



REGULAR ASSEMBLY MEETING 2023-17 AGENDA

July 10, 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

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. **Proclamation Honoring Wayne Stevens**
2. **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

3. **2023-01-09 Regular Assembly Meeting 2023-01 Minutes - Draft**
4. **2023-01-31 Special Assembly Meeting 2023-03 Minutes - Draft**
5. **2023-06-27 Special Assembly Meeting 2023-15 Minutes - Draft**
6. **2023-06-28 Special Assembly Meeting 2023-16 Minutes - Draft**

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 2023-14(b)(A) An Ordinance Appropriating \$60,000 to the Manager for the Mount Bradley Trail Reroute and Restoration Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration, Federal Lands Access Program.**

Parks and Recreation has been awarded an additional \$60,000 in grant funding from the Federal Lands Access Program to relocate and reconstruct the Mount Jumbo Trail from Savikko Park to the Treadwell Ditch. This award increases the \$265,000 grant appropriated under Ordinance 2021-08(b)(am)(V). A local match requirement of \$8,051 will be provided by previously appropriated funds from the Trail Improvement CIP (P46-112) and in-kind labor. Trail Mix is reconstructing the trail and is expected to complete the project in 2024.

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

- 8. Ordinance 2023-14(b)(B) An Ordinance Appropriating \$2,000,000 to the Manager for Childcare Programs and Grants; Grant Funding Provided by the State of Alaska.**

The City and Borough of Juneau has been awarded \$2,000,000 in grant funding for childcare programs and grants, focused on improving the availability and quality of childcare in Juneau. The state funding for these grants derives from the American Rescue Plan Act and Coronavirus Response and Relief Supplemental Appropriations Act. These funds will be used to expand existing CBJ programs for FY24 and FY25 as well as create an apprenticeship program for childcare administrators. No local match is required for this grant.

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

- 9. Ordinance 2023-14(b)(C) An Ordinance Appropriating \$850,215 to the Manager for the Hank Harmon Rifle Range Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game.**

This ordinance would appropriate \$850,215 for the Hank Harmon Rifle Range Improvements CIP. This funding would provide for a series of safety, accessibility, and longevity improvements that will address deferred maintenance needs. The improvements will comply with National Rifle Association Standards and will ensure that all Juneau-area hunting and recreational shooters will have continued year-round access to this free facility. The local match requirement will be met through previously appropriated funds in the CIP.

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)(D) An Ordinance Appropriating \$347,340 to the Manager as Funding for Round 2 of the Healthy and Equitable Communities Grant; Grant Funding Provided by the Alaska Department of Health.**

CBJ has been awarded an additional \$347,340 in grant funding from the Alaska Department of Health's Healthy and Equitable Communities grant. The Healthy and Equitable Communities unit was established in 2021 in response to widening barriers to health highlighted by the COVID-19 pandemic. This award increases the \$222,953 grant received in FY23. This grant would improve health outcomes for high-risk and underserved Alaskans by providing funding for the following purposes:

Capital City Fire and Rescue (CCFR) Employee Mental Health Training - \$45,000

CCFR Response Van Modifications - \$45,000

Community Health Needs Assessment - \$50,000

Parks & Recreation's Youth Shelter (Shéiyi Xaat Hít) - \$75,000

Warming Shelter - \$132,340

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

11. **Ordinance 2023-27 An Ordinance Authorizing the Manager to Convey Approximately 3,030 Square Feet of Property Located Adjacent to 11260 North Douglas Highway with the Legal Description of a Fraction of Lot 2, USS 3559 Beachside to Jon and Susanne Reiswig for Fair Market Value.**

In May 2022, the City Manager received an application to acquire City property from Jon and Susanne Reiswig, the owners of 11260 North Douglas Highway. The application is for roughly 3,000 square feet of City property adjacent to the applicant's 11.6-acre property and the request is being made in order to secure more road frontage on North Douglas Highway. The City property is a large 92-acre parcel, transected by North Douglas Highway. The requested property is managed by the Lands Division and the 2016 Land Management Plan designated this property as retain/dispose. The Plan also states that this property could be utilized for a future residential subdivision.

The LHED Committee reviewed this request at the May 2, 2022 meeting and forwarded the application to the Assembly with a motion of support for disposal. The Planning Commission reviewed this application at the September 13, 2022 meeting and recommended approval of this disposal. The Assembly provided a motion in favor of working with Jon and Susanne Reiswig towards the disposal of City property at the June 12, 2023 meeting. An appraisal was complete in March 2023 which valued the property at \$7,600.

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 3031 A Resolution Supporting the Manager Entering into an Agreement with Juneau Off-Road Vehicle Association for the 35 Mile ORV Riding Park.**

This resolution supports the development of the 35 Mile Off-Road Vehicle Riding Park by authorizing the Manager to enter into an agreement with the Juneau Off-Road Vehicle Association (JORA). The management agreement will allow JORA to provide specific maintenance tasks to maintain cleanliness and upkeep of the park. JORA will also provide important stewardship tasks to outreach to the riding community and encourage safe and responsible riding in the park. JORA provides a critical connection to the riding community and by formalizing an agreement with JORA, CBJ will better serve the public interest and be able to operate and manage a successful riding park.

