still allowing the fund to grow results in an additional \$18 million. The Governor is counting on the success of my bill, which has a hearing on Thursday. So far comments have been supportive and we are answering questions. He is happy this bill has a clear path and he would appreciate the support of Juneau. Flat funding is a cut and puts a strain on school systems. He would like to see an increase on the base student allocation. We have a \$3 billion deficit and that is astonishing. Year after year we have been spending down savings that belongs to all present and future. If we fail to put a comprehensive plan into place it represents a betrayal to children and our communities. We need better oil revenue and spoke about raising the floor. He supports HB 15 in order to make or save more without substantial cuts to communities. We need a broad based tax and he would like the Juneau Assembly to weigh in on what that would look like. If people stand up and make it clear what they are willing to support, we can stabilize the budget situation. We need to restructure the earnings reserve of the permanent fund. Non resident workers are 20% of work force and pay nothing, but Alaskan children contribute \$1000 of their dividend. If we draw from the Permanent Fund in an aggressive way, without a broad based tax, the dividend will go away. All hands on deck are required for a fundamental course correction.

Ms. Weldon asked about if funds would be increased for prosecution to go along with increased funds for state troopers. Representative Parrish said more funds are needed for prosecution and the state should support schools or build prisons.

Representative Kito said he needs feedback from municipalities to know if there is support for a bill to allow municipalities to prosecute felonies.

Representative Kito spoke in support of Pre-Kindergarten funding as students are behind in reading in the early grades.

Representative Parrish said he is a co-sponsor of a bill supporting Universal Pre-K. Many people support a city supported "Best Starts" program. If Juneau is able to make it work in Juneau, that would help enormously to get the state to take over the program.

Ms. Weldon asked about support for mining and resource development. Representative Kito said that global mineral prices are the largest factor in that discussion - more than local and state regulations. Increased mining is good for diversity of an economy but will not derive a lot of revenue to the state.

Representative Parrish asked Ms. Kachel what could be done to ensure returns to Alaska for ANWR development. Ms. Kachel said there is a 50-50 split of royalties. This will be a topic on the delegations list to ensure that Alaska gets its share. Mr. Kito shared some of his concerns regarding ANWR development.

C. Update from CBJ State Lobbyist Kevin Jardell

Kevin Jardell said he enjoys representing Juneau, his home town. He predicted a draw from the earnings account and a deficit which the state will have to find a way to manage the gap. Significant cuts are not in our future - so we need to price of oil to go up or to find a revenue source. We will be watching education funding but likely it will be status quo. We will be looking for any shifting of costs from state to local government. The AMHS service is important to Juneau - there is \$44 million in the governor's budget for this and we will work on that issue. Social service funding has been flat and this has had direct and indirect impacts at the local level. We are working on the transportation network bill and sales tax collection - TN companies do not want to collect tax on behalf of drivers and want to avoid setting up an employee situation. A technical fix is being considered to help them with their liability with federal work force rules. Health care is a burgeoning issue and he is watching from a Bartlett - Juneau perspective. A health care authority is being explored. He is working with airport - DOT stopped providing a match for municipal-owned airports but they still collect a tax on fuel. There is an argument that they can't take the taxes if they do not use it locally. There was a general discussion on this issue.

Mr. Jardell said that Representative Kawasaki has proposed a bill regarding net neutrality and he would like to get information and know if Juneau would like him to work on this issue. Representative Kito said he was also getting up to speed on this. Senator Egan said he supports net neutrality and many states were preparing comments. This issue will impact rural Alaska more than urban Alaska.

Mr. Jardell said the derelict vessel bill was stalled in the Senate due to the number of details involved in the process of addressing derelict vessels. Representative Kito said a funding source would assist in getting the bill passed.

Mr. Jardell said the harbor grants are tied to the employment tax in the Governor's budget.

Mr. Jones asked if municipalities were to prosecute felonies, would they be responsible for the costs of incarceration.

Ms. Kachel asked for permission to work with Mr. Jardell on infrastructure priorities and said that AMHS seems to be a top priority. Mayor Koelsch and Deputy Manager Cosgrove both approved of such cooperation.

Mr. Jones asked about support for Meals on Wheels and Day Care Assistance and said the needs were great on both ends of the age spectrum.

Mr. Jardell said Commissioner Davidson strongly supports the continuum of care and he was not seeing a huge pressure to make cuts to the programs.

Ms. Cosgrove said she would seek information from the library staff on net neutrality. Staff is tracking the discussion of a state health care authority. She spoke about the bill which would facilitate cost recovery for emergency transportation. She said the City of Fairbanks is seeking changes to public records laws, and CBJ will look at potential amendments, including protection of body worn camera footage. She spoke about the roadblocks that have been created for local development in the non-responsiveness of the Alaska Mental Health Trust to sell property.

Mayor Koelsch said that he and Deputy Mayor Jerry Nankervis visit with legislature on a regular basis to welcome and find out how Juneau can address any concerns people may have about Juneau as the capital city.

Senator Egan thanked the Alaska Committee, other volunteers and sponsors for the recent legislative welcome reception.

Mayor Koelsch thanked all for their attendance and participation.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

IV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:50 a.m.

Signed: _____

Signed: _____
Laurie Sica, Municipal Clerk

Kendell D. Koelsch, Mayor

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

Meeting Minutes - January 30, 2018

MEETING NO. 2018-04: The Special Meeting of the City and Borough of Juneau Assembly, held in Conference Room 224 of the Municipal Building, was called to order at 7:45 p.m. by Mayor Ken Koelsch.

I. CALL TO ORDER / ROLL CALL

Assemblymembers present: Mayor Ken Koelsch, Deputy Mayor Jerry Nankervis, Maria Gladziszewski, Mary Becker, Jesse Kiehl, Loren Jones, Beth Weldon, Norton Gregory, and Rob Edwardson

Members absent: None.

Staff present: Deputy Clerk Beth McEwen

II. AGENDA TOPICS

A. Board Appointments to Hospital Board and Planning Commission

The Full Assembly sitting as the Human Resources Committee (HRC) will be interviewing applicants for the Hospital Board and Planning Commission at a meeting immediately preceding this Special Assembly meeting. The HRC will forward its recommendations to the Assembly for appointments to the following seats:

Bartlett Regional Hospital Board - three (3) seats for full terms beginning immediately and expiring December 31, 2020.

Planning Commission - three (3) seats for full terms beginning immediately and expiring December 31, 2020.

The Manager has no recommendations regarding these appointments.

Assembly Human Resources Committee (HRC) Chair Maria Gladziszewski reported that the HRC interviewed applicants for the Hospital Board and Planning Commission and forwarded the following appointment recommendations:

MOTION by Ms. Gladziszewski for the Assembly to reappoint Robert Storer and Brenda Knapp and to appoint Rosemary Hagevig all to serve terms on the Hospital Board beginning immediately and expiring December 31, 2020. *Hearing no objection, the motion carried.*

MOTION by Ms. Gladziszewski for the Assembly to reappoint Micahel LeVine and Paul Voelckers and to appoint Andrew Campbell all to serve terms on the Planning Commission beginning immediately and expiring December 31, 2020. *Hearing no objection, the motion carried.*

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

IV. ADJOURNMENT

There being no further business to come before the Assembly, Mayor Koelsch adjourned the meeting at 7:47 p.m.

Presented by: The Manager
Introduced: 2/12/2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AC)

An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for Auke Bay Marine Station Maintenance and Improvements CIP; Funding Provided by the Harbor Fund's Fund Balance.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$200,000 to fund the Auke Bay Marine Station Maintenance and Improvements CIP.

Section 3. Source of Funds

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

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 2/12/2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AD)

An Ordinance Appropriating to the Manager the Sum of \$480,000 as Funding for the Accessory Apartment Grant Incentive Program, Funding Provided by the Juneau Affordable Housing Fund's Fund Balance.

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

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

Section 2. Appropriate. There is appropriated to the Manager the sum of \$480,000 as funding for the Accessory Apartment Grant Incentive Program. The intent of the Assembly is to use these funds based on review and recommendation by the Affordable Housing Commission, in annual installments of \$96,000.

Section 3. Source of Funds.

Juneau Affordable Housing Fund's Fund Balance	\$ 480,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 2/12/2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AE)

An Ordinance Appropriating to the Manager the Sum of \$200,000 as Funding for Archipelago Property Development CIP; Funding Provided by the FY18 Dock's Licenses/Fees Revenues.

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 \$200,000 to fund the Archipelago Property Development CIP.

Section 3. Source of Funds

FY18 Dock's Licenses/Fees Revenues	\$200,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 2/12/2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AF)

An Ordinance Appropriating to the Manager the Sum of \$75,000 as Funding for Intervention in Docket U-17-097 with the Regulatory Commission of Alaska; Funding Provided by the General Fund's Fund Balance.

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

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

Section 2. Appropriate. There is appropriated to the Manager the sum of \$75,000 for Intervention in Docket U-17-097 with the Regulatory Commission of Alaska.

Section 3. Source of Funds.

General Fund's Fund Balance	\$ 75,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2018.

Kendell D. Koelsch, Mayor

Attest:

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. 2017-23(c)

An Ordinance Amending the Land Use Code Relating to Essential Public Facilities.

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

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

Section 2. Amendment of Chapter. Chapter 49.15 Permits, is amended by adding a new article to read:

Article IX. ESSENTIAL PUBLIC FACILITIES

49.15.900 Purpose.

(a) The purpose of this article is to provide a permitting process that does not rely on CBJ 49.25, Article III, the Table of Permissible Uses, to allow the siting of essential public facilities. This chapter establishes the process and criteria the department and the planning commission will use in making a decision on an application for an essential public facility. *This chapter should not be used if the use proposed is an allowable use under the Table of Permissible Uses.*

(b) For the purposes of this article, an “essential public facility” means any facility owned or operated by a unit of local or state government or by any entity providing a public service as its primary mission. An essential public facility is characterized by the following:

(1) It provides or is necessary to provide a public service; and

(2) It may be difficult to site because of significant opposition.

49.15.910 Determination of applicability.

(a) The manager may request in writing that a proposed facility be reviewed through the essential public facilities siting process. The manager's request shall address the criteria in subsection (b) of this section. ~~The assembly may determine by resolution that a proposed facility is an essential public facility and direct the manager to submit an application in accordance with CBJ 49.15.920.~~

(b) The director shall review the request and approve it if the criteria in subsections (b)(1) and (b)(2) of this section are met.

(1) The facility or site will be used to provide a service to benefit the health, safety, and welfare of the public and will be delivered by a government agency or private or nonprofit organization under contract to or with substantial funding from a government agency.

(2) The facility is a type difficult to site because of one or more of the following:

(a) The facility needs a type of site of which there are few sites;

(b) The facility can locate only near another public facility;

(c) The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site; or

(d) There is need for the facility in a particular location.

49.15.920 Application Process.

- (a) An application, on a form specified by the director, and a site plan for the proposed essential public facility shall be submitted to the director for consideration.
- (b) After accepting the application and determining it is complete, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
- (c) The department shall hold a neighborhood meeting at least 30 days prior to the public hearing before the planning commission. The purpose of the neighborhood meeting is to provide the public with a means of obtaining information about the application and an opportunity to comment on it in advance of the public hearing. Public notice of the meeting shall be published in a newspaper of general circulation a minimum of ten days prior to the date of the meeting.
- (d) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. In determining whether to recommend approval or denial of an application, the director shall consider:
 - (1) Whether the proposed use will materially endanger public health or safety;
 - (2) Whether the proposed use will substantially decrease the value of or be out of harmony with property in the neighboring area; and
 - (3) Whether the development as proposed is consistent with the goals and policies of the City and Borough's Comprehensive Plan.
- (e) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral

agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.

49.15.930 Decision criteria.

(a) At the hearing on the essential public facility, the planning commission shall review the proposal to consider:

(1) Whether the proposed facility is for an essential public facility;

(2) Whether the application is complete; and

(3) Whether the development as proposed will comply with the requirements of this title, other than the Table of Permissible Uses at CBJ 49.25, Article III.

(b) The commission shall adopt the director's determination on items (a)(1) – (3) of this section unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.

(c) Even if the commission adopts the director's recommendations pursuant to subsection (a) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:

(1) Materially endanger the public health or safety;

(2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or

(3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

(1) ~~Whether the development as proposed is consistent with the goals and policies of the City and Borough's Comprehensive Plan;~~

(2) ~~Whether the proposed use will materially endanger public health or safety; and~~

(3) ~~Whether the application is complete.~~

(d) The commission may alter the director's proposed permit conditions, impose its own, or both. ~~approve an application for a proposed essential public facility, with or without conditions.~~

Conditions may include one or more of the following:

(1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.

(2) *Use.* Use of the development may be restricted to that indicated in the application.

(3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.

(4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.

(5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory

completion of all improvements required by the commission. The instrument posted may provide for partial releases.

(6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.

(7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.

(8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.

(9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.

(10) *Habitat.* Conditions may be imposed to minimize impact on wildlife.

(11) *Sound.* Conditions may be imposed to limit adverse impacts from noise on surrounding properties.

(12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.

(13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.

(14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.

(15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.

(16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.

(17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.

(18) *Other conditions.* Such other conditions as may be reasonably necessary to enhance public health and safety.

(c) A development permit issued under this section shall be subject to the provisions of CBJ 49.15.

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. 2018-06

An Ordinance Amending the Land Use Code Relating to Setbacks for Energy Efficiency Improvements.

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 49.25.430 Yard setbacks, is amended to read:

49.25.430 Yard setbacks.

...

(4) *Projections into required yards.*

...

(O) *Energy efficiency.* Energy efficiency improvements that do not increase interior square footage, such as exterior insulation, may project up to eight inches into a required yard. An energy efficiency improvement may not be approved under this section if it projects into the right-of-way or across a property line.

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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. 2018-07

**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 Section. CBJ 72.10.065 Drivers must be licensed, is amended 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:

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

(2) ~~A class B misdemeanor~~ Punishable by a fine of not more than \$300.00 if the person's license has been expired for one year or more. \$500.00, or by imprisonment for not more than 90 days, or by both. 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, or the registration of vehicles may be suspended or revoked.

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. 2018-08

An Ordinance Amending the Land Use Code Related to Roadway Construction Standards.

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 49.35.240 Improvement standards, is amended to read as follows:

49.35.240 Improvement standards.

...

(i) *Street waivers.* ~~The director, after considering the recommendations of the director of the engineering and public works department and of the fire marshal, may waive the following and no other street improvement requirements:~~

...

(4) *Roadway construction standards waivers.* Roadway construction standards identified in Table 49.35.240 may be waived in accordance with this subsection for any street reconstruction project, not including routine maintenance; or any new street construction project located in a right-of-way platted before 1987. Waivers shall be in writing.

(A) Roadway construction standards may be waived by the director if:

(i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;

(ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;

(iii) The proposed project will not aggravate the intent of the requirements of this chapter; and

(iv) The proposed project complies with the American Association of State Highway and Transportation Official guidelines.

(B) Roadway construction standards may be waived by the commission if:

(i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;

(ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;

(iii) The proposed project will not aggravate the intent of the requirements of this chapter; and

(iv) Unique circumstances make compliance with the American Association of State Highway and Transportation Official guidelines unreasonable, and the commission requires sufficient safeguards to protect public health, safety, and welfare under the circumstances.

...

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

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2808

A Resolution Adopting the Juneau Renewable Energy Strategy.

WHEREAS, by Resolution 2593, the City and Borough of Juneau adopted the Juneau Climate Action and Implementation Plan, designed to lower Juneau's greenhouse gas emissions by decreasing area-wide consumption of energy in general and fossil fuels in particular; and

WHEREAS, the Juneau Climate Action and Implementation Plan called for the development of an energy plan for Juneau; and

WHEREAS, the Juneau Commission on Sustainability worked with the Community Development Department and a consultant to draft a proposed Juneau Energy Plan; and

WHEREAS, the draft plan was first presented to the Assembly on July 25, 2015, followed by a period of public consultation; and

WHEREAS,, the CBJ has implemented a number of projects to improve energy efficiency, including:

- Adopted an ordinance requiring LEED certification for large CBJ facility construction projects;
- Adopted a thermal efficiency code for residential structures;
- Adopted a Climate Action Plan;
- Applied for and received partial grant funding to purchase an electric transit bus, putting Juneau at the forefront of transit systems in the country; and; and

WHEREAS, at its June 14, 2017, meeting, the Juneau Commission on Sustainability voted to recommend to the Assembly adoption of the Juneau Renewable Energy Strategy – a revised version of the draft Juneau Energy Plan – and implementation of the following goals:

- Implementation of a CBJ energy management program to make the organization a leader in energy efficiency and adoption of renewable energy;
- A reduction in Juneau's dependence on fossil fuels for space heating;
- A reduction in Juneau's dependence on fossil fuels for transportation;
- Support of efforts to provide new renewable energy supplies for Juneau; and

WHEREAS, the Assembly recognizes that, given the limitations of funding and personnel availability, the goals of the Plan must be aspirational rather than mandatory.

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

Section 1. The Juneau Renewable Energy Strategy, dated _____, 2017, is approved and adopted.

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

Adopted this _____ day of _____, 2017.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

MEMORANDUM

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

FAXED MEMORANDUM

TO: Bidders *[Signature]* Date: February 2, 2018
FROM: Carl Uchytel
Port Director
SUBJ: POSTING NOTICE OF BIDS
CBJ Downtown Waterfront Facilities Corrosion Control Project
Contract No. DH18-027

This memo is to post a notice of the results of the bid opening on February 2, 2018, for the subject project. The bidders and their total bids are as follows:

BIDDERS	TOTAL BID
Island Contractors, Inc.	\$228,440.00
Silver Bow Construction Co.	\$410,000.00
<i>Engineer's Estimate</i>	<i>\$181,000.00</i>

The apparent low bidder is Island Contractors, Inc. The CBJ intends to award the Total Bid in the amount of \$228,440. Award will be forwarded to the February 8, 2018 Docks and Harbors Board meeting for approval. Recommendation to award the Total Bid in the amount of \$228,440 has been forwarded to the CBJ Assembly for approval at the Regular Assembly Meeting on February 12, 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 February 9, 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

January 9, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2018/2019 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	3695
Licensee:	South of the Bridge, LLC		
Doing Business As:	Louie's Douglas Inn		

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

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

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

Sincerely,

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

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

License Type:	BD	License Number:	3695
Doing Business As:	Louie's Douglas Inn		
Examiner:	Carrie	Transaction #:	1020291

Document	Received	Completed	Notes
AB-17: Renewal Application	11/29/17	12/28	
App and License Fees	11/29/17	12/28	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
Fingerprint Cards & Fees / AB-08a: Crim. History			
Late Fee			

Names on FP Cards:	
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	Yes	No
Selling alcohol in response to written order (package stores)?	☐	☒
Mailing address different than one in database?	☒	☐
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	☒	☐
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	☐	☒



Alaska Alcoholic Beverage Control Board

Form AB-17: 2018/2019 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	South of the Bridge, LLC	License #:	3695
License Type:	Beverage Dispensary	Statute:	AS 04.11.090
Doing Business As:	Louie's Douglas Inn		
Premises Address:	915 3rd Street		
Local Governing Body:	City & Borough of Juneau		
Community Council:	None		

Mailing Address:	PO Box 240754				
City:	DOUGLAS	State:	AK	ZIP:	99824

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	ABIGAIL WILLIAMS		
Contact Phone:	907-423-9732	Business Phone:	907-364-2337
Contact Email:	louiesdouglasinn@gmail.com		

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





Alaska Alcoholic Beverage Control Board

Form AB-17: 2018/2019 Renewal License Application

Section 2 – 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:

JAMES G. WILLIAMS, ARBE J. WILLIAMS = PARTNERS

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4.

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:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					





Alaska Alcoholic Beverage Control Board

Form AB-17: 2018/2019 Renewal License Application

Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>
Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	10014173
-----------------------	----------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

aw

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- 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 Name:	ABIGAIL WILLIAMS				
Title(s):	MEMBER	Phone:	907-423-9732	% Owned:	33.4
Mailing Address:	6747 Marguerite St.				
City:	Juneau	State:	AK	ZIP:	99801

Entity Official Name:	ARBE WILLIAMS				
Title(s):	MEMBER	Phone:	907-209-3330	% Owned:	33.3
Mailing Address:	PO Box 240754				
City:	DOUGLAS	State:	AK	ZIP:	99824

Entity Official Name:	JAMES WILLIAMS				
Title(s):	MEMBER	Phone:	907-321-1342	% Owned:	33.3
Mailing Address:	PO Box 240754				
City:	DOUGLAS	State:	AK	ZIP:	99824





Alaska Alcoholic Beverage Control Board

Form AB-17: 2018/2019 Renewal License Application

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	☒	☒
The license was regularly operated during a specific season each year, for 8 or more hours each day.	☐	☐
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	☐	☐
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	☐	☐

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	☐	☒
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	☐	☒

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Alcohol Server Education

This section must be completed only by the holder of a beverage dispensary, club, or pub license or conditional contractor's permit. The holders of all other license types should skip to Section 8.

Read the line below, and then sign your initials in the box to the right of the statement:	Initials
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.	aw





Alaska Alcoholic Beverage Control Board

Form AB-17: 2018/2019 Renewal License Application

Section 8 – Certifications

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

Initials

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

aw

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

aw

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

aw

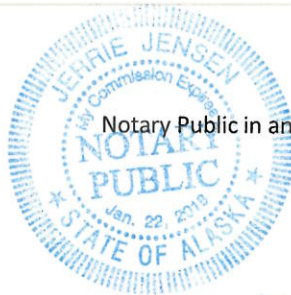
I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

aw

As an applicant for a liquor license renewal, 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. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Abigail Williams
Signature of licensee

ABIGAIL WILLIAMS
Printed name of licensee



Alaska Jerrie Jensen
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 1-22-2018

Subscribed and sworn to before me this 16 day of Nov, 2017

License Fee:	\$ 2500.00	Application Fee:	\$ 200.00	TOTAL:	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					\$2700.00



Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Search & Database Download > Corp. > Corporation Details

NAME(S)

Type	Name
Legal Name	South of the Bridge, LLC

ENTITY DETAILS

Entity Type: Limited Liability Company
Entity #: 10014173
Status: Good Standing
AK Formed Date: 7/17/2013
Duration/Expiration: Perpetual
Home State: ALASKA
Next Biennial Report Due: 1/2/2019
Entity Mailing Address: P.O. BOX 240754, DOUGLAS, AK 99824
Entity Physical Address: 412 H STREET, DOUGLAS, AK 99824

REGISTERED AGENT

Agent Name: BAXTER BRUCE & SULLIVAN P.C.
Registered Mailing Address: P.O. BOX 32819, JUNEAU, AK 99803
Registered Physical Address: 9309 GLACIER HIGHWAY, SUITE A201, JUNEAU, AK 99801

OFFICIALS

☐ Show Former

AK Entity #	Name	Titles	Owned
	Abigail Trucano	Member	33.40
	Arbe Williams	Member	33.30
	James Williams	Member	33.30

FILED DOCUMENTS

Date Filed	Type	Filing	Certificate
7/17/2013	Creation Filing	Click to View	Click to View
8/09/2013	Initial Report	Click to View	
2/02/2015	Biennial Report	Click to View	
12/29/2016	Biennial Report	Click to View	

Juneau Mailing Address

P.O. Box 110806
Juneau, AK 99811-0806

Physical Address

333 Willoughby Avenue
9th Floor
Juneau, AK 99801-1770

Phone Numbers

Main Phone: (907) 465-2550
FAX: (907) 465-2974

Anchorage Mailing/Physical Address

550 West Seventh Avenue
Suite 1500
Anchorage, AK 99501-3567

Phone Numbers

Main Phone: (907) 269-8160
FAX: (907) 269-8156

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

In the Matter of the Dissolution of the Marriage of:

Jeffery Trucano and
Abigail Trucano,

Husband and Wife.

CASE NO: 1JU-15-00754CI

DECREE OF DISSOLUTION OF
MARRIAGE (WITHOUT CHILDREN)

Upon consideration of the petition filed in this action and the testimony of the petitioner or petitioners at the hearing on September 1, 2015, the court makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The Court has jurisdiction in this action.
2. Petitioners understand fully the nature and consequences of this action.
3. The written agreements between petitioners concerning spousal maintenance and tax consequences, if any, division of property, including retirement benefits, and allocation of obligations are fair and just and constitute the entire agreement between the parties.
4. The spousal maintenance and division of property fairly allocate the economic effect of dissolution and take into consideration the factors listed in AS 25.24.160(a)(2) and (4).
5. The petitioners have made all the agreements required by AS 25.24.200(a) and each spouse entered into the agreements voluntarily and free from the coercion of another person.
6. The agreements of petitioners as outlined in the petition and any amendments thereto are incorporated as part of these findings.
7. An incompatibility of temperament has caused the irremediable breakdown of the marriage.
8. There are no children of the marriage and the wife is not pregnant.

THEREFORE, IT IS ORDERED:

1. A final judgment of dissolution of marriage is hereby granted.
2. Petitioners shall perform their agreements as incorporated in the findings.
3. Petitioner Abigail Regina Trucano's name is
☒ restored to Abigail Regina Williams.
☐ changed as shown on the Judgment for Change of Name (CIV-704).
4. Other: _

September 1, 2015
Date

James Curtain
Master

Master's order approved on:

9/2/15
Effective Date

Louis James Menendez, Superior Court Judge

I certify that on 9/2/15
a copy of this order was mailed to:
Jeffery Trucano
Abigail Trucano

+1 cc

Clerk: GMB

DEC 7 8 2017



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

January 11, 2018

City & Borough of Juneau

Attn: Beth McEwen

Via Email: beth.mcewen@juneau.org

Cc: City.Clerk@juneau.org

Re: Notice of 2018/2019 Liquor License Renewal Application

License Type:	Wholesale - General	License Number:	4943
Licensee:	Specialty Imports, Inc.		
Doing Business As:	Specialty Imports		

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

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

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

Sincerely,

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

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Wholesale License

Form AB-17f: 2018/2019 Renewal License Application

Packet Page 52 of 93
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

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing beverage dispensary – tourism liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Specialty Imports, Inc.	License #:	4943
License Type:	Wholesale - General	Statute:	AS 04.11.160(a)
Doing Business As:	Specialty Imports		
Premises Address:	540 W 8th Street		
Local Governing Body:	City & Borough of Juneau		
Community Council:	None		

Mailing Address:	4119 INGRA ST		
City:	Anchorage	State:	AK
		ZIP:	99503

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	Shawn Beck		
Contact Phone:	907-563-9100	Business Phone:	907-751-9102
Contact Email:	shawn.beck@specialtyimports.com		

Seasonal License? ☐ Yes ☒ No

If "Yes", write your six-month operating period:





Alaska Alcoholic Beverage Control Board

Wholesale License

Form AB-17f: 2018/2019 Renewal License Application

Section 2 – 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:

Bexanne Parke - accounting desk and paperwork computer

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4.

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:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					





Alaska Alcoholic Beverage Control Board

Wholesale License

Form AB-17f: 2018/2019 Renewal License Application

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

Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>. Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	24479D
-----------------------	--------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.



This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

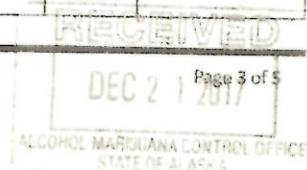
- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information 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 Name:	Sharon L. Beck			
Title(s):	President / Vice President Secretary	Phone:	907 543-7100	% Owned: 100
Mailing Address:	4119 2nd Ave SE			
City:	HOVING	State:	AK	ZIP: 99503

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

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

[Form AB-17f] (rev 10/16/2017)
 License #4943 DBA Specialty Imports





Alaska Alcoholic Beverage Control Board

Wholesale License

Form AB-17f: 2018/2019 Renewal License Application

Packet Page 55 of 93
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

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	☒	☒
The license was regularly operated during a specific season each year, for 8 or more hours each day.	☐	☐
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	☐	☐
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	☐	☐

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	☐	☒
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	☐	☒

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.





Alaska Alcoholic Beverage Control Board

Wholesale License

Form AB-17f: 2018/2019 Renewal License Application

Section 7 – Certifications

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

Initials

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



I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.



I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.



I certify on behalf of myself or of the organized entity 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.



I have submitted a completed Form AB-25: Supplier Certification for each distiller, brewer, vintner, or importer of each product line of alcoholic beverages that I have purchased or intend to purchase, offer for sale, or sell. Additionally, I have submitted as part of this application the required supplier fee, following the attached Supplier Fee Schedule.



As an applicant for a liquor license renewal, 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. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Shawn Becker
Signature of licensee

Shawn Becker
Printed name of licensee



Renee Kvasager
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 3/30/2019

Subscribed and sworn to before me this 19th day of December, 2017.

License Fee:	\$ 2000.00	Application Fee:	\$ 200.00	TOTAL:	\$ 2200.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Presented by: The Manager
 Introduced: February 12, 2018
 Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-996

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$1,160,282 be transferred:

From: CIP

D14-020	Lemon Creek Gravel Scale Rplcm	\$5,950
D71-084	Capital Transit-Transit Plan	\$5,780
D71-085	Capital Transit Maint Shop	\$170,000
F21-036	Glacier Fire Station	\$1,781
F21-037	Central Fire Station Paving	\$54,558
R72-109	Vactor Dump	\$3,024
R72-059	Main Street 2 nd to 7 th	\$4,180
R72-053	Eagles Edge Utility LID	\$76,000
R72-104	Lakewood Subdivision Reconstruction	\$21,952
R72-119	Front St Douglas	\$105,699
R72-111	Distin/W. 8 th St Reconstruction	\$100,000
R72-113	Scott Drive Improvements	\$3,346
R72-114	Blueberry Hills Road	\$490,000
R72-125	Aspen Avenue-Mend to Portage	\$118,013

To: CIP

D14-037	North Lemon Creek Material Source	\$5,950
D71-090	Electronic Fare Boxes (NEW)	\$175,780
F21-039	Glacier Station HVAC (NEW)	\$56,339
R72-081	St Maint Shop Design – New Loc	\$3,024
R72-116	Downtown Street Improvements	\$4,180
R72-130	Shaune Dr Imprv Anka to Barrow	\$227,010
R71-131	Birch Lane	\$103,000
R72-133	Douglas Side Streets	\$100,000
R72-134	Sitka Street Reconstr (NEW)	\$485,000

The \$1,160,282 consists of:

F215	Sales Tax Temporary	\$175,960
F215	Sales Tax Areawide	\$978,372
F271	Lands Fund	\$5,950

Moved and Approved this _____ day of _____, 2018.

