



REGULAR ASSEMBLY MEETING 2024-25 AGENDA

November 18, 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 Citation from Senator Kiehl**
2. **Proclamation Recognizing Dr. Paul L. Weiden, MD**
3. **Proclamation Recognizing Small Business Saturday 2024**
4. **Introduction of Ordinance 2024-40 An Ordinance Creating a Local Improvement District No. 210 HESCO Barrier Project Phase 1 and Appropriating the Sum of up to \$7,580,000.**

In response to the recent Mendenhall River flooding, and in coordination with the US Army Corps of Engineers, the CBJ is pursuing advance flood fighting measures in the form of HESCO barriers to safeguard homes in the Mendenhall Valley. This Ordinance creates a local improvement district which contains all benefited homes in the Phase 1 installation of the HESCO barriers along the Mendenhall River. Using the 16 ft inundation maps, CBJ has identified 466 properties which would be specially benefited from Phase 1. The project costs are estimated at \$7,580,000. The project costs will be equally shared between property owners and the CBJ.

The Assembly discussed this project on October 21, 2024, and directed that an ordinance be presented at tonight's meeting. Included with the Ordinance is a map of included homes, an assessment roll, and a memorandum of understanding for property owners along the river.

The City Manager recommends the Assembly introduce this ordinance, amend as desired, and schedule it for public hearings at 2 regular Assembly meetings (scheduled for December 16, 2024 and February 3, 2025).

E. APPROVAL OF MINUTES

F. MANAGER'S REQUEST FOR AGENDA CHANGES

G. 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.*)

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

5. **Ordinance 2024-01(b)(T) An Ordinance Appropriating \$2,500,000 to the Municipal Compost Facility Capital Improvement Project; Grant Funding Provided by the United States Environmental Protection Agency.**

This ordinance would appropriate a \$2,500,000 grant from the United States Environmental Protection Agency (EPA) to the Municipal Compost Facility CIP. This Congressionally Directed Spending (CDS) grant was secured through the Consolidated Appropriations Act in federal fiscal year 2023. This funding would contribute toward the planning, design, site preparation, and construction of basic infrastructure for organics diversion recovery. Future composting activities will increase local organics diversion efforts without the need for long-haul overseas transportation to the lower 48 states No local match is required for this funding.

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

6. **Ordinance 2024-01(b)(U) An Ordinance Appropriating \$125,000 to the Manager for the Parks and Playground Major Maintenance Capital Improvement Project; Grant Funding Provided by the Alaska Department of Natural Resources.**

This ordinance would appropriate \$125,000 to the Parks and Playground Major Maintenance CIP. This funding would contribute toward work at Sigoowu Ye Park. The project work includes the demolition and removal of existing playground equipment and furnishings, installation of new playground equipment; and site improvements such as lighting, sidewalks and landscaping. The local match requirement will be provided by previously appropriated funds in the Parks and Playground Major Maintenance CIP.

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

7. **Ordinance 2024-01(b)(V) An Ordinance Appropriating \$653,520 to the Manager for the Lemon Creek Multimodal Path Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.**

CBJ has been awarded a \$653,520 Reconnecting Communities Pilot (RCP) grant from the Federal Highway Administration. This grant would support for the planning, design, and community engagement for the installation of a non-motorized pathway in the Lemon Creek community. This project would provide safe, convenient, community centric non-motorized access within the community. A local match requirement of \$163,380 will be provided by previously appropriated funds in the Lemon Creek Multi Modal CIP.

The Public Works and Facilities Committee reviewed this request at the July 15, 2024 meeting.

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

8. **Ordinance 2024-01(b)(W) An Ordinance Appropriating up to \$3,000,000 to the Manager for a Loan to Tower Legacy II, LLC for Creekside Apartments; Funding Provided by the Affordable Housing Fund.**

In July 2024 the CBJ Assembly made \$4,000,000 available for use by for-profit and non-profit organizations, public and regional housing authorities, and tribal governments interested in the creation of affordable and workforce housing in the City and Borough of Juneau. On November 4, 2024, The LHED Committee reviewed funding recommendations and forwarded this project to the full Assembly for approval.

