



REGULAR ASSEMBLY MEETING 2023-21 AGENDA

August 21, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

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

Submitted By:

Duncan Rorie Watt, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

1. Senior Citizens Day Proclamation

2. Instruction for Public Participation

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. ***Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.*** For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

E. APPROVAL OF MINUTES

3. June 26, 2023 Special Assembly Meeting #2023-14 DRAFT Minutes

F. MANAGER'S REQUEST FOR AGENDA CHANGES

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)*

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

I. Ordinances for Introduction

4. Ordinance 2022-07(b)(B) An Ordinance Appropriating \$3,680,701 from the Central Treasury for FY23 School District Operations; Funding Provided by State Revenue and Private Grants.

This ordinance would appropriate \$3,680,701 in grant awards for Juneau School District (JSD) FY23 operations. The Alaska Department of Education and Early Development provided funding for Project AWARE (Advancing Wellness and Resiliency in Education) and the American Rescue Plan Act Evidence-Based Summer Learning and Enrichment Programs. Thread issued grant funding for RALLY as a part of the State's Phase 3 – COVID-19 Child Care Stabilization Grant. In addition to the State grants, JSD received multiple private grants from Sealaska Heritage Institute (SHI) for indigenous education programs and a grant from Juneau Community Foundation providing support for Title 1 Elementary School Social Service Workers and Advocates. Grant funds are allocated as follows:

RALLY (JSD Fund 399) \$ 789,810

AWARE (JSD Fund 348) \$ 601,007

SHI Raven Writes (JSD Fund 383) \$ 503,486

SHI At Koowahaa-TCLL (JSD Fund 389) \$ 467,474

SHI Steam-Making (JSD Fund 381) \$ 430,000

SHI Box of Treasures (JSD Fund 378) \$ 333,843

SHI TEK STEAM (JSD Fund 388) \$ 290,000

ARPA Summer School (JSD Fund 342) \$ 164,316

JCF Social Worker (JSD Fund 391) \$ 100,765

Total Changes \$ 3,680,701

The Manager recommends the Assembly refer this ordinance to the Assembly Finance Committee for further review and set it for public hearing at the next regular Assembly meeting.

5. Ordinance 2023-14(b)(K) An Ordinance Appropriating \$600,000 to the Manager for the Gate K Culvert Reconstruction Capital Improvement Project; Funding Provided by Airport Funds.

This ordinance would appropriate \$600,000 of Airport Funds for the Gate K Culvert Reconstruction CIP. This funding would provide for the DEC testing requirements related to the Storm Water Pollution Prevention Plan (SWPPP). To begin Gate K culvert reconstruction, the Airport must fulfill the requirements recently brought forth by the Department of Environmental Conservation (DEC) for dewatering, PFAS, and monitoring, testing and filtration. It is anticipated that this CIP will be receiving a CARES Act grant later this year. In order to fulfill this DEC requirement and take advantage of the construction season, the Airport is requesting to use Airport Funds. If the grant funding becomes available and these costs are eligible for the grant, these appropriated funds will be returned to the Airport Fund.

The Airport Board reviewed this request at the August 10, 2023 meeting.

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

J. Resolutions

6. Resolution 3030 A Resolution Amending the Accessory Apartment Grant Incentive Program Criteria.

The Accessory Dwelling Unit Grant Program was created to encourage homeowners to add an accessory dwelling unit (ADU) to their home, furthering the creation of affordable housing in the community. A pilot program to provide \$6000 grants to homeowners was established in 2015 followed by a five-year extension of the program that ended June 30, 2023.

At the August 7, 2023, meeting of the Assembly Committee of the Whole (COW), the Committee voted to forward Resolution 3030 to the Full Assembly for introduction and approval. This resolution does two things: changes the official name of the program to the Accessory Dwelling Unit Grant Program (ADUG) and increases the amount of grant funding each recipient can receive for the creation of an accessory dwelling unit from \$6,000 to \$13,500.

The City Manager recommends the Assembly adopt this resolution.

7. Resolution 3035 A Resolution Approving the Issuance of the Public Finance Authority Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation) in a Maximum Aggregate Par Amount Not to Exceed \$250,000,000.

The Aurora Integrated Oncology Foundation and local oncologist Dr. Eugene Huang approached the Assembly seeking support for their endeavor to issue tax-exempt bonds through the federal Public Finance Authority. The Foundation's goal is to consolidate oncology services and facilities in a few Alaska cities and towns in order to provide more cohesive and comprehensive services to the residents in those locations. In order to obtain funding through the Public Finance Authority, the local government must approve a resolution supporting the organization and hold a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing. The hearing was held on August 21, 2023 at 2pm in City Hall Conference Room 224 and via Zoom. This resolution does not obligate CBJ financially in any way nor does it impact CBJ property taxes.

The Manager recommends the Assembly approve this resolution if they wish to support the foundation's effort to obtain funding from the Public Finance Authority.

K. Transfers

8. Transfer Request T-1061 A Transfer of \$428,919 from Various Capital Improvement Projects to CIP A50-104 Ramp Improvements and CