

# REGULAR ASSEMBLY MEETING 2023-26 AGENDA

December 11, 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:

| 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
- E. APPROVAL OF MINUTES
- F. MANAGER'S REQUEST FOR AGENDA CHANGES
- G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- H. CONSENT AGENDA

<u>Public Request for Consent Agenda Changes, Other than Ordinances for Introduction</u>

**Assembly Request for Consent Agenda Changes** 

### **Assembly Action**

- I. Ordinances for Introduction
  - 1. Ordinance 2023-14(b)(E) An Ordinance Deappropriating \$950,000 from the Manager for Childcare Programs.

This housekeeping request would deappropriate \$950,000 from the Manager for childcare programs. Since the FY24 budget was adopted, the City and Borough of Juneau was awarded a \$2,000,000 grant from the State of Alaska for childcare programs and grants, appropriated under Ordinance 2023-14(b)(B). The deappropriated funds will be added to the FY25 budget as a one-time increment for childcare programs and grants.

The Committee of the Whole reviewed this request at the August 7, 2023 meeting.

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

2. Ordinance 2023-14(b)(R) An Ordinance Appropriating \$1,600,000 to the Manager for the Affordable Housing Fund; Funding Provided by General Funds.

This ordinance would appropriate \$1,600,000 for the Affordable Housing Fund. The Lands, Housing and Economic Development Committee (LHED) recently completed the third round of housing project proposals. The committee received six housing project proposals in the amount of \$6.3 million. Projects were ranked based on criteria from the 2023 Juneau Affordable Housing Fund (JAHF) program description and guidelines. Due to limited funds available, the committee selected one project and recommended a second project if additional funding was available. Due to the critical need for housing in the community, it is recommended that the top two ranked projects are funded. This request would provide sufficient funding to award the top two projects.

The Lands, Housing and Economic Development Committee approved this request at the November 6, 2023 meeting.

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

3. Ordinance 2023-05 An Ordinance Authorizing an Alternative Procurement Method Related to the Eaglecrest Pulse Gondola Construction Project.

Eaglecrest Ski Area is in the process of expanding summer and winter opportunities through the development of a gondola project. Shortly after the Assembly appropriated \$2M for the purchase of a gondola, Goldbelt Inc. injected \$10M to fund installation of the gondola and associated infrastructure. This ordinance would allow the CBJ to use the Construction Manager At Risk form of alternative procurement to complete design and construction work necessary for the gondola project. A number of factors justify an alternative procurement including: complexity of the aerial system, short construction windows, alpine environment, and the need to stay within budget.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Committee of the Whole, and schedule it for public hearing at the next regular Assembly meeting.

#### J. Resolutions

4. Resolution 3021 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Docks and Harbors.

The Docks and Harbors Board approved changes to its bylaws at its November 30, 2023 regular Board Meeting. Changes to the bylaws require Assembly approval and were last updated in 2014. In addition to administrative housecleaning issues, some of the changes include:

- Acknowledging and leveraging virtual Board member participation in a post-pandemic world.
- Allowing citizens to transmit communications (written presentations and exhibits) to the Board via email instead of hard copies to the Port Director's Office.
- Reducing the number of standing committees from two (Operations & Planning, and Finance) to only the Operations & Planning Committee.
- Defining the quorum for special committees.

CBJ Law reviewed the proposed changes and found them to be legally sufficient.

The City Manager recommends the Assembly approve the Docks and Harbors updated bylaws.

#### K. Liquor/Marijuana Licenses

<u>Liquor & Marijuana License Actions</u>

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

**Liquor License - New** 

Licensee: Kaitlyn Morgan d/b/a Pittman's Pub

License Type: Recreational Site, License: #6166 Location: 3000 Fishcreek Rd., Juneau

Marijuana License - Renewals

Licensee: The Fireweed Factory LLC d/b/a The Fireweed Factory LLC

License Type: Retail Marijuana Store, License: #10800 Location: 237 Front St., Juneau

Licensee: The Fireweed Factory LLC d/b/a The Fireweed Factory LLC

License Type: Standard Marijuana Cultivation, License: #10266 Location: 8415 Airport Blvd. Space B,

Juneau

Licensee: Tree Logic LLC d/b/a Stoned Salmon Farms

License Type: Standard Marijuana Cultivation License: #27531 Location: 5763 Glacier Hwy, Juneau

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 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

6. Ordinance 2023-18 An Ordinance Amending the City and Borough of Juneau Code Related to Development in Landslide and Avalanche Hazard Areas.

The City and Borough of Juneau currently regulates development in mapped landslide and avalanche hazard areas based on 1987 maps. In 2020, the City & Borough of Juneau contracted with Tetra Tech to update the landslide and avalanche hazard maps. Tetra Tech completed its task and produced a report with new maps in 2022. Since then, the Planning Commission, Assembly committees, and the Assembly have discussed the Tetra Tech maps and different regulatory options. Ordinance 2023-18 is the result of that public process.

This ordinance would repeal the 1987 landslide and avalanche maps, repeal the landslide provisions of Title 49, adopt the 2022 Tetra Tech avalanche maps, and regulate development in moderate and severe avalanche hazard areas based on the 2022 Tetra Tech avalanche maps.

On November 6, 2023, the Assembly Committee of the Whole recommended the Assembly introduce this ordinance.

The Manager recommends the Assembly adopt this ordinance.

7. Ordinance 2022-60(b) An Ordinance Amending the Purchasing Code Regarding Public Notice, Price Thresholds, Contracting Process, Contract Requirements, and Approval Process.

The intent of this ordinance is to clarify purchasing code provisions and increase efficiency of CBJ purchasing while maintaining competition for CBJ services and contracts. Section 2 would define new terms and amend existing terms. Section 3 would create a new purchasing category and process for purchases between \$25,000 and \$50,000. Section 4 would require Assembly review of competitively solicited general contracts in excess of \$750,000 and public improvement contracts in excess of \$1.5M. Section 5 would modify the exemptions for competitive solicitation.

The Assembly Finance Committee discussed this ordinance on November 2, 2022 and November 1, 2023.

The Manager recommends the Assembly adopt this ordinance.

8. Ordinance 2023-14(b)(Q) An Ordinance Appropriating \$500,000 to the Manager for the Cruise Ship Dock Safety Railing Capital Improvement Project; Funding Provided by Docks Funds.

Since the construction of the new berths in 2017, Docks and Harbors has submitted annual Marine Passenger Fee requests for the installation of safety railings along the downtown waterfront. With increased Seawalk users, there are concerns for the safety and well-being of users in areas without safety railings. This funding would provide approximately 25% of the installation of safety railings along the Seawalk from the CT Dock to Marine Park.

The Public Works and Facilities Committee reviewed and approved this request at the November 6, 2023 meeting.

The City Manager recommends the Assembly adopt this ordinance.

9. Ordinance 2022-06(b)(BB) An Ordinance Appropriating \$6,320,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Operating Costs; Funding Provided by Various Sources.

The following departments and funds require supplemental budget authority in FY2023:

**Human Resources:** \$35,000 of supplemental authority is needed to cover unbudgeted costs relating to the NeoGov implementation, one of the initiatives to improve recruitment; funding provided by general funds.

**Airport:** this ordinance appropriates \$309,700 of Federal CARES Act funding for required repairs and maintenance upgrades at the Airport.

**Eaglecrest:** this ordinance appropriates \$17,400 of Eaglecrest funds for increased insurance, road plowing, and vehicle repair costs, and \$43,800 of Eaglecrest's inventory reserve balance to write off obsolete inventory.

**Debt Service Fund:** this ordinance appropriates \$60,400 for bond issuance costs; funding provided by Debt Service funds.

**Pandemic Response Fund:** this ordinance provides budget authority to transfer federal revenue to the General Fund, including the last tranche of federal ARPA funds and the first tranche of the Local Assistance and Tribal Consistency Grant. This ordinance also appropriates approximately \$320,000 for CBJ's FY2023 COVID-related costs, funded by FEMA revenue.

The City Manager recommends the Assembly adopt this ordinance.

- M. UNFINISHED BUSINESS
- N. NEW BUSINESS
- O. STAFF REPORTS
  - 10. Sales Tax Cap Change
- P. ASSEMBLY REPORTS

**Mayor's Report** 

**Committee and Liaison Reports** 

**Presiding Officer Reports** 

11. TDLH LLC v. Community Development Department

This appeal relates to a grading permit for property located near 3101 Mendenhall Loop Road. The Community Development Department revoked the grading permit in early March 2021. Travis Arndt, the representative for the property owner, TDLH LLC, appealed.

The parties have been working on a resolution and recently agreed to withdraw this appeal. The Hearing Officer dismissed the appeal on November 14.

There is no action for the Assembly.

### 12. Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal.

The State Office of Administrative Hearings is providing a Hearing Officer. Ms. Hart filed her opening brief. Huna Totem and the Planning Commission's briefs are due on January 2.

There is no action for the Assembly.

- Q. ASSEMBLY COMMENTS & QUESTIONS
- R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- S. EXECUTIVE SESSION
- T. SUPPLEMENTAL MATERIALS
  - 13. 2024 Assembly Meeting Calendar Revised 12/11/2023
- **U. ADJOURNMENT**

#### V. 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.

Presented by: The Manager Introduced: December 11, 2023

Drafted by: Finance

### ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-14(b)(E)

An Ordinance Deappropriating \$950,000 from the Manager for Childcare Programs.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** Classification. This ordinance is a noncode ordinance.

**Section 2. Deappropriation.** There is deappropriated from the Manager the sum of \$950,00 for childcare programs.

Section 3. Source of Funds

Elizabeth J. McEwen, Municipal Clerk

| General Funds                             | (\$ 550,000)                          |
|---|---------------------------------------|
| Temporary 1% Sales Tax                    | (\$ 400,000)                          |
| Section 6. Effective Date. upon adoption. | This ordinance shall become effective |
| Adopted this day of                       | , 2024.                               |
|   | Beth A. Weldon, Mayor                 |
| Attest:                                   |                                       |
|   |                                       |

Presented by: The Manager Introduced: December 11, 2023

Drafted by: Finance

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-14(b)(R)

An Ordinance Appropriating \$1,600,000 to the Manager for the Affordable Housing Fund; Funding Provided by General Funds.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** Classification. This ordinance is a noncode ordinance.

**Section 2. Appropriation.** There is appropriated to the Manager the sum of \$1,600,000 as funding for the Affordable Housing Fund.

Section 3. Source of Funds

General Funds \$1,600,000

**Section 4. Effective Date.** This ordinance shall become effective upon adoption.

| Beth A Weldon Mayor |
|---------------------|

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager Introduced: 12/11/2023 Drafted by: R. Palmer III

### ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

### Serial No. 2023-05

An Ordinance Authorizing an Alternative Procurement Method Related to the Eaglecrest Pulse Gondola Construction Project.

WHEREAS, the City and Borough of Juneau ("CBJ") owns the Eaglecrest Ski Area and desires to develop and improve the public ski area by installing, deploying, and operating a gondola system and other associated amenities, facilities, and visitor attractions; and

WHEREAS, the Assembly appropriated \$2,000,000 for the purpose of a used gondola (Ordinance 2021-08(b)(am)(Z), Feb. 29, 2022); and

WHEREAS, shortly after the \$2,000,000 was appropriated, Goldbelt, Inc., a local Alaska Native Corporation, reached out with a \$10,000,000 offer to fund installation of the gondola and associated infrastructure (Ordinance 2022-63, Jan. 9, 2023; and Ordinance 2023-08, May 8, 2023); and

WHEREAS, the CBJ acquired a used gondola and needs to complete construction of the gondola system, which will require procurement of construction services and additional goods; and

WHEREAS, the CBJ needs to purchase additional gondola towers and parts (~\$1.85M), refurbish the gear box, and purchase additional design work to maximize the benefits of an alternative procurement for construction services; and

Whereas, given the current design work plus the anticipated expenditures, the CBJ would have approximately \$6.5M remaining for construction services and other necessary purchases; and

WHEREAS, the City and Borough of Juneau's conventional procurement method for construction projects is based on competitive bidding, with awards determined solely on the basis of price; and

WHEREAS, conventional construction projects typically reach 100% design before going out to bid and subsequent construction; and

WHEREAS, the Eaglecrest Pulse Gondola Construction Project, currently in design, is not suited to the traditional low-bid construction contract because of numerous elements of the project which contribute to its complexity; and

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WHEREAS, the various component pieces purchased from Austria will form the backbone of the Eaglecrest Pulse Gondola with additional components including towers and the midmountain station supplementing the existing components and requiring new components significantly increasing the complexity of the design, installation, and construction work.

THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

- **Section 1.** Classification. This ordinance is a non-code ordinance.
- **Section 2. CBJ Code 53.50.** The provisions of CBJC 53.50 do not apply to this transaction and to the extent the alternative procurement authorized pursuant to this ordinance conflicts with provisions in CBJC 53.50, this ordinance controls.
- **Section 3. Maximum Dollar Amount.** The alternative procurement authorized pursuant to this ordinance shall not exceed six million and five hundred thousand dollars (\$6,500,000). The source of funds is the investment made by Goldbelt, Inc., pursuant to the Revenue Sharing Agreement entered into by the City and Borough of Juneau and approved by the Assembly in Ordinances 2022-63 and 2023-08 and any funds appropriated from other sources by the Assembly.
- Section 4. Construction Manager at Risk Methodology. With a Construction Manager at Risk (CMAR) design-build procurement process for the Eaglecrest Pulse Gondola Construction Project, a construction management company will assume the risk for the Eaglecrest Pulse Gondola Construction Project, within a Guaranteed Maximum Price as a general contractor, and provide consultation to the City and Borough of Juneau regarding construction during and after design of the Eaglecrest Pulse Gondola Construction Project.
- **Section 5. Best Interest Finding.** The Assembly concurs with the City Manager's best interest finding that a CMAR alternative procurement process is in the best interest of the City and Borough of Juneau and the public based on cost, timing, the benefit to users, and the potential to help Eaglecrest Ski Area become more economically successful and self-sufficient. This finding is premised upon the following:
  - (a) Eaglecrest Ski Area is a vital CBJ asset that is beloved by the community, which contributes greatly to the quality of life, and physical, mental, and emotional health of the people of Juneau; and
  - (b) Eaglecrest Ski Area needs to expand its summer operations to generate resources to support the winter-time activities to allow for maximal use and enjoyment by the people of Juneau and also provide an alternative summer visitor activity; and
  - (c) The Eaglecrest Pulse Gondola Construction Project is complex and includes significant challenges including environment, logistics, safety, timing, expense, and satisfactory completion, all of which must be anticipated and managed; and

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1 2 (d) The CMAR alternative procurement process can help CBJ meet the numerous and varied challenges by allowing Eaglecrest Ski Area and the design team to anticipate 3 and address issues that arise by close collaboration with the construction team to minimize threats to infrastructure and the environment and to increase the likelihood 4 of a safe, timely, and successful Eaglecrest Pulse Gondola Construction Project. 5 Section 6. Criteria for Selection of a Construction Manager at Risk 6 **Procurement.** The procurement shall include qualifications-based selection criteria designed to provide CBJ with the best value, including the following terms: 7 Firm qualifications 1. 2. Experience with similar projects 8 3. Personnel proposed 4. Safety record 9 5. Project understanding and approach 6. Quality control program 10 7. Pre-construction service fees 11 Section 7. Best and Final Offer Process. The selected vendor shall enter into 12 negotiations with the City and Borough of Juneau to provide a final scope of contracted services with a final guaranteed maximum price. 13 Section 8. **Approval Process.** The City Manager is authorized to competitively solicit 14 proposals, rate the proposals consistent with the criteria prescribed by this ordinance, and present a recommended CMAR company proposal to the Assembly for approval. 15 Section 9. Effective Date. This ordinance shall be effective 30 days after its adoption. 16 Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2024. 17 18 19 Beth A. Weldon, Mayor Attest: 20 21 Elizabeth J. McEwen, Municipal Clerk 22 23 24 25

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| 1<br>2<br>3<br>4     | Presented by: The Manager<br>Introduced: 12/11/2023<br>Drafted by: Emily Wright   |
|----------------------|---|
| 5                    | RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA  |
| 6                    | Serial No. 3021   |
| 7<br>8<br>9          | A Resolution Approving Amendments to the Bylaws of the Board of Directors of Docks and Harbors.   |
| 10<br>11<br>12<br>13 | WHEREAS, the Docks and Harbors Board of Directors is responsible for the administration and management of the Docks and Harbors under general direction of the Assembly; and  |
| 14<br>15<br>16<br>17 | WHEREAS, CBJ 40.05.030 provides that the Docks and Harbors Board of Directors shall recommend bylaws for the administration and government of the Docks and Harbors, which bylaws shall become effective upon approval of the Assembly by resolution; and |
| 18<br>19<br>20       | WHEREAS, the Assembly may accept the bylaws recommended by the Docks and Harbors Board of Directors, may reject such bylaws, or may modify them; and  |
| 21<br>22<br>23<br>24 | WHEREAS, at its regular meeting of November 30, 2023, the Docks and Harbors Board of Directors approved certain amendments to the bylaws consistent with CBJ ordinances and forwarded the same to the Assembly; and                                       |
| 25<br>26<br>27       | WHEREAS, the Docks and Harbors Board of Directors recommends that the Assembly approve the amended bylaws attached to this resolution.  |
| 28<br>29<br>30       | Now, Therefore, Be It Resolved by the Assembly of the City and Borough of Juneau, Alaska:   |
| 31<br>32<br>33       | <b>Section 1.</b> The Assembly hereby approves the Docks and Harbors Board of Directors Bylaws, dated December 11, 2023, attached as Exhibit A.   |
| 34<br>35<br>36       | <b>Section 2. Effective Date.</b> This resolution shall be effective immediately upon its adoption.   |
| 37<br>38<br>39       | Adopted this day of 2023.   |
| 40<br>41<br>42<br>43 | Beth A. Weldon, Mayor Attest:   |
| 43<br>44<br>45       | Elizabeth J. McEwen, Municipal Clerk  |

Res. 3021 - 1 -

### ARTICLE I. NAME, DUTIES, AND POWERS

- 1. <u>NAME.</u> The governing body of the City and Borough of Juneau Docks and Harbors shall be known as the City and Borough of Juneau Docks and Harbors Board, hereafter referred to as the Board.
- 2. <u>DUTIES AND POWERS OF THE BOARD.</u> The duties and powers of the Board regarding the operation of the municipally owned and operated port and harbor facilities are established by Charter Section 3.21 and Chapter 85.02 of the Code of the City and Borough of Juneau.

### ARTICLE II. BOARD MEMBERSHIP AND APPOINTMENT

- 1. NUMBER OF DIRECTORS. The Board shall consist of nine (9) members.
- 2. <u>APPOINTMENT.</u> All Board members shall be appointed by the City and Borough of Juneau Assembly as provided by Section 85.02.010 of the Code of the City and Borough of Juneau.
- A new member shall be seated immediately upon the call of the roll at the first Board meeting after the new member is appointed.
- 3. <u>TERM OF APPOINTMENT.</u> As provided in Section 85.02.010, Board members shall be appointed for staggered three-year terms and until their successor is appointed. Appointment terms will not violate the conditions set forth in Section 85.02.010.
- 4. <u>VACANCIES.</u> When the conditions set forth in Section 85.02.030 of the Code of the City and Borough of Juneau occur, the Chair will notify the Clerk's Office that a vacancy exists.

Vacancies on the Board shall be filled by the City and Borough of Juneau Assembly as provided by Section 85.02.030 of the Code of the City and Borough of Juneau and the Assembly Rules of Procedure.

A member filling a vacancy shall be seated immediately upon the call of the roll at the first Board meeting after the new member is appointed.

5. <u>MEMBERS</u>. The duties and responsibilities of the Board members shall <u>include but are not limited to those be as</u> set forth in Sections 85.02.060, 85.02.063, and 85.02.065.

### ARTICLE III. OFFICERS

- 1. <u>OFFICERS.</u> Officers of the Board shall consist of a Chair, Vice Chair and any other officers as the Board may from time to time deem necessary.
- 2. <u>ELECTION OF OFFICERS.</u> Officers shall be elected at the annual Board meeting or at such time as offices become vacant.
- 3. <u>TERM.</u> Each officer shall serve for a term to extend until the next annual Board meeting or until such time as they vacate the office.as provided in CBJC 85.02.010 and CBJC 85.02.030.
- 4. <u>REMOVAL</u>. Any officer may be removed from his or her office. <u>Removal may be recommended</u> by an affirmative vote of at least six (6) Board members at a meeting called for that purpose; <u>final removal will be decided</u> or by the Assembly in accordance with CBJ<u>C 85.02.010</u> or 85.02.030.
- 5. CHAIR. The Chair shall preside at all Board meetings, unless participating remotely.

The Chair shall may assign tasks to Board members and committees and shall is charged with ensureing that all business of the Board is carried out.

The Chair shall act as spokesperson for the Board and will have such other duties and responsibilities as delegated to him or her by the Board.

6. <u>VICE CHAIR</u>. The Vice Chair shall act as the Chair in the absence of the Chair, including when the Chair is participating remotely.

### ARTICLE IV. COMMITTEES

- 1. <u>STANDING COMMITTEES.</u> There shall be the following standing committees of the Board:
  - \* Finance
  - Operations & Planning

The Chair <u>Board</u> shall appoint each Board member to serve on at least one standing committee. The Board Chair shall serve as a voting member of all standing Committees.

The <u>Board or the Chair, upon ratification of the Board,</u> shall appoint a Board member to serve as the <u>committee cC</u>hair <u>of each standing committee</u>. <u>No Board member shall chair more than one standing committee</u>.

Unless otherwise directed by the Chair, all standing committees will function at the direction of the appointed committee Chair.

2. <u>SPECIAL COMMITTEES.</u> The Board or the Chair, upon ratification of the Board, may establish special committees to facilitate any Board business.

The Chair shall appoint two or more Board members and may appoint any individual that is not a member of the Board to serve on any special committee established.

The <u>Board or the Chair, upon ratification of the Board</u>, shall appoint a Board member to serve as the committee c<del>C</del>hair of each special committee.

Unless otherwise directed by the Chair, all special committees will function at the direction of the appointed committee Chair.

A special committee shall serve for a period of time or for the accomplishment of a particular task or tasks as determined by the Chair. No special committee shall serve beyond the annual Board meeting unless reconstituted by the newly elected Chair.

### ARTICLE V. MEETINGS

- 1. <u>REGULAR.</u> The Board shall meet at least once each month at a place and time designated by the Chair.
- The Board may act on any matter within its authority at a regular or annual Board meeting whether or not such item was identified in the notice of the meeting.
- 2. ANNUAL. An annual meeting shall be held on the last Thursday of July each year.

The annual Board meeting may be postponed by the Board to a certain day.

At the annual meeting, a Chair, a  $\pm \underline{V}$  ice Chair and other such officers as the Board shall deem necessary, shall be elected.

- 3. Reserved. EXCUSED ABSENCES. Any absence of a member from a regular Board meeting shall be deemed unexcused unless the member is absent as a result of attending to official business on behalf of the Board, for extenuating medical reasons or for other significant cause, in which case the absence may be deemed excused by the Board Chair.
- 4. <u>SPECIAL</u>. Special Board meetings may be called at any time by the Chair or any three (3) Board members for good cause, which must be reaffirmed at the beginning of any special meeting. <u>Any special meeting must provide at least 24-hours public notice of the meeting and the agenda, except in an emergency.</u>

Only business identified in the notice of the meeting may be transacted at a special Board meeting.

5. <u>COMMITTEE</u>. Committee meetings may be called at any time by a committee Chair or by a majority of the committee's membership. <u>Committee meetings must provide at least 24-hours public notice of the meeting and the agenda.</u>

Any topic or item may be discussed that falls within the purview of the committee's charge as determined by the Chair, committee Chair, or a majority of the committee's membership.

- 6. <u>QUORUM</u>. For all Board meetings, a quorum shall consist of five (5) members in attendance or participating via telephone remotely. For all committee meetings, a quorum shall consist of a majority of the membership. minimum of three (3) voting committee members in attendance or participating via telephone fifty percent (50%) plus one (1) of the voting members on the committee.
- 7. <u>ADJOURNMENT, CONTINUATION, AND POSTPONEMENT OF MEETINGS.</u> If a quorum is not present at a meeting, the Chair or committee Chair may adjourn such meeting to a time and place he or she determines most appropriate; provided that notice of the time and place of the adjourned meeting <u>and the meeting agenda</u> shall be given to each Board or committee member and the general public at least twenty-four (24) hours prior to such meeting.

If a quorum is present at a meeting, such meeting may be continued or adjourned from day to day and no additional notice of such continuation or adjournment need be given.

8. <u>VOTES.</u> No person other than a Board member is entitled to vote at any Board or committee meeting, except appointed members of special committees within those committees.

Each Board member shall be entitled to one (1) vote. No proxy votes may be used to constitute a quorum, transact business, or otherwise. To register a vote, the Board member must be present at the meeting or participating via telephone remotely at the time the vote is taken.

An affirmative vote of at least five (5) Board members is required for a main motion to pass the Board. An affirmative vote of the majority of committee membership is required for a main motion to pass a committee. The prevailing vote requirement may be reduced per CBJ Charter 3.16(e).

9. <u>ORDER OF BUSINESS.</u> The following order of business shall be observed at all regular, annual, or special Board meetings and committee meetings insofar as practicable or necessary:

Call to Order
Calling of the Roll
Port Director Request's for Agenda Changes
Public Participation on Non-agenda Items
Approval of the Previous Meeting Minutes
Consent Agenda
Unfinished Business
New Business
Items for Information
Staff, Committee and Member Reports
Board Administrative Matters
Adjournment

As the first order of business after the calling of the roll at the annual Board meeting or at the first regular or special meeting after an officer vacancy has been recognized by the Board, the Chair, Vice Chair and/or other officers shall be elected.

The Port Director may include under the consent agenda:

- A. Actions to Propose Regulations for Public Comment
- B. Bid awards that have received Committee concurrence
- C. Resolutions
- D. Other items requiring Board action which do not involve substantial public policy questions.
- 10. <u>BOARD MEETINGS PUBLIC.</u> All Board and committee meetings are open to the public, except that executive sessions may be held in accordance with AS 44.62.310.
- 11. <u>CONFLICT OF INTEREST.</u> No Board member shall vote or deliberate on any question in which he or she has a conflict of interest as defined by Chapter 01.45 of the Code of the City and Borough of Juneau.

Such a Board member shall not be counted in determining the quorum for such a vote.

