



REGULAR ASSEMBLY MEETING 2023-05

AGENDA

February 27, 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. **Instructions 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.org.
2. Proclamation: National Engineers Week

E. APPROVAL OF MINUTES

3. **August 1, 2022 Regular Assembly Meeting 2022-18 Draft Minutes**
4. **August 8, 2022 Special Assembly Meeting 2022-19 Draft Minutes**
5. **August 29, 2022 Special Assembly Meeting 2022-21 Draft Minutes**
6. **September 12, 2022 Regular Assembly Meeting 2022-22 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 2023-02 An Ordinance Amending the Assessing Standards for the City and Borough of Juneau.**

The CBJ Assessor's office is required by state law to value property at full and true value each year. In doing so, they follow the standards and practices set by the International Association of Assessing Officers and the Alaska Association of Assessing Officers. Codifying these IAAO and AAAO standards for mass appraisal can lead to greater public understanding of and trust in the assessment process. The public should note that these assessment standards have generally been written for jurisdictions with mandatory real estate price disclosure, and without such disclosure, the Juneau Assessor must depend more heavily on local knowledge and other economic information in determining full and true value.

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

8. **Ordinance 2023-09 An Ordinance Authorizing the Manager to Lease a 1.50 Acre Parcel of Land near 100520 Crazy Horse Drive at a Reduced Rate to Provide for the Southeast Alaska Food Bank Food Warehouse Expansion.**

Since 2005, the Southeast Alaska Food Bank has leased a fraction of U.S. Survey 1041 from the City for \$1.00 per year. This property is located in the Mendenhall Valley at the end of Crazy Horse Drive. The lease was amended in 2015 to increase the leased area to ½ acre. The current application states that the new area is needed because the opportunity has arisen to fund a new warehouse building making the food bank more sustainable for the future. The food bank already secured a grant in the amount of \$500,000.00 toward the expansion. The LHED Committee provided a motion of support to amend the Food Bank lease at the January 23, 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 2023-10 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Tidelands Addition to the City of Juneau, Block 68, Lot 8 Fractions, Lots 9, 10, 11, 12 Fraction, 12A, 13, and 14 Fraction; Tidelands Addition to the City of Juneau, Block 74, Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9; Tidelands Addition to the City of Juneau, Block 75, Lot A; Juneau Subport Lot A, and USS 3566, Lot 3 Fraction and 2A Fraction; from Mixed Use 2 (MU2) to Mixed Use (MU).**

AME2022 0008: A Rezone Request from MU2 to MU in the Aak'w Kwaan District

At the [Regular Planning Commission meeting on February 14, 2023](#), the Commission voted to recommend approval of a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 6.6 acres that encompass Centennial Hall, the Juneau Arts and Culture Center, Zach Gordon Youth Center, the proposed location of a new City Hall, and the Four Points Sheraton. If AME22-06 is approved, this would be a southward extension that creates clean boundaries along streets. This area includes the 5.7 acres in the applicant's application, and a staff-proposed expansion of 0.9 acres. This rezone would reduce setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

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

10. **Ordinance 2023-11 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Indian Village, Blocks 3 & 4, Kasaan City, Lot 2, and Tidelands Addition to**

the City of Juneau, Block 68, Lots 1, 2, 3, 4, 5, 6, and 12FR, from Mixed Use 2 (MU2) to Mixed Use (MU).

AME2022 0006: A Rezone Request from MU2 to MU in the Aak'w Kwaan District

At the [Regular Planning Commission meeting on February 14, 2023](#), the Commission voted to recommend approval of a rezone from MU2 to MU in the Aak'w Kwaan District. This project proposes a westward extension of less-restrictive MU zoning to 4.2 acres that encompass the Indian Village, the Andrew Hope Building, and current offices of the Alaska Department of Environmental Conservation. This area includes the 3.7 acres in the applicant's application, and a staff-proposed expansion of half an acre. This rezone would reduce zoning setbacks and facilitate canopies over sidewalks, improving conformity with the Willoughby District Land Use Plan, elements of which are incorporated by reference into the Comprehensive Plan. While MU has no height restrictions, future CDD and Commission decisions would be moderated through the Willoughby District Land Use Plan. CDD held a public meeting on December 6, 2022, and one member of the public attended.

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

11. Ordinance 2022-06(b)(AK) An Ordinance Appropriating \$1,200,000 to the Manager for a Loan for the Ridgeview Subdivision Project; Funding Provided by the Affordable Housing Fund.

During the Fall 2022, Round Two competition of the Juneau Affordable Housing Fund (JAHF), four projects were awarded funding through a competitive funding round. The awardees were announced at the November 28, 2022 Lands Housing and Economic Development Committee meeting and approved at the December 12, 2022 Assembly meeting. The phase one preliminary plat and the preliminary alternative residential development plan were approved by the Planning Commission on December 12, 2022.

This ordinance is appropriating \$1.2 million to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. This first phase will include five units affordable to individuals with income of 80% or less of Area Median Income (AMI). The loan will be secured by a deed of trust on the property.

