



# REGULAR ASSEMBLY MEETING 2022-28 AGENDA

December 12, 2022 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

<https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar ID: 915 1542 4903

Submitted By:

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Duncan Rorie Watt, City Manager

**A. FLAG SALUTE**

**B. LAND ACKNOWLEDGEMENT**

**C. ROLL CALL**

**D. SPECIAL ORDER OF BUSINESS**

**1. Instruction for Public Participation**

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to [BoroughAssembly@juneau.org](mailto:BoroughAssembly@juneau.org).

**E. APPROVAL OF MINUTES**

**F. MANAGER'S REQUEST FOR AGENDA CHANGES**

**G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)

**H. CONSENT AGENDA**

**Public Request for Consent Agenda Changes, Other than Ordinances for Introduction**

**Assembly Request for Consent Agenda Changes**

**Assembly Action**

**I. Ordinances for Introduction**

**2. Ordinance 2022-62 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 10.97 acres of the Pederson Hill Property Located near Karl Reishus Boulevard and Hamilton Street, from D-10SF to D-10.**

At its regular meeting on September 13, 2022, the Planning Commission recommended that the Assembly adopt a rezone of 10.97 acres of Pederson Hill from D10SF zoning to D10 zoning located at Pederson Hill between Karl Reishus Boulevard and Hamilton Street - [AME2022 0005](#). The purpose of the rezone is not to increase density, but to provide greater flexibility in how density is distributed. Both zoning districts allow for up to 10 dwelling units per acre; however, D10SF provides only for the development of single-family dwellings, while D10 provides for multifamily

structures. This rezone conforms with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2016 Economic Development Plan.

**The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at the next regular Assembly meeting.**

3. **Ordinance 2022-63 An Ordinance Authorizing the Manager to Enter into a Revenue Sharing Agreement with Goldbelt, Inc. to Fund Installation of the Gondola and Associated Infrastructure at the Eaglecrest Ski Area.**

This ordinance would allow the CBJ to accept \$10M from Goldbelt Inc for the installation of the gondola and associated facilities. In exchange for the capital contribution, the CBJ would share summer revenues from the gondola project. Notably, the City and Borough of Juneau is not pledging taxes, revenue from taxes, or the full faith and credit of the municipality. Goldbelt, Inc. is uniquely situated to execute a revenue sharing agreement with the CBJ because Goldbelt, Inc. owns the Goldbelt Tram Alaska, which eliminates competition concerns, encourages diversification of impacts and sustainable use of both aerial conveyances, and Goldbelt, Inc. has a natural financial interest to see both aerial conveyances prosper while benefiting the community.

This topic has been discussed at numerous meetings of the Assembly Finance Committee and Assembly Committee of the Whole since the spring of 2022.

**The City Manager recommends the Assembly introduce this ordinance and refer it to the Assembly Committee of the Whole.**

4. **Ordinance 2022-64 An Ordinance Reorganizing and Consolidating the Aquatics Board, the Treadwell Arena Advisory Board, the Jensen-Olson Arboretum Advisory Board, and the Parks and Recreation Advisory Committee.**

This ordinance would dissolve the Treadwell Arena Advisory Board, the Aquatics Board, the Jensen-Olson Arboretum Advisory Board, and transfer those board duties to the Parks & Recreation Advisory Board ("PRAC"). The various Parks & Recreation boards were created when there were pressing community issues, which have waned and decreased community interest for so many boards. Because recruitment and retention for so many community volunteers is so difficult, we have prolonged vacancies and frequently cancelled meetings due to lack of quorum. Consolidation into the PRAC will result in more effective and impactful meetings, which will improve morale of board members and community engagement. If a discrete community concern arises, the PRAC or the Assembly would be able to create a temporary task force to address a future concern.

The Assembly Committee of the Whole discussed this topic on November 7, 2022.

**The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next Regular Assembly meeting.**

5. **Ordinance 2022-65 An Ordinance Authorizing the Eaglecrest Ski Area to Enter Into a Franchise Agreement with Mountain Lift, LLC, for Coffee and Baked Goods Service.**

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement for a coffee shop in the Fish Creek Lodge. Normally, the CBJ would use the lease process for this type of arrangement, but the federal Land and Water Conservation Fund prohibits the CBJ from issuing leases at Eaglecrest. However, the CBJ can grant a franchise for a coffee shop concessionaire by ordinance. After soliciting statements of interest, the current vendor, Mountain Lift LLC, was the only respondent. This ordinance would allow Mountain Lift LLC to operate the coffee shop for five winter seasons.