This ordinance appropriates \$3,000,000 to the Creekside Apartments project.

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

9. **Ordinance 2024-01(b)(X) An Ordinance Appropriating up to \$1,000,000 to the Manager for a Loan to BroKo Holdings, LLC for 220 Front Street; Funding Provided by the Affordable Housing Fund.**

In July 2024 the CBJ Assembly made \$4,000,000 available for use by for-profit and non-profit organizations, public and regional housing authorities, and tribal governments interested in the creation of affordable and workforce housing in the City and Borough of Juneau. On November 4, 2024, The LHED Committee reviewed funding recommendations and forwarded this project to the full Assembly for approval.

This ordinance appropriates \$1,000,000 to the Front Street project.

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

10. **Ordinance 2024-37 An Ordinance Amending the Uniform Sales Tax Code Related to Definitions, a Temporary Sales Tax Registration, and Deposits by Nonresidents.**

Ordinance 2024-37 clarifies and supports the sales tax code as a result of common questions and compliance concerns that have arisen over the years. The definitions that are added or amended are intended to provide clarity to the merchants, and in some instances, to put CBJ in better alignment with the Alaska Remote Sellers Sales Tax Commission (ARSSTC) uniform code. In addition, a section is added to create an "itinerate" sales tax registration which will ease the burden on small businesses based outside of Juneau that may come to town for short periods of time.

The Assembly Finance Committee reviewed this ordinance on November 6, 2024.

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

11. **Ordinance 2024-36 An Ordinance Amending the Uniform Alaska Remote Sellers Sales Tax Code.**

Ordinance 2024-36 implements amendments to the Alaska Remote Sellers Sales Tax Commission (ARSSTC) uniform code recently passed by the ARSSTC board. These amendments were developed through a workgroup of member jurisdictions, including representation by CBJ staff from both the Finance and Law departments. In FY 2024, CBJ collected \$4.5M in sales tax revenue through ARSSTC from sales where the seller is located outside of our jurisdiction.

The Assembly Finance Committee reviewed this ordinance on November 6, 2024.

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

12. **Ordinance 2024-41 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Mendota Park Parcel 1B, Located on Davis Avenue, from D10 to D15.**

This rezone request would facilitate the addition of eleven (11) units to this lot. The neighboring Alaska Department of Corrections is concerned that increased density would result in development closer to the common lot line, for which mitigation would be challenging due to terrain. While rezone conditions are limited to health and safety, the development will require a new or updated Conditional Use Permit. The lot had been rezoned D15 but was downzoned due to intersection concerns at Davis Avenue and Glacier Highway. Since then the intersection has been signalized.

The Planning Commission heard this [proposed rezone](#) at their regular meeting on October 22, 2024; and recommends the Assembly approve the proposed rezone.

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

13. **Ordinance 2024-42 An Ordinance approving the City and Borough’s participation in proposed refinancings by the Alaska Municipal Bond Bank of the Bond Bank’s various General Obligation Bonds that provided funds to purchase various revenue bonds of the City and Borough, under loan agreements between the City and Borough and the Bond Bank; and authorizing revised schedules of principal and interest payments on the City and Borough’s bonds, in accordance with the loan agreements, if the Bond Bank successfully refinances its bonds.**

This ordinance would authorize the issuance of up to \$13.5 million in bonds to refund (refinance) the 2014A Port, 2015 Harbor, and 2021 Port bonds. The original bonds were sold through the Alaska Municipal Bond Bank and financed harbor improvements, seawalk construction, and cruise ship berth enhancements. As a result of lower market interest rates, this refunding is estimated to result in a total savings of approximately \$700,000 over the remaining life of the bonds.

The Assembly Finance Committee reviewed this request at the November 6, 2024 meeting.

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

J. Resolutions

14. **Resolution 3078 A Resolution Supporting the Juneau Coordinated Transportation Coalition’s Prioritization of Projects for Grant Funding by the Alaska Department of Transportation & Public Facilities.**

This resolution supports Southeast Alaska Independent Living's (SAIL) grant application for the FY2025 Alaska Department of Transportation Human Services Transportation Service Grant. On August 22, 2024, the Juneau Coordinated Transportation Coalition (JCTC) met and approved forwarding the nominations below.