### 12. TELEPHONIC REMOTE PARTICIPATION.

A. <u>Board members are encouraged to participate in meetings by attending in person when possible. However, A a member may participate via telephone remotely in a Board or Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Chair chooses to participate by teleconference remotely, the Vice chair shall preside.</u>

- B. No more than the first three members notifying the Board secretary regarding telephonic participation in a particular meeting may participate via telephone at any one meeting.
- <u>CB</u>. The member shall notify the Board secretary, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend by telephone remotely and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.
- <u>DC</u>. At the meeting, the Board or Committee secretary shall establish a telephone remote connection when the call to order is imminent.
- <u>ED</u>. A member participating by telephone <u>remotely</u> shall be counted as present for purposes of quorum, discussion, and voting.
- FE. The member participating by telephone remotely shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.
- <u>GF</u>. The member participating <u>by telephone remotely</u> may ask to be recognized by the presiding officer to the same extent as any other member.
- <u>HG</u>. If the <u>telephone</u> <u>remote</u> connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Board secretary shall attempt to establish or restore the connection, provided that if the member participating <u>by telephone</u> <u>remotely</u> is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the <u>telephone</u> connection is established or restored.
- I. Participation by the telephone <u>remotely</u> shall be allowed only for regular, special, or committee meetings of the Board.
- JH. Any member of the public present <u>remotely</u> with the member participating by telephone shall be allowed to speak to the same extent he/she would if physically present at the meeting.
  - K. As used in these bylaws, "telephone" means any system for two-way communication.

ARTICLE VI. PUBLIC HEARINGS, RULES FOR PUBLIC PARTICIPATION, AND APPEALS

1. <u>PUBLIC HEARINGS AND RULES FOR PUBLIC PARTICIPATION</u>. The Board may hold public hearings in accordance with established City and Borough of Juneau procedures to take public or other testimony on any issue dealing with Board duties or responsibilities. Public testimony will be conducted according to the following rules, which will be available at the meeting:

- A. The presiding eChair of the meeting will conduct the hearing.
- B. The presiding <u>eC</u>hair will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.
- C. The presiding eChair may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Board members to members of the public. A majority of the Board or Committee may extend the time limit. The time limit for individual speakers shall be uniform for all speakers and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the presiding officer may grant additional time to a person speaking on behalf of a group present at the meeting.
- D. Citizens will be encouraged to submit written presentations and exhibits to the Board via email at: HarborBoard@juneau.gov. Material submitted to the Port Director's Office more than three business days before a meeting and comprising 10 pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Port Director at the meeting provided the submission contains at least 15 copies.
- E. The presiding <u>Chair officer</u> will set forth the item to be discussed and will rule nongermane comments out of order.
- F. All speakers, public and members of the Board, must be recognized by the presiding eChair.
- G. Members of the public will precede their remarks by stating their names, <u>and</u> <u>organizational affiliation (if applicable)</u>, and unless otherwise allowed by the presiding <u>eChair</u>, their <u>place of residence</u>, the area of town they reside in.
  - H. Members of the Board will be recognized by their surnames.
- I. Members of the Board will not direct questions to each other or to the <u>eC</u>hair during public participation except as to the conduct of the hearing.
- J. Members of the Board may direct questions to a member of the public only to obtain clarification of the material presented. The questions may not be argumentative, nor may they have the effect of unreasonably extending the time limit applicable to public speakers.
- K. The public may direct questions to the Board or the administration. However, the Chair shall have discretion as to the appropriate manner and time for a response. In no case shall the Board engage in debate with the public.
  - L. The Port Director may participate in the same manner as members of the Board.

- M. Reasonable accommodation is available upon request. To the extent allowed by law, a spokesperson designated by a person with a disability wishing to provide oral public testimony should advise the Board. Please contact the Clerk's office prior to any meeting, preferably 36 hours ahead, so arrangements can be made if other accommodation requests like closed captioning or sign language interpreter services are desired. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.
- 2. <u>APPEALS TO THE BOARD.</u> The Board will, in those instances allowed by the Code of the City and Borough of Juneau and under procedures established by the City and Borough of Juneau, hear and adjudicate public appeals regarding the application of Harbor rules, policies, and procedures. The Board will adopt rules of procedure for handling appeals.

### ARTICLE VII. PORT DIRECTOR

1. <u>PORT DIRECTOR</u>. The Port Director serves at the pleasure of the Board as identified in Section 85.02.080 of the Code of the City and Borough of Juneau.

The Port Director shall have the duties and responsibilities, including but not limited to those, identified in Section 85.02.090, 85.02.110, and 85.02.130 of the Code of the City and Borough of Juneau.

### ARTICLE VIII. EFFECTIVE DATE AND AMENDMENTS

- 1. <u>EFFECTIVE DATE OF BYLAWS.</u> These Bylaws, as amended, are effective [<u>insert date of adoption</u>]. <del>June 9th, 2014.</del>
- 2. <u>AMENDMENTS</u>. Any of these Bylaws may be amended <u>upon recommendation by the Board to the Assembly</u>, by an affirmative vote of six (6) Board members at any <u>properly noticed</u> regular or special meeting <del>ealled for and approved by the Assembly</del>.
- 3. <u>ADDITIONAL PROVISIONS</u>. Indemnification of Directors and Officers Each director and officer now or hereafter serving as such, shall be, and by virtue of this Bylaw provision hereby is, indemnified by the City and Borough of Juneau against any and all claims and liabilities to which they, their heirs, and personal representatives, have or shall become subject due to serving or having served as such director or officer, or neglected by them as such director or officer; and the City and Borough of Juneau shall reimburse each such person for all legal expenses (including attorney's fees) reasonably incurred by them in connection with any such claim or liability, provided, however, that no such person shall be indemnified against, or be reimbursed for any expense incurred in connection with, any claim or liability arising out of their own willful misconduct or gross negligence.

| The amount paid to any director or officer by | way of indemnification sh    | all not exceed their actual, |
|---|------------------------------|------------------------------|
| reasonable, and necessary expenses incurred   | concerning the matter invol  | lved. The right of           |
| indemnification, herein above provided for, s | hall not be exclusive of any | rights to which any director |
| or officer may otherwise be entitled by law.  |                              |                              |
|   |                              |                              |
| Adopted via Resolution No. 3021 this          | day of                       | 2023.                        |
|   |                              |                              |

Attested by Elizabeth J. McEwen, Municipal Clerk



# Department of Commerce, C and Economic Development

Section K, Item 5.

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

November 1, 2023

City and Borough of Juneau

VIA Email: di.cathcart@juneau.gov; city.clerk@juneau.gov;

| License Type:      | Recreational Site       | License Number: | 6166 |
|--------------------|-------------------------|-----------------|------|
| Licensee:          | Kaitlyn and Evan Morgan |                 |      |
| Doing Business As: | Pittman's Pub           |                 |      |
| Premises Address   | 3000 Fishcreek Rd       |                 |      |
| 57                 | <u> </u>                |                 |      |

 ■ New Application ☐ Transfer of Ownership Application ☐ Transfer of Location Application ☐ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Joan Wilson, Director

amco.localgovernmentonly@alaska.gov

M. Wilso

Section K, Item 5.



# Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501

Main: 907.269.0350

October 17, 2023

From: marijuana.licensing@alaska.gov; amco.localgovernmentonly@alaska.gov

Licensee: The Fireweed Factory LLC DBA: THE FIREWEED FACTORY LLC

VIA email: thefireweedfactory@gmail.com

CC: n/a

Local Government: City and Borough of Juneau

Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov; mcb\_notice@juneau.org

Community Council: n/a

Via Email:

CC: n/a

BCC: amco.admin@alaska.gov

Re: Retail Marijuana Store #10800 Combined Renewal Notice

| License Number:      | #10800                       |
|----------------------|------------------------------|
| License Type:        | Retail Marijuana Store       |
| Licensee:            | The Fireweed Factory LLC     |
| Doing Business As:   | THE FIREWEED FACTORY LLC     |
| Physical Address:    | 237 Front Street             |
|                      | Juneau, AK 99801             |
| Designated Licensee: | Paul V Disdier               |
| Phone Number:        | 907-957-2670                 |
| Email Address:       | thefireweedfactory@gmail.com |

| □ License Renewal Application | ☐ Endorsement Renewal Application |
|-------------------------------|-----------------------------------|
|-------------------------------|-----------------------------------|

### **Dear Licensee:**

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any

non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2023/2024 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the <a href="marijuana.licensing@alaska.gov">marijuana.licensing@alaska.gov</a> email address if you have any questions.

### **Dear Local Government:**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email <a href="mailto:amco.localgovernmentonly@alaska.gov">amco.localgovernmentonly@alaska.gov</a>.

### Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

toan M. Wilson

Sincerely,

Joan M. Wilson, Director

907-269-0350

Section K, Item 5.



# Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501

Main: 907.269.0350

October 17, 2023

From: marijuana.licensing@alaska.gov; amco.localgovernmentonly@alaska.gov

Licensee: The Fireweed Factory LLC DBA: THE FIREWEED FACTORY LLC

VIA email: thefireweedfactory@gmail.com

CC: n/a

Local Government: City and Borough of Juneau

Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov; mcb\_notice@juneau.org

Community Council: n/a

Via Email:

CC: n/a

BCC: amco.admin@alaska.gov

Re: Standard Marijuana Cultivation Facility #10266 Combined Renewal Notice

| License Number:      | #10266                                  |
|----------------------|---|
| License Type:        | Standard Marijuana Cultivation Facility |
| Licensee:            | The Fireweed Factory LLC                |
| Doing Business As:   | THE FIREWEED FACTORY LLC                |
| Physical Address:    | 8415 Airport Blvd. Space B              |
| Designated Linears   | Juneau, AK 99801                        |
| Designated Licensee: | Paul V Disdier                          |
| Phone Number:        | 907-957-2670                            |
| Email Address:       | thefireweedfactory@gmail.com            |

| 🔼 License Kenewai Application 💎 🔠 Engorsement Kenewai Applica | License Renewal Application | ☐ Endorsement Renewal Applica | itior |
|---|-----------------------------|-------------------------------|-------|
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### **Dear Licensee:**

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2023/2024 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the <a href="marijuana.licensing@alaska.gov">marijuana.licensing@alaska.gov</a> email address if you have any questions.

### **Dear Local Government:**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email <u>amco.localgovernmentonly@alaska.gov</u>.

### **Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director and the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email marijuana.licensing@alaska.gov.

oar M. Wilson

Sincerely,

Joan M. Wilson, Director

907-269-0350

Presented by: COW Presented: 11/13/2023 Drafted by: R. Palmer III

### ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

### Serial No. 2023-18

An Ordinance Amending the City and Borough of Juneau Code Related to Development in Landslide and Avalanche Hazard Areas.

WHEREAS, the City and Borough of Juneau (CBJ) currently regulates development in landslide and avalanche zones based on hazard maps created in 1987 and associated standards, primarily in the Land Use Code (Title 49); and

WHEREAS, in 2020, the CBJ contracted with Tetra Tech to update the landslide and avalanche maps, which resulted in the new maps dated April 27, 2022; and

WHEREAS, in 2.3 "How are Avalanche Hazards Designated" of Tetra Tech's Guide to Avalanche-Landslide Hazard Designations dated April 27, 2022 (at PDF page 206 of page 289), Tetra Tech described the following specific to avalanches:

The level of assessment prepared for this project is suitable for determining whether land areas could be affected by avalanches. A more detailed site-specific investigation and evaluation would be required to determine appropriate mitigations for specific properties; and

WHEREAS, in 3.3 "How are Landslide Hazards Designated" of Tetra Tech's Guide to Avalanche-Landslide Hazard Designations dated April 27, 2022 (at PDF page 220 of page 289), Tetra Tech described the following specific to landslides:

Page 1 of 11 Ord. 2023-18

The level of assessment prepared for this project is suitable for determining whether land areas could be affected by landslides. A more detailed site-specific investigation and evaluation would be required to determine appropriate mitigations for specific properties; and

WHEREAS, given the scope of Tetra Tech's avalanche assessments, the ability for the Community Development Director to permit certain developments, like a house (Section 7, 49.70.300(b)(1)); the ability for the Planning Commission to permit other developments ((Section 7, 49.70.300(b)(2)); and the ability for a property owner to adjust the hazard boundary (Section 7, 49.70.300(a)(4); this ordinance reasonably balances the need to protect public health and safety with individual property owner interests; and

WHEREAS, regulating development in mapped landslide and avalanche hazard areas presents challenging public policy concerns like balancing the need for housing, minimizing harm to people and investments, providing hazard information to people in hazard areas, considering the economic effects that adopting new development regulations would have on property insurance and mortgage availability, considering that only portions of the CBJ have been mapped for landslide and avalanche hazards, among other public policies; and

WHEREAS, state law (A.S. 09.65.070(d)(1)) provides the CBJ with immunity from money damages when the CBJ fails to inspect, discover, or abate a hazard on private property; and

WHEREAS, state law (A.S. 09.65.070(d)(2)) provides the CBJ with immunity for money damages when the CBJ performs or fails to perform a discretionary function; and

WHEREAS, state law (A.S. 09.65.070(d)(3)) provides the CBJ with immunity for money damages when the CBJ issues or fails to issue a permit, appeal, approval, exception, variance, or other entitlement; and

Page 2 of 11 Ord. 2023-18

WHEREAS, the Assembly would like the Manager to notify the community of avalanche risks and resources to mitigate some of the risks; and

WHEREAS, upon balancing the various public policies, the Assembly believes the community is best served by (1) regulating developments in moderate and severe avalanche hazard areas based on Tetra Tech's Snow Avalanche Hazard Assessment of the Juneau Landslide and Avalanche Hazard Assessment, dated April 27, 2022, Ord. 2023-18 Appendix A, and (2) repealing the substantive landslide regulations in CBJC 49.70.300; and

WHEREAS, the Assembly reached the conclusion after considering various other policy approaches, reviewing the Planning Commission's discussions, holding extensive public meetings in committees and at the Assembly, and taking public testimony.