**The Manager recommends the Assembly introduce this ordinance, refer it to the Lands, Housing, and Economic Development Committee, and schedule it for public hearing at the next regular Assembly meeting.**

**6. Ordinance 2022-06(b)(Y) An Ordinance Transferring \$60,000 from Eaglecrest's Fleet and Equipment Reserve Account to the Eaglecrest Gondola Capital Improvement Project.**

Transportation of Eaglecrest's gondola exceeded cost estimates by \$261,608 as a result of steep fuel surcharges and detention fees on global shipping containers transported to Juneau. This expense will be covered by the following funding sources:

Eaglecrest Deferred Maintenance CIP (D28-101)	\$161,608
Eaglecrest Fleet/Equipment Reserve Account	\$ 60,000
Eaglecrest Gondola CIP (E28-102)	\$ 40,000

This ordinance provides for the \$60,000 transfer from Eaglecrest's fleet and equipment reserve account. Goldbelt loan proceeds may reimburse this account once the loan agreement is effectuated.

**The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.**

**7. Ordinance 2022-06(b)(Z) An Ordinance Appropriating \$250,000 to the Manager for Junk Vehicle Cleanup and Remediation at River Road; Funding Provided by General Funds.**

To date, 103 vehicles have been removed from the River Road property, costing a total of \$152,500. CBJ has been reimbursed for \$105,000 of that amount. The remaining balance will be reimbursed pursuant to a court order, which allows CBJ to foreclose on the property beginning with the vehicles.

As of October 27, 2022, there are still approximately 228 vehicles located at the River Road property. CBJ will request a court order to seize and auction any vehicles of value to attempt to recoup some of the remaining balance owed.

Due to the lengthy court process, there is a need for additional funds now to complete remediation work. Similar to the last round of clean up, CBJ will seek reimbursement of these expenses in subsequent legal proceedings, which may result in property foreclosure.

**The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.**

**8. Ordinance 2022-06(b)(AA) An Ordinance Appropriating \$3,164,401 to the Manager for the Power Upgrades for Electric Buses Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.**

This ordinance would appropriate \$3,164,401 to the Power Upgrades for Electric Buses CIP. Grant funding is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$558,425 is being met by previously appropriated funds in the Power Upgrades for Electric Buses CIP.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

**The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.**

9. **Ordinance 2022-06(b)(AB) An Ordinance Appropriating \$1,039,438 to the Manager for the School Roof Replacement Capital Improvement Project; Grant Funding Provided by the Alaska Department of Education and Early Development.**

This ordinance would appropriate \$1,039,438 to the School Roof Replacement CIP for the Gastineau School roof replacement project. Grant funding provided by the Alaska Department of Education and Early Development replaces previously appropriated general funds, which will be reallocated to the Juneau School District Deferred Maintenance CIP. The local match requirement of \$559,697 is being met by previously appropriated bond proceeds in the School Roof Replacement CIP.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

**The City Manager recommends the Assembly introduce this ordinance and set for it for public hearing at the next regular Assembly meeting.**

10. **Ordinance 2022-06(b)(AC) An Ordinance Appropriating \$119,986 to the Manager for the Valley Transit Center Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.**

This ordinance would appropriate \$119,986 to the Valley Transit Center CIP. Grant funding is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$29,997 is being met by previously appropriated funds in the Valley Transit Center CIP. The original grant award erroneously excluded administrative overhead as an eligible expense; this grant amendment corrects this error by allocating additional funds for this purpose.

The Public Works and Facilities Committee will review this request at the December 19, 2022 meeting.

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

## **J. Resolutions**

11. **Resolution 3009 A Resolution Adopting the 2022 Updates to the City and Borough of Juneau Investment Policy.**

This resolution, and a companion ordinance (#2022-54) set for public hearing on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this resolution would make grammatical changes, would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy.

