



# REGULAR ASSEMBLY MEETING 2024-20 AGENDA

August 19, 2024 at 7:00 PM

Centennial Hall & Zoom Webinar

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*The 8/19/24 Assembly & HRC meetings will take place at Centennial Hall due to maintenance issues in City Hall Assembly Chambers. Or you may Zoom into the meeting using the link below.*

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

Submitted By:

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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. Recognition of outgoing City Attorney Robert Palmer

2. USCG Buoy Tender Round-up Proclamation

3. Update on Mendenhall Flood Response

**E. APPROVAL OF MINUTES**

4. January 8, 2024 Regular Assembly Meeting 2024-01 Draft Minutes

5. August 5, 2024 Special Assembly Meeting 2024-18 Draft Minutes

6. August 6, 2024 Special Assembly Meeting 2024-19 Draft 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

7. **Ordinance 2024-20: An Ordinance Amending the Parking Requirements of the Land Use Code by Extending the No Parking Requirements Area to Include the Telephone Hill Area.**

In 2022, the Assembly adopted a No Parking Required Area in downtown Juneau to support residential and commercial development efforts. This ordinance would continue that policy and extend the no parking requirement to the Telephone Hill area for multiple reasons including the following: construction cost of underground parking, availability of an adjacent parking garage, and the walkability of downtown Juneau.

The Assembly Committee of the Whole supported this ordinance on April 15 and August 5, 2024. The Lands Housing and Economic Development Committee supported this ordinance on July 15, 2024.

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

8. **Ordinance 2024-01(b)(E): An Ordinance Appropriating \$547,353 to the Manager for the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and Passenger Facility Charge Fees.**

This ordinance would appropriate \$574,353 for the design phase of the Runway Safety Area (RSA) Shoulder Grading CIP. This CIP is intended to regrade existing runway areas to Federal Aviation Administration (FAA) specifications. Funding for this ordinance is provided by an FAA Airport Improvement Program (AIP) grant in the amount of \$422,353, and Passenger Facility Charge (PFC) fees funds in the amount of \$125,000. The PFC funds will reimburse amounts that were forward funded from other sources, which is typical for PFC collections that are appropriated upon receipt.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting. The Airport Board reviewed this request at the August 8, 2024 meeting.

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

9. **Ordinance 2024-01(b)(F): An Ordinance Appropriating \$1,017,116 to the Manager for the Airport Rescue and Fire Fighting Truck Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant, Airport Revolving Funds, and Airport Funds.**

This ordinance would appropriate \$1,007,116 of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds and \$10,000 in local Airport matching funds for the Airport Rescue and Fire Fighting (ARFF) Truck Capital Improvement Project. This funding provides for the replacement of a 1993 ARFF truck that was permanently taken out of service last year.

The Public Works and Facilities Committee reviewed this request at the February 26, 2024 meeting. The Airport Board reviewed this request at the August 8, 2024 meeting.

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

10. **Ordinance 2024-01(b)(J): An Ordinance Appropriating \$35,025 to the Manager for a Grant to St. Vincent de Paul; Funding Provided by General Funds.**

St. Vincent de Paul's low-income housing at 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave do not qualify for CBJ's low-income housing property tax exemption in 2024 because they did not submit their exemption application timely. As a result, property taxes cannot be exempted for 2024, and must be paid by St. Vincent de Paul. This is an unanticipated

financial burden for St. Vincent de Paul. This grant would, in effect, acknowledge the intended low-income housing purpose of the 345 Gastineau Ave, 1801 Douglas Hwy, 8619 Teal Street and 231 Gastineau Ave properties, even though it did not meet the strict legal criteria to be exempted.

The Assembly Finance Committee will review this request at the September 4, 2024 meeting.

**The City Manager recommends this ordinance be introduced, referred to the Assembly Finance Committee, and set for public hearing at the next regular Assembly meeting.**

11. **Ordinance 2024-04(b)(D): An Ordinance Appropriating \$50,000 to the Manager for a Civic Engagement and Communications Strategy; Funding Provided by General Funds.**

This ordinance would appropriate \$50,000 of general funds for City and Borough of Juneau communication strategy planning. Upon appropriation of funds, an RFP will be issued seeking a qualified consultant to provide professional Strategic Civic Engagement and Communications planning services.

The Assembly Finance Committee will review this request at the September 4, 2024 meeting.

**The City Manager recommends this ordinance be introduced, referred to the Assembly Finance Committee, and set for public hearing at the next regular Assembly meeting.**

J. **Resolutions**

12. **Resolution 3070: A Resolution Deappropriating \$25,000 from the Airport Runway Safety Area Shoulder Grading Capital Improvement Project; Funding was Provided by Airport Revolving Funds.**

\$25,000 was transferred in FY24 via Transfer Request T-1081 to the Airport Runway Safety Area Shoulder Grading Capital Improvement Project. Airport revolving funds were temporarily transferred to this project as local grant match to cover initial project costs, but are now being replaced with Passenger Facility Charge (PFC) fees via Ordinance 2024-01(b)(E), which is typical for PFC collections that are appropriated upon receipt. This resolution would deappropriate funds back to Airport fund balance in a Capital Improvement Project reserve.