- A Replacement ADA Vehicle for its SAIL/ORCA Program participants;
- A Replacement ADA Taxi.

The Public Works & Facilities Committee at its September 9, 2024 meeting voted to forward a resolution of support for the SAIL applications to the full Assembly.

Upon approval, this resolution would serve as an addendum to the CBJ 2020 Juneau Coordinated Human Services Transportation Plan.

The City Manager recommends the Assembly adopt this resolution.

K. Liquor/Marijuana Licenses

15. **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: Taku Glacier Lodge Inc. d/b/a Taku Glacier Flightseeing/Salmon Bake

License Type: Restaurant/Eating Place, Liquor License: #1416 Location: Taku Valley Lot 75, Juneau

Licensee: JH Inc. d/b/a Seong's Sushi Bar

License Type: Restaurant/Eating Place, Liquor License: #4192 Location: 740 W. 9th St., Juneau

Licensee: Abigail May LaForce Barnett d/b/a Zerelda's Bistro

License Type: Restaurant/Eating Place, Liquor License: #5278 Location: 9104 Mendenhall Mall Rd., Juneau

Licensee: Green Lantern LLC. d/b/a No DBA

License Type: Restaurant/Eating Place, Liquor License: #851 Location: No Premises, Juneau

Licensee: AK Grizzly Bar LLC d/b/a AK Grizzly Bar

License Type: Beverage Dispensary, Liquor License: #772 Location: 210 Admiral Way, Juneau

Licensee: JD Entertainment, Inc. d/b/a The Island Pub

License Type: Beverage Dispensary, Liquor License: #728 Location: 1102 2nd St., Douglas

Marijuana License - Renewal

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

License Type: Standard Marijuana Cultivation, License #: 10270 Location: 2315 Industrial Blvd. Suite A, Juneau

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

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

Licensee: Green Elephant LLC d/b/a Green Elephant LLC

License Type: Standard Marijuana Cultivation, License #: 10315 Location: 101 Mill St., Suite A, Juneau

Licensee: Green Elephant LLC d/b/a Green Elephant LLC

License Type: Retail Marijuana Store, License #: 10844 Location: 101 Mill St., Suite B, 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. Other**16. Short Term Rental Task Force**

Charging Document and Appointment of Members

M. PUBLIC HEARING**17. Resolution 3051 A Resolution Petitioning the Alaska State Alcoholic Beverage Control Board to Issue up to 20 Additional Restaurant or Eating Place Licenses within the City and Borough of Juneau Under Alaska Statute 04.11.405.**

Currently, our community exceeds the number of Restaurant or Eating Place Licenses (REPLs), and there appears to be demand for more alcohol licenses. In January 2024 Alaska law changed, allowing municipalities to apply for additional REPLs. In 2023 the Assembly Human Resources Committee (HRC) discussed the changes to alcohol licensing on November 13, 2023; December 11, 2023; and January 8, 2024. The HRC recommended the Assembly request up to 20 additional REPL's from the State.

This resolution was up for Assembly action at the February 5, 2024 Regular Assembly meeting. After public testimony and Assembly discussion, a motion to postpone action on this resolution until no earlier than November 4, 2024 passed. On November 4, 2024 an email notice was sent to all current liquor license holders within the City and Borough of Juneau that this resolution would be back before the Assembly for consideration at this November 18, 2024 meeting.

The City Manager recommends the Assembly take public testimony and decide whether to amend or adopt this resolution.

18. Ordinance 2023-14(b)(AS) An Ordinance Appropriating \$985,000 to the Manager for the City and Borough of Juneau's Fiscal Year 2024 Operating Costs; Funding Provided by Airport Funds and Eaglecrest Funds.

This housekeeping ordinance appropriates \$985,000 for the City and Borough of Juneau's FY2024 operating costs. The following departments require supplemental budget authority in FY2024:

Airport: this ordinance appropriates \$950,000 of Airport funds for the leasing of an Aircraft Rescue and Fire Fighting (ARFF) truck from the City of Palmer, repairs to wash bay door and heating/cooling systems at the airport, the removal and replacement of an underground storage tank, and surveying and upgrading of new areas to use as leasable property on the airfield. These unbudgeted expenses were approved by the Airport Board to spend down remaining Federal CARES funding that was set to expire in April 2024.