**The City Manager recommends the Assembly adopt this resolution.**

12. **Resolution 3010 A Resolution Seeking Membership in the AARP Network of Age-Friendly States and Communities.**

As the population in the United States ages and people stay healthy and active longer, communities must adapt. Juneau's population that is 60 and older has consistently and rapidly grown for over 20 years and is expected to grow another 9% over the next ten years. In 2020, 14.7% of Juneauites' income came from retirement and Social Security. These two categories were only 11.7% of Juneauites' income in 2010. Members of the AARP Network of Age-Friendly States and

Communities become part of a global network of states and communities that are committed to giving their older residents the opportunity to live rewarding, productive, and safe lives. Membership in the AARP Network of Age-Friendly States and Communities includes access to financial assistance and technical expertise. The resolution would authorize the City Manager to seek membership in the AARP Network of Age-Friendly States and Communities.

**The City Manager recommends the Assembly adopt this resolution.**

**K. Bid Awards**

**13. RFB 23-009, Term Contract for Airport Runway Painting, posting notice of successful bidder**

Bids on this project were opened on November 28, 2022. The bidders and their total bids are as follows:

Specialized Pavement Marking, LLC	\$224,839.53
Northwest Contracting	\$280,067.85
Jolt Construction & Traffic Maintenance, Inc.	\$400,748.25

All amounts were read into the record. However, due to missing documentation, Northwest Contracting and Jolt Construction are deemed non-responsive.

The apparent low bidder is Specialized Pavement Marking, LLC. This notice begins the protest period per Purchasing Code 53.50.062.

**The City Manager recommends the Assembly award this bid to Specialized Pavement Marking, LLC, for the total amount bid of \$224,839.53.**

**L. Transfers**

**14. Transfer Request T-1046 A Transfer of \$161,608 from CIP D28-101 Eaglecrest Deferred Maintenance to CIP E28-102 Eaglecrest Gondola.**

Transportation of Eaglecrest's gondola exceeded cost estimates by \$261,608 as a result of steep fuel surcharges and detention fees on global shipping containers transported to Juneau. This expense will be covered by the following funding sources:

Eaglecrest Deferred Maintenance CIP (D28-101)	\$161,608
Eaglecrest Fleet/Equipment Reserve Account	\$ 60,000
Eaglecrest Gondola CIP (E28-102)	\$ 40,000

This request provides for the \$161,608 transfer from Eaglecrest's Deferred Maintenance CIP. Goldbelt loan proceeds may reimburse this project once the loan agreement is effectuated.

The Public Works and Facilities Committee reviewed this request at the November 28, 2022 meeting.

**The City Manager recommends approval of this transfer.**

**15. Transfer Request T-1047 A Transfer of \$1,039,438 from CIP S02-104 School Roof Replacement to CIP S02-105 Juneau School District Deferred Maintenance.**

The Juneau School District was awarded a grant from the Alaska Department of Education and Early Development for the Gastineau School roof replacement. This grant will be appropriated via Ordinance 2022-06(b)(AB) to the School Roof Replacement CIP and replaces previously appropriated general funds for this purpose. This request transfers \$1,039,438 of general funds

from the School Roof Replacement CIP to the Juneau School District Deferred Maintenance CIP for other priority school maintenance projects.

**The City Manager recommends approval of this transfer.**

**M. Liquor/Marijuana Licenses**

**16. Liquor & Marijuana License Renewals for Review**

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

**Liquor License Renewals**

License Type: Beverage Dispensary, License #674

**Licensee: MSE, LLC d/b/a Lucky Lady**

Location: 192 S. Franklin St., Juneau

License Type: Package Store, License #3352

**Licensee: Costco Wholesale Corp. d/b/a Costco Wholesale #107**

Location: 5225 Commercial Way, Juneau

License Type: Brewery, License #5517

**Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company**

Location: 100 N. Franklin St., Juneau

License Type: Winery, License #5801

**Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company**

Location: 100 N. Franklin St., Juneau

License Type: Brewery, License #5729

**Licensee: Forbidden Peak Brewery LLC d/b/a Forbidden Peak Brewery LLC**

Location: 11798 Glacier Hwy., Juneau

**Marijuana License Renewals**

License Type: Standard Marijuana Cultivation Facility, License #15245

**Licensee: North Star Gardens, Inc. d/b/a North Star Gardens**

Location: 5310 Commercial Blvd. 2A, Juneau

License Type: Retail Marijuana Store, License #15246

**Licensee: Borealis Mountain, Inc. d/b/a Thunder Cloud 9**

Location: 5310 Commercial Blvd. 2B, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities) and Community Development Departments have reviewed the above licenses and recommended the Assembly waive its right to protest the renewal applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's Office.