The Airport Board reviewed this request at the August 8, 2024 meeting.

**The City Manager recommends the Assembly adopt this resolution.**

K. **Liquor/Marijuana Licenses**

13. 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: Pinz LLC d/b/a Pinz**

*License Type: Recreational Site (grandfathered in) Liquor License: #5095 Location: 608 W. Willoughby Ave., Juneau*

**Licensee: YC Juneau Hotel, LLC d/b/a Baranof Hotel**

*License Type: Beverage Dispensary, Liquor License: #648 Location: 127 N. Franklin St., Juneau*

**Marijuana License - Renewal**

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

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

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

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

14. **Emergency Appropriation Resolution 3072: An Emergency Appropriation Resolution Appropriating \$1,055,000 to the Manager for the August 2024 Glacier Outburst Flood Response; Funding Provided by General Funds and Wastewater Funds.**

This emergency resolution would appropriate \$655,000 in general funds and \$400,000 in Wastewater funds to respond to the August 2024 glacier outburst flood. This funding would provide for damage assessment, sheltering assistance, environmental and waste cleanup, repairs to existing CBJ infrastructure, and resources (people, equipment, supplies) for flooded structures. CBJ will seek State or federal reimbursement for eligible costs incurred in response to the glacier outburst flood.

Funding for this request is needed as soon as possible to authorize CBJ to incur expenses associated with flood response. For this reason, this is an emergency resolution.

**The City Manager recommends the Assembly hold public testimony and adopt this emergency resolution.**

15. **Ordinance 2024-27: An Ordinance Authorizing the Manager to Execute a Lease of the Mayflower Building located at 750 Saint Ann's Ave to the Juneau Montessori School, an Alaskan Non-Profit Corporation.**

The Montessori School has leased the Mayflower Building from the CBJ since 1992. The Montessori School has requested to continue to lease this building at less than fair market value. Section 4 of the current lease states that "the manager is only authorized to renew this lease with a rental rate at the fair market value. If the Lessee seeks to renew the lease at less than fair market value, then the Assembly must first authorize the reduced rental rate." At the April 15, 2024, meeting, the Lands Housing and Economic Development Committee passed a motion of support to continue to lease property to the Montessori School for less than fair market at \$2,200 per month.

The Systemic Racism Review Committee reviewed this ordinance at its July 30, 2024 meeting.

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

16. **Ordinance 2024-32: An Ordinance Establishing a Waiver Process for Airport Board Appointments and Temporarily Waiving the Three Tenant Rule.**

This ordinance establishes a process to waive the "Three Tenant Rule" for appointments to the Airport Board in Juneau. The "Three Tenant Rule" limits the number of Airport Board members who can be tenants to three. The ordinance allows the Assembly to temporarily waive this rule to appoint a fourth tenant if necessary, due to low community interest in the position and the need to avoid prolonged vacancies that can strain the board and harm airport governance. The ordinance includes provisions to

prevent conflicts of interests and requires the Airport Board to notify the Assembly if tenant conflicts reduce the board's majority vote.

The Assembly Human Resources Committee requested the creation of this ordinance at its July 29, 2024 meeting and recommended forwarding it to the full Assembly for introduction.

Due to the timing of this ordinance and meeting dates, the Systemic Racism Review Committee did not review this ordinance.

The Airport Board reviewed this ordinance at its August 8, 2024 meeting.

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

**17. 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 Systemic Racism Review Committee reviewed this ordinance at its June 18, 2024 meeting.

The Assembly Human Resources Committee reviewed this ordinance at its July 29, 2024 meeting and forwarded it to the full Assembly for action.

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

**M. UNFINISHED BUSINESS**

**18. New City Attorney Appointment**

After an extensive recruitment process, including public interviews in late July, the Assembly Attorney Selection Committee recommends the Assembly appoint Emily Wright as the next Municipal Attorney as Robert Palmer departs to pursue new opportunities. Ms. Wright currently serves as a CBJ Assistant Attorney.

**Suggested Motion: Move the Assembly appoint Emily Wright as the Municipal Attorney starting August 26, 2024, with an annual salary of \$188,000.**

**N. NEW BUSINESS**

**19. 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.

*Clerk's Note: Due to the personal nature of the back-up documents, those will be provided to the Assemblymembers as paper hardcopies only.*

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

O. STAFF REPORTS

P. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

Q. ASSEMBLY COMMENTS & QUESTIONS

R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

S. EXECUTIVE SESSION

T. SUPPLEMENTAL MATERIALS

20. RED FOLDER - High Level Flood Prevention Concepts

21. RED FOLDER - Request for Joint Working Group for Flood Mitigation Solutions

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](mailto:BoroughAssembly@juneau.gov).

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](mailto:city.clerk@juneau.gov).