D. Rorie Watt, City Manager

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 1/22/2018
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-06(AB)

An Ordinance Appropriating to the Manager the Sum of \$74,918 as Funding for the 2015 State Homeland Security Program / SHSP; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

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 \$74,918 to support the goals and activities of Emergency Management through funding, planning, training, exercise and equipment procurement.

Section 3. Source of Funds

State of Alaska Department of Military and Veterans Affairs \$74,918

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-02

An Ordinance Authorizing the Manager to Convey Property Located on Egan Drive between West 10th Street and Main Street to the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) approached the CBJ with a request for a direct negotiated sale for a portion of one parcel and the granting of a number of permanent and temporary construction easements in order to facilitate its road reconstruction project on Egan Drive from West 10th Street to Main Street; and

WHEREAS the project includes resurfacing the pavement, improving intersections, upgrading pedestrian facilities, adding bike lanes where appropriate, and reconstructing a retaining wall; and

WHEREAS, the Docks & Harbors Board reviewed ADOT&PF's proposal and made a recommendation that the board defer to the CBJ Lands & Resources Division's recommendation to dispose of the property for the project; and

WHEREAS, the Lands Committee passed a motion of support for the project; and

WHEREAS, on August 8, 2017, the Planning Commission considered the planned project and requested disposal of property and recommended that the Assembly sell the portion of property and grant the permanent and temporary construction easements (NOD CSP 2017 0013) with the following two conditions:

1. That ADOT&PF work with the CBJ on the design of any reconstruction in the area of the Juneau Arts and Culture Center (JACC) and Centennial Hall facilities, and coordinate the timing of work in that area with planned events at either venue, to include allowing for temporary access arrangements if needed.
2. That the disposal of the fraction of the fraction of Lot 3, USS 3566 of approximately 507 square feet (located on Egan Drive across from Centennial Hall) contain a provision allowing for the CBJ to install a parking information sign in the future.

WHEREAS, after consideration by the Docks & Harbors Board, Lands Committee, and Planning Commission, it was determined that it would be most efficient and in the best interest of both parties if the requested permanent easements were disposed of by outright sale instead; and

WHEREAS, the conditions recommended by the Planning Commission were not dependent upon the type of disposal to ADOT&PF; and

WHEREAS, an appraisal determined the fair market value of the property contemplated for sale to be \$39,615; and

WHEREAS, in order to complete its proposed project, ADOT&PF needs the property identified below in addition to ten temporary construction easements (CBJ Resolution No. 2810).

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. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of property identified in Section 3 (and depicted in Exhibit A) subject to the terms and conditions specified in this ordinance.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by appraisal to total \$39,615, as follows:

(a) A Fraction of Lot 3, USS 3566, Juneau Recording District approximately 507 square feet as depicted in Exhibit A, Parcel No. 2; \$15,210.00;

(b) A portion of Lot 1, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 595 square feet as depicted in Exhibit A, Parcel No. 12; \$4,465.00;

(c) A portion of Lot 4, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 406 square feet as depicted in Exhibit A, Parcel No. 14; \$3,050.00;

(d) A portion of Lot 5, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 501 square feet as depicted in Exhibit A, Parcel No. 15; \$3,760.00;

(e) A portion of Lot 6, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 501 square feet as depicted in Exhibit A, Parcel No. 16; \$3,760.00;

(f) A portion of Lot 7, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 503 square feet as depicted in Exhibit A, Parcel No. 17; \$3,775.00;

(g) A portion of Lot 8, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 510 square feet as depicted in Exhibit A, Parcel No. 18; \$3,830.00;

(h) A portion of Lot 9, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 152 square feet as depicted in Exhibit A, Parcel No. 19; \$1,140.00; and

(i) A portion of an undeveloped right-of-way for a future street lying northerly of Lots 9 through 12, inclusive, Block 67, Tidelands Addition Subdivision of ATS 3, Plat 340, of approximately 1209 square feet as depicted in Exhibit A, Parcel No. 22; \$625.00.

Section 4. Other Terms and Conditions.

(a) The conveyance must include the following two conditions:

(1) ADOT&PF shall coordinate with the CBJ in designing any reconstruction in the area of the Juneau Arts and Culture Center (JACC) and Centennial Hall facilities, and will coordinate the timing of work in that area with planned events at either venue to cause as little disruption as possible and to facilitate access to the venues, including but not limited to allowing for temporary access arrangements as deemed necessary.

(2) To the extent otherwise allowed by law, upon completion of the project, the CBJ shall be entitled to install a parking information sign on the subject property of approximately 507 square feet on Egan Drive across from Centennial Hall.

(b) The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

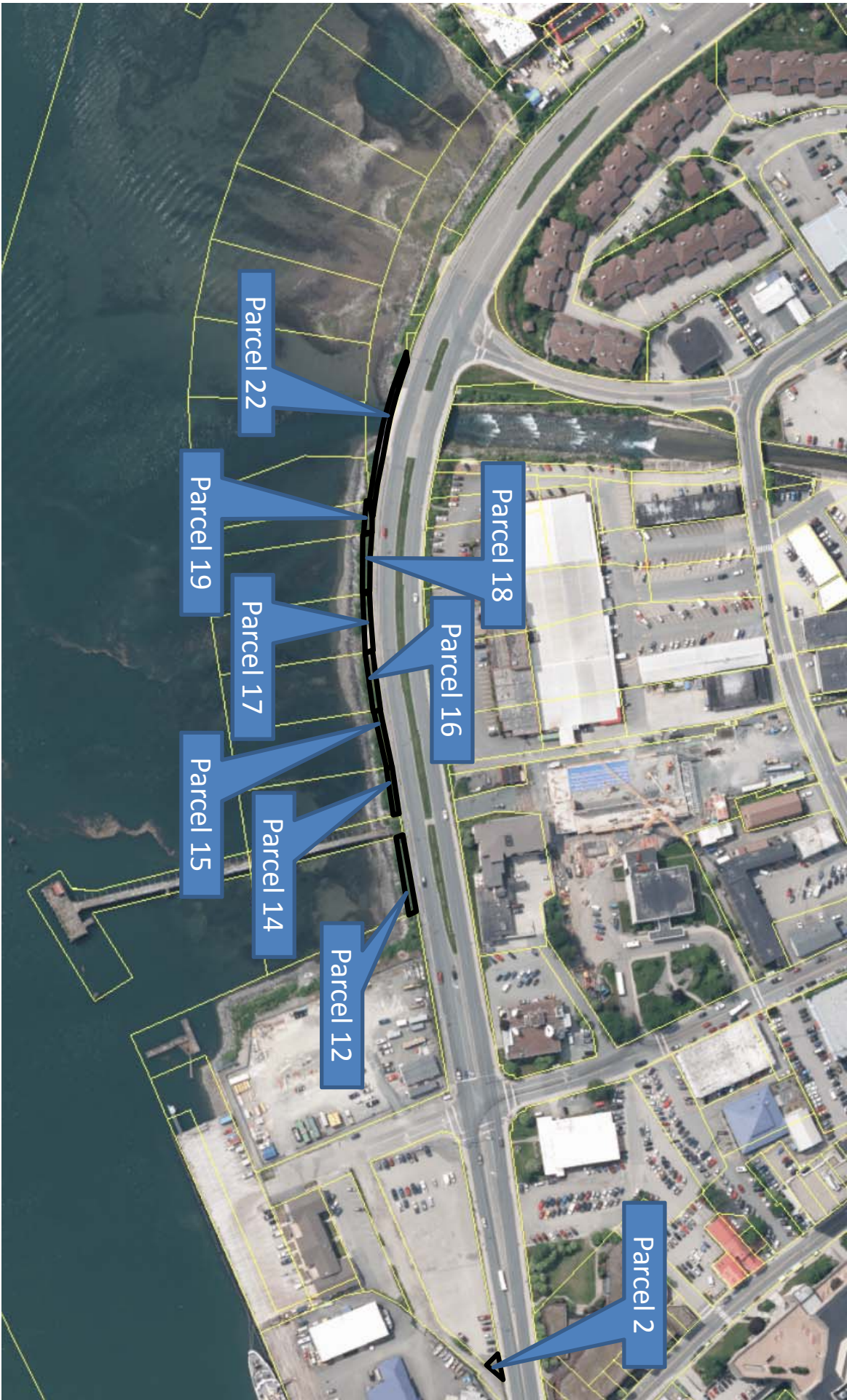
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

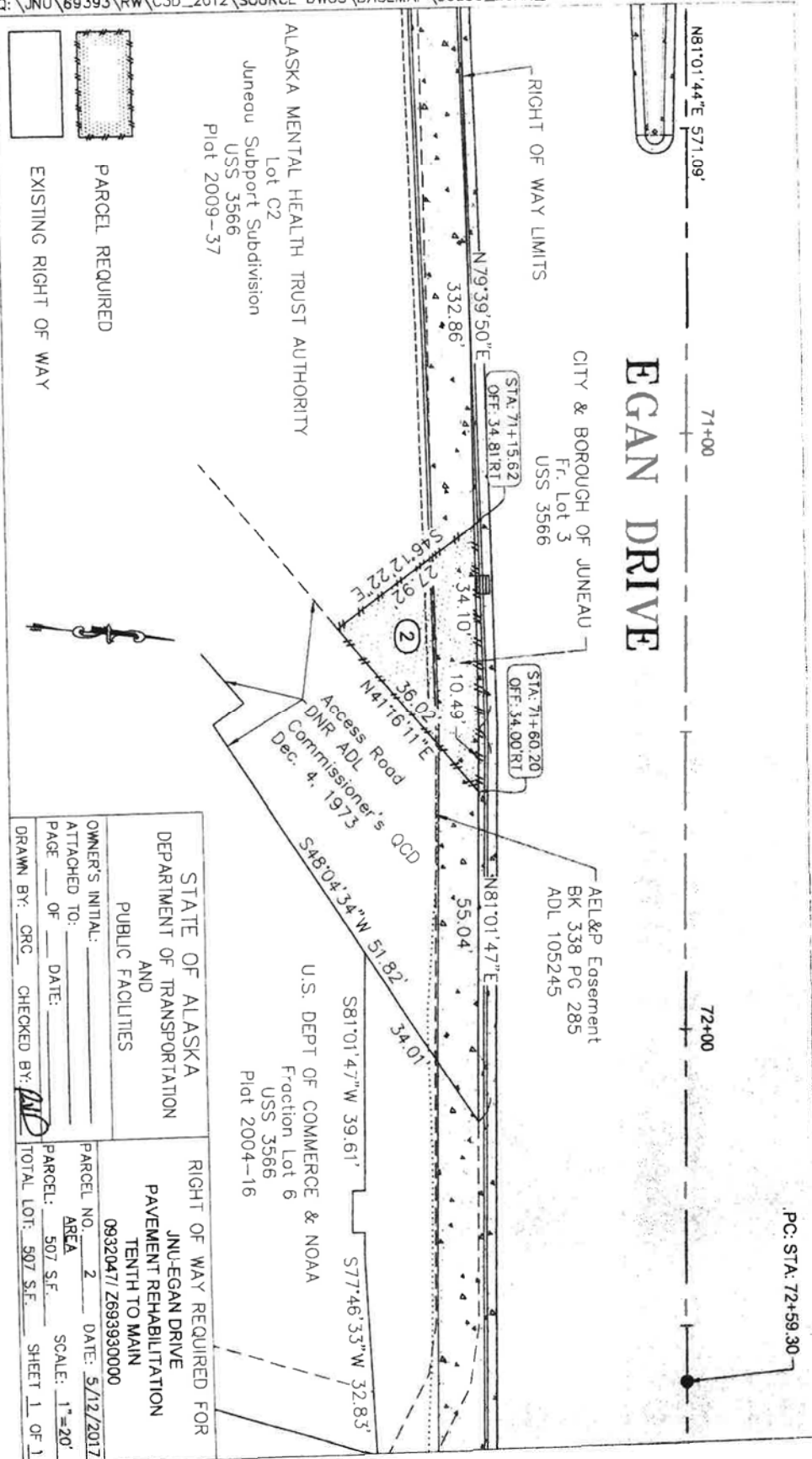
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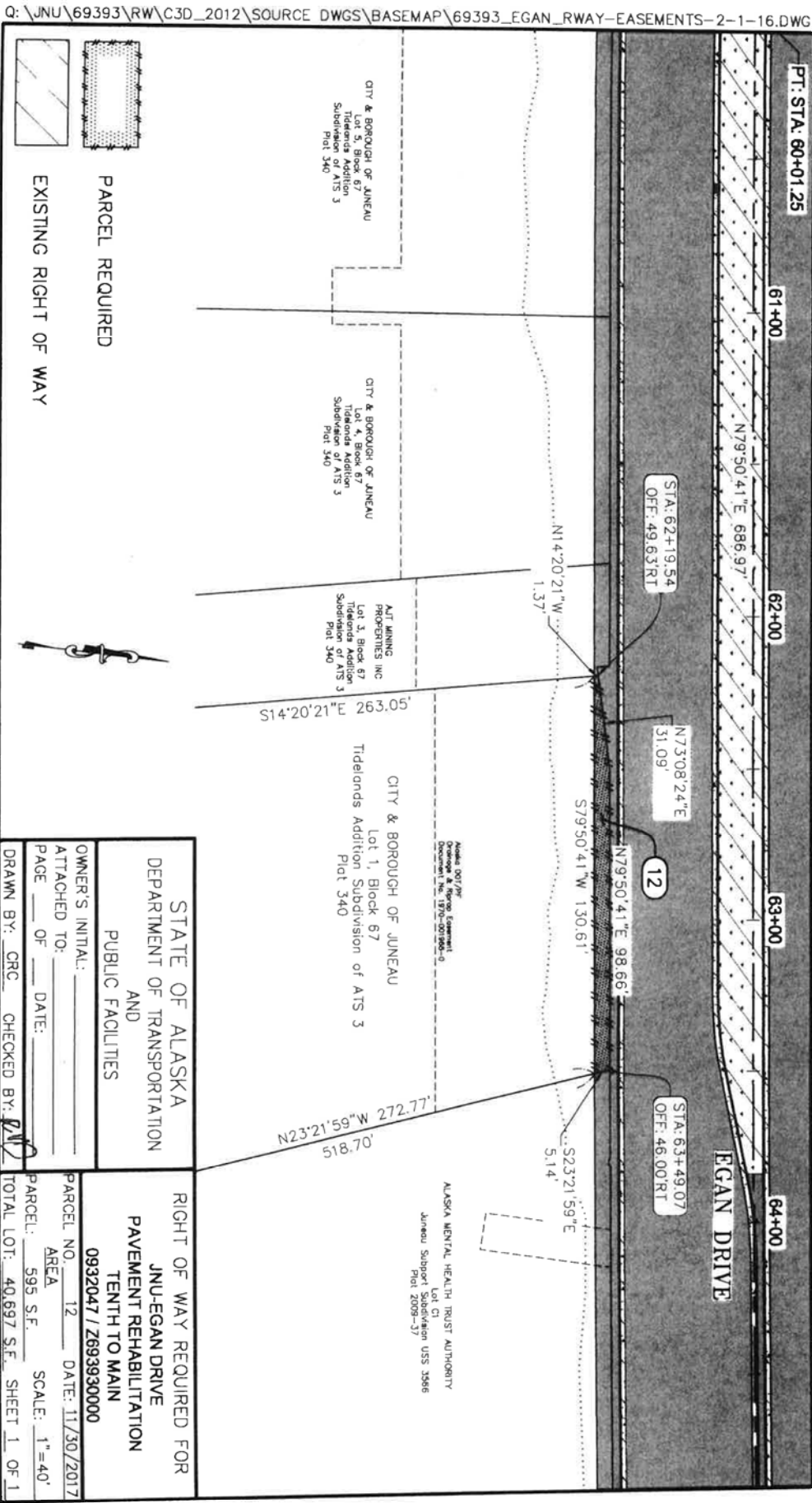
Laurie J. Sica, Municipal Clerk



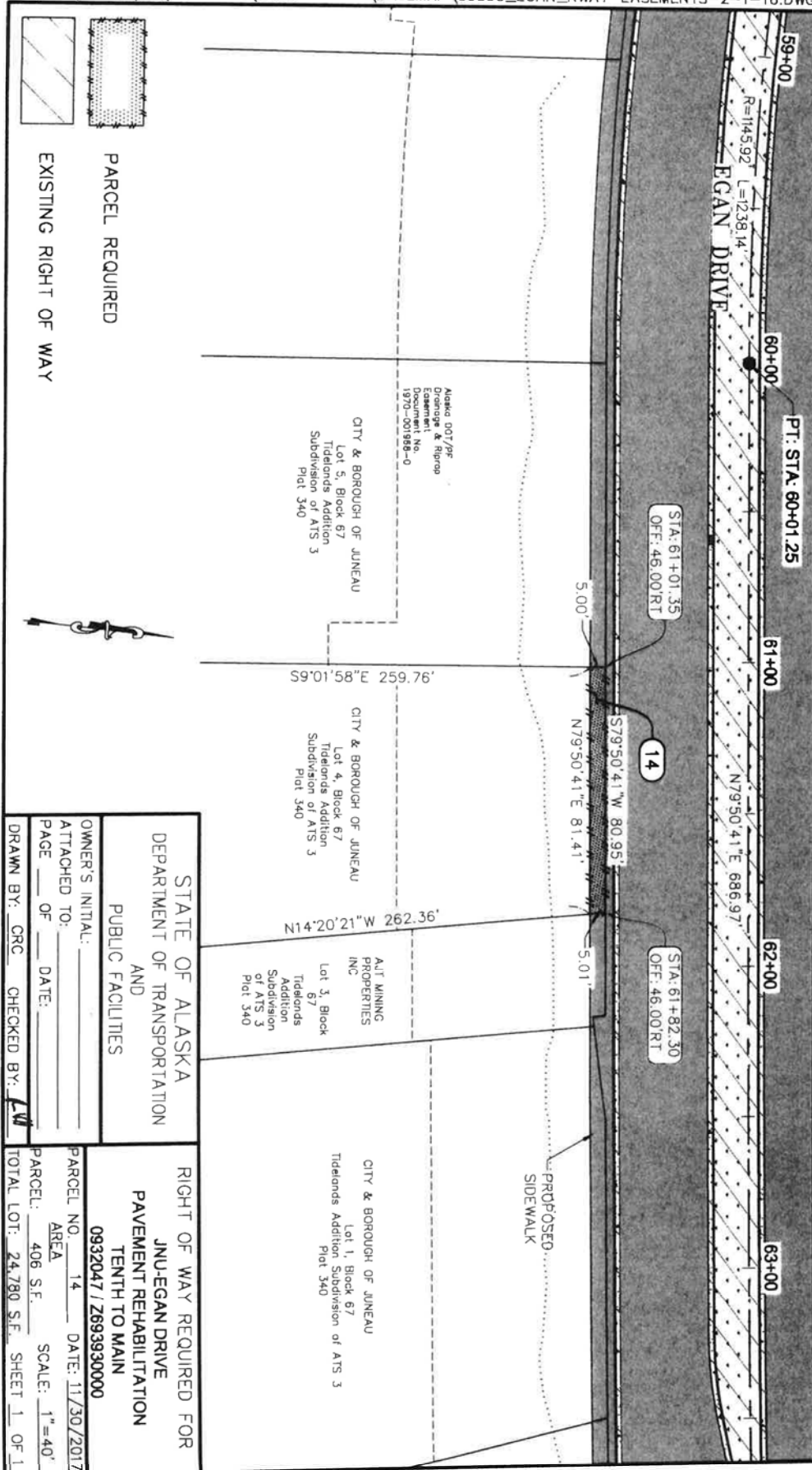
Ord. 2018-02 Exhibit A

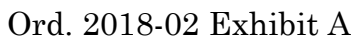
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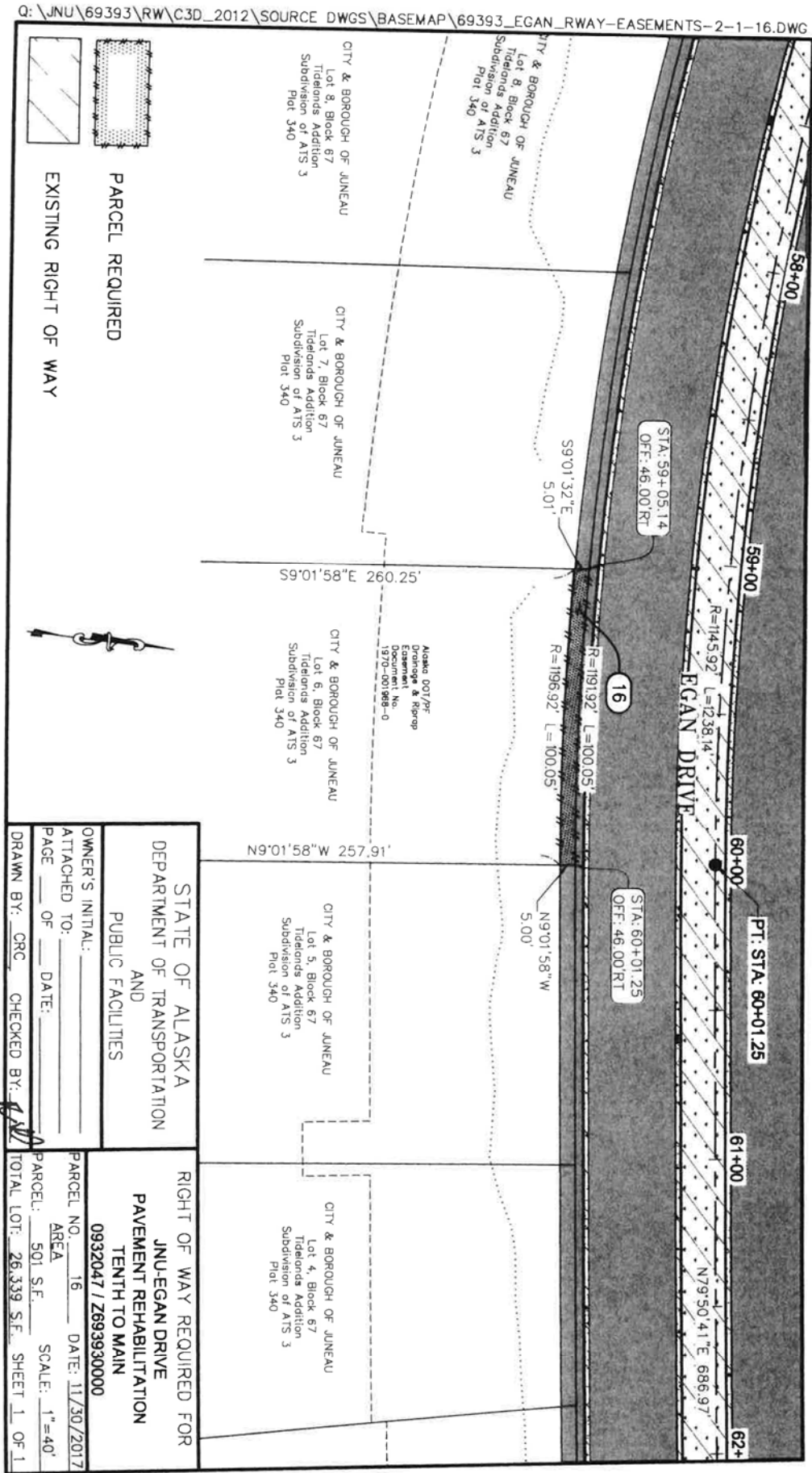




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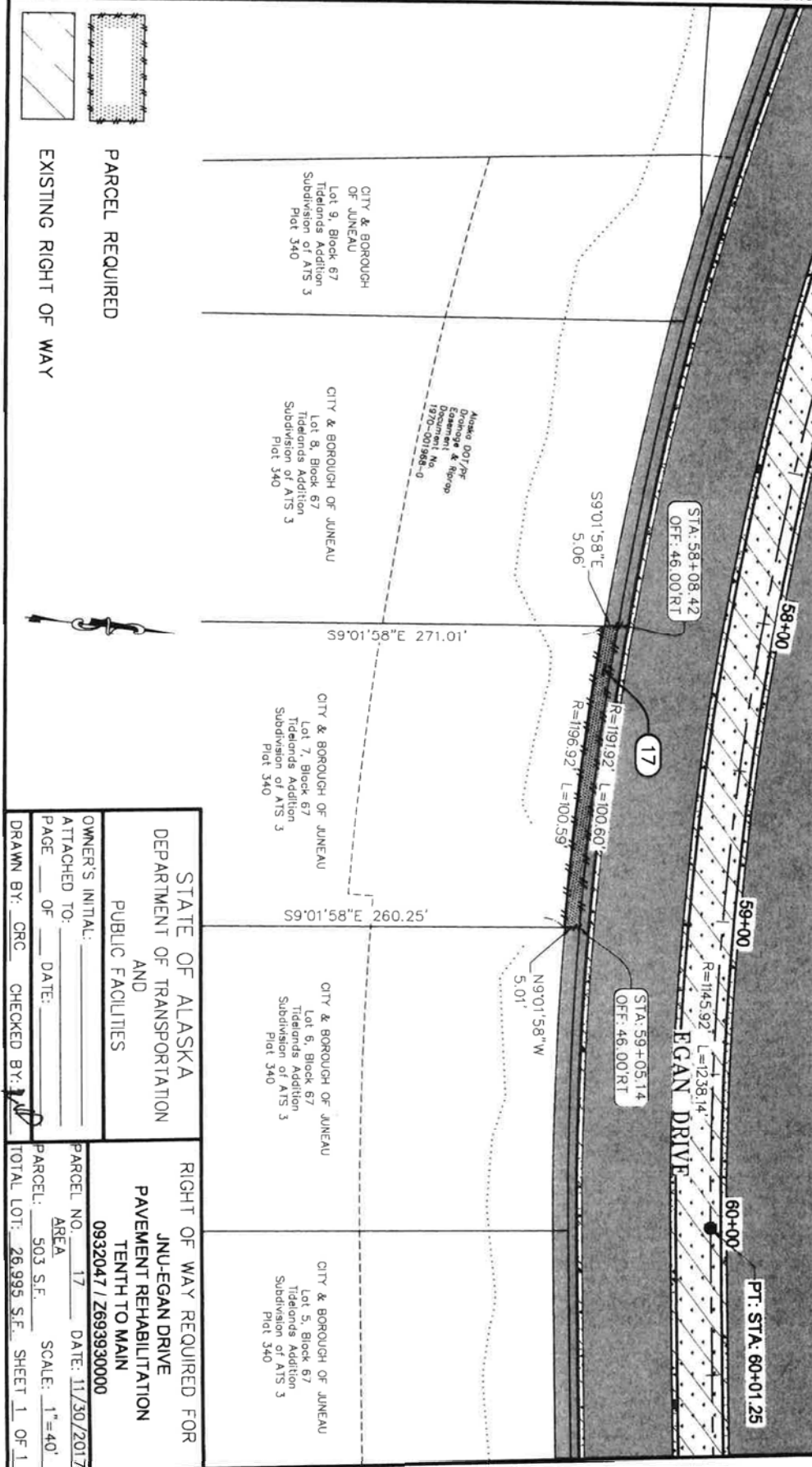