**The City Manager recommends the Assembly waive its right to protest the above-listed liquor and marijuana license renewals.**

**N. City/State Project Review**

**17. CSP20220004 Teal Street Road Improvements.**

On November 8, 2022, the Planning Commission recommended the Assembly approve [CSP 2022 0004](#) right-of-way improvements for Teal Street. CBJ Engineering and Public Works is requesting to reconstruct and repave two 12-foot lanes, including curb, gutter, and sidewalk on both sides of the street; reconstruct ADA compliant ramps and landing for the sidewalk; reconstruct improvements

to street lighting; and replace water and sewer mains, and services; and a Capital Transit bus pull out.

**The City Manager recommends that the Assembly APPROVE the ROW improvements.**

**O. PUBLIC HEARING**

18. **Ordinance 2022-06(b)(V) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.**

This request would provide \$200,000 in funding to remedy a conflict with the existing water system and the proposed Bartlett Regional Hospital Emergency Department (ED) addition. The funding will allow the waterline to be upgraded and relocated away from the proposed ED addition. This work will connect the new water systems completed from other recent projects. The Douglas Highway water project is complete and in the process of being closed out.

The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the November 22, 2022 meeting and forwarded it to the full Assembly for public hearing.

**The City Manager recommends the Assembly adopt this ordinance.**

19. **Ordinance 2022-21(b) An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.**

This ordinance would amend the Juneau Board of Equalization's rules of procedure, which govern property tax appeals. The substance of this ordinance comes from three sources: the Anchorage Board of Equalization rules, the existing Juneau Board of Equalization rules, and changes to state law since the existing Juneau property tax appeal code was adopted in the 1970s.

The Juneau Board of Equalization reviewed this ordinance on September 20, 2022. The Assembly Committee of the Whole reviewed this ordinance on September 26, November 7, and November 28, 2022.

**The City Manager recommends the Assembly adopt this ordinance.**

20. **Ordinance 2022-40 An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipment.**

The Federal Aviation Administration (FAA) is updating safety controls for aircraft collision avoidance. A contractor for the FAA, L3Harris submitted an application to lease cabinet and antenna space at the Juneau Police Station located at 6255 Alaway Avenue. L3Harris would use the leased space to improve the Wide Area Multilateration surveillance system for the airport. Fair market value has been determined by appraisal to be \$540 per year.

The Juneau International Airport Manager reviewed this application and is in favor of granting this lease. The Juneau Police Department Radio Electronics Specialist reviewed this application and is in favor of granting this lease. The LHED Committee reviewed this request at its meeting on June 27, 2022, and provided a motion of support for leasing this property to L3Harris. On August 1, 2022, the Assembly authorized the Manager to negotiate with L3Harris.

**The City Manager recommends the Assembly adopt this ordinance.**

21. **Ordinance 2022-54 An Ordinance Amending the Investments and Collateral Chapter of Title 57 Related to Investment Policies.**

This ordinance, and a companion resolution (#3022) that will be presented on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this ordinance would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy. The Systemic Racism Review Committee reviewed this request at the November 22, 2022 meeting and forwarded it to the full Assembly for public hearing.

**The City Manager recommends the Assembly adopt this ordinance.**

**P. UNFINISHED BUSINESS**

**Q. NEW BUSINESS**

**R. STAFF REPORTS**

**22. Affordable Housing Fund Recommendations - 2022**

At the November 28, 2022 Lands, Housing, and Economic Development Committee meeting, the Committee forwarded recommendations for Round Two of the Juneau Affordable Housing Fund.

*Mr. Bryson moved that the Lands, Housing, and Economic Development Committee recommend funding for the four applications: AWARE, Tlingit-Haida Regional Housing Authority, Rooftop Properties LLC, and St. Vincent de Paul, and forward to the Assembly for final approval. Motion passed with no objections.*

**S. ASSEMBLY REPORTS**

**Mayor's Report**

**Committee and Liaison Reports**

**Presiding Officer Reports**

**T. ASSEMBLY COMMENTS & QUESTIONS**

**U. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**V. EXECUTIVE SESSION**

**W. SUPPLEMENTAL MATERIALS**

**X. ADJOURNMENT**

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: [city.clerk@juneau.org](mailto:city.clerk@juneau.org).