



REGULAR ASSEMBLY MEETING 2024-13

AGENDA

June 17, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar

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

Submitted By:

Katie Koester, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

1. **Legislative Citations presented by Senator Jesse Kiehl**

E. MANAGER'S REQUEST FOR AGENDA CHANGES

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)

G. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

Assembly Action

H. Ordinances for Introduction

2. **Ordinance 2024-25 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$12,750,000 to Finance Public Safety Communication Infrastructure within the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 1, 2024.**

This ordinance would send one general obligation bond proposition of up to \$12.75 million for the improvement of public safety communication infrastructure, including, but not limited to, replacing the outdated communication system with a system that will be Alaska Land Mobile Radio compliant. The current system is beyond its useful life and is experiencing dead zones and limited interoperability with other agencies. The total project cost is currently estimated between \$24 and \$25 million, of which the Assembly has already appropriated \$8.7 million of general funds and sales tax. An additional \$3.5 million is secured for this project via Congressionally Directed Spending and 1% sales tax.

The Assembly requested staff introduce an ordinance to submit a proposition to the voters on the October 1, 2024 election ballot during the June 3, 2024 Committee of the Whole meeting. The Assembly Finance committee reviewed this request at its May 1, 2024 meeting.

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

3. **Ordinance 2024-26 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$10,000,000 to Finance Wastewater Utility Infrastructure within the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 1, 2024.**

This ordinance would send one general obligation bond proposition of up to \$10 million for the replacement of the wastewater clarifier building at the Juneau Douglas Wastewater Treatment Plant, that services Thane, Downtown, and Douglas. The total project cost is currently potentially estimated to be as high as \$14 million. Project costs exceeding the bond amount will be funded from Wastewater fund balance.

The Assembly requested staff introduce an ordinance to submit a proposition to the voters on the October 1, 2024 election ballot during the June 3, 2024 Committee of the Whole meeting. The Assembly Finance committee reviewed this request at its May 1, 2024 meeting.

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

4. **Ordinance 2024-23 An Ordinance Amending the Ordinance Formatting Requirements.**

CBJ Code 01.20.020 governs the formatting requirements of ordinances. This housekeeping ordinance would modernize that code as follows:

- Update the enacting clause;
- Clarify that irrelevant code sections do not have to be cited in amendments;
- Update the font requirements to remove the typewriter era standards; and
- Update the codification and archiving standards to eliminate unnecessary post-adoption work.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Human Resources Committee, and then schedule it for public hearing.

5. **Ordinance 2024-11 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 750, for the Purpose of Waterfront Commercial Activities.**

This is a new 35 year lease agreement with Trucano Family LLC. The street address of this property is 3560 N Douglas Hwy. The existing 55-year lease expires on June 29th, 2024 and was originally negotiated through the State of Alaska. This 18,469 SF parcel was appraised to have an annual fair market rent value \$11,267. The Docks & Harbors Board recommended the Assembly approve this new lease at its May 30th regular meeting.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Lands, Housing and Economic Development Committee and set it for public hearing at the July 29 regular Assembly meeting.

6. **Ordinance 2024-12 An Ordinance Authorizing the Port Director to Negotiate and Execute a Lease of Alaska Tidelands Survey No. 842 Tracts A&B, for the Purpose of Waterfront Commercial Activities.**

This is a new 35 year lease agreement with Trucano Family LLC. The street address of this property is 3560 N Douglas Hwy. The existing 55-year lease expires on August 18th, 2026; however, Trucano Family LLC has requested to place ATS 842 and ATS 750 on the same adjustment of rental schedule. Trucano Family LLC is vacating two years of lease opportunity under this new lease agreement. This 43,865 SF parcel was appraised to have an annual fair market rent value \$20,909. The Docks & Harbors Board recommended the Assembly approve this new lease at its May 30th regular meeting.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Lands, Housing and Economic Development Committee and set it for public hearing at the July 29 regular Assembly meeting.

7. **Ordinance 2023-14(b)(AK) An Ordinance Appropriating \$1,446,827 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 \$1,446,827 to the Power Upgrades for Electric Buses Capital Improvement Project (CIP). The funds would be used to purchase and install two Pantograph Chargers and supporting infrastructure at the Valley Transit Center. The chargers would provide backup charging for the Bus Barn and enable mid-route bus charging capabilities, promoting EV bus route expansion while upholding schedule availability. Grant funding is comprised of Federal Transit Administration funds passed through the Alaska Department of Transportation and Public Facilities. The local match requirement of \$160,759 is being met by previously appropriated funds in the Power Upgrades for Electric Buses CIP.

