



REGULAR ASSEMBLY MEETING 2023-23 AGENDA

September 11, 2023 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:

Duncan Rorie Watt, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

1. Riverview Senior Living
2. Honoring City Manager Rorie Watt
3. 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 and indicating the topic(s) upon which they wish to testify.*** 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.gov.

E. APPROVAL OF MINUTES

4. August 2, 2023 Special Assembly Meeting 2023-19 Draft Minutes
5. August 7, 2023 Special Assembly Meeting 2023-20 Draft Minutes
6. September 6, 2023 Special Assembly Meeting 2023-22 Draft 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

7. Ordinance 2022-06(b)(BA) An Ordinance Appropriating \$2,478,745 to the Manager to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2023 Public Employees'

Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$2,478,745 for the State of Alaska’s FY2023 2.79% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau	\$1,228,053
Bartlett Regional Hospital	\$1,250,692

Funding is provided by the Alaska Department of Administration, authorized by passage of HB281 during the 2023 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH’s finances.

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

- 8. **Ordinance 2023-14(b)(F) An Ordinance Transferring \$264,110 from CIPs W75-048 Back Loop Rd. Auke Bay Waterlines and W75-054 Douglas Highway Water Replacement to CIP R72-169 10th, F, W 8th Streets Reconstruction.**

This request would transfer \$264,110 of previously appropriated areawide sales tax and 1% sales tax funds from two completed Water CIPs to the 10th, F, W 8th Streets Reconstruction CIP. This project is ongoing and is in need of additional funds due to exponential cost increases from inflation. The Douglas Highway Water Replacement and Back Loop Road Auke Bay Waterlines CIPs are complete and in the process of being closed.

This transfer of 1% sales tax project funding is consistent with the intent of the 2005 1% Sales Tax initiative approved by voters in the October 4, 2005 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

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

- 9. **Ordinance 2023-14(b)(G) An Ordinance Transferring \$1,853,000 from CIP P44-090 Deferred Building Maintenance to CIP F22-027 Juneau Police Department Roof Replacement.**

This ordinance would transfer \$1,853,000 from the Deferred Building Maintenance CIP to the Juneau Police Department Roof Replacement CIP. This project funding was allocated to the Deferred Maintenance CIP in the FY24 CIP Resolution 3016(b). The project is scheduled to advertise for bids in mid-November 2023 and will begin construction in summer 2024. This request would transfer funding from the Deferred Building Maintenance CIP to the project for clear financial accounting. The Deferred Building Maintenance CIP will retain sufficient funding for ongoing projects.

This transfer of project funding is consistent with the intent of the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

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

10. **Ordinance 2023-14(b)(L) An Ordinance Appropriating \$312,500 to the Manager as Funding for the Ramp Improvement Capital Improvement Project; Funding Provided by Airport CARES Act Funding.**

This ordinance would appropriate \$312,500 of Airport CARES Act funding for the Ramp Improvements CIP. This funding would support the construction of a new remain overnight (RON) large aircraft parking ramp, rehabilitate deteriorating pavement for large and commercial aircraft parking ramps, repair failing ramp drainage and catch basins, and upgrade ramp lighting. This funding would contribute to the local match requirement for grant funds appropriated under Ordinance 2022-06(b)(I).

The Airport Board reviewed this request at the June 8, 2023 meeting.

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

11. **Ordinance 2023-14(b)(M) An Ordinance Appropriating \$213,506 to the Manager for the Terminal Construction Capital Improvement Project; Funding Provided by Airport CARES Act Funding.**

This ordinance would appropriate \$213,506 of Airport CARES Act funding for the Terminal Construction Improvements CIP. This funding would provide for the replacement tiles in the suspended ceiling which was a component of the reconstruction of the Juneau International Airport terminal. Funding is provided by previously received Airport CARES Act grant funding.

The Airport Board reviewed this request at the April 14, 2022 meeting.

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

J. Resolutions

12. **Resolution 3029 A Resolution Amending the City and Borough of Juneau Personnel Rules.**

This resolution would approve an addition to the City and Borough of Juneau(CBJ) Personnel Rules, which, along with the collective bargaining agreements, govern the rights and responsibilities of CBJ employees, supervisors, and managers. The revised rules are set forth in the resolution and would apply to bargaining unit members and unrepresented employees.

The Assembly is being asked to adopt the changes to the CBJ Personnel Rules so that a paid parental leave policy can be implemented. These changes were approved by the Assembly Human Resources Committee, and the costs associated with these changes have been previously approved and incorporated in to the fiscal year 2024 budget by the Assembly.

The Assembly Human Resources Committee reviewed this request at its August 21, 2023 meeting and recommended forwarding it to the full Assembly for action.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

L. Transfers

13. **Transfer Request T-1060 A Transfer of \$275,334 from Various Capital Improvement Projects to CIP W75-078 Water Systems SCADA Upgrades.**

This request would transfer \$275,334 to CIP W75-078 Water Systems SCADA Upgrades. The funding is provided by completed projects that are ready to be closed. Funding is provided by Water Funds.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

14. Transfer Request T-1064 A Transfer of \$1,155,423 from Various Capital Improvement Projects to CIP R72-169 10th, F, W 8th Streets Reconstruction.