Eaglecrest: Eaglecrest has historically maintained an inventory reserve as a component of fund balance. Inventory observations determined the majority of the inventory was obsolete, and upon auditor recommendation, was fully written off (expensed) in FY24. The complete inventory write-off balance was \$253,000, however, Eaglecrest is lapsing enough operating authority in FY24 that they only require a supplemental appropriation of \$35,000. This inventory write off reduces Eaglecrest's inventory reserve to \$0 and does not impact their available fund balance.

The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting

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

19. Ordinance 2024-01(b)(O) An Ordinance Appropriating \$86,000 to the Manager for the Safe Streets for All (SS4A) Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

CBJ has been awarded an \$86,000 Safe Streets for All (SS4A) grant from the Federal Highway Administration. The SS4A grant's goal is to develop a holistic, well-defined strategy to prevent roadway

fatalities and serious injuries. This funding would be used to conduct supplemental planning activities in the Lemon Creek area to enhance the road safety audit and comprehensive safety action plan that is currently under development. A local match requirement of \$21,500 will be provided by previously appropriated funds in the Lemon Creek Multi Modal CIP.

The Public Works and Facilities Committee reviewed this request at the December 18, 2023 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting, moved it forward to the Assembly with the following comment: *the SRRR strongly encourages CBJ to take an active approach, especially where accessibility and outreach is concerned and to make sure they are receiving public participation and input from the most impacted residents in the Lemon Creek area, including community meetings in the neighborhoods that are impacted the most.*

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

20. Ordinance 2024-01(b)(P) An Ordinance Appropriating up to \$500,000 to the Manager as a Grant to Gastineau Human Services for Expanding Residential Substance Use Disorder Beds; Funding Provided by General Funds.

This ordinance would appropriate up to \$500,000 of general funds as a grant to Gastineau Human Services (GHS) for expanding residential substance use disorder beds. These expanded services, anticipated to go into effect on January 6, 2025, are part of a plan to transition 3.1 level of care from Bartlett Regional Hospital's Rainforest Recovery Center (RRC) that closed on September 24, 2024 due to operational financial deficits. This one-time funding is intended to assist GHS with initial startup costs associated with transition of care from RRC.

The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting. The Assembly Finance Committee reviewed this request at the September 18, 2024 and November 6, 2024 meetings.

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

21. Ordinance 2024-01(b)(Q) An Ordinance Deappropriating \$1,000,000 of General Funds and Appropriating \$1,000,000 of Restricted Budget Reserves as Local Matching Funds for a United States Army Corps of Engineers Glacier Outburst Flooding General Investigation Study.

This ordinance would deappropriate \$1,000,000 of general funds previously appropriated under Ordinance 2024-01(b)(M) and appropriate \$1,000,000 from the Restricted Budget Reserve to be used as matching funds for the United States Army Corps of Engineers glacier outburst flooding general investigation study.

The Assembly Finance Committee reviewed this request at the September 18, 2024 meeting. The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting.

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

22. Ordinance 2024-01(b)(R) An Ordinance Appropriating \$50,000 to the Manager for Maintenance of the Arboretum Manager's Residence; Funding Provided by Jensen-Olson Arboretum Endowment Funds.

This ordinance would appropriate \$50,000 of unrestricted funds from the Jensen-Olson Arboretum Endowment Fund for maintenance of the manager's residence at the Arboretum. The building's paint is peeling significantly, which has exposed original wood and will soon compromise the structure. Painting is required to protect the integrity of the building.

The use of these unrestricted funds is permitted by the 1993 Administrative Agreement Concerning Jensen-Olson Arboretum which allows the use of endowment funds as financial support for the property. \$30,394 of unrestricted funds will remain in the Jensen-Olson Arboretum Endowment Fund upon appropriation of this ordinance.