Now Therefore Be It Enacted by the Assembly of the City and Borough of Juneau, Alaska:

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

**Section 2. Amendment of Section.** CBJC 19.04.R301.9 Geophysical hazards, is amended to read:

# 19.04.R301.9 Geophysical hazards.

Add a new section as follows:

"301.9 Geophysical hazards. <u>In moderate and severe avalanche hazard areas shown on</u>

the Avalanche Hazard Designation Mapping, dated April 27, 2022, and attached to Ordinance

2023-18 as Appendix A, or when the director of engineering and public works. <u>In Moderate and</u>

Severe geophysical hazard zones as shown in "Geophysical Hazards Investigation, Juneau,

Page 3 of 11 Ord. 2023-18

Alaska" dated 10/72 and on the "Landslide and Avalanche Area Maps", both adopted by ordinance serial no. 87-49, or when the building official determines that development is proposed in an area similar in nature to those studied in the above referenced documents but outside of the study area, an engineered structural analysis shall be submitted with the permit application. The building official may waive this requirement upon presentation of more specific studies showing the proposed site is not likely to be affected by geophysical hazards."

**Section 3. Amendment of Section.** CBJC 49.15.330 Conditional use permit, is amended to read:

### 49.15.330 Conditional use permit.

(g) Specific conditions. The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

• • •

(9) Avalanche areas. Development in moderate and severe avalanche hazard areas shown on the Avalanche Hazard Designation Mapping, dated April 27, 2022, and attached to Ordinance 2023-18 as Appendix A, must minimize the risk to life and property.

Landslide and avalanche areas. Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.

...

Page 4 of 11 Ord. 2023-18

**Section 4. Amendment of Section.** CBJC 49.15.401 Minor subdivisions, is amended to read:

### 49.15.401 Minor subdivisions.

- (a) Permit required. A minor subdivision permit is required for the following:
  - (1) Thirteen or fewer lots. A minor subdivision permit is required for all subdivisions resulting in 13 or fewer lots. No minor subdivision application may be filed or approved:
    - (A) If it is a part of or is made in connection with a present or projected major subdivision development as determined by the director;
    - (B) If the property is within a parcel any part of which has been subdivided by a minor subdivision within the preceding 24 months, unless the proposed subdivision creates no new lots; or
    - (C) For the subdivision of a parcel any part of which is within a landslide or an avalanche area identified as such in the comprehensive plan, attachments thereto, other adopted maps, or in accordance with CBJ 49.70.300.

Section 5 Amendment of Section. CBJC 49.15.600 [Planned Unit Development]

Purpose, is amended to read:

# 49.15.600 Purpose.

The general purpose of the planned unit development code is to permit flexibility in the regulation and use of land in order to promote its most appropriate use; to facilitate the adequate and economical provisions of streets and utilities; to preserve the natural and scenic

Page 5 of 11 Ord. 2023-18

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qualities of open space; and to encourage, consistent with the goals and objectives of the comprehensive plan, residential developments that are planned, designed, and developed to function as integral units. The specific purposes of the planned unit development code are to:

- (a) Encourage uses of land that are efficient, aesthetic, in harmony with the surrounding area, and consistent with the comprehensive plan and available public services;
- (b) Encourage innovation in site design and building layout, pedestrian and vehicular circulation, parking facilities and streets, configuration and use of open space, and mixing of housing types and compatible land uses;
- (c) Encourage economy and efficiency in common facilities;
- (d) Preserve and protect natural features, streams, lakes, wetlands, natural drainage channels, vegetation, and vistas;
- (e) Avoid avalanche, landslide, and flood hazard areas; and
- (f) Encourage development of quality housing at a reasonable price.

**Section 6. Amendment of Section.** CBJC 49.70.210 [Article II. Hillside Development] Applicability and scope, is amended to read:

### 49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
  - (1) Removal of vegetative cover;
  - (2) Excavation of any slope in excess of 18 percent;

Page 6 of 11 Ord. 2023-18

(3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; and or

(4) Development in moderate and severe avalanche hazard areas shown on the Avalanche

Hazard Designation Mapping, dated April 27, 2022, and attached to Ordinance 2023
18 as Appendix A. Any hazard area identified on the landslide and avalanche area

maps dated September 9, 1987, consisting of sheets 1—8, as the same may be

amended from time to time by the assembly by ordinance or any other areas

determined to be susceptible to geophysical hazards.

**Section 7. Amendment of Section.** CBJC 49.70.300 Landslide and avalanche areas, is amended to read:

### 49.70.300 Avalanche hazard areas. Landslide and avalanche areas.

- (a) Generally.
  - (1) <u>Minimize risks.</u> Development in all <u>landslide and</u> avalanche <u>hazard</u> areas <u>should</u> <del>shall</del> minimize the risk of loss of life or property due to <u>landslides and</u> avalanches.
  - (2) Avalanche Hazard Maps. The boundaries of avalanche hazard areas are shown on the Avalanche Hazard Designation Mapping, dated April 27, 2022, and attached to Ordinance 2023-18 as Appendix A. Boundaries of potential and severe avalanche areas will be as shown on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance.

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- (3) Reserved. Notwithstanding any other provision, all subdivision other than a boundary line relocation and all development greater than a single-family dwelling within landslide or avalanche areas shall require a conditional use permit.
- (4) Hazard boundary adjustment. If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer licensed in the State of Alaska or a licensed geotechnical engineer, experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance, and mass. If, in the opinion of the director of engineering and public works eity engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a moderate or severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.
- (5) The director for moderate avalanche hazard areas and the commission for severe avalanche hazard areas may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density, occupancy, and development.
- Moderate and severe avalanche hazard area standards. Severe avalanche areas. Notwithstanding any other provision of this title, no development or any part of a development may occur in a moderate or severe avalanche hazard area except as provided in this section.

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(1) <u>Director approval in a moderate avalanche hazard area. The director may only approve the following in a moderate avalanche hazard area:</u>

- (A) a permit for a single dwelling unit per parcel;
- (B) a hazard boundary line adjustment;
- (C) a lot line adjustment when the resulting lots are more compliant with this title and the resulting lots would likely reduce the risk to life and property; and
- (D) a lot consolidation.
- (2) Commission approval in a moderate or severe avalanche hazard area. The commission may approve developments in the moderate and severe avalanche hazard areas—including accessory dwelling units—via the conditional use permit process with the following additional requirements:
  - (A) The development application must include site specific engineering for peak

    drainage, special foundations or high-wall engineering, debris flow diversion

    mechanisms and any other information required by the commission, for the

    commission to evaluate the potential effects of the development on public health

    and safety; and
  - (B) No subdivision shall be approved that creates a lot lacking sufficient building space
    outside a severe avalanche area—without the need for a variance—unless a lot in a
    severe avalanche area is platted as a Public Use Lot (49.15.422); and
  - (C) The commission is prohibited from approving a development application that increases residential density in the severe avalanche hazard area, except that the commission may authorize development of one dwelling unit on a vacant lot in a severe avalanche hazard area.

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- (1) Notwithstanding any other provision, no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel; provided, however, that a single family house may be constructed on a vacant lot.
- (2) No subdivision shall be approved which creates a lot lacking sufficient building space outside a severe avalanche area.
- (c) Warning and disclaimer of liability. Avalanches and landslides may occur outside mapped hazard areas and in excess of engineering expectations. The location and severity of the event may be increased by <a href="https://manuarche.com/human-manuade">human manuade</a> or natural causes. This article does not imply that land outside of <a href="mapped">mapped designated</a> hazard areas, or uses permitted within such areas, will be free from danger or damage. This article shall not create liability on the part of the City and Borough of Juneau or any officer or employee thereof for any damages that result from reliance of this article, or any administrative decision lawfully made under this article.

**Section 8. Amendment of Section.** CBJC 49.85.100 [Chapter 49.85 Fees for Land Use Actions] Generally, is amended to read:

### 49.85.100 Generally.

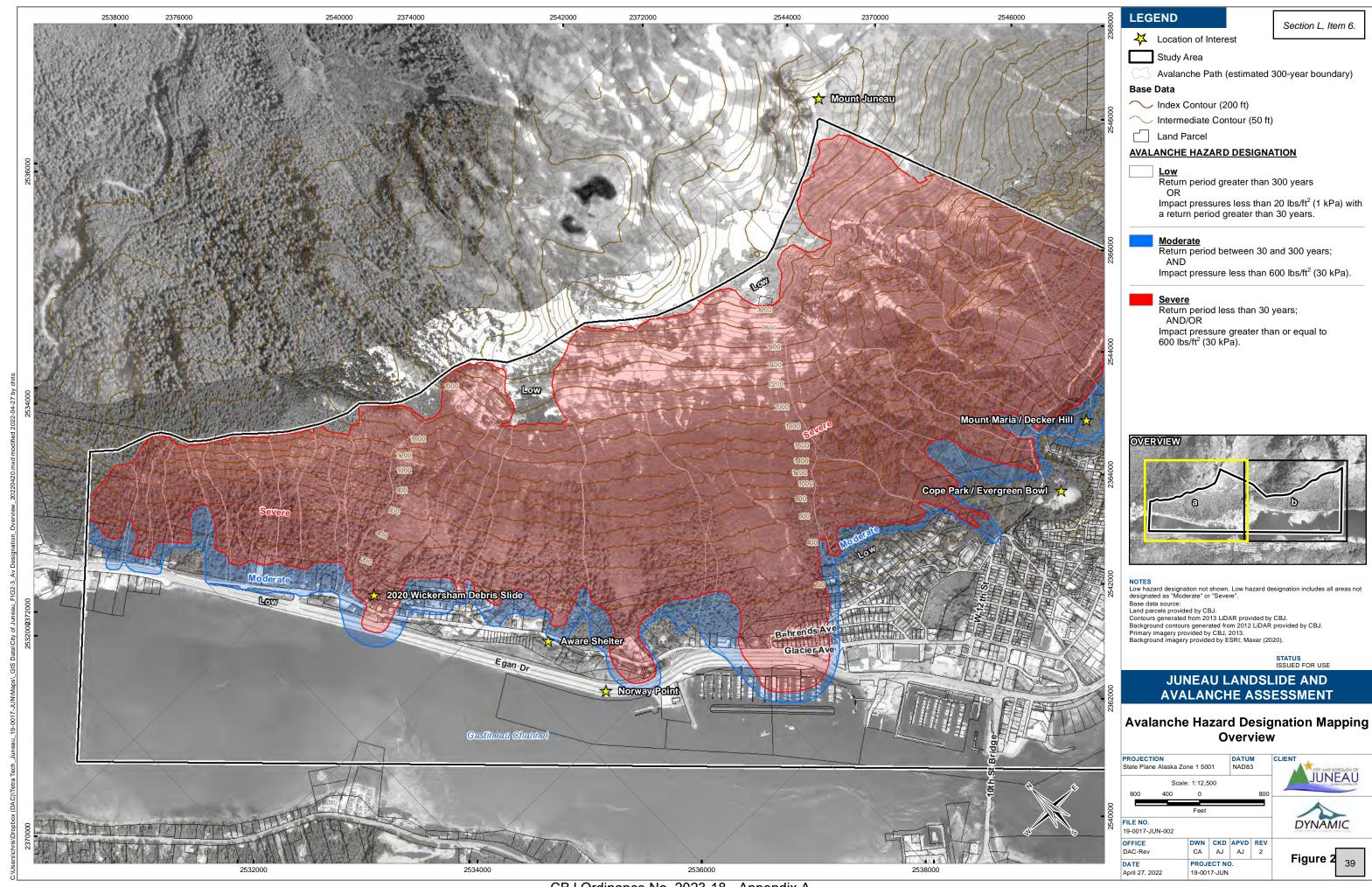
Processing fees are established for each development, platting, and other land use action in accordance with the following schedule:

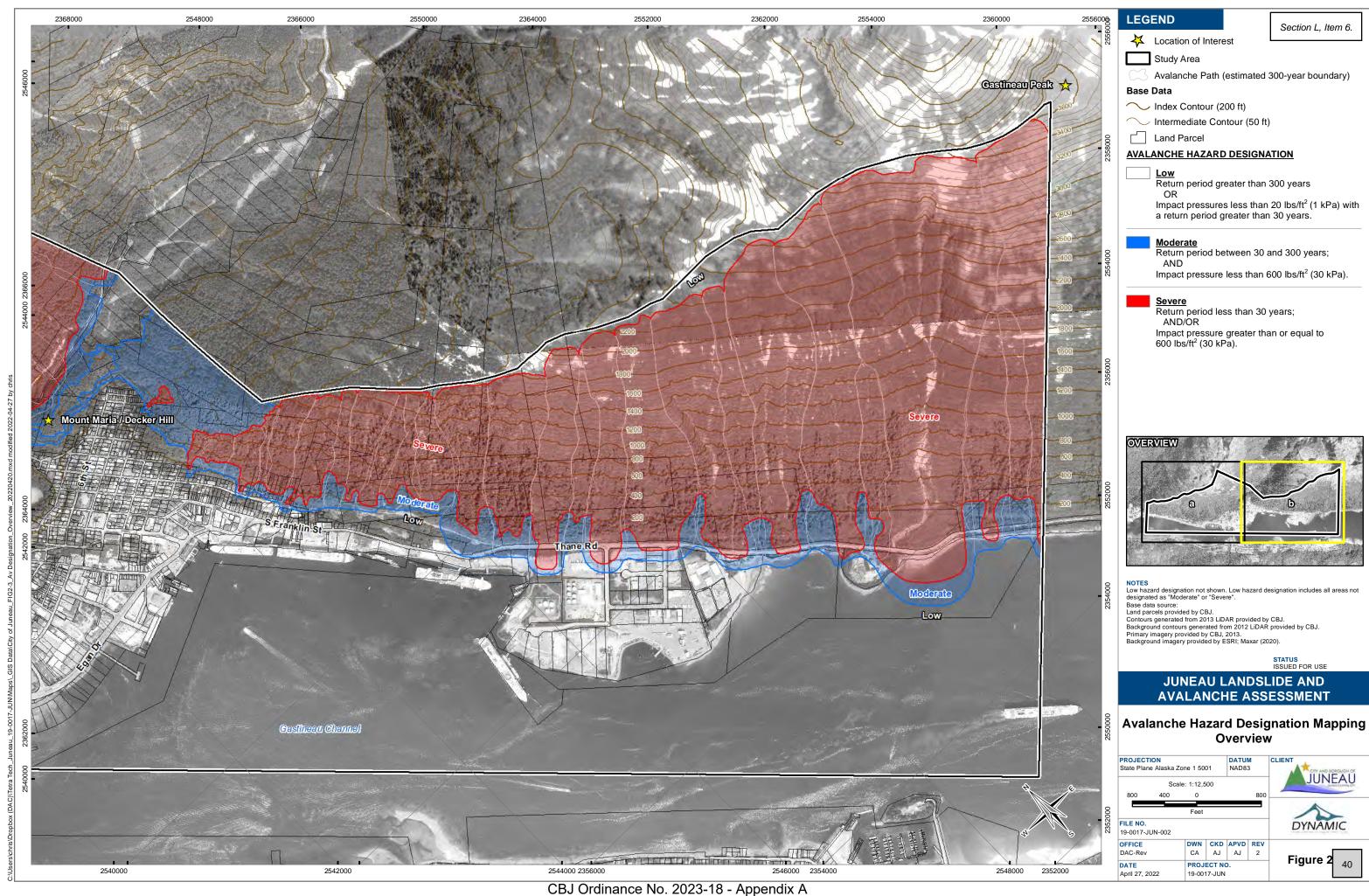
(8) Special use or area.