The Public Works and Facilities Committee reviewed this at its June 3, 2024 meeting.

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

8. **Ordinance 2023-14(b)(AL) An Ordinance Transferring \$400,000 from CIP H51-113 Waterfront Seawalk to CIP P41-107 Homestead Park.**

This ordinance would transfer \$400,000 from the Waterfront Seawalk CIP to the Homestead Park CIP. Homestead Park is a prime location for cruise ship passengers to view and photograph their cruise ship with Mt. Juneau, the Gastineau Channel, and downtown as the backdrop. The Homestead Park project is reconstructing failing and outdated infrastructure at the park, constructing larger viewing areas, and improving ADA accessibility. This transfer would provide funding for unanticipated cost increases resulting from the most recent project estimate. Sufficient funds will remain in the Waterfront Seawalk CIP for anticipated work in the current and next phase of the project. The Homestead Park CIP is an eligible use of marine passenger fees.

The Public Works and Facilities Committee reviewed this at its June 3, 2024 meeting.

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

9. **Ordinance 2023-14(b)(AM) An Ordinance Appropriating \$36,712 to the Manager for the Construction Phase of the Float Pond Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.**

The Airport has been awarded an additional \$36,712 in grant funding from the Federal Aviation Administration for the Float Pond Improvements CIP. This award will increase the previously awarded \$2,254,418 under Ordinance 2022-06(b)(N) to a total award amount of \$2,291,130. This funding would contribute toward the construction of raising the existing roadbed, introducing a

drainage ditch, armoring the pond bank with rock, and reconstructing fourteen floatplane dock headwalls. The local match requirement will be provided by previously appropriated funds in the Float Pond Improvements CIP.

The Airport Board reviewed this request at its June 13, 2024 meeting.

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

10. **Ordinance 2023-14(b)(AN) An Ordinance Appropriating \$170,660 to the Manager for the Airport Snow Removal Equipment Building Capital Improvement Project; Funding Provided by Passenger Facility Charge Fees.**

This ordinance would appropriate \$170,660 of Airport Passenger Facility Charge (PFC) fees to the Airport Snow Removal Equipment Building (SREB) CIP. The SREB CIP constructed a large open-design garage to provide heated, indoor storage space for the airport's snow removal fleet. These PFC funds will reimburse amounts that were forward funded from other sources, which is typical for PFC collections that are appropriated upon receipt.

The Airport Board reviewed this request at its June 13, 2024 meeting.

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

11. **Ordinance 2023-14(b)(AO) An Ordinance Appropriating \$222,066 to the Manager for the Ramp Improvement Capital Improvement Project; Funding Provided by Airport Funds.**

This ordinance would appropriate \$222,066 to the Ramp Improvement CIP. This project is constructing a new remain overnight (RON) large aircraft parking ramp, rehabilitating deteriorating pavement for large and commercial aircraft parking ramps, repairing failing ramp drainage and catch basins, and upgrading ramp lighting. This appropriation will allocate local match funds for FAA grant funding.

The Airport Board reviewed this request at its June 13, 2024 meeting.

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

12. **Ordinance 2023-14(b)(AP) An Ordinance Appropriating \$34,367 to the Manager for the Airport Master Plan Capital Improvement Project; Funding Provided by Sales Tax Funds.**

This ordinance would appropriate \$34,367 of 1% sales tax funds to the Airport Master Plan CIP. This funding will contribute toward the preparation of an updated airport master plan, which will include updates for air traffic, cargo, and passenger data and forecasts; changes to proposed aircraft servicing the airport; and layout plans for future expansion of runway, taxiway, and approach corridors. The 1% sales tax funds appropriated in this ordinance were allocated to the Airport in FY18 but weren't appropriated until federal grant match was needed. This ordinance appropriates the remaining amount from the Airport's FY18 1% sales tax allocation.

This appropriation is consistent with the intent of the 2017 1% Sales Tax initiative approved by voters in the October 3, 2017 municipal election.

The Airport Board reviewed this request at its June 13, 2024 meeting.