The Parks & Recreation Advisory Committee reviewed this request at the October 1, 2024 meeting. The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting

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

23. **Ordinance 2024-01(b)(S) An Ordinance Appropriating \$2,000,000 to the Public Safety Communication Infrastructure Capital Improvement Project; Grant Funding Provided by the United States Department of Justice, Office of Community Oriented Policing Services.**

The Juneau Police Department (JPD) has been awarded \$2,000,000 in congressionally directed spending from the United States Department of Justice, Office of Community Oriented Policing Services (COPS). The COPS Office Technology and Equipment Program provides funding to increase the community policing capacity and crime prevention efforts of law enforcement agencies. This funding would contribute to the CBJ's public safety communication infrastructure updates. Total project cost is estimated to be approximately \$24.4 million. Previously appropriated funds and voter-approved bonds will also contribute to the costs of the project. There is no local match requirement for this grant.

The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting

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

24. **Ordinance 2024-35 An Ordinance Authorizing the Manager to Lease a 400 Square Foot Portion of Land Near Crazy Horse Drive to the Federal Aviation Administration for the Purpose of Continued Placement of Weather Monitoring Equipment.**

In 2004, the Assembly authorized a 400 square foot lease located at the end of Crazy Horse Drive to the FAA for the purposes of installing and maintaining a Low-Level Windshear Alert System to provide weather advisories to pilots and the airport. Resolution 2248, signed in 2004 authorized a term of 20 years and now this lease is set to expire on November 30th. This lease was authorized at no cost to the FAA. This tower continues to be an important part of the airport Low-Level Windshear Alert System and the FAA is requesting to extend this lease.

The Lands, Housing and Economic Development Committee recommended approval of the proposed lease at its meeting on November 2, 2023. The Systemic Racism Review Committee reviewed this ordinance at its October 22, 2024 meeting

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

N. UNFINISHED BUSINESS

25. **2025 Assembly Meeting Calendar**

The packet contains the updates to the draft 2025 Assembly Meeting Calendar as requested at the November 4, 2024 Assembly Committee of the Whole meeting. As mentioned during that meeting, Special Assembly meetings may be called by the Mayor or any three Assemblymembers in accordance with CBJ Charter 3.12.

The City Manager recommends the Assembly approve the 2025 Assembly Meeting Calendar as presented.

O. NEW BUSINESS

26. **Memorandum of Agreement (MOA) with Tlingit & Haida: Public Safety**

Assembly Goal 4. B is to "Explore government to government relations with tribes, working on projects meant to grow effective communication, trust and partnerships. Create an Assembly liaison to tribal meetings."

Progress has been made towards building trust and relationships with the joint response to the Mendenhall Flooding in August 2024 and continued partnership on mitigation measures. Building off the letter of intent that was signed in 2017 by Mayor Ken Koelsch and President Peterson, Central Council Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida), CBJ leadership have been looking at areas with a shared mission that we can formalize that partnership.

Tlingit & Haida has a robust Public Safety department with headquarters and a Tribal Emergency Operations Center in Lemon Creek. They have employees trained and practiced in emergency management and equipment to aid in response including search and rescue. They also maintain a Village Public Safety Officer program that employees individuals residing in the villages trained in fire protection, emergency medical assistance, crime prevention, and basic law enforcement. Tlingit & Haida were and continue to be key partners in flood response and mitigation. It makes sense to pool our resources and talents on behalf of Juneau residents. The Memorandum of Agreement commits to an annual meeting to discuss our shared interests and where we can partner, joint trainings when appropriate (and at a minimum annually) and information sharing. Both parties agree to cover their own costs and commit to open and free communication.

The City Manager recommends the Assembly take public testimony on this item and approve the memorandum of agreement.

27. Memorandum of Agreement (MOA) with Tlingit & Haida: Solid Waste

Assembly Goal 4. B is to “Explore government to government relations with tribes, working on projects meant to grow effective communication, trust and partnerships. Create an Assembly liaison to tribal meetings.”

Building off the letter of intent that was signed in 2017 by Mayor Ken Koelsch and President Peterson, Central Council Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida), CBJ leadership have been looking at areas with a shared mission that we can formalize that partnership solid waste is a natural fit.