The City Manager recommends the Assembly adopt this resolution.

13. **Resolution 3033 A Resolution Amending the Rate and Fare Structure for the Capital Transit System, and Repealing Resolution Serial No. 2614.**

This is a housekeeping change to comply with a Federal Transit Administration (FTA) finding. FTA provides grants to Capital Transit and therefore does periodic reviews of policies, procedures, and spending. In the most recent review, FTA determined that the Capital Transit policy of requiring a physician to certify that an individual is ADA Paratransit Eligible was too narrow, and that other health care professionals should also be able to make that certification.

The City Manager recommends that the Assembly adopt this resolution.

K. Transfers**14. Transfer Request T-1063 A Transfer of \$ 1,500,000 from CIP H51-125 Aurora Harbor Improvements to CIP H51-108 Statter Harbor Improvements Phase III.**

Docks & Harbors was awarded a \$2 million grant from the Alaska Department of Transportation and Public Facilities' Municipal Harbor Facility Grants Program. The required 50% local match was provided by the 2017 1% Sales Tax Initiative (\$1.5 million) and Harbor fund balance (\$1 million). The allocation of \$1.5 million of 1% Sales Tax was not scheduled until FY24. In March 2023, to execute a bid award to complete project work by the end of the summer, Docks & Harbors requested to temporarily transfer funding from the Statter Harbor Improvements Phase III CIP to the Aurora Harbor Improvements CIP. The 1% Sales Tax funding became available for the Aurora Harbor Improvements CIP on July 1, 2023. This transfer would return the temporary funding for Aurora Harbor back to Statter Harbor.

The Docks and Harbors Board reviewed this request at the June 27, 2023 meeting.

The City Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses**15. Liquor License Actions**

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

Liquor License - RENEWAL

License Type: Beverage Dispensary, License #3720

Licensee: Goldbelt Aerial Tramway, LLC d/b/a Timberline Bar & Grill

Location: 1800 Foot Level, Mt. Robert's, Juneau

License Type: Distillery, License #5506

Licensee: Amalga Distillery, LLC d/b/a Amalga Distillery

Location: 134 N. Franklin St., 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 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 license actions.

M. PUBLIC HEARING**16. Ordinance 2023-26(c) An Ordinance Creating a Short Term Rental Registration Program and Providing for a Penalty.**

This ordinance requires owners to register the location and occupancy details of each individual short-term rental unit that they operate. Registration of individual short-term rental units has two objectives: first, registration will assist the CBJ Sales Tax Office in ensuring compliance with sales tax and hotel-bed tax requirements, and second, registration will give the Assembly and the public greater visibility into the number, type, and geographical distribution of short-term rental units. This ordinance does not require registration for any dwelling units rented for longer than 30 days. The ordinance also provides

for a penalty if owners publicly list short-term rental units without having properly registered those units with CBJ.

The Assembly Committee of the Whole considered this ordinance at its June 26, 2023 meeting and forwarded version (b), as amended, to the Assembly for action.

The City Manager recommends the Assembly adopt this ordinance.

17. **Ordinance 2023-28 An Ordinance Authorizing the Manager to Convey Approximately 11.5 Acres of Property Located at Pederson Hill to Tlingit Haida Regional Housing Authority for Less Than Fair Market Value.**

Last fall the Assembly authorized the City Manager to enter into negotiations with the THRHA for the disposal of property at Pederson Hill for less than fair market value. THRHA plans to build homes on these lots and sell 50% of them to low-income tribal citizens and the other 50% will be available to moderate income Juneau residents for purchase. The Lands, Housing and Economic Development Committee reviewed this proposed CBJ land disposal at the meeting on August 29, 2022, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property for less than fair market value. The Assembly reviewed this application at the September 12, 2022 meeting, and passed a motion authorizing the City Manager to enter into negotiations with Tlingit Haida Regional Housing Authority towards the disposal of City property for less than fair market value. Fair market value has been determined to be \$700,000. This ordinance will authorize \$600,000 to be forgiven as conditions in the ordinance are met.

The Manager recommends the Assembly adopt this ordinance.

18. **Ordinance 2023-29 An Ordinance Amending the Sensitive Areas Requirements of the Land Use Code Related to Marine Mammal and Anadromous Waterbody Habitat Protections.**

This ordinance revises the land use code to address future development in stream setback and buffer areas.

For years, maintaining a balance between development and the preservation of fish habitat in the land use code has presented difficulty to developers who struggled with limited work area during construction to ensure the buffer is not disturbed. This ordinance provides flexibility in code by maintaining practical protection of anadromous waterbodies, while allowing development to occur in a portion of the outer buffer during construction -- by providing the work area necessary to construct outside the 50 foot buffer.