This project meets the intent of the JAHF award guidelines document and the 2016 Housing Action Plan.

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

12. Ordinance 2022-06(b)(AM) An Ordinance Appropriating \$2,000,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$2 million of grant funds from the Alaska Department of Transportation and Public Facilities' Municipal Harbor Facility Grants Program. The required 50% local match is provided by the 2017 1% Sales Tax Initiative (\$1.5 million) and Harbor fund balance (\$1 million). This project would construct one main float in the north end of Aurora Harbor with slips to accommodate 48-foot and 60-foot vessels. Docks and Harbors anticipates a bid award in March 2023.

The Docks and Harbor Board recommended this action at its regular Board meeting on February 23, 2023.

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

13. **Ordinance 2022-06(b)(AN) An Ordinance Appropriating \$31,500 to the Manager as Funding for Phase 2 of a Building Survey and Inventory of the Juneau Townsite Historic Neighborhood; Grant Funding Provided by the Alaska Department of Natural Resources.**

The Juneau Townsite Historic Neighborhood is a mixed-use commercial and residential neighborhood, located between the Downtown and Chicken Ridge historic districts. This ordinance would appropriate \$31,500 of grant funding to survey and inventory approximately 42 structures in the area and document their historical significance. This survey will complete the survey and inventory and determine whether the Juneau Townsite Historic Neighborhood is eligible to be listed on the National Register of Historic Places. The benefits of becoming a listed district include access to Historic Tax credits and Historic Preservation Fund grants. These benefits would be available for property owners for rehabilitation and maintenance work.

CBJ's Community Development Department, City Museum, and Historic Resources Advisory Committee will partner with a historic architecture consultant to perform the scope of work for this project. Total project costs are estimated to be \$52,515. The 40% local match requirement will be met with CBJ personnel service costs, for which expenditure authority has already been appropriated in the FY23 operating budget.

The Historic Resources Advisory Committee recommended CBJ staff apply for this grant at the February 3, 2021 meeting.

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

14. **Ordinance 2023-12 An Ordinance Providing for the Issuance and Sale of Port Revenue Bonds in one or more series in the Aggregate Principal Amount of Not to Exceed \$5,100,000; Providing for the Form and Terms of the Bonds; Providing a Method of Payment Therefor; and Reserving the Right to Issue Revenue Bonds on a Parity with the Bonds upon Compliance with Certain Conditions.**

This ordinance authorizes the sale of \$5.1 million of revenue bonds for the first phase of electrifying CBJ's municipally owned cruise ship docks. The bond will be fully repaid within 15 years at an expected annual cost of approximately \$450,000 assuming an interest rate of 4.0%. This revenue bond will be repaid entirely by passenger fees, and does not pledge any borough tax revenue. Issuance of this bond will not impact the debt service mill rate.

The Docks and Harbors Board approved this request at the December 29, 2022 meeting. The Assembly Finance Committee approved this request at the January 4, 2023 meeting.

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

15. **Ordinance 2023-13 An Ordinance Providing for the Issuance and Sale of General Obligation Bonds in One or More Series to Provide Not to Exceed \$6,600,000 in Net Proceeds; and Providing for the Form and Terms of the Bonds and for Unlimited Tax Levies to Pay the Bonds.**

This ordinance authorizes the sale of \$6.6 million of general obligation bonds as authorized by voters in the October 4, 2022 municipal election. Per the authorizing ballot measure, these bond funds will be used for installation of an artificial field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, a new public use cabin, and areawide trail

maintenance. The bond will be fully repaid within 6 years at an expected annual cost of approximately \$3.1 million in the first year and \$775,000 in the following five years assuming an interest rate of 3.9%. Issuance of this bond will not increase the debt service mill rate from its current level.

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

16. **Ordinance 2022-06(b)(AO) An Ordinance Appropriating \$6,600,000 to the Manager for the Areawide Trail Improvements, Adair-Kennedy Memorial Park, and Public Use Cabins Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.**

This ordinance would appropriate \$6.6 million of general obligation bond proceeds for the Areawide Trail Improvements, Adair-Kennedy Memorial Park, and Public Use Cabins capital improvement projects. This funding provides for installation of an artificial field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, a new public use cabin, and areawide trail maintenance.

This appropriation of project funding is consistent with the intent of the \$6.6 million general obligation bond package approved by voters in the October 4, 2022 municipal election.

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

17. **Ordinance 2022-06(b)(AP) An Ordinance Appropriating \$5,000,000 to the Manager for the Dock Electrification Capital Improvement Project; Funding Provided by Port Revenue Bond Proceeds.**

This ordinance would appropriate \$5 million for the Dock Electrification Capital Improvement Project. Funding for this request is provided by port revenue bond proceeds and will facilitate the procurement and installation of two load tap changer transformers for the docks owned by CBJ at Alaska Steamship and Cruise Ship Terminal. The revenue bond will be repaid with port development fees.

The Docks and Harbors Board approved this request at the December 29, 2022 meeting. The Assembly Finance Committee approved this request at the January 4, 2023 meeting.