CBJ is in the planning stages of several exciting solid waste projects in Juneau, ranging from waste characterization studies to studies of the future solid waste options for the community, as well as the construction of a municipal composting site. We are very interested in exploring how CBJ and Tlingit & Haida could potentially partner in these efforts. Not only do we share the common goal of developing sustainable waste management practices for our communities, but we also stand to benefit from pooling our collective resources in these efforts.

In addition, Tlingit & Haida has received several federal grants for composting and recycling in the past few years. Most recently they were awarded \$15 million for regional composting through the EPA Climate Pollution Reduction Grant program. The Solid Waste MOA speaks to open communication, an annual meeting, and sharing of information on waste reduction efforts. The MOA does not commit CBJ or Tlingit & Haida to any joint projects or development, however it does establish the relationship for partnership as CBJ works on zero waste planning and development of a zero-waste subdivision.

The City Manager recommends the Assembly take public testimony on this item and approve the memorandum of agreement.

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

There are 18 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.

29. REGULATIONS - Amendment of Title 05, Chapters 10, 35 & 40: Fees and Charges – Application of Consumer Price Index

Title 05 Chapter 10 – Waterfront Sales Permits, Tour Sales Permits

Title 05 Chapter 20 – Small Boat Harbor, Reserved Moorage Waitlist Fee

Title 05 Chapter 20 – Small Boat Harbor, Harbor Fee Policy

Title 05 Chapter 35 – Small Boat Harbor, Transient Moorage Management Fees

Title 05 Chapter 40 – Small Boat Harbor, Moorage Management Regulations

Title 05 Chapter 45 – Small Boat Harbor, Auke Bay Loading Facility

The Docks & Harbors Board has been reviewing certain regulation changes since February 2024 and has held multiple public committee and board meetings discussing the same. On October 7th, Docks & Harbors commenced the requisite 21-day minimum public notice period. On October 31st, the Docks & Harbors Board held a Special Board meeting to conduct a public hearing consistent with CBJ Code requirements, including fiscal notes. There were no written or oral comments received to these regulation change during the notice period or at the public hearing.

The proposed regulations broadly make the following changes:

- (a) Increase the tour sales permit minimum bids by \$5,000.
- (b) Disallow moorage until all accounts with collections have been paid in full;
- (c) Require pre-payments for habitual offenders who have been sent to collections of gone through the impound process;
- (d) Establish requirements for uninsured vessels, and
- (e) Establish a fee for unauthorized moorage at the Auke Bay Loading Facility.

Of note, under (d) is the replacement of the \$0.31 per foot per month “Vessel Salvage & Disposal” fee with an annual, Board adjustable \$1.50 per foot per month “Uninsured Vessel Surcharge”. This change was necessitated by the large number of uninsured vessels sinking in the Juneau harbors in which Harbor Enterprise funds have been exhausted in resulting disposal costs.

The Docks and Harbors Board and Port Director recommend the Assembly approve these regulation changes.

P. STAFF REPORTS

30. Direct Negotiation Land Sales, Leases & Exchanges - National Guard Dock

Franklin Dock Enterprises is requesting, in consideration for an easement along the Franklin Dock area, a lease of the National Guard Dock property, owned by CBJ and managed by Docks & Harbors. This property exchange would facilitate CBJ Engineering advancing its efforts to construct a Seawalk from the AJ Dock to the South Franklin Street Dock. The Assembly has previously considered and agreed with this plan at its May 30th COW and at the September 9th LHED Committee meetings.

In order to develop a lease, the Assembly must authorize the manager to commence negotiations:

Title 53.09.260(a) – Negotiated Sales, Leases and Exchanges states that “the proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so,

whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations...”

If supported by Assembly motion, negotiations with Franklin Dock Enterprises will commence and a new lease will be returned to the Assembly for adoption by ordinance via the Docks & Harbors Board. There are no monetary commitments by CBJ with this motion for direct negotiations with Franklin Dock Enterprises.

The City Manager recommends the Assembly pass a motion authorizing the Manager and/or Port Director to commence negotiations.

Q. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

R. ASSEMBLY COMMENTS & QUESTIONS

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

T. EXECUTIVE SESSION

31. Litigation Update from City Attorney Wright

U. SUPPLEMENTAL MATERIALS

V. ADJOURNMENT

W. 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.