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

I. Resolutions

13. Resolution 3057(b) A Resolution Adopting Guidelines for the Manufactured Home Down Payment Assistance Program.

The Mobile Home Down Payment Assistance Program (MHDPA) was developed in 2016 to assist Juneau residents seeking to purchase a manufactured home within a manufactured home community. This program secures down payment funding for manufactured home purchases. Staff is proposing an update to the MHDPA to include the following changes:

1. Increase the match amount cap to \$20,000
2. Direct the manager to award up to \$100,000 in loans in FY25 from the Juneau Affordable Housing Fund before requesting additional budget authority from the Assembly.
3. Change the program name to Manufactured Home Down Payment Assistance Program to reflect the nomenclature more accurately for this housing type and reflect industry terminology.

This program update was given a unanimous motion of support by the Lands, Housing & Economic Development Committee on January 29, 2024.

The City Manager recommends the Assembly adopt this resolution.

14. Resolution 3063 A Resolution Deappropriating \$8,100,000 from the Manager for the Purchase of the Juneau Bone and Joint Center Property at 3220 Hospital Drive.

\$8.1 million of Bartlett Regional Hospital (BRH) fund balance was appropriated in FY23 via Ordinance 2022-06(b)(AX) for the purchase of the Juneau Bone and Joint Center property. In January 2024, the property owners notified BRH leadership that the deal would not be moving forward as they had decided to move in a different direction with the property. Although this removes one option for BRH to assume a more significant role in Orthopedics, BRH is actively pursuing other promising opportunities to improve Orthopedic services for the community. This resolution would deappropriate these funds back to BRH fund balance to support BRH operations and other strategic priorities.

The BRH Finance Committee reviewed this request at its May 10, 2024 meeting. The BRH Board of Directors and the Public Works and Facilities Committee reviewed this request at the May 28 and June 3, 2024 meetings, respectively.

The City Manager recommends the Assembly adopt this resolution.

15. Resolution 3065 A Resolution of the City and Borough of Juneau in Support of the U.S. Army Corps of Engineers Auke Bay Feasibility Study.

This resolution executes the CBJ support to enter into a feasibility cost sharing agreement with the U.S. Army Corps of Engineers to investigate and to eventually replace the existing Statter Harbor Breakwater. The existing structure is nearly 40 years old and is in need of recapitalization. The Army Corps of Engineers is responsible for jetties, breakwaters, and groins in U.S. waters. The federal process typically includes a three-year investigative study to determine the fiscal viability of the project. It is anticipated that the study will cost up to \$4M with the local sponsor, Docks & Harbors, providing 50% of the costs. The resolution authorizes the Port Director to enter into a feasibility cost sharing agreement with the U.S. Army Corps of Engineers.

The City Manager recommends the Assembly adopt this resolution.

J. Transfers

16. Transfer Request T-1079 A Transfer of \$7,388 from CIP F21-042 Downtown Fire Station Improvements to CIP F21-041 Downtown and Glacier Fire Stations Mechanical and Electrical Upgrades.

This request would transfer \$7,388 from the Downtown Fire Station Improvements CIP to the Downtown and Glacier Fire Stations Mechanical and Electrical Upgrades CIP. This funding would contribute toward installation of new generators and other mechanical and electrical upgrades at the Downtown and Glacier Fire Stations. Classroom renovation and kitchen design work under the Downtown Fire Station Improvements CIP is complete and the project is ready to be closed.

The Public Works and Facilities Committee reviewed this request at its June 3, 2024 meeting.

The City Manager recommends approval of this transfer.

17. **Transfer Request T-1080 A Transfer of \$310,000 from CIP R72-168 4th and E. Streets Douglas to CIP R72-162 Crow Hill Utilities and Resurfacing.**

This request would transfer \$310,000 of Water Utility funds from the 4th and E. Streets Douglas CIP to the Crow Hill Utilities and Resurfacing CIP. Project costs have increased due to required water system replacement and complicated traffic management during construction hours. The proposed transfer is reallocating funds from the 4th and E. Streets Douglas CIP, an ongoing project that will retain sufficient funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at its June 3, 2024 meeting.

The City Manager recommends approval of this transfer.

18. **Transfer Request T-1081 A Transfer of \$148,000 from CIP A50-092 Float Pond Improvements to CIP A50-112 RSA Shoulder Grading and CIP A50-001 Airport Project Design.**

This request would transfer \$148,000 from the Float Pond Improvements CIP to the Airport Project Design CIP and the Runway Safety Areas Shoulder Grading CIP. Funds were previously transferred to the Float Pond Improvements project and were available for use until anticipated federal funding reimbursements were received. This transfer would return previously allocated funds to the Airport Project Design CIP and transfer funding to the new Runway Safety Areas Shoulder Grading CIP. Work in the Float Pond Improvements CIP is complete.