Drafts of this ordinance have been worked on since 2017. The full path through the Planning Commission, T49 Committee, the Assembly, and staff and Law review was outlined in a memo to the May 22, 2023 Lands, Housing and Economic Development Committee. The Planning Commission recommended a relatively complex ordinance that would allow development within the full 50' setback. The Manager had staff draft Ord. 2023-29 which simplifies the process and allows an incursion of up to 15 feet into the 50 foot setback, provided that the area is revegetated with native plants during the same construction season. This approach balances the need to relax development rules while still protecting fish stream habitat. The LHED motioned to support adoption of this ordinance.

The Manager recommends the Assembly adopt this ordinance.

19. **Ordinance 2023-31 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$27,000,000 to Finance Construction and Equipping of a New City Hall for the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 3, 2023.**

This ordinance would send a bond package to the voters to consider in the municipal election on October 3, 2023. This ordinance would send one general obligation bond proposition of up to \$27

million for the construction and equipment of a new city hall. The total project cost, with underground parking, is currently estimated at \$43.3 million, and the Assembly has already appropriated \$16.3 million of general funds.

The new City Hall would be built on Whittier Avenue, across the street from the State museum. A new facility would have a number of positive attributes for the City and our citizens, including the following: an end to office space rent payments in excess of \$800,000 annually, the freeing up of historical apartment spaces, and the ability for customers and employees to do municipal business in a more efficient manner as CBJ offices would be located in one place, instead of five different locations. Additionally, a new structure would be more economical to maintain as the existing City Hall is one of our most expensive municipal buildings to maintain (actually slightly more costly to maintain than the 60-year-old Augustus Brown Pool).

The Committee of the Whole selected 450 Whittier Street as the preferred site for a new city hall during the April 11, 2022 meeting. The Assembly requested staff introduce an ordinance to submit a proposition to the voters on the October 3, 2023 election ballot during the June 5, 2023 Committee of the Whole meeting.

The City Manager recommends the Assembly adopt this ordinance.

20. **Ordinance 2022-06(b)(AX) An Ordinance Appropriating \$8,100,000 to the Manager for the Purchase of the Juneau Bone and Joint Center Property at 3220 Hospital Drive; Funding Provided by Hospital Funds.**

This ordinance would appropriate \$8,100,000 of hospital funds for the purchase of the BBGH Development, LLC property at 3220 and 3230 Hospital Drive, Juneau, AK. The property includes over 21k sq. ft. of medical and commercial space in two buildings on a 53k sq. ft. parcel. With clinical and healthcare administration space challenging to come by in the current real estate market, this acquisition would represent one of the few opportunities to increase Bartlett's (BRH) space for growth near our existing campus. Additionally, the existing property offers steady commercial rental income, providing immediate access to positive cash flow.

This ordinance will appropriate authority to a capital improvement project for the purchase of this building to offer Bartlett maximum flexibility in transaction closing.

This request was reviewed by the Hospital Board at the April 25th, 2023 meeting. The Committee of the Whole reviewed this request at the June 26, 2023 meeting.

The City Manager recommends the Assembly adopt this ordinance.

21. **Ordinance 2022-06(b)(AY) An Ordinance Appropriating up to \$500,000 to the Manager for the Information Technology Infrastructure Capital Improvement Project for the Purchase of Permitting, Land Management, and Property Valuation Software; Funding Provided by General Funds.**

This ordinance would appropriate up to \$500,000 for permitting, land management and property valuation software for the Community Development and Finance Departments. The software would provide an online public portal for permit and land use applications, inspection requests, status updates, and payments. The software would maintain property data, property valuation, and ensure tax equity through uniform valuations for the Assessor's Office. Additionally, the Assessor's Office would use the software for the administration of exemptions, assessment notifications, appeals processing, and reporting. The software would increase staff productivity while offering faster, more accurate, and user-friendly systems for permit and land use applicants and property owners in the CBJ.

The software cost will exceed the requested \$500,000 by an estimated \$300,000. The excess funds would be provided by previously appropriated funds in the Information Technology Infrastructure CIP.

The Mayor's Housing and Development Task Force recommended the CBJ acquire permitting software as a major outtake of its work.

The City Manager recommends the Assembly adopt this ordinance.

N. UNFINISHED BUSINESS

O. NEW BUSINESS

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

There are 8 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.

P. STAFF REPORTS

23. Assembly Calendar-Meeting Schedule Changes (Verbal Report)

24. Tourism Report

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

25. City Manager Recruitment and Selection

Suggested Motion: Motion by xx, "I move we recess into executive session to discuss matters that the immediate knowledge of which would defame or prejudice the character or reputation of any person, specifically those individuals invited to interview with the committee, and to discuss recruitment examination materials that are confidential."

U. SUPPLEMENTAL MATERIALS

V. 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.