This request would transfer \$1,155,423 of temporary 1% sales tax, general sales tax and bond proceeds from completed Streets CIPs to the 10th, F, W 8th Streets Reconstruction CIP. This project is ongoing and significant cost escalation has contributed to the need for additional funding. The funding is provided by completed projects that are ready to be closed.

The transfer of temporary 1% sales tax project funding is consistent with the intent of the 2005 1% Sales Tax initiative approved by voters in the October 4, 2005 municipal election. The transfer of bond funding is consistent with the intent of the \$15 million general obligation bond package approved by voters in the October 6, 2020 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

15. Transfer Request T-1065 A Transfer of \$150,000 from CIP R72-158 Teal Street Reconstruction to CIP R72-157 Spruce Lane Reconstruction.

This request would transfer \$150,000 of general sales tax from the Teal Street Reconstruction CIP to the Spruce Lane Reconstruction CIP. This project is underway and during construction, underlying soils beneath the road surface were found to be unsuitable. This soil condition was not evident during the road surface review during the design process and was not included in the construction bid. The road base must be repaired, resulting in elevated project costs. The proposed transfer is reallocating funds from the Teal Street Reconstruction CIP, an ongoing project that will retain sufficient funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

16. Transfer Request T-1066 A Transfer of \$100,000 from CIPs P44-090 Deferred Building Maintenance and P41-108 Parks and Playground Major Maintenance to CIP P46-115 Eagle Valley Center Improvements.

This request would transfer \$100,000 from CIPs P44-090 Deferred Building Maintenance and P41-108 Parks and Playground Major Maintenance to CIP P46-115 Eagle Valley Center Improvements. The 2020 voter approved general obligation bond funding for energy efficiency improvements partially fulfilled the local match requirement for grant funds appropriated under Ordinance 2022-06(b)(H). This transfer would fulfill the remaining local match requirement for the grant. The proposed transfer is reallocating previously appropriated funds from ongoing projects that will retain sufficient funding to cover remaining work.

This transfer of project funding is consistent with the intent of the 2017 1% Sales Tax initiative approved by voters in the October 3, 2017 municipal election and the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

17. Transfer Request T-1067 A Transfer of \$108,906 from CIP R72-139 7 Mile Shop Yard Security System to CIP R72-163 7 Mile Fleet Canopy Additions.

This request would transfer \$108,906 from the 7 Mile Shop Yard Security System CIP to the 7 Mile Fleet Canopy Addition CIP. This funding would provide for the installation of canopies on the Streets and Fleet facility garage doors. Cost escalation and the need for additional work has

increased the project estimates above available funding. The funding is provided by a completed project that is ready to be closed.

The Public Works and Facilities Committee reviewed this request at the August 28, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

18. Liquor & Marijuana License Actions

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

Licensee: El Sombrero Inc., d/b/a El Sombrero Mexican & American Food

License Type: Restaurant/Eating Place, License: #816 Location: 157 S. Franklin St., Juneau

Licensee: Crystal Saloon LLC d/b/a Crystal Saloon

License Type: Beverage Dispensary, License :#2533 Location: 216 Front St., Juneau

Licensee: Juneau Hospitality LLC d/b/a Ramada by Wyndham Juneau & TK Maguires

License Type: Beverage Dispensary, License: #313 Location: 375 Whittier St., Juneau

Licensee: The Narrows Bar LLC d/b/a The Narrows Bar

License Type: Beverage Dispensary, License: #76 Location: 148 S. Franklin St., Juneau

Licensee: Juneau Yacht Club d/b/a Juneau Yacht Club

License Type: Club, License: #5747 Location: 1301 Harbor Way, Juneau

Marijuana License - Renewals

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

License Type: Retail Marijuana Store, License: #15246 Location: 5310 Commercial Blvd 2B, Juneau

Licensee: The Mason Jar LLC d/b/a The Mason Jar

License Type: Retail Marijuana Store, License: #13279 Location: 2771 Sherwood Lane Unit E, Juneau

Licensee: The Mason Jar LLC d/b/a The Mason Jar

License Type: Retail Marijuana Store, License: #28012 Location: 613 & 619 W. Willoughby Ave., Juneau

Licensee: Top Hat Concentrates LLC d/b/a Top Hat Concentrates LLC

License Type: Marijuana Product Manufacturing, License: #10271 Location: 2315 Industrial Blvd Suite B, Juneau

Licensee: Alaskan Coffee Pot LLC d/b/a Alaskan Coffee Pot

License Type: Retail Marijuana Store, License: #25190 Location: 2219 Dunn St., Juneau

Staff from 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 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 actions.