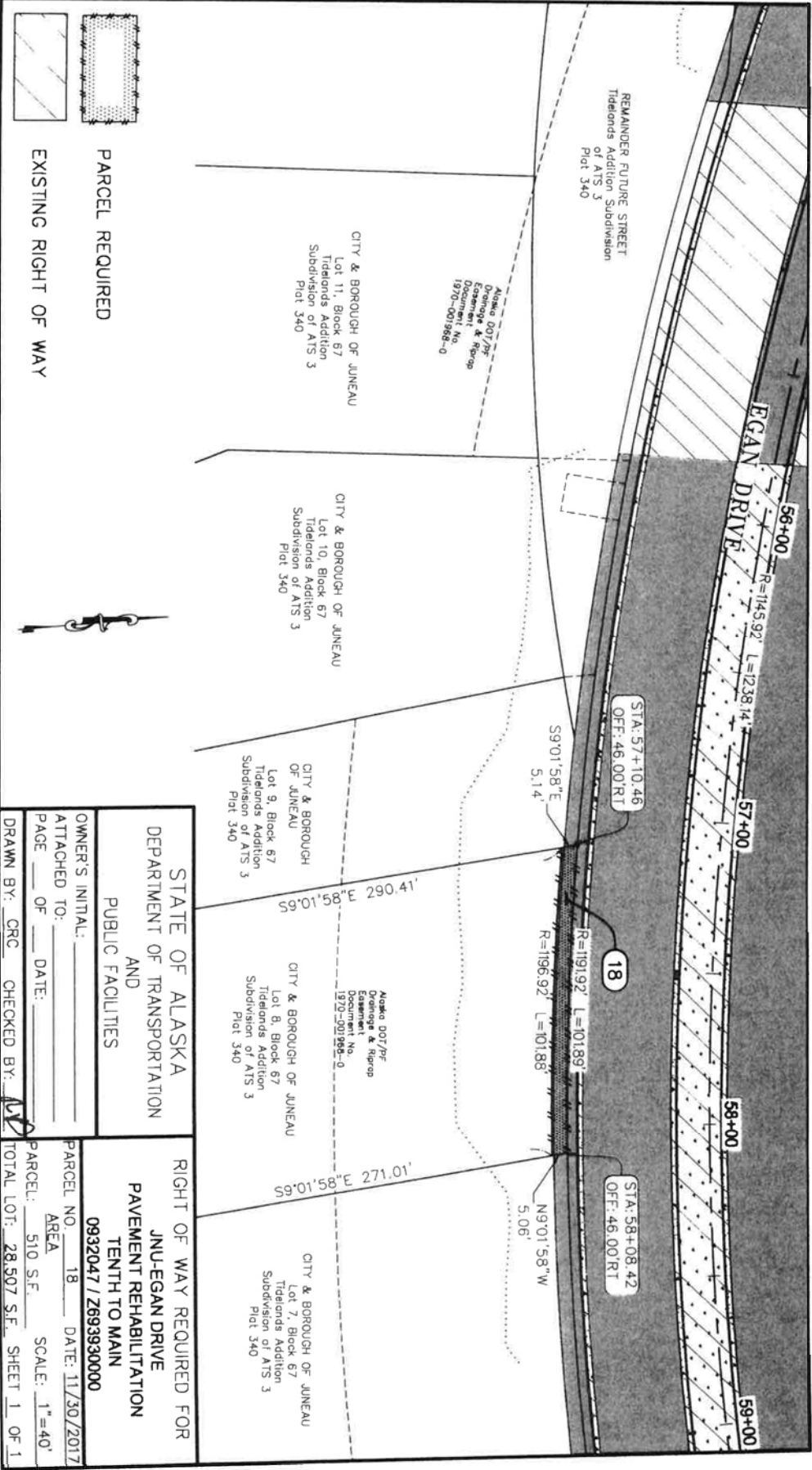


Ord. 2018-02 Exhibit A

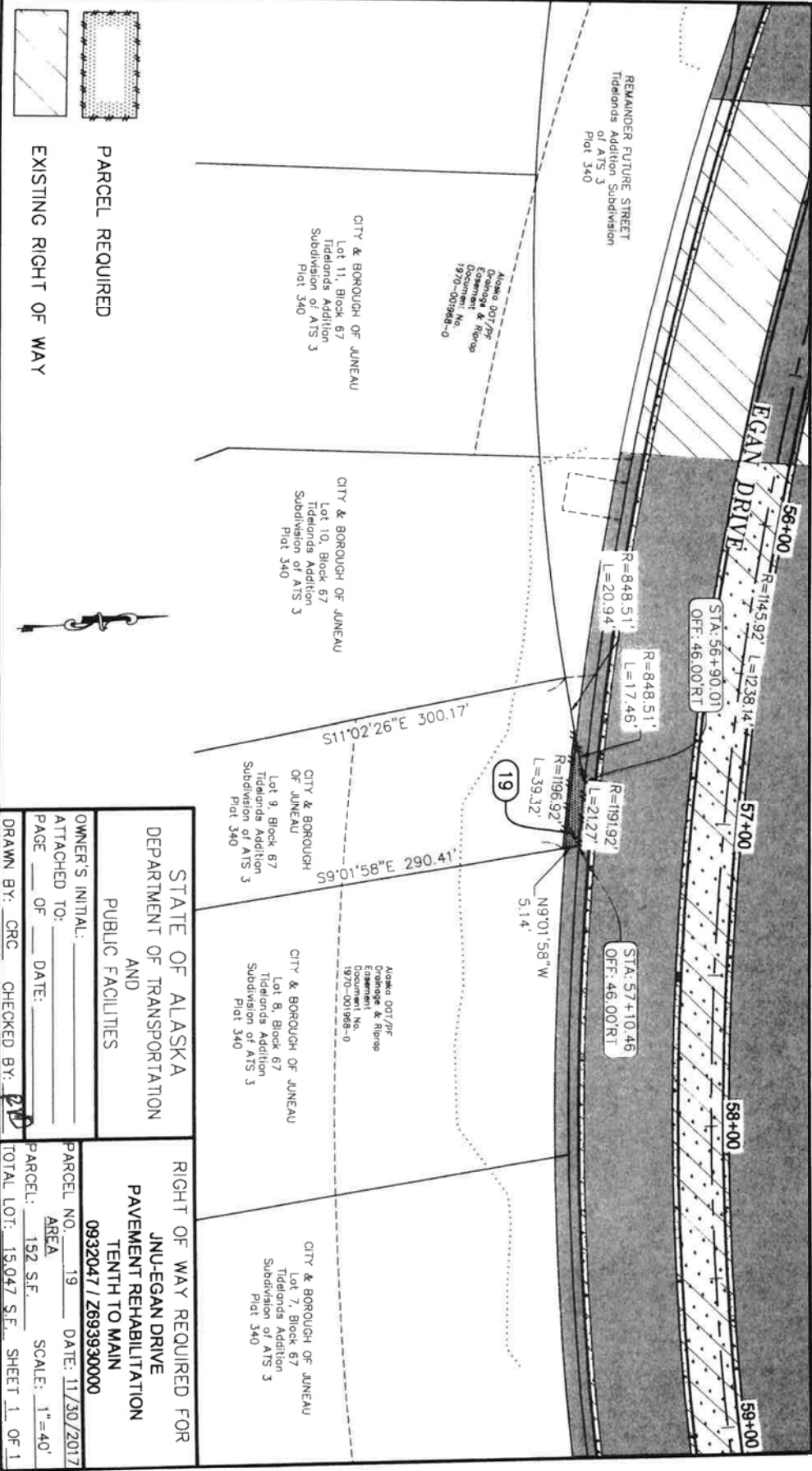
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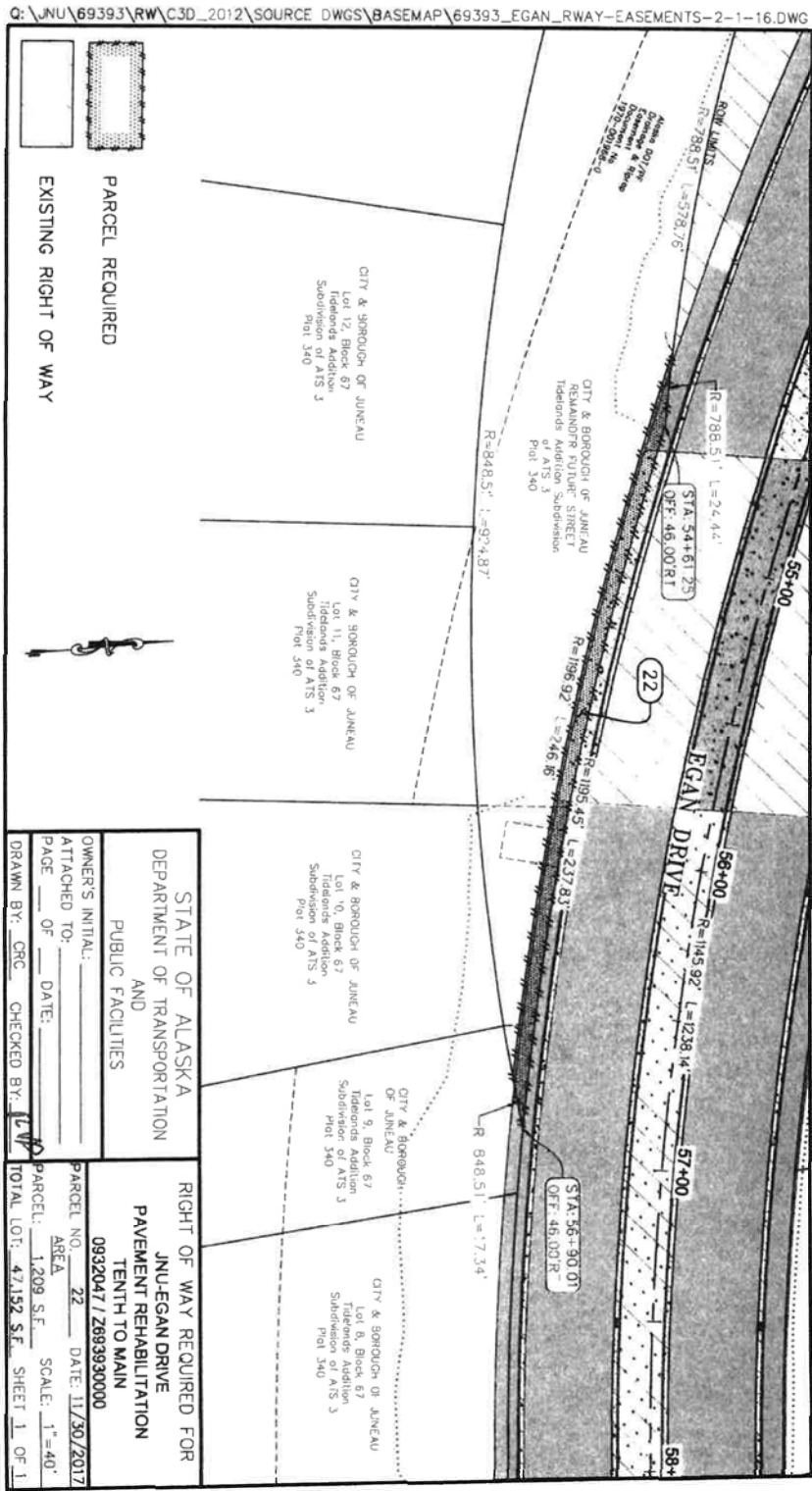


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Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2810

A Resolution Authorizing the Manager to Convey Temporary Easements along Egan Drive from 10th Street to Main Street to the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) is implementing a right-of-way improvement project on Egan Drive from Main Street to 10th Street; and

WHEREAS the project includes resurfacing the pavement, improving intersections, upgrading pedestrian facilities, adding bike lanes, and reconstructing a retaining wall; and

WHEREAS, in order to complete the project ADOT&PF will need ten temporary construction easements; and

WHEREAS, the Manager received an application requesting the following temporary easements:

TCE-12A: portion of Lot 1, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 655 square feet.

TCE-14A: portion of Lot 4, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 409 square feet.

TCE-15A: portion of Lot 5, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 501 square feet.

TCE-16A: portion of Lot 6, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 431 square feet.

TCE-17A: portion of Lot 7, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 432 square feet.

TCE-18A: portion of Lot 8, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 427 square feet.

TCE-19A: portion of Lot 9, Block 67, Tidelands Addition Subdivision of ATS 3 Plat 340 of approximately 242 square feet.

TCE-22A: a portion of Tidelands Addition Subdivision of ATS 3 Plat 340 in a right-of-way of approximately 1254 square feet.

TCE-34A: portion of Lot A, Juneau Subport Subdivision, Plat 2007-29, of approximately 1568 square feet.

TCE-35A: A fraction of Lot 3, USS 3566; a fraction of Lot 8, Block 74, Tidelands Addition Subdivision of ATS 3, Plat 340; a fraction of Lot 9, Block 74, Tidelands Addition Subdivision of ATS 3, Plat 340; and a fraction of Remainder Lot 2A, USS 3566; totaling approximately 1268 square feet.

WHEREAS, these temporary construction easements would allow ADOT&PF to perform activities associated with the adjacent sidewalk installation, repairs, road construction and grading, and allow for temporary access to the property during construction; and

WHEREAS, ADOT&PF is required to identify the fair market value of any property interest that must be acquired in relation to this project and has included an appraisal report with its application; and

WHEREAS, an appraisal was complete on January 25, 2017, which calculated the value of the easements at \$13,735; and

WHEREAS, on August 7, 2017, the Lands Committee unanimously passed a motion in support of granting the easements to ADOT&PF for this project; and

WHEREAS, on August 8, 2017, the Planning Commission approved the project with multiple conditions related to bike improvements, pedestrian improvements, vegetation in median, and platting requirements (NOD CSP2017-0013); and

WHEREAS, on August 8, 2017, the Planning Commission also recommended (NOR CSP2017-0013) that the Assembly convey the easements with the following condition relevant to this resolution:

1. ADOT&PF shall work with CBJ on the design of any reconstruction of this in the area of the JACC and Centennial Hall and coordinate the timing of work in this area with planned events at both venues including temporary access arrangements if needed.

WHEREAS, on August 31, 2017, the Docks & Harbors Board reviewed the ADOT&PF request and recommended conveyance of the easements to ADOT&PF necessary for the 10th Street to Main Street Reconstruction Project; and

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

Section 1. Easement Authorization. The Manager is authorized to negotiate and execute the ten temporary construction easements identified above and depicted in Exhibit A to the Alaska Department of Transportation and Public Facilities. The easements shall be subject to the essential terms and conditions outlined in Section 2, below.

Section 2. Terms and Conditions.

- 1) The ten temporary construction easements shall expire on December 31, 2019, or upon completion of the project unless extended in writing and approved by the Manager.
- 2) ADOT&PF is responsible for construction, maintenance, and removal of any improvements.
- 3) ADOT&PF shall obtain all authorizations and permits necessary for construction.
- 4) All CBJ property subject to a temporary easement shall be returned to its original condition after construction is complete unless waived in writing by the Manager.
- 5) ADOT&PF shall pay the CBJ fair market value for the easements as follows, for a total amount of \$ 13,785.
 - a. \$2,345: TCE-12A, TCE-14A, TCE-15A, TCE-16A, TCE-17A, TCE-18A, TCE-19A.
 - b. \$65: TCE-22A.
 - c. \$11,375: TCE-34A, and TCE-35A.
- 6) The easements shall contain the requirement that ADOT&PF coordinate with the CBJ in designing any reconstruction in the area of the Juneau Arts and Culture Center (JACC) and Centennial Hall facilities, and will coordinate the timing of work in that area with planned events at either venue to cause as little disruption as possible and to facilitate access to the venues, including but not limited to allowing for temporary access arrangements as deemed necessary.

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

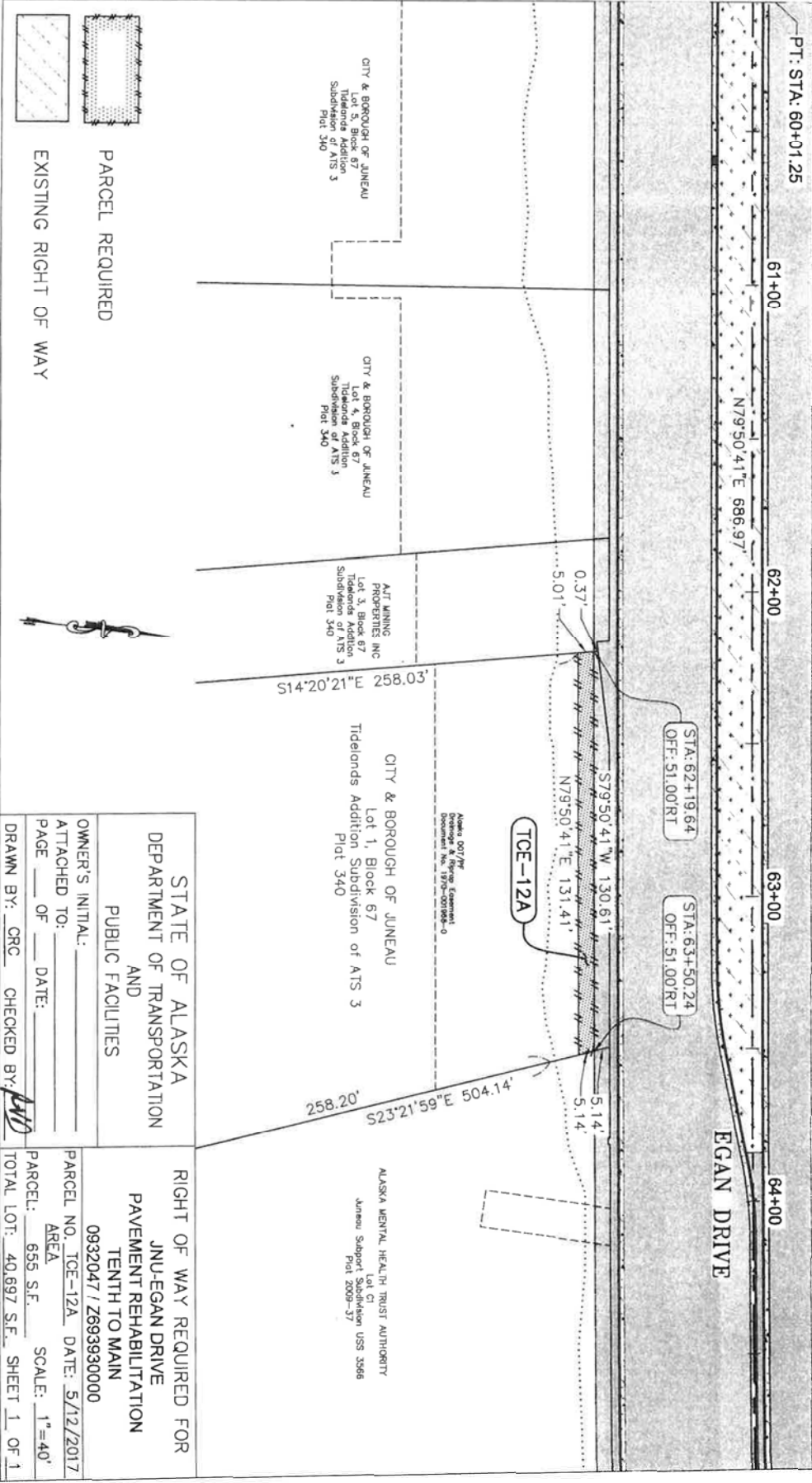
Adopted this _____ day of _____, 2018.

Kendell D. Koelsch, Mayor

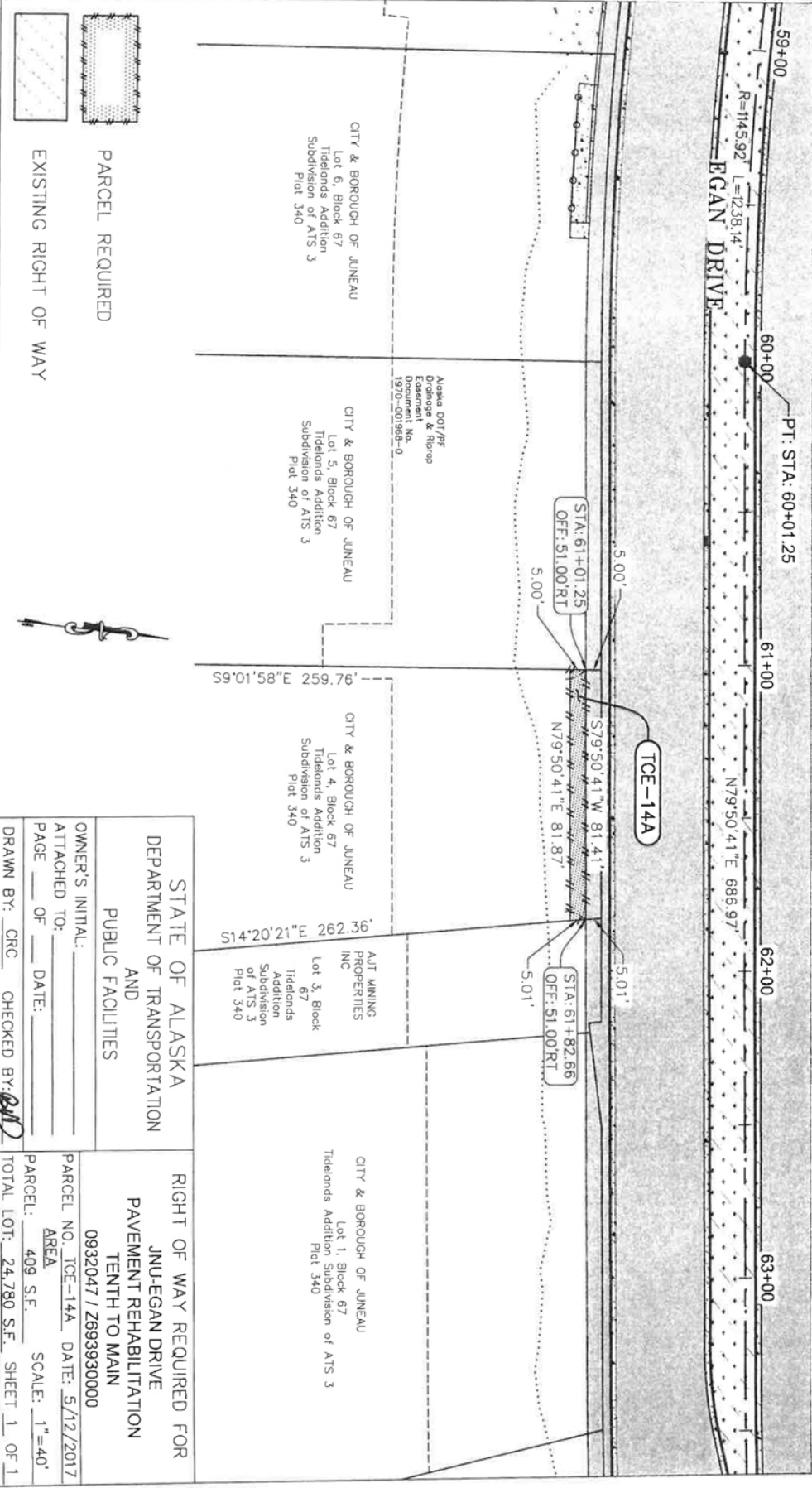
Attest:

Laurie J. Sica, Municipal Clerk

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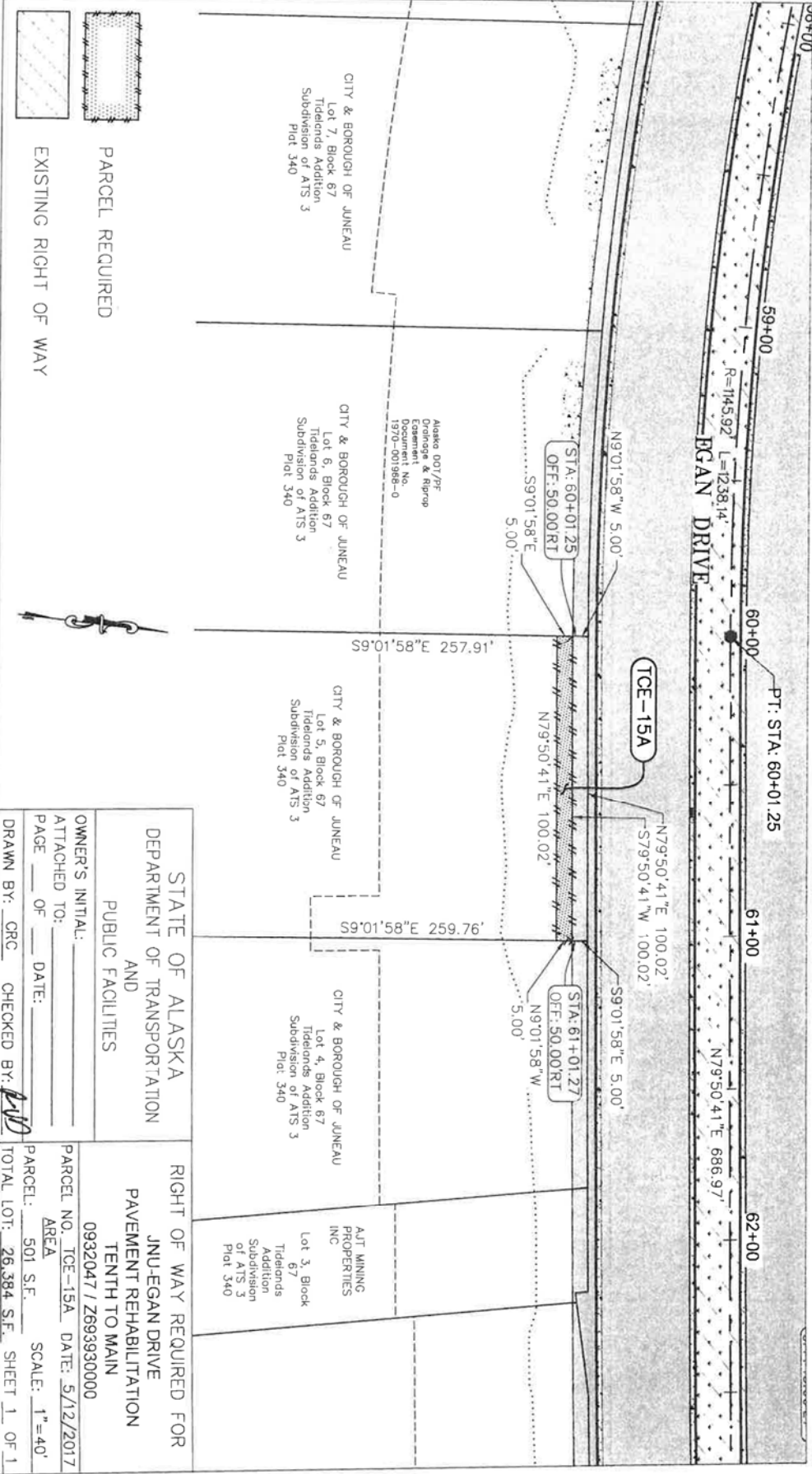


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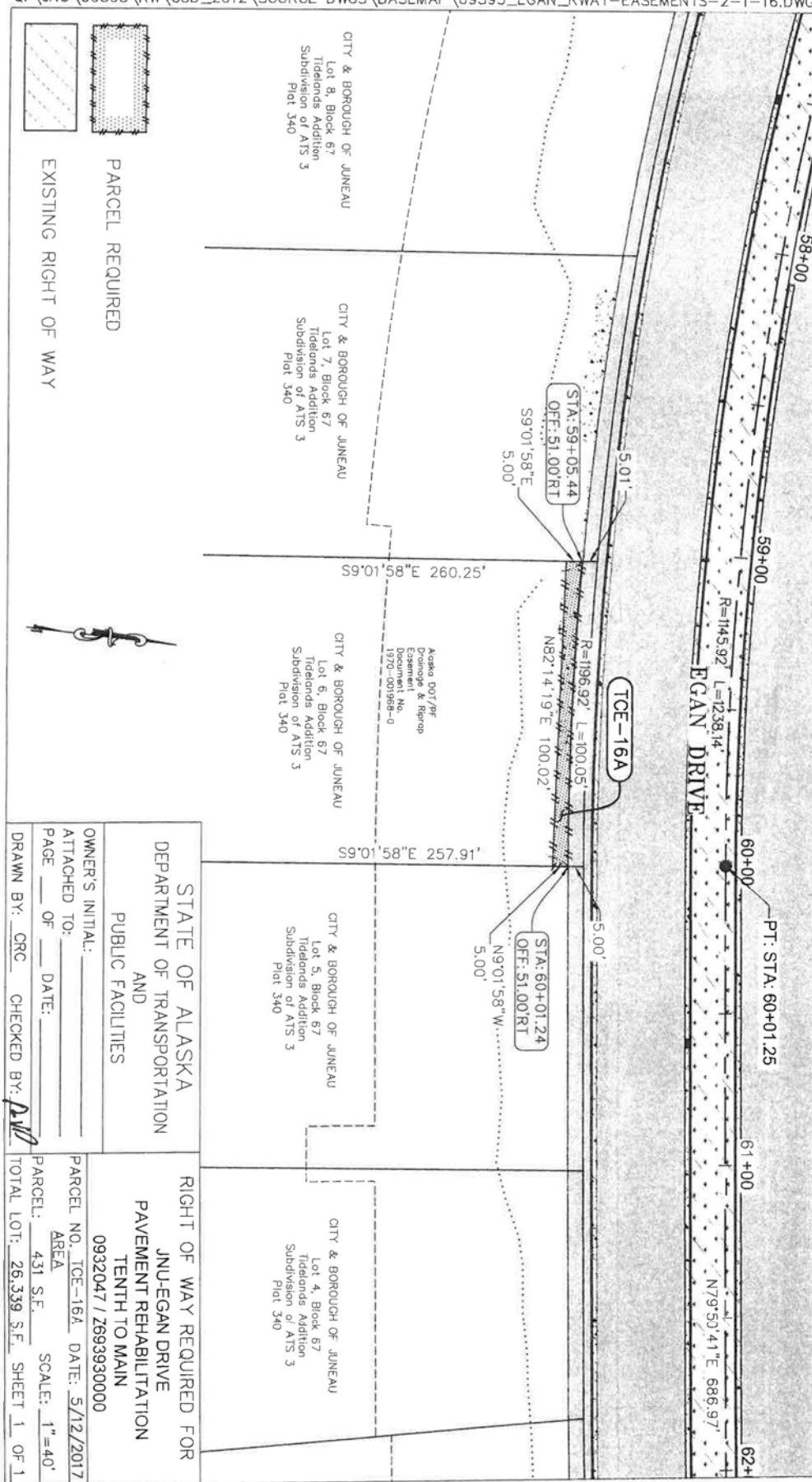


STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY REQUIRED FOR JNU-EGAN DRIVE PAVEMENT REHABILITATION TENTH TO MAIN	
OWNER'S INITIAL:		PARCEL NO.	0932047 / Z693930000
ATTACHED TO:		AREA	TCE-14A
PAGE ____ OF ____	DATE: ____	DATE:	5/12/2017
DRAWN BY: CRC		CHECKED BY: <i>[Signature]</i>	PARCEL: 409 S.F. SCALE: 1"=40'
			TOTAL LOT: 24,780 S.F. SHEET 1 OF 1