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

18. **Ordinance 2022-06(b)(AJ) An Ordinance Appropriating \$5,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds and Hotel-Bed Tax Funds.**

This ordinance would appropriate \$5 million for the Capital Civic Center CIP. This project is an expansion of Centennial Hall that will include upgrades to satisfy the goals of the business community, the travel industry, and the arts economy. This appropriation is intended to leverage grant funding and should not be expended until such time as sufficient grant funding is secured for the project that would require local matching funds in the amounts of this appropriation.

This request is funded equally by general funds and hotel-bed tax funds.

The Assembly Finance Committee will review this request at the March 1, 2023 meeting.

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

J. Resolutions

19. **Resolution 3015 A Resolution Authorizing the Chief Executive Officer of Bartlett Regional Hospital (BRH) to Execute a Transition Agreement with Wildflower Court (WFC), and Negotiate for a Potential Transfer of Wildflower Court to BRH, with the Consent of the BRH Board.**

For some time, Wildflower Court and Bartlett Regional Hospital have been in discussions regarding a management agreement and eventual transition of operations from WFC to BRH. BRH staff provided a memo outlining the rationale behind this operational change at the Assembly's February 13, 2023 Committee of the Whole meeting. BRH staff believe this transition is in the best interest of the community in that it will both maintain key services for our aging population while also contributing positively to the hospitals bottom line.

The Assembly Committee of the Whole forwarded this resolution to the Assembly for adoption at its February 13, 2023 meeting. The Bartlett Regional Hospital Board passed a motion of support for this process at its February 17, 2023 meeting and plans to continue its discussion and analysis of this topic.

The City Manager recommends the Assembly adopt this resolution.

20. **Resolution 3023(b) A Resolution of the City and Borough of Juneau Opposing the Wild Fish Conservancy Lawsuit and Protecting the Southeast Alaska Troll Fishery from Closure.**

The Assembly Committee of the Whole discussed this resolution at their February 13, 2023 meeting and moved this resolution to the Assembly for adoption.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

L. Transfers

21. **Transfer Request T-1051 A Transfer of \$ 54,731.48 from CIP H51-121 Pile Anode Installation to CIP H51-108 Statter Harbor Improvements Phase III.**

The Pile Anode Installation work is complete and the project is ready to close out. This request would transfer the remaining unspent balance of \$54,731.48 to the Statter Harbor Improvements Phase III CIP for construction work.

The Docks and Harbors Board reviewed this request at the February 23, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor Licenses

22. **Liquor License Renewals for Review**

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

Licensee: Genuine Ventures LLC, d/b/a Tracy's King Crab Shack

Liquor License Type: Restaurant Eating Place, License #4584

Location: Lot C1, Juneau Subport, Section 23, Township 41S Range 67E. Juneau

Licensee: Bullwinkle's Inc., d/b/a Bullwinkle's Pizza

Liquor License Type: Restaurant Eating Place, License #1690

Location: 9108 Mendenhall Mall Rd., Juneau

Licensee: Thibodeau's Market Inc., d/b/a Percy's Liquor Store

Liquor License Type: Package Store, License #849

Location: 214 Front St., Juneau

Licensee: Thibodeau's Market Inc., d/b/a Thibodeau's Douglas Depot

Liquor License Type: Package Store, License #828

Location: 1017 3rd St., Douglas

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 renewal applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's office.

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

N. PUBLIC HEARING

23. Ordinance 2022-64(b) An Ordinance Reorganizing and Consolidating the Aquatics Board, the Treadwell Arena Advisory Board, the Jensen-Olson Arboretum Advisory Board, and the Parks and Recreation Advisory Committee.

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

The Assembly Committee of the Whole discussed this topic on November 7, 2022 and amended Ord. 2022-64 at the February 13, 2023 COW meeting creating version Ord. 2022-64(b).

The City Manager recommends the Assembly adopt this ordinance.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

24. iRide Alaska Lease Request for use of West Douglas Pioneer Road

The City received an application from iRide Alaska for the use of the West Douglas Pioneer Road (WDPR). This application requests commercial use of the WDPR for guided e-bike tours between May 1st and October 30th. The application has been received and according to city code, CBJC 53.09.260(a), the next step in processing the application is for the Assembly to determine "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 for the lease, sale, exchange, or other disposal of City and Borough land." Currently the City does not have a policy regarding the commercial use of the WDPR. The attached draft 2017 policy on the Interim Public Use of West Douglas Pioneer Road was never adopted by the Assembly but the WDPR has been managed similarly to the management described in the policy. Unfortunately, the draft policy was not included in the LHED Committee review of this

request when they forwarded it to the Assembly for discussion. LHEDC forwarded this issue without recommendation.

If the Assembly provides a motion of support to work with the original proposer, the Manager would commence negotiations which could include terms and conditions to alleviate impacts to the property.

If the Assembly wants to proceed with determining draft lease details, the Manager recommends the Assembly pass a motion of support to work with iRide Alaska as the original proposer in accordance with CBJC 53.09.260.

Q. STAFF REPORTS

25. Staff Report on Dependent Care

R. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS

T. EXECUTIVE SESSION

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.org.