N. PUBLIC HEARING

19. Ordinance 2022-07(b)(B) An Ordinance Appropriating \$3,680,701 from the Central Treasury for FY23 School District Operations; Funding Provided by State Revenue and Private Grants.

This ordinance would appropriate \$3,680,701 in grant awards for Juneau School District (JSD) FY23 operations. The Alaska Department of Education and Early Development provided funding for Project AWARE (Advancing Wellness and Resiliency in Education) and the American Rescue Plan Act Evidence-Based Summer Learning and Enrichment Programs. Thread issued grant funding for RALLY as a part of the State’s Phase 3 – COVID-19 Child Care Stabilization Grant. In addition to the State grants, JSD received multiple private grants from Sealaska Heritage Institute (SHI) for indigenous education programs and a grant from Juneau Community Foundation providing support for Title 1 Elementary School Social Service Workers and Advocates. Grant funds are allocated as follows:

- RALLY (JSD Fund 399) \$ 789,810
- AWARE (JSD Fund 348) \$ 601,007
- SHI Raven Writes (JSD Fund 383) \$ 503,486
- SHI At Koowahaa-TCLL (JSD Fund 389) \$ 467,474
- SHI Steam-Making (JSD Fund 381) \$ 430,000
- SHI Box of Treasures (JSD Fund 378) \$ 333,843
- SHI TEK STEAM (JSD Fund 388) \$ 290,000
- ARPA Summer School (JSD Fund 342) \$ 164,316
- JCF Social Worker (JSD Fund 391) \$ 100,765
- Total Changes \$ 3,680,701

The Systemic Racism Review Committee reviewed this legislation at its August 22, 2023 meeting and forwarded it to the full Assembly. The Assembly Finance Committee reviewed this at the September 6, 2023 meeting.

The City Manager recommends the Assembly adopt this ordinance.

20. Ordinance 2023-14(b)(K) An Ordinance Appropriating \$600,000 to the Manager for the Gate K Culvert Reconstruction Capital Improvement Project; Funding Provided by Airport Funds.

This ordinance would appropriate \$600,000 of Airport Funds for the Gate K Culvert Reconstruction CIP. This funding would provide for the DEC testing requirements related to the Storm Water Pollution Prevention Plan (SWPPP). To begin Gate K culvert reconstruction, the Airport must fulfill the requirements recently brought forth by the Department of Environmental Conservation (DEC) for dewatering, PFAS, and monitoring, testing and filtration. It is anticipated that this CIP will be receiving a CARES Act grant later this year. In order to fulfill this DEC requirement and take advantage of the construction season, the Airport is requesting to use Airport Funds. If the grant funding becomes

available and these costs are eligible for the grant, these appropriated funds will be returned to the Airport Fund.

The Airport Board reviewed this request at the August 10, 2023 meeting. The Systemic Racism Review Committee reviewed this legislation at its August 22, 2023 meeting and forwarded it to the full Assembly.

The City Manager recommends the Assembly adopt this ordinance.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

21. Hazard Maps Testimony

AME2021-0008: Hazard Assessment and Mapping

On August 28, 2023, at the Committee of the Whole (COW) meeting, the Assembly voted to provide an opportunity for public testimony prior to drafting an ordinance. The Assembly recognized the importance of public input into this process, and approved a motion for consideration based on a modification of the CDD Director's 8/24/23 memo Option 6.

The approved motion repeals the adopted [1987] maps and ordinance; does not adopt the [2022] Tetra Tech maps and study; does conduct an annual public information informational outreach; and notifies permittees who are developing within the boundaries of the maps that the maps exist.

Option 5 from the 8/24/23 CDD memo is also under consideration. This option repeals the current maps and current ordinance, and adopts the moderate and severe avalanche areas and moderate, severe, and high landslide areas in the 2022 Tetra Tech study for public information purposes only. In addition, CBJ would annually notify property owners in the moderate and severe avalanche areas and in the moderate, high, and severe landslide areas, and properties within 500 feet of these mapped areas for information purposes; and require property owners in the hazard areas to notify renters of the hazards.

The hazard assessment and mapping has been discussed at numerous meetings of the Planning Commission, Lands Housing and Economic Development Committee, and the Assembly COW (refer to LHEDC memo dated August 25, 2023, Attachment B).

The City Manager recommends the Assembly take public testimony and refer this item back to the Committee of the Whole to provide direction for the drafting of an ordinance.

22. Hardship and Senior Citizen/Disabled Veteran/Non-Profit Late-Filed Real Property Tax Exemption Applications

There are 7 property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

Q. STAFF REPORTS

R. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

Update on APL 2023-AA01 Karla Hart v. Planning Commission re: USE 2023-0003

- S. ASSEMBLY COMMENTS & QUESTIONS**
- T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**
- U. EXECUTIVE SESSION**
- V. SUPPLEMENTAL MATERIALS**
- W. 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.gov.