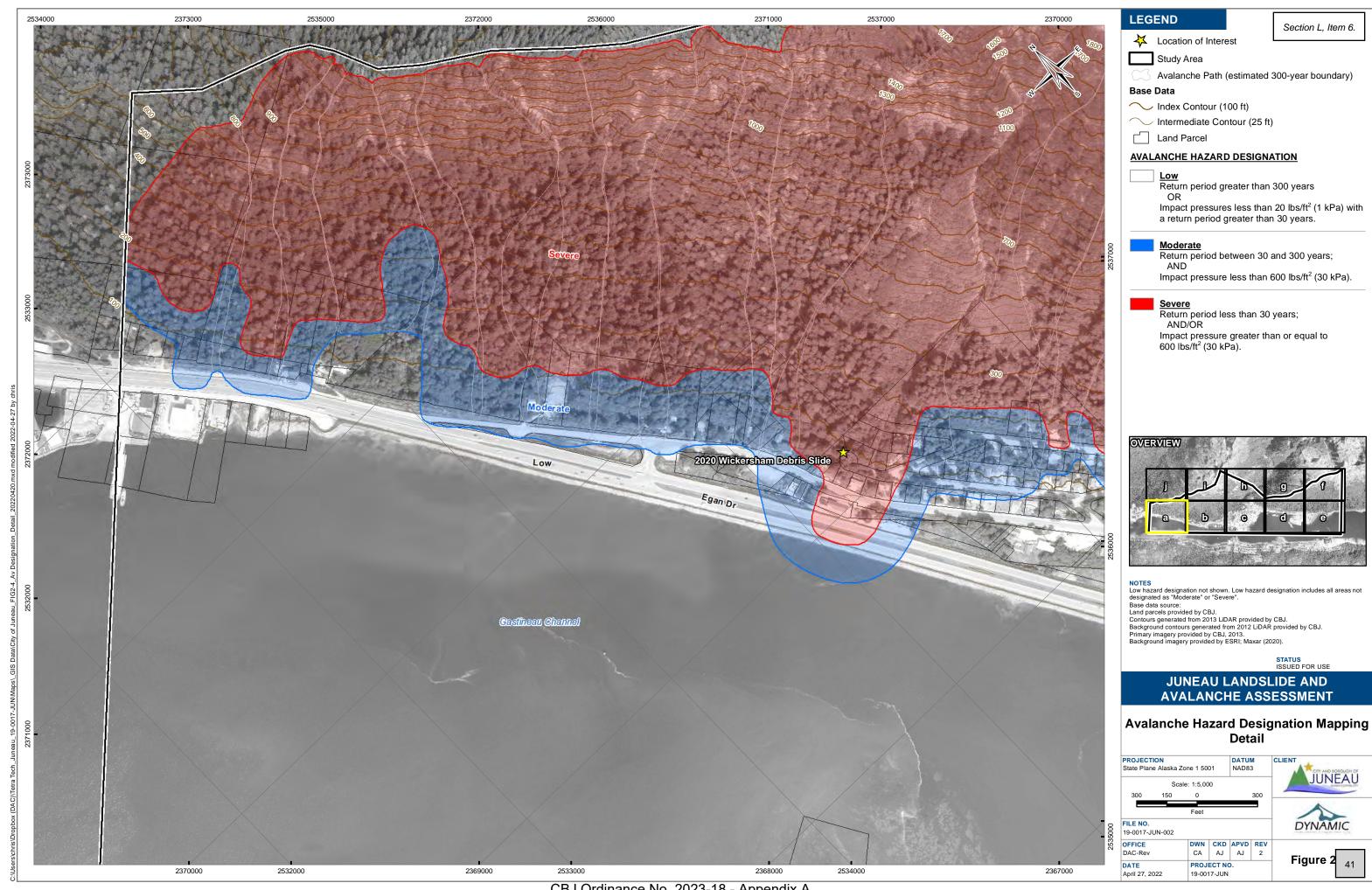
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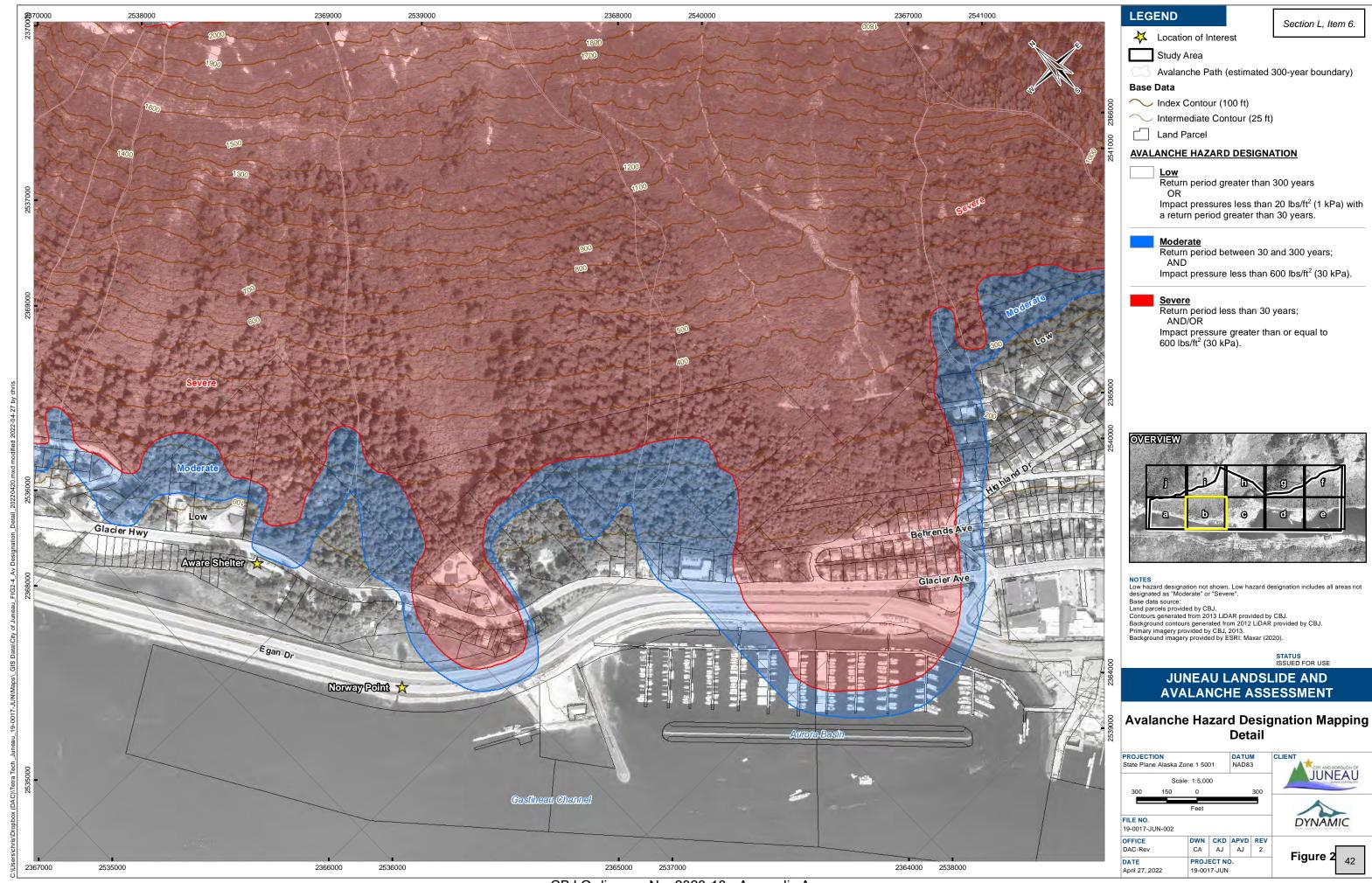
| 1                               |  |
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| 2                               | (F) Development in landslide or avalanche hazard area conditional use, \$400.00.         |
| 3                               | ···  |
| 4                               |  |
| 5                               | Section 9. Effective Date. This ordinance shall be effective 30 days after its adoption. |
| 6                               | Adopted this day of, 2023.   |
| 7                               |  |
| 8                               |  |
| 9                               | Beth A. Weldon, Mayor  |
| 10                              | Attest:  |
| 11                              |  |
| 12                              | Elizabeth J. McEwen, Municipal Clerk   |
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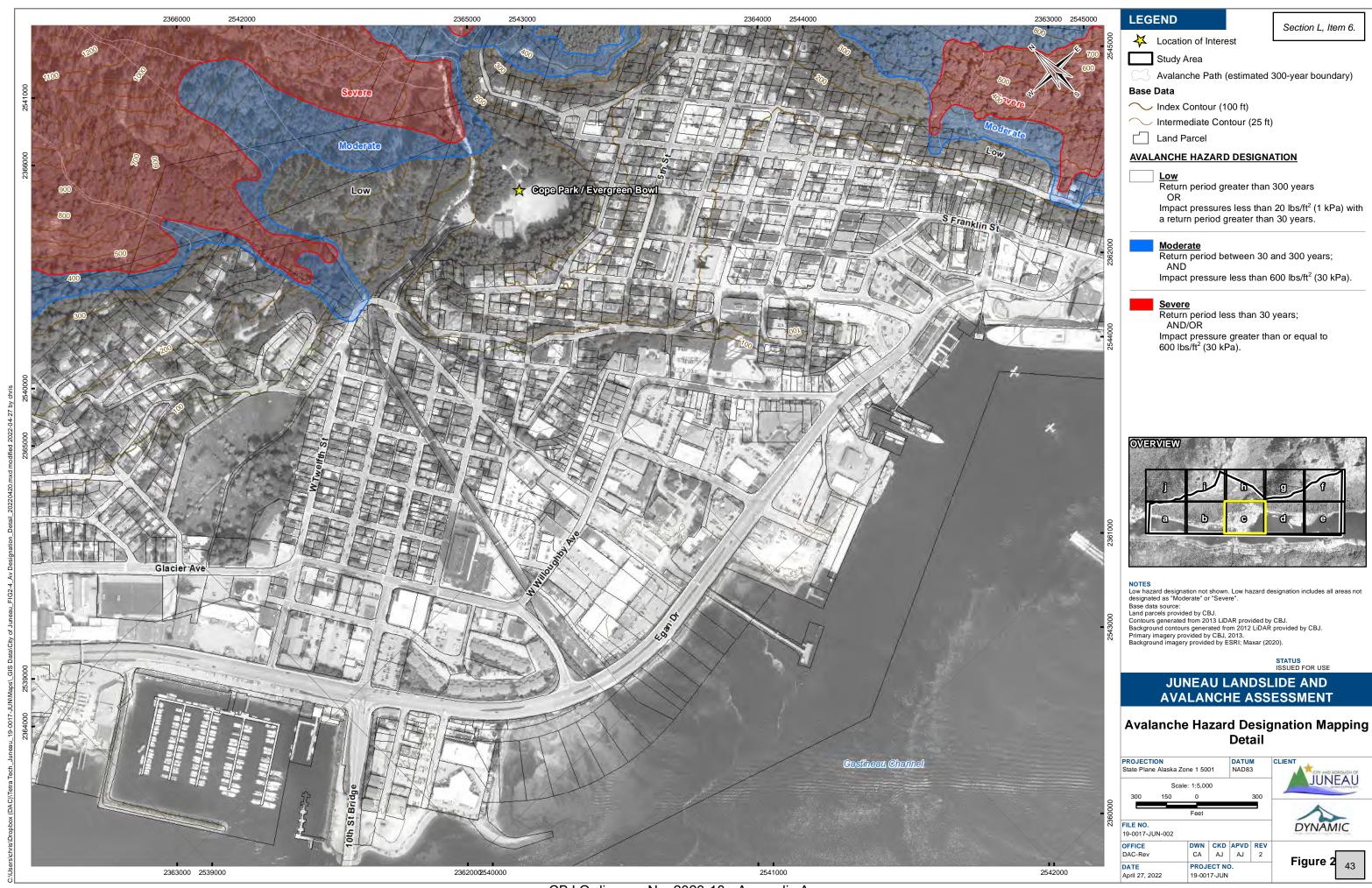
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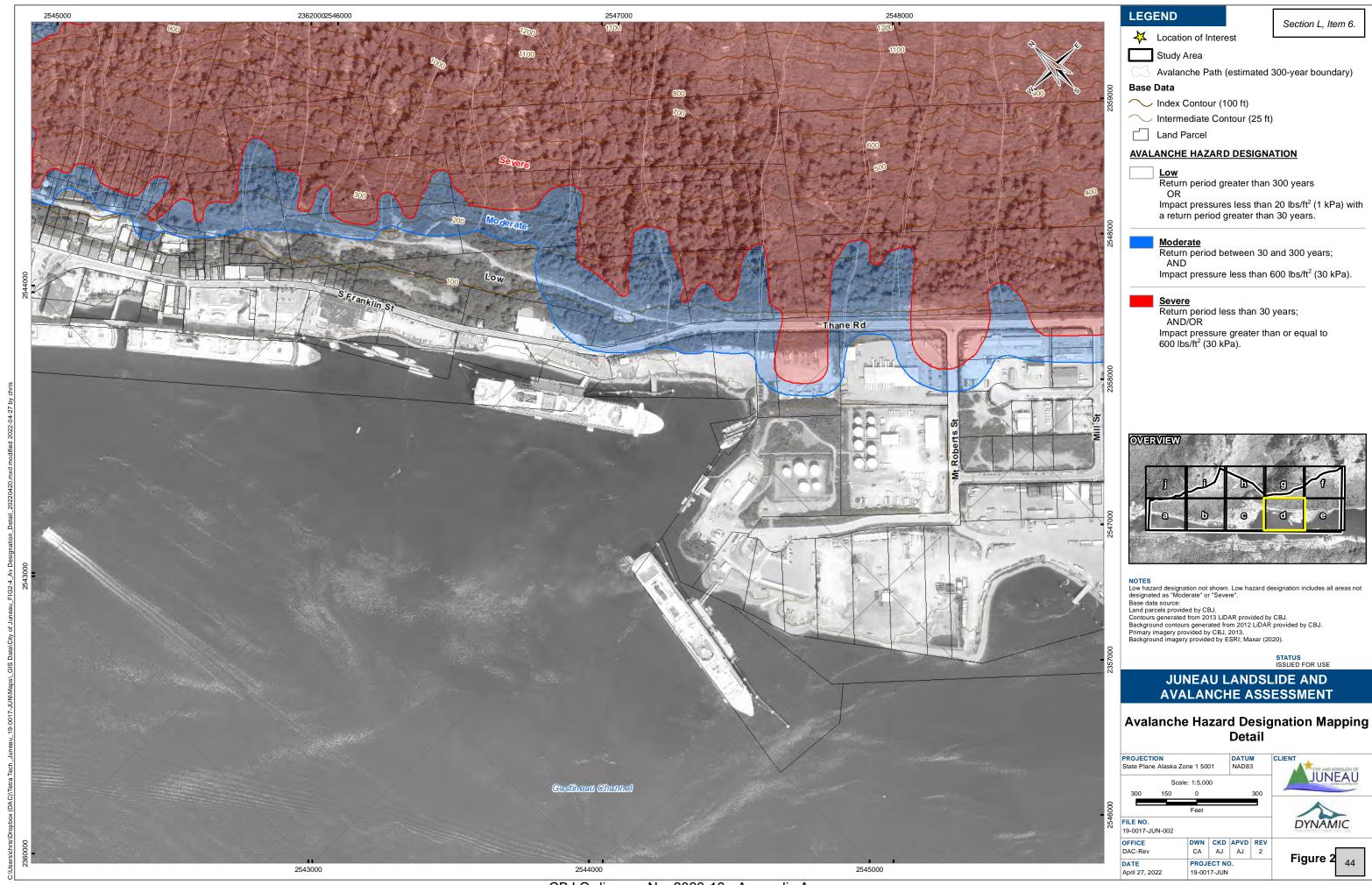