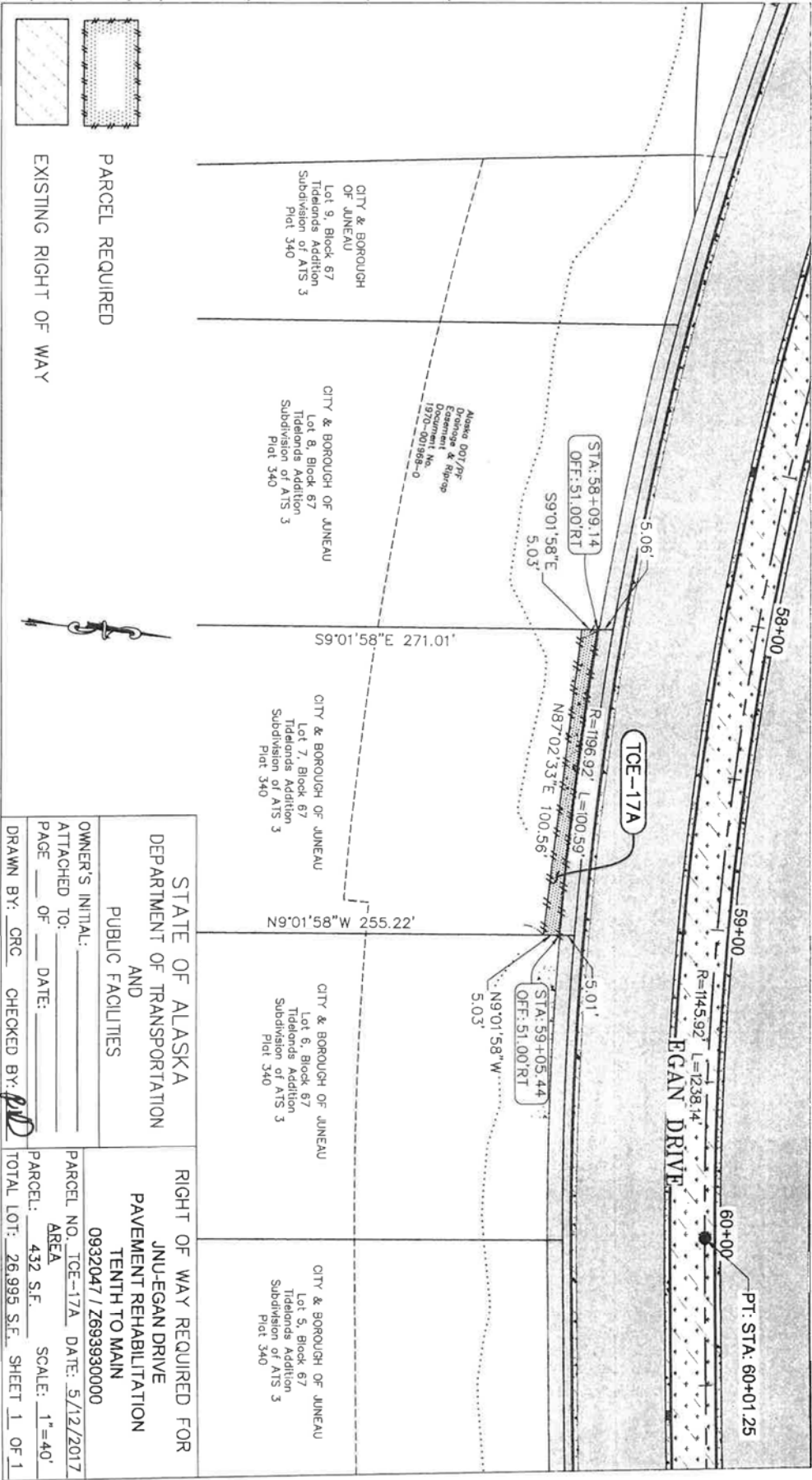
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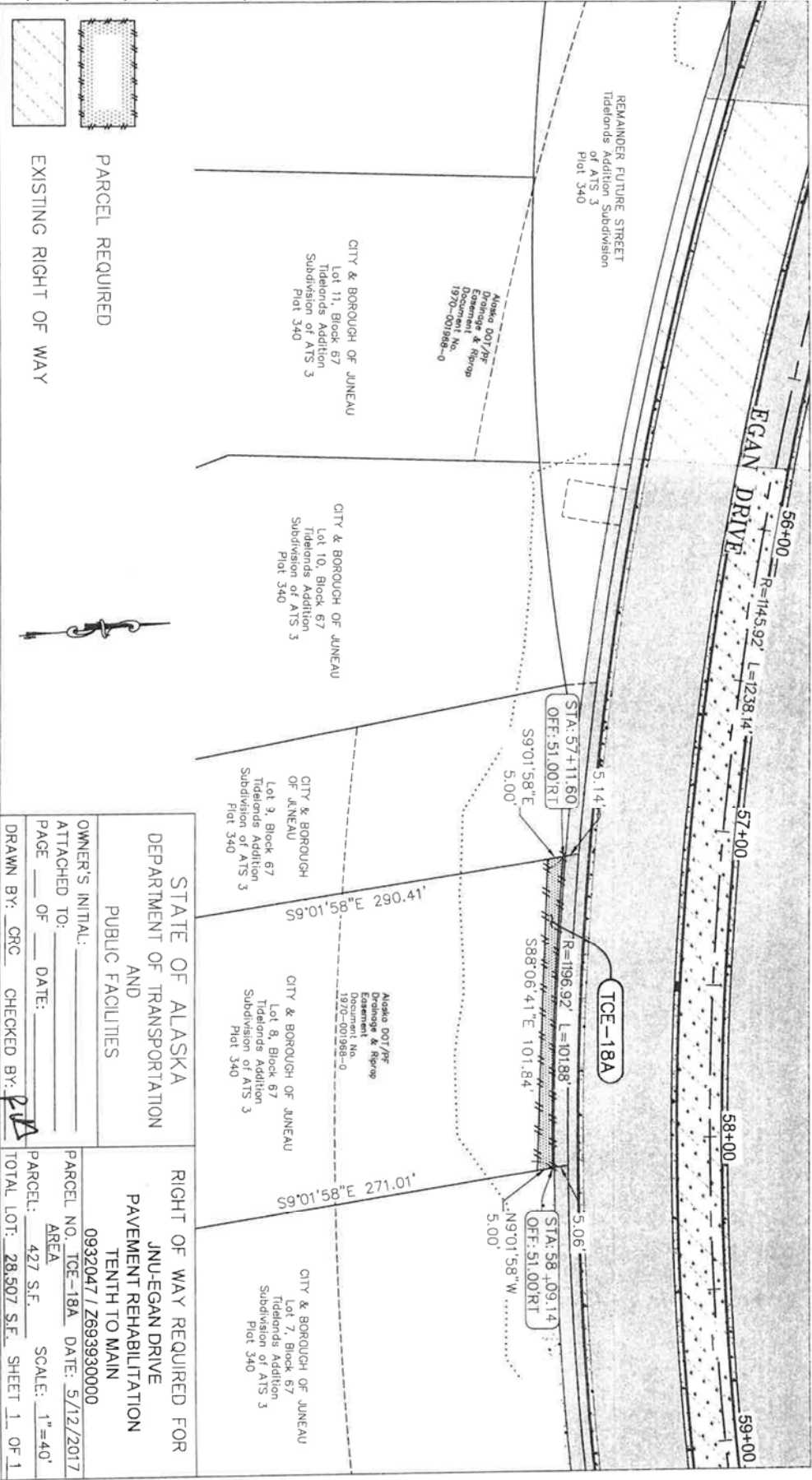
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY REQUIRED FOR JNU-EGAN DRIVE PAVEMENT REHABILITATION TENTH TO MAIN	
OWNER'S INITIAL: _____		PARCEL NO. TCE-15A DATE: 5/12/2017	
ATTACHED TO: _____		AREA 501 S.F. SCALE: 1"=40'	
PAGE ____ OF ____ DATE: _____		PARCEL: _____	
DRAWN BY: CRC CHECKED BY: <i>PJD</i>		TOTAL LOT: 28,384 S.F. SHEET 1 OF 1	



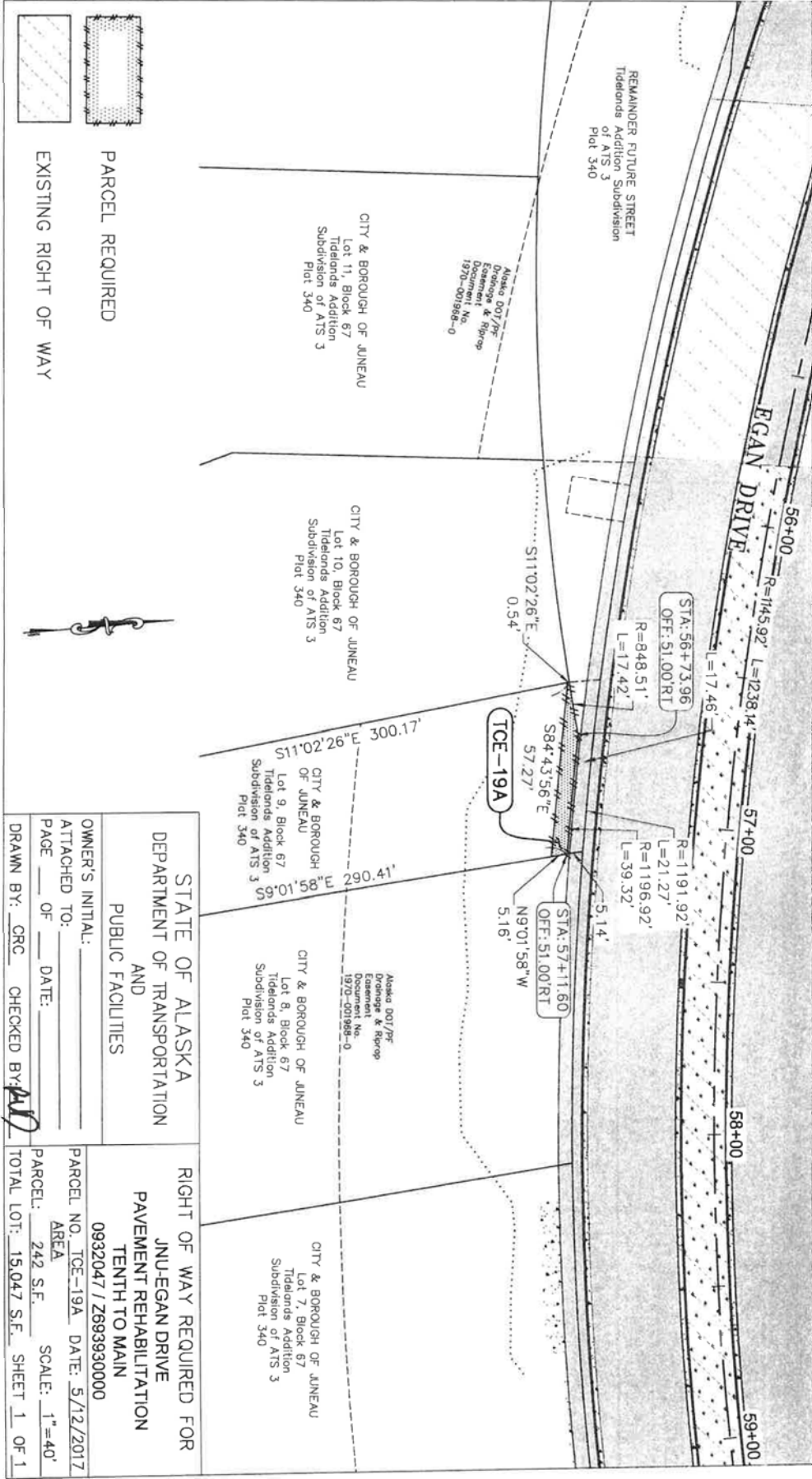
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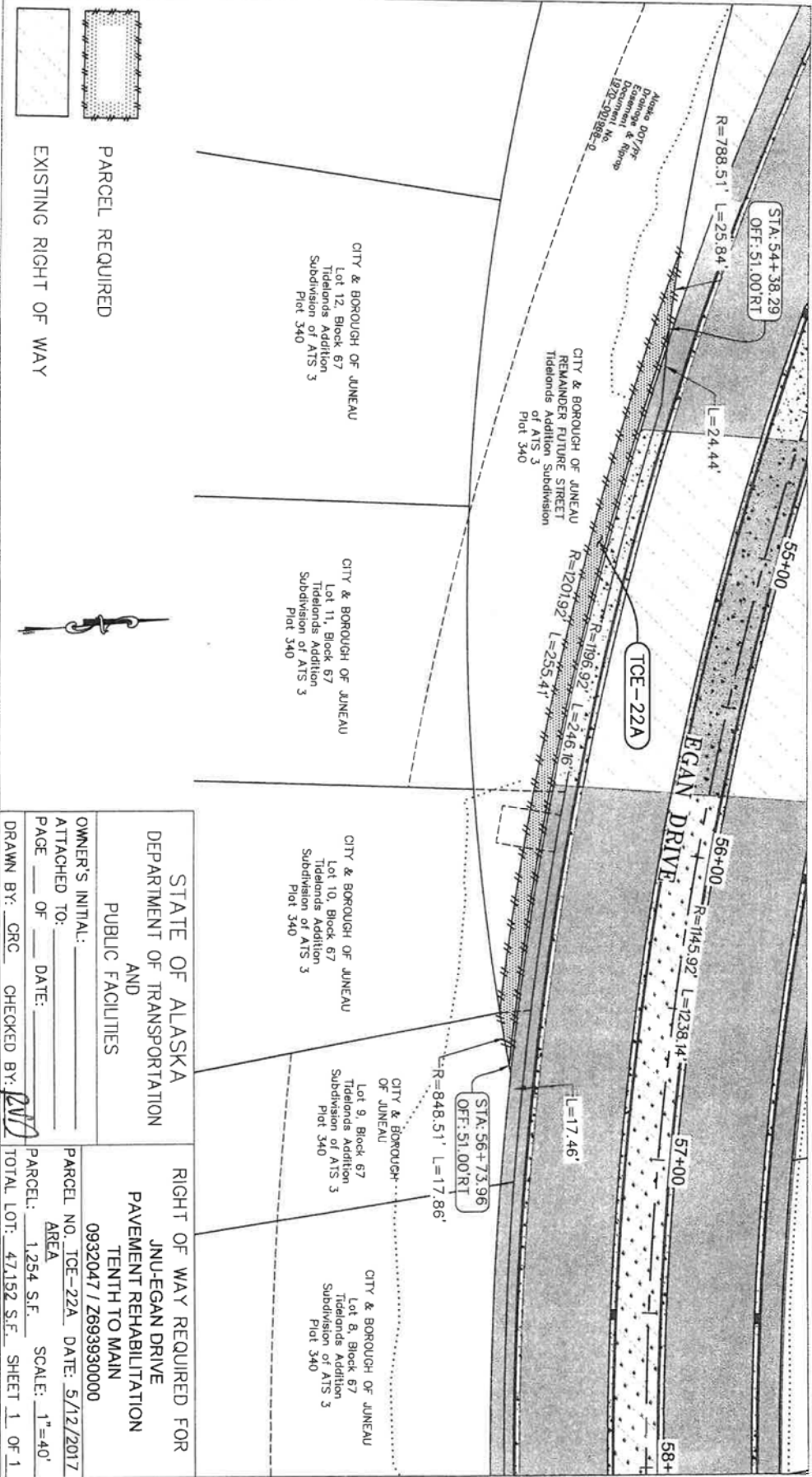