The Airport Board reviewed this request at its June 13, 2024 meeting.

The City Manager recommends approval of this transfer.

19. **Transfer Request T-1082 A Transfer of \$423,461 from CIP A50-110 Gate K Culvert Reconstruction to Multiple Airport CIPs.**

This request would transfer \$423,461 of airport funds from the Gate K Culvert Reconstruction CIP to multiple Airport CIPs. This transfer will allocate funds to projects that require additional funding for costs ineligible or in excess of federal funding in each CIP. Work is complete under the Gate K Culvert Reconstruction CIP.

The Airport Board reviewed this request at its June 13, 2024 meeting.

The City Manager recommends approval of this transfer.

20. **Transfer Request T-1083 A Transfer of \$65,528 from CIP A50-092 Float Pond Improvements and CIP A50-098 Taxiway A&E Rehabilitation to CIP A50-114 Aircraft Rescue and Fire Fighting Truck.**

This request would transfer \$65,528 of previously appropriated 1% sales tax funds from the Float Pond Improvements CIP and Taxiway A&E Rehabilitation CIP to the Aircraft Rescue and Fire Fighting Truck CIP. This funding would contribute toward the local match requirement for the purchase of a new ARFF truck that will replace a truck classified as permanently out of service due to age in 2023.

This transfer of project funding is consistent with the intent of the 2012 1% Sales Tax initiative approved by voters in the October 2, 2012 municipal election and the 2017 1% Sales Tax initiative approved by voters in the October 3, 2017 municipal election for Airport Project Match.

The Airport Board reviewed this request at its June 13, 2024 meeting.

The City Manager recommends approval of this transfer.

K. Liquor/Marijuana Licenses

21. 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 - Renewal

Licensee: No Creek Jack Inc., d/b/a Duck Creek Market

License Type: Package Store License: #2976

Location: 9951 Stephan Richards Dr., Juneau

Licensee: Fred Meyer Stores Inc., d/b/a Fred Meyer #158

License Type: Package Store, License: #2066

Location: 8181 Glacier Hwy., Juneau

Marijuana License - Renewal

Licensee: Always Redeye LLC d/b/a Stoned Salmon Farms

License Type: Standard Marijuana Cultivation Facility, Licenses #:11605

Location: 2005 Anka Street, Juneau

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest these 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.

L. PUBLIC HEARING

22. Ordinance 2023-14(b)(A) An Ordinance Appropriating \$74,000 to the Manager for the Crisis Stabilization Capital Improvement Project; Funding Provided by a Donation from the Bartlett Regional Hospital Foundation.

This ordinance would appropriate a \$74,000 donation from the Bartlett Regional Hospital (BRH) Foundation to the Crisis Stabilization CIP. This funding provides for furniture, fixtures, and equipment at the new Aurora Behavioral Health Center.

While construction of the new facility is complete, work associated with Leadership in Energy and Environmental Design Operations and Maintenance certification remains, with final certification and project closeout expected within the next twelve months.

The Systemic Racism Review Committee reviewed this ordinance at its May 14, 2024 meeting.

The BRH Finance Committee reviewed this request at its May 10, 2024 meeting. The BRH Board of Directors and the Public Works and Facilities Committee reviewed this request at the May 28 and June 3, 2024 meetings, respectively.

The City Manager recommends the Assembly hold public testimony and adopt this ordinance.

M. NEW BUSINESS

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

There are 15 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.

N. STAFF REPORTS

O. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

24. APL 2023-AA01 Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal, which was assigned to the State Office of Administrative Hearings. The Hearing Officer held the oral argument hearing on January 24, 2024. The Hearing Officer issued a draft decision to the parties. Huna Totem Corp. filed an objection and Ms. Hart filed a letter of support. A status hearing was held and the parties submitted additional briefing. The Hearing Officer is still considering that briefing.

There is no action at this time.

P. ASSEMBLY COMMENTS & QUESTIONS

Q. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

R. EXECUTIVE SESSION

S. SUPPLEMENTAL MATERIALS

T. ADJOURNMENT

U. 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.

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.