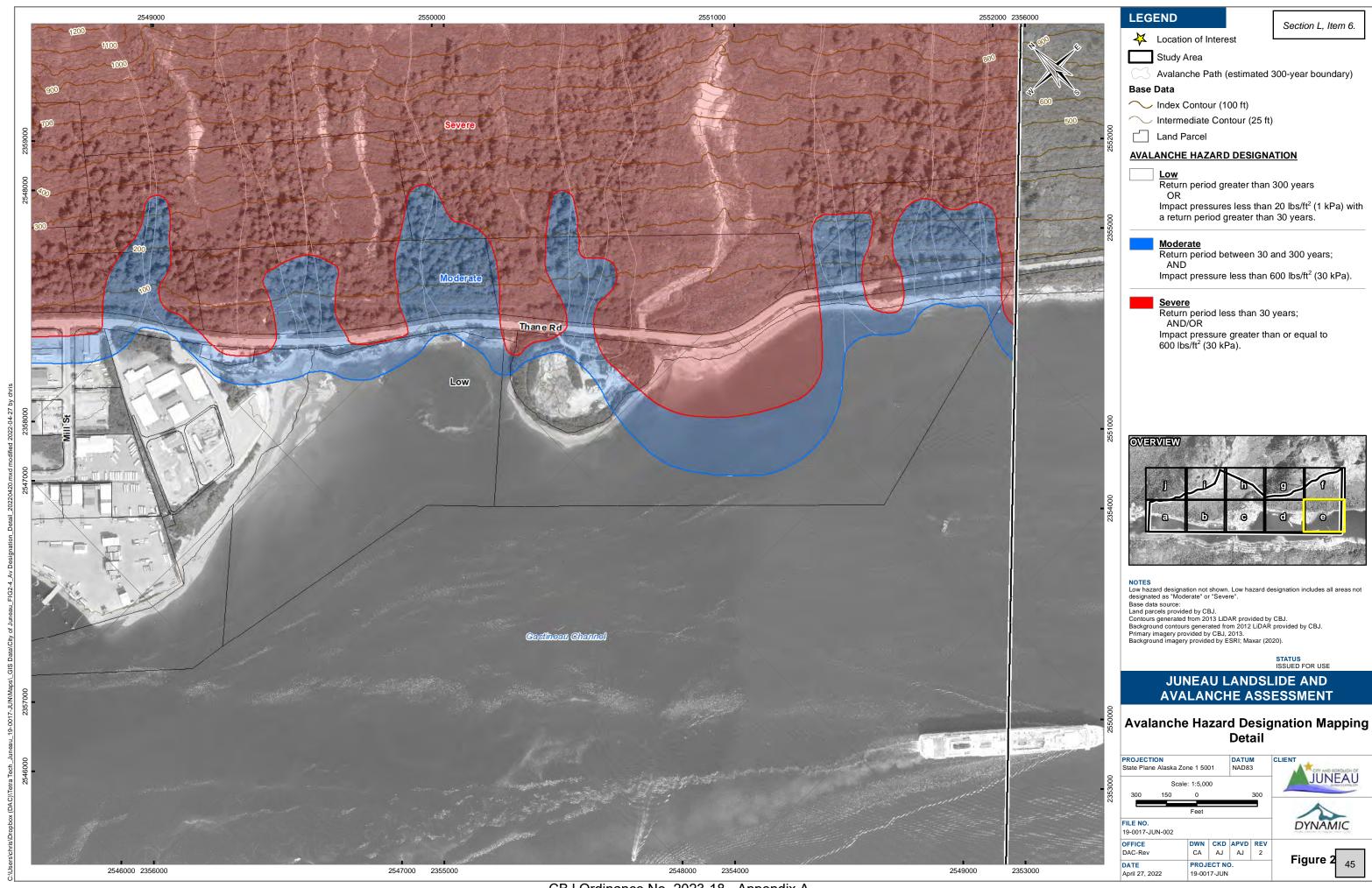


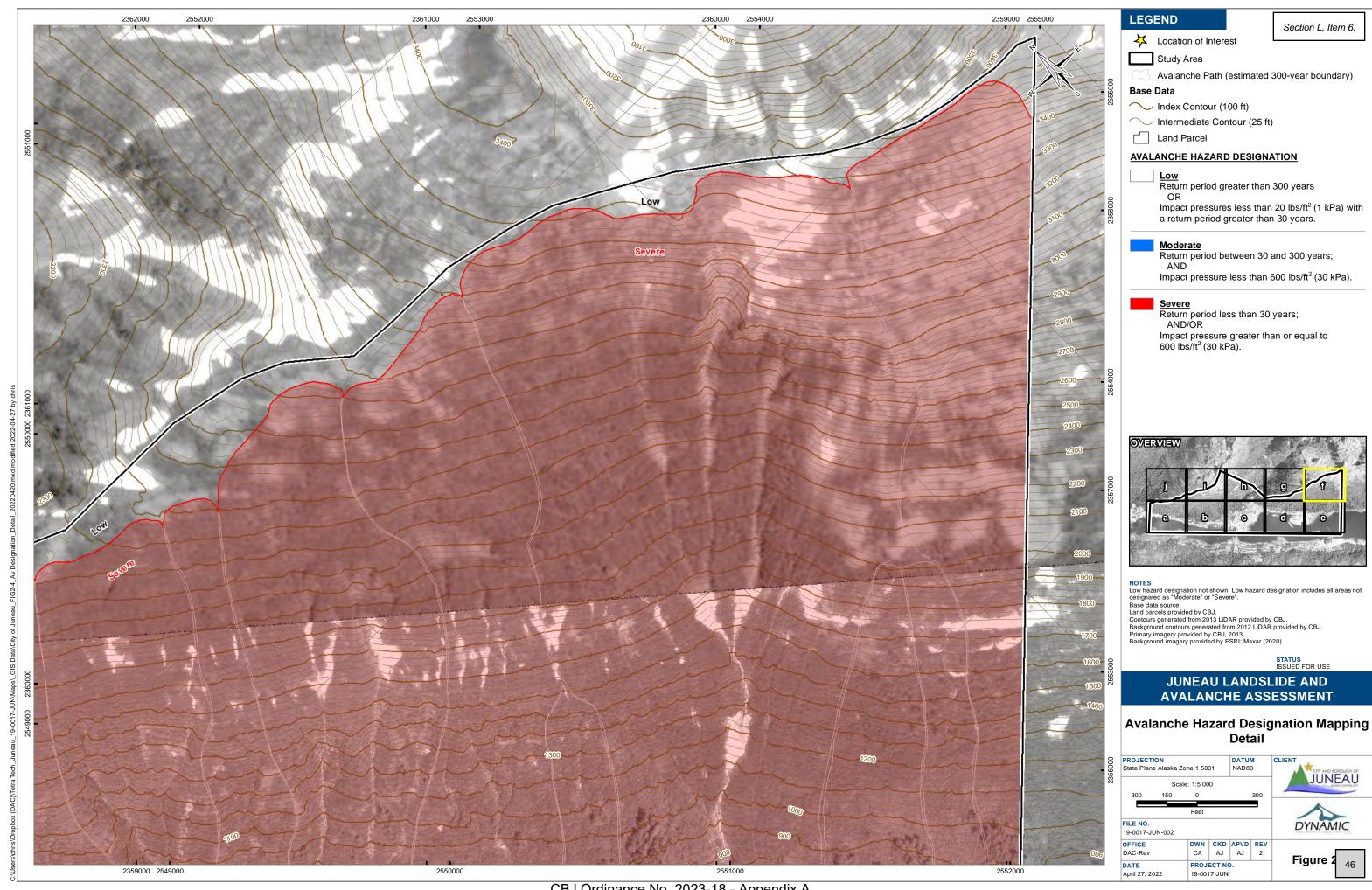


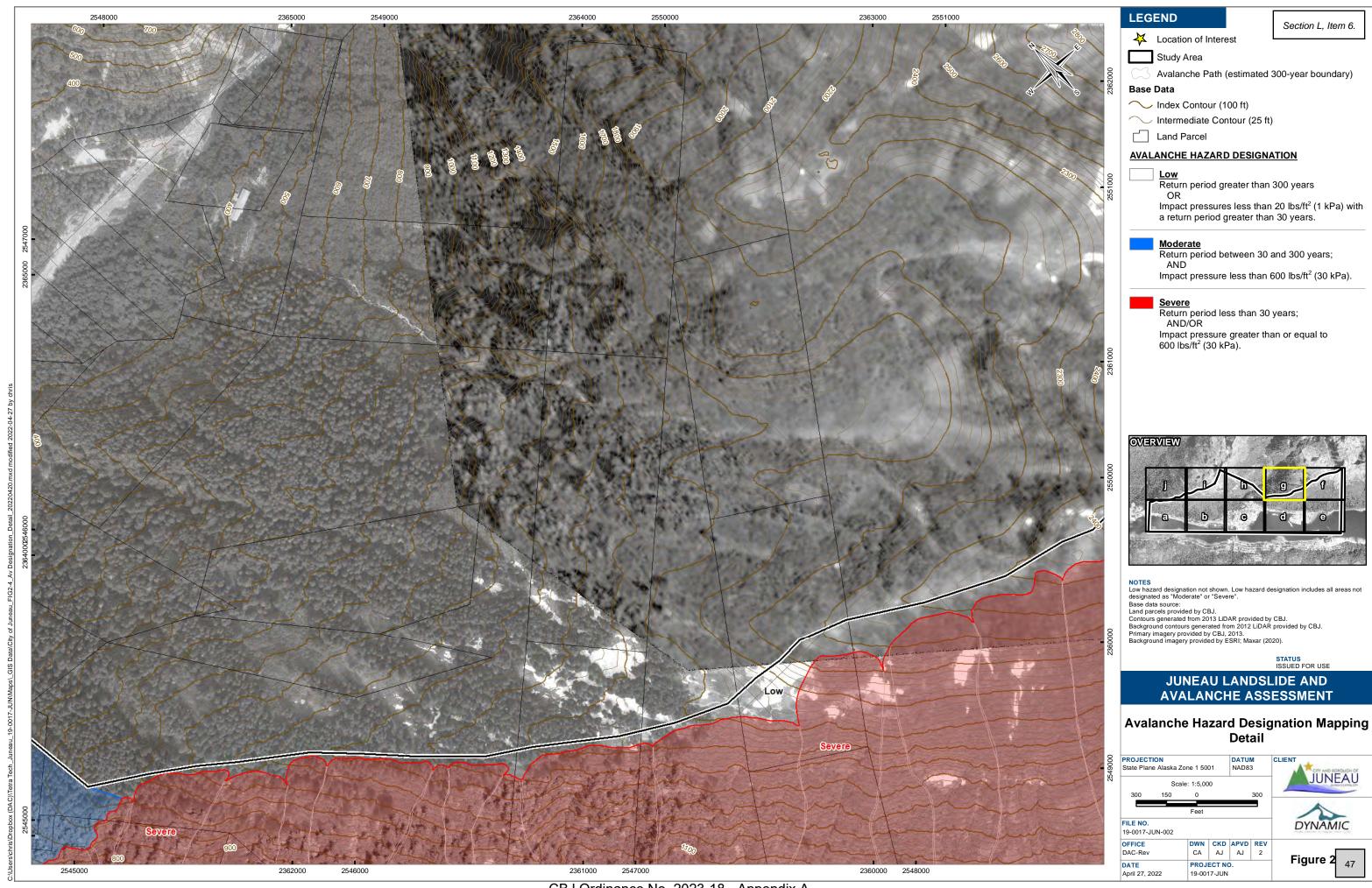


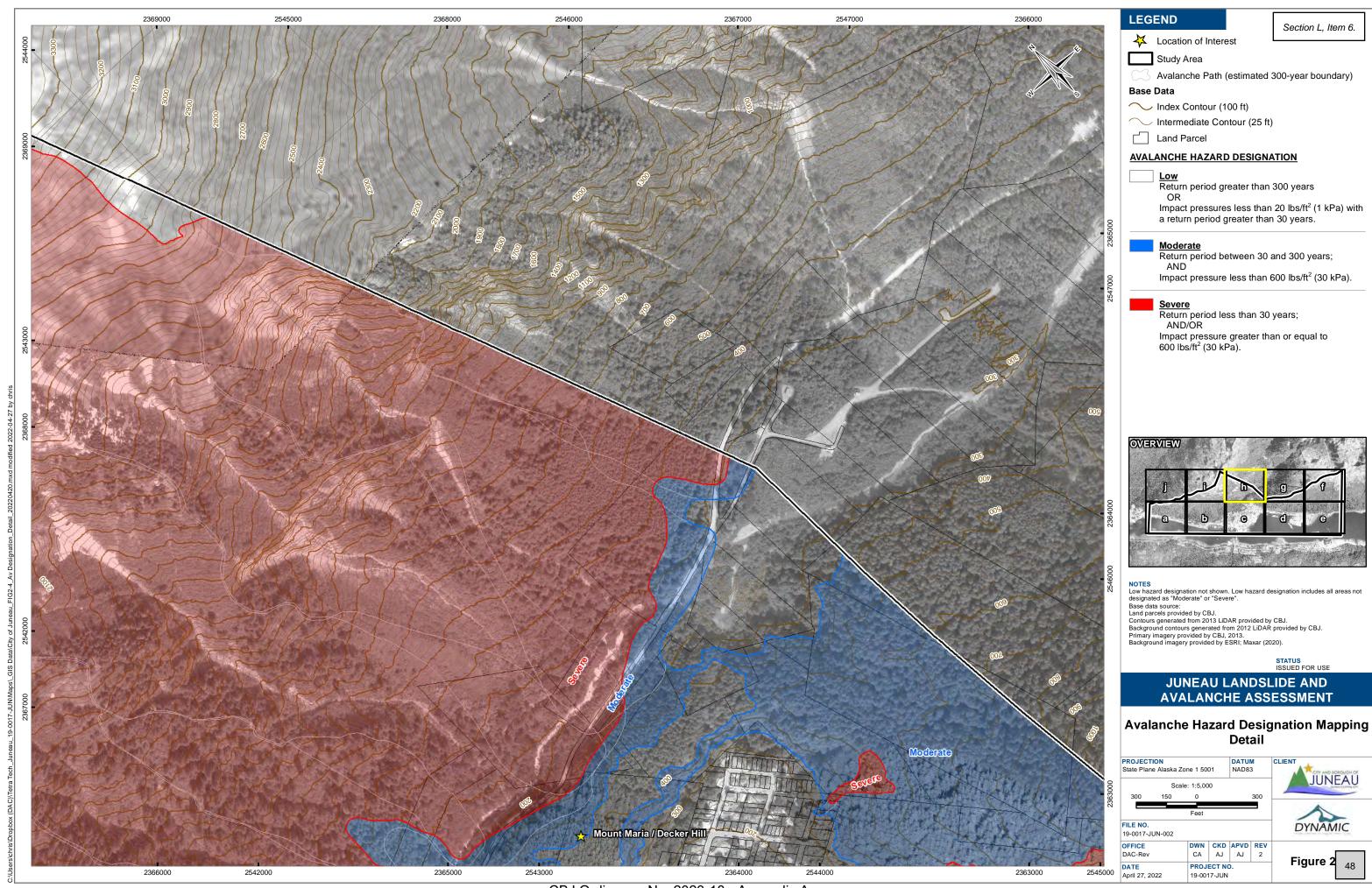


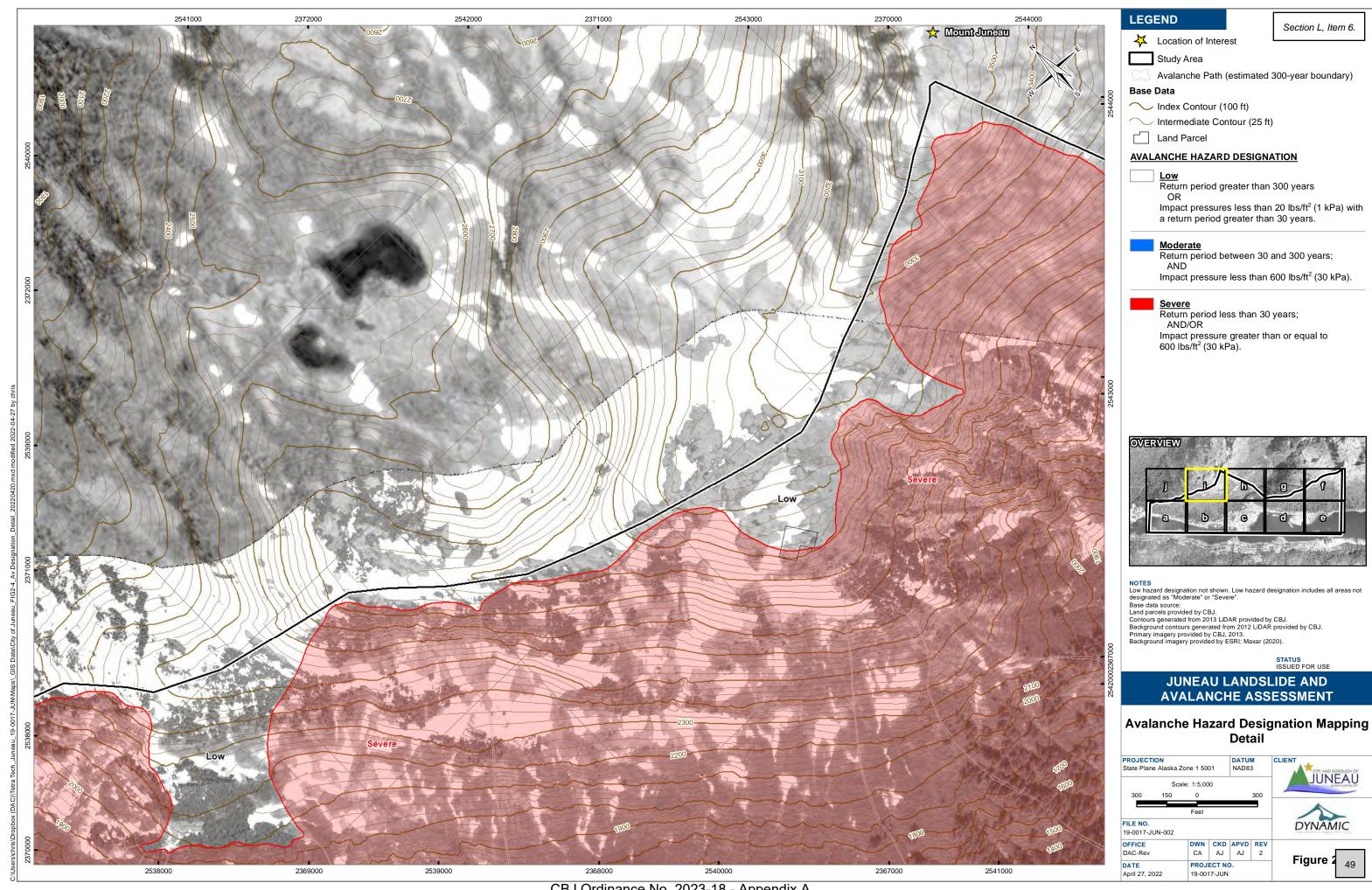


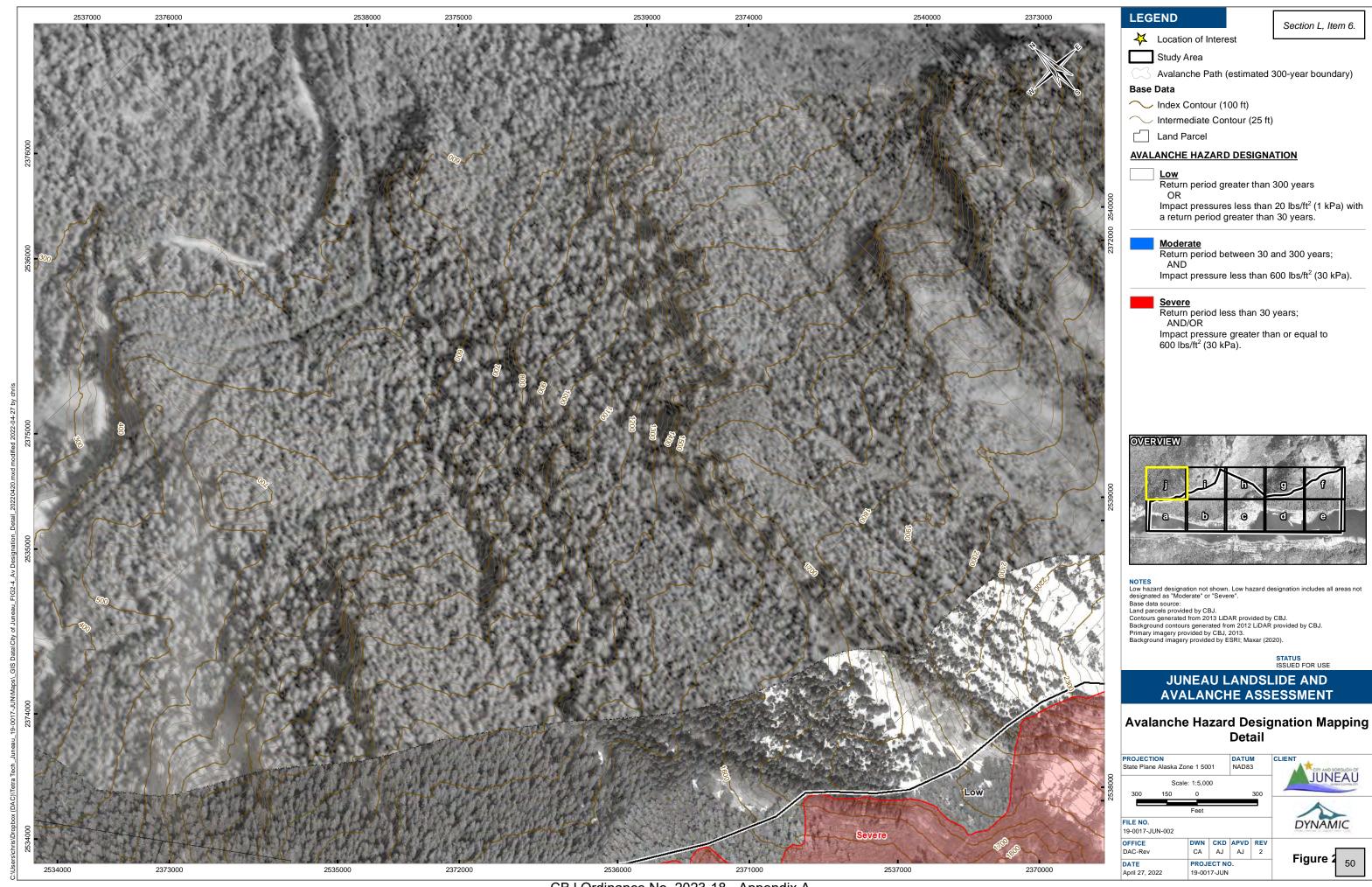












Presented by: AFC Presented: 11/13/2023 Drafted by: Nicole Lynch

# ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-60(b)

An Ordinance Amending the Purchasing Code Regarding Public Notice, Price Thresholds, Contracting Process, Contract Requirements, and Approval Process.