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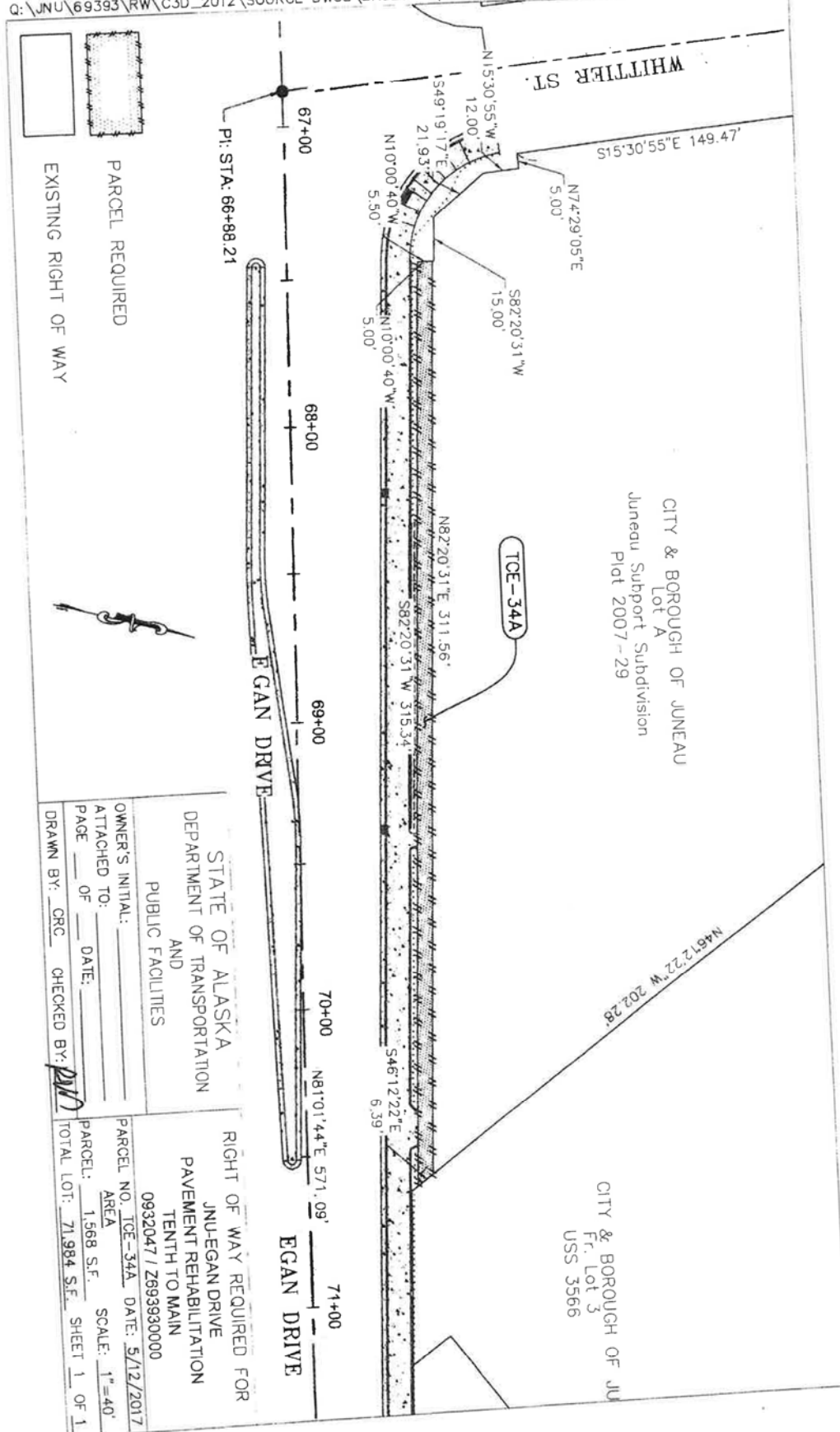


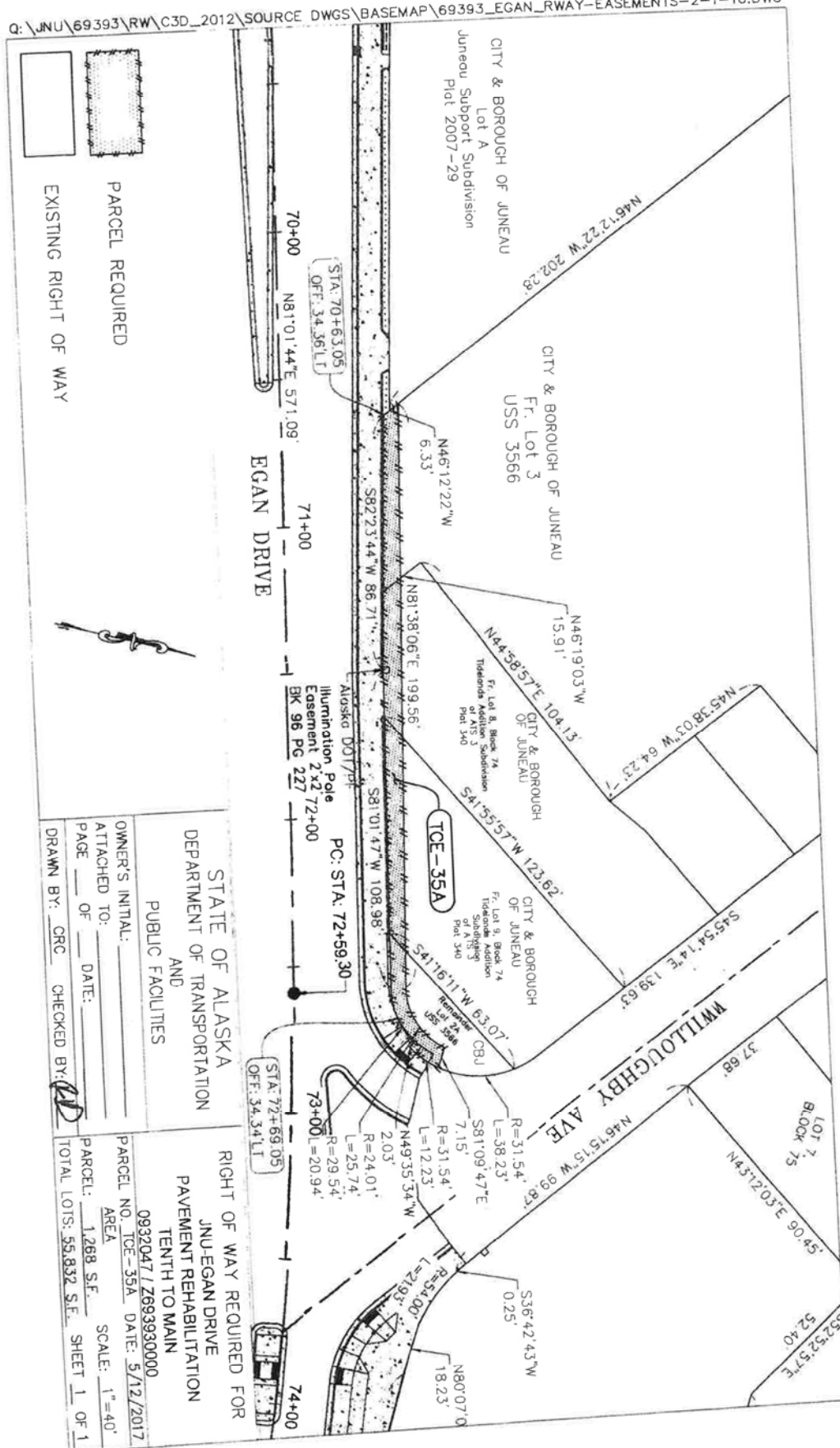
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY REQUIRED FOR JNU-EGAN DRIVE PAVEMENT REHABILITATION TENTH TO MAIN	
OWNER'S INITIAL: _____		PARCEL NO. TCE-19A DATE: 5/12/2017	
ATTACHED TO: _____		AREA 242 S.F. SCALE: 1"=40'	
PAGE ____ OF ____ DATE: _____		PARCEL: 242 S.F. SCALE: 1"=40'	
DRAWN BY: CRC CHECKED BY: [Signature]		TOTAL LOT: 15,047 S.F. SHEET 1 OF 1	

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-05(b)

An Ordinance Authorizing the Manager to Execute Approach Road Approval to Construct Permit Agreement (#27037) with the Alaska Department of Transportation and Public Facilities.

WHEREAS, the City and Borough of Juneau, in connection with the development of the Pederson Subdivision and as required by CBJ 49.35.250(a), will need to construct right-of-way access from Glacier Highway to the subdivision; 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 construct the right-of-way access, the CBJ will need to secure an approach road 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 (memorialized in the January 25, 2018, letter attached as Exhibit A):

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.

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



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

January 25, 2018

Amy Mead, Esquire
155 S. Seward Street
Juneau, AK 99801

RECEIVED
JAN 26 2018
CBJ - LAW DEPT.

RE: Pederson Hill Project; Approach Road Permit
AGO No. 2017200776

Dear Attorney Mead:

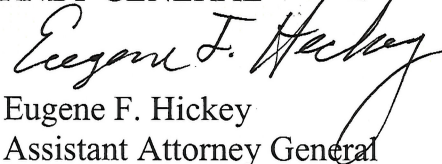
In furtherance of our discussions on the Pederson Hill approach road permit I am writing to outline the Department of Law's position on the indemnification requirement contained in 17 AAC 10.020. Please allow this correspondence to memorialize the State's position on this issue.

The State does not believe there is any ambiguity in either the regulation or the permit form, and that the language contained in the permit form is entirely consistent with that permitted by law. To the extent the City and Borough of Juneau is uncertain or otherwise concerned about the scope of the permit form's indemnity language, the State agrees that the permit form's indemnity coverage is not intended to be any broader than that required in 17 AAC 10.020.

I hope this clarifies the State's position. If you have any questions please do not hesitate to contact me.

Sincerely,

JAHNA LINDEMUTH
ATTORNEY GENERAL

By: 
Eugene F. Hickey
Assistant Attorney General

EFH/akb

cc: Jeff Stark, Assistant Attorney General, Department of Law
Greg Weinert, Right-of-Way Agent VI, DOT & PF

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapter 40 SMALL BOAT HARBOR MOORAGE MANAGEMENT REGULATIONS

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD IS PROPOSING TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, and CBJ 85.02.100.

Section 2. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended by the adoption of regulations in Title 05, Chapter 40 as follows:

05 CBJAC 40.065 Vessel anchoring requirements. ~~(Reserved).~~

- (a) Purpose. City and Borough tide and submerged lands are managed to allow limited anchoring opportunities while maximizing public use and enjoyment of that property, minimizing interference with navigation, and equitably managing uses.
- (b) Applicability. These regulations apply to all tide and submerged lands owned, leased, or managed by the City and Borough of Juneau. The term vessel in these regulations means all vessels, watercraft, logs, piling, building material, scow, houseboat, structures, and any other article of value. These regulations do not apply to City and Borough of Juneau vessels or vessels owned or operated by authorized agents of the City and Borough of Juneau.
- (c) Anchoring requirements.
 - (1) A person may anchor a vessel for up to 24 hours without a permit. No person may anchor a vessel or raft to an anchored vessel in one location or within two miles of one location for more than 24 hours unless first having received a permit from the Port Director.
 - (2) A vessel anchored out shall use standard anchoring tackle as designed for the vessel and local conditions.
 - (3) A permanent mooring system is prohibited.
 - (4) No person shall anchor, permit their vessel to be anchored, or raft their vessel to an anchored vessel in a manner that unreasonably or unnecessarily (i) constitutes a navigational hazard or (ii) interferes with another vessel.
 - (5) Anchoring is prohibited (i) under or near the Juneau-Douglas bridge, (ii) in or adjacent to the entrance of the boat harbors, (iii) in or adjacent to a heavily traveled corridor, and (iv) adjacent to the port.

- (6) A vessel violating any of these regulations is deemed a public nuisance. In addition to other legal authorities, the Port Director may abate, dispose, or impound a vessel as provided by sections 85.25.120 and 85.25.180.
- (d) Permits. The owner, operator, master, or managing agent of a vessel must submit an application for an anchoring permit on a form provided by the Port Director.
 - (1) Short-term permit. The Port Director may issue a short-term permit for a vessel anchoring out for 14 or fewer days in one location.
 - (A) There shall not be a fee, no proof of insurance required, and no proof of an approved marine sanitation system for a short-term permit.
 - (B) Upon expiration of the short-term permit, the vessel shall be moved more than two miles from the permitted short-term anchorage location. A vessel subject to a short-term permit is prohibited from receiving another short-term permit for the same geographical area, as determined by the Port Director, within 13 days of the expiration of the prior permit.
 - (C) The Port Director may attach other reasonable terms and conditions as necessary to protect public health, safety, and welfare.
 - (2) Long-term permit. The Port Director may issue a long-term permit for a vessel anchoring out for 14 to 90 days. No vessel may receive a long-term permit or a combination of permits for anchorage of more than 90 days in any 12-month period.
 - (A) A \$100.00 non-refundable application fee is required to apply for a long-term permit. In addition, the daily fee for anchorage is \$0.25 per foot.
 - (B) The vessel owner must demonstrate that they have enough insurance coverage for recovery of the vessel if it should sink, damage CBJ property, or discharge a hazardous material. A performance guaranty (damage deposit) in an amount determined by the Port Director is required if the Port Director finds the condition of the vessel and the contents on or associated with the vessel present a higher risk of loss or damage.
 - (C) The vessel owner must show the vessel is equipped with an approved marine sanitation system pursuant to 05 CBJAC 45.010 and comply with the requirements, compliance, and inspections of 05 CBJAC 45.015.

- (D) The Port Director may attach other reasonable terms and conditions as necessary to protect public health, safety, and welfare.
- (3) Permit refusal and revocation. The Port Director may, in the Port Director's discretion, refuse to issue or revoke a permit and provide a written explanation. Such an explanation may be based on the following non-exclusive list of factors: condition of the vessel; a vessel or the contents on or associate with the vessel are or are likely to become a hazard; when the anchorage would likely interfere with another vessel or a traffic corridor; when there is insufficient space for the vessel; when the anchorage would unreasonably risk public health, safety, or welfare; when anchorage is not in the public's best interest; or the failure to comply with any law related to the anchored vessel or use of Dock and Harbor property or facilities. The Port Director may also revoke a permit upon probable cause that a violation of these regulations occurred. Unless circumstances warrant immediate revocation, the Port Director shall provide reasonable notice of revocation. Upon revocation, the applicant shall be entitled to a pro rata refund of anchorage fees paid in advance, if any, less any other fees or charges the City and Borough of Juneau may have against the vessel, its owner, operator, master, or managing agent.

Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on December 20, 2017, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 1/29/2018


 Carl Uchtyl
 Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 1/29/18

Robert H. Palmer, III
Robert H. Palmer, III
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Laurie J. Sica, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the ____ day of _____, _____.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: _____.

Date: _____

Laurie J. Sica, Municipal Clerk