WHEREAS, the City and Borough of Juneau purchases significant amounts of goods and services for the benefit of the residents of the City and Borough; and

WHEREAS, the City and Borough of Juneau expends substantial monetary resources on the purchase of goods and services, and it is in the best interest of the community that there be reasonable public notice and reasonable time for potential suppliers of goods and services to consider requests for proposals and prepare proposals for submission; and

WHEREAS, businesses seeking to sell goods and services to the City and Borough of Juneau benefit from clarity, fairness, and transparency in the procurement process; and

WHEREAS, the City and Borough of Juneau seeks to provide clear, fair, and easily understandable policies and procedures regarding the purchasing of goods and services for the public good; and

WHEREAS, the Assembly Finance Committee on November 2, 2022, recommended the Assembly adjust the purchasing thresholds to allow written quotes for contracts between \$5,000.00 to \$25,000.00 and informal public solicitations for contracts between \$25,000.00 to \$50,000.00; and

Page 1 of 7 Ord. 2022-60(b)

WHEREAS, the City and Borough of Juneau seeks to reasonably inform the public of opportunities to bid or propose sale of goods and services while balancing the time and expense involved in publicizing these opportunities.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 53.50.010 Definitions, is amended to read: 53.50.010 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Formal competitive sealed bid means a bid or proposal that must be submitted through the sealed online process and in conformance with a prescribed format to be opened publicly at a specified date and time. The formal competitive sealed bid tool is a procurement method used to solicit competitive sealed bid responses, sometimes called formal bids, when price is the basis for award.

Informal public solicitation means a competitive bid, price quotation, or proposal for supplies or services that is conveyed via letter, fax, email, or other manner that does not require a formal sealed bid or proposal, public opening, or other formalities. The informal public solicitation tool is generally relegated to requirements that may be considered low value or fall under a stipulated price/cost threshold.

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Public notice, as used in this chapter, means notice posted on the City and Borough of Juneau online procurement site and, when practicable, in a local newspaper advertisement. Public notice may also include:

- (1) Publication in a <u>newspaper</u>, trade journal, online notification service, or other publication calculated to reach prospective bidders <u>or proposers</u>; and
- (2) Notices posted <u>on public bulletin boards or</u> in public places within <u>or near</u> the area where the work or services are to be performed or the supplies furnished.

Written quotation and written proposal mean an informal purchasing process where procurement staff solicit documented pricing information from multiple sources.

**Section 3. Amendment of Section.** CBJC 53.50.050 Contract amounts, is amended to read:

### 53.50.050 Contract amounts.

Unless otherwise prohibited by this Code:

- (a) All contracts for an amount estimated to be \$5,000.00 or less shall be made on the open market with such competition as is reasonable and practical in the circumstances.
- (b) All goods and services, other than professional services, shall be awarded purchased as follows:
  - (1) Contracts in an amount estimated to be greater than \$5,000.00 but not more than \$25,000.00 50,000.00 shall be made, when feasible and when in the best interest of

Page 3 of 7 Ord. 2022-60(b)

the City and Borough when practicable, in the open market by written quotation, without observing the procedure prescribed for the award of formal competitive sealed bid purchases. Such open market contracts, whenever practicable, shall be based on at least three competitive quotations, gathered by staff, and shall be awarded to the lowest qualified bidder. The basis for determining the lowest qualified bidder shall be the same as that used in formal competitive sealed bid purchases, including any preferences established by law.

- (2) Contracts in an amount estimated to be greater than \$25,000.00 but not more than \$50,000.00 shall be made, when practicable, in the open market by informal public solicitation without observing the procedure prescribed for the award of formal competitive sealed bid purchases. After public notice and whenever practicable, such informal public solicitation shall be based on at least three quotations and shall be awarded to the lowest qualified bidder. The basis for determining the lowest qualified bidder shall be the same as that used in formal competitive sealed bid purchases, including any preferences established by law. Reserved.
- (3) Contracts in an amount estimated to be more than \$50,000.00 shall be by formal competitive sealed bid <u>after public notice</u>.
- (c) All professional services shall be purchased as follows:
  - (1) Contracts in an amount estimated to be greater than \$5,000.00 but not more than \$25,000.00 shall be made when <u>practicable feasible and when in the best interest of the City and Borough in the open market by written proposal, without observing the procedure prescribed for the award of formal <u>competitive</u> sealed bid purchases.</u>

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Such open market contracts, whenever practicable, shall be based on at least three empetitive proposals and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements, provide that five percent of the total points possible for each proposal and shall be awarded if and only if the proposal is submitted by a Juneau proposer.

- (2) Contracts in an amount estimated to be more than \$25,000.00 but not more than \$50,000.00 shall be by written proposal and follow the informal public solicitation process. Aafter public notice, contracts and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements, provide that five percent of the total points possible for each proposal and shall be awarded if and only if the proposal is submitted by a Juneau proposer.
- (3) Contracts in an amount estimated to be more than \$50,000.00 shall be by formal competitive sealed proposal after public notice and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The process shall be as described in 53.50.060. The method for determining the most advantageous proposal shall be set

Page 5 of 7 Ord. 2022-60(b)

forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements, provide that five percent of the total points possible for each proposal shall be awarded if and only if the proposal is submitted by a Juneau proposer.

**Section 4. Amendment of Section.** CBJC 53.50.060 Competitive sealed bid procedure, is amended to read:

53.50.060 Competitive sealed bid procedure.

- (d) Opening of bids. All bids shall be submitted to the purchasing agent at the place and time specified in the public notice inviting bids. Bids shall be opened by the purchasing agent, in public publicly, at the time and place designated in the notice inviting bids. Bids received after the specified time shall not be accepted.
- (e) Award. A contract or purchase for which competitive bids are required shall be awarded by the manager to the lowest qualified bidder taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, except that:
  - (1) For bids in excess of \$750,000.00 \$100,000.00 for contracts, and \$1,500,000.00 \$1,000,000.00 for public improvement contracts, the award shall not be made until after assembly approval; and

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Elizabeth J. McEwen, Municipal Clerk

2 Section 5. Amendment of Section. CBJC 53.50.090 Exceptions to competitive sealed 3 bidding and submission of quotations, is amended to read: 4 53.50.090 Exceptions to competitive sealed bidding and submission of quotations. 5 The restrictions and provisions of this chapter shall not apply: 6 To contracts involving the obtaining of professional or specialized services such as those 7 rendered by architects, attorneys, engineers, and others requiring advanced training and the 8 exercise of independent judgment and discretion. Except as authorized in writing by the 9 purchasing officer, such services shall be obtained by competitive proposal; such services shall be obtained by competitive proposal except as authorized in writing by the purchasing officer; 11 12 13 To electronic data processing software and hardware and software systems, and related (j) information technology hardware, that are intrinsic to cross-departmental CBJ business 15 operations; 16 17 (q) To the purchase of any goods or services upon a written finding by the manager that 18 competitive purchasing would not be practicable based on cost, timing, and other relevant criteria. 20 Section 6. Effective Date. This ordinance shall be effective 30 days after its adoption. 21 22 Adopted this \_\_\_\_\_ day of \_\_\_\_\_ Beth A. Weldon, Mayor Attest:

> Page 7 of 7 Ord. 2022-60(b)

Presented by: The Manager Introduced: November 13, 2023

Drafted by: Finance

# ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-14(b)(Q)

An Ordinance Appropriating \$500,000 to the Manager for the Cruise Ship Dock Safety Railing Capital Improvement Project; Funding Provided by Docks Funds.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** Classification. This ordinance is a noncode ordinance.

**Section 2. Appropriation.** There is appropriated to the Manager the sum of \$500,000 as funding for the Cruise Ship Dock Safety Railing Capital Improvement Project (H51-131).

Section 3. Source of Funds

Docks Funds \$500,000

**Section 4. Effective Date.** This ordinance shall become effective upon adoption.

2023

|  | ,                     |
|--|-----------------------|
|  |                       |
|  |                       |
|  | Beth A. Weldon, Mayor |

day of

Attest:

Adonted this

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager Introduced: November 13, 2023

Drafted by: Finance

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

### Serial No. 2022-06(b)(BB)

An Ordinance Appropriating \$6,320,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Operating Costs; Funding Provided by Various Sources.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** Classification. This ordinance is a noncode ordinance.

**Section 2. Appropriation.** There is appropriated to the Manager the sum of \$6,320,400 for the City and Borough of Juneau's fiscal year 2023 operating costs, distributed as follows:

### General Fund:

| Human Resources                  | <u>\$ 35,000</u>    |
|----------------------------------|---------------------|
| Total General Fund               | <u>\$ 35,000</u>    |
| Special Revenue Funds:           |                     |
| Pandemic Response Fund           | \$ 5,854,100        |
| Eaglecrest – Inventory Write-Off | 43,800              |
| Eaglecrest – Operations          | 17,400              |
| Total Special Revenue Funds      | <b>\$ 5,915,300</b> |
| Enterprise Funds:                |                     |
| Airport                          | \$ 309,700          |
| Total Enterprise Funds           | \$ 309,700          |
| Debt Service Fund:               | <u>\$ 60,400</u>    |
| Total Appropriation              | <u>\$6,320,400</u>  |

# Section 4. Source of Funds

| Federal Revenue Eaglecrest Funds Debt Service Funds General Funds Total Source of Funds | \$6,163,800 $61,200$ $60,400$ $35,000$ $$6,320,400$ |
|---|---|
| Section 5. Effective Date. This ordinance shall be adoption.                            | ecome effective upon                                |
| Adopted this day of, 2023.  |   |
| Beth A. We  | ldon, Mayor   |
| Attest:   |   |

Elizabeth J. McEwen, Municipal Clerk

Page 2 of 2 Ord. 2022-06(b)(BB)

# **MEMORANDUM**

**DATE:** December 11, 2023

**TO:** Assembly

**FROM:** Angie Flick, Finance Director

**SUBJECT:** Sales Tax Cap Increase



155 Heritage Way Juneau, AK 99801 Phone: (907) 586-5215

The sales tax code provides a cap tax cap on the first \$12,800 of the selling price of a single item or service. The sales tax code also stipulates an adjustment to the level of the cap every two years, consistent with Consumer Price Index (CPI) data over that period for Urban Alaska. The first adjustment was made in 2018, and every two years thereafter. The last adjustment was effective January 1, 2022.

Based on our review of the 2022-2023 Urban Alaska CPI data, effective January 1, 2024, the single item and single service cap level will be increased to \$14,300. As a result, only the first \$14,300 of the selling price of a single item or single service will be subject to the CBJ Sales Tax.

Previous transactions subject to the tax cap would have resulted in sales tax collected of \$640. With this increase, the amount of sales tax to be collected on a "capped" single item or single service is now \$715.

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| 8  | 9        | 10 | 11 | 12 | 13 | 14 |  |
| 15 | 16       | 17 | 18 | 19 | 20 | 21 |  |
| 22 | 23       | 24 | 25 | 26 | 27 | 28 |  |
| 29 | 30       | 31 | 1  |    |    |    |  |
|    |          |    |    |    |    |    |  |

# 2024 ASSEMBLY MEETING CALENDAR

Section T, Item 13.

#### **Regular Assembly & HRC Meetings**

[10/21 Assembly Reorganization Meeting (No HRC)]

Possible Assembly retreat dates 11/16 or 12/7.]

**PWFC/LHED/COW Meetings** 

**Assembly Finance Committee (AFC) Meetings** 

**Holidays** 

**Charter/Code Required Meeting/Event Dates** 

6/12 Spec Assem if needed to adopt final budget before 6/15 deadline

7/29 Last Regular Assembly Meeting to adopt ballot propositions for 10/1 Election

9/12 Ballots Mailed to Voters for 10/1/24 Reg Municipal Election

10/1 CBJ Regular Municipal Election Day

No Assembly or ASC Meetings scheduled between Election Day and 10/21 Assem Reorg Meeting

10/15 Certification of Reg Municipal Election

**Dates for Special Events and/or Conferences** 

12/25/23-1/5/24 JSD Winter Break

1/16 1st Day of Legislative Session (Legislative Reception at Centennial Hall)

2/6-2/7 SE Conference Mid-Session Summit

2/20-2/22 AML Mid-Session Leg. Summit

3/18-3/22 JSD Spring Break

5/11 What it Takes to Run for Public Office Workshop

5/23 - Last Day of Instruction JSD; 5/26 JSD Graduation Ceremonies

6/19 - Juneteenth

8/13-8/15 AML Summer Legislative Conference, Kodiak

8/15 JSD First Day of School

9/24-9/26 SE Conference Annual Meeting, Ketchikan

12/8-13 Assembly & Admin staff attending AML Annual Conference & Affiliate Association Meetings (Dena'ina Center, Anchorage)

12/23/2024-1/3/2025 JSD Winter Break

#### **Reg. Meeting Start Times for Assembly Committees**

Human Resources Committee (HRC) – 6pm

Regular Assembly Meetings – 7pm

Special Assembly Meetings – 5:30 or 6pm

Public Works & Facilities Comm. (PWFC) – 12:10pm

Lands, Housing & Economic Dev. (LHED) – 5pm

Committee of the Whole (COW) – 6pm

Assembly Finance Committee (AFC) - 5:30pm

(All Meeting Times Subject to Change as Needed)

[JSD = Juneau School District]

[AML = Alaska Municipal League]

<sup>\*</sup>Clerk staff traveling for training 5/16-24 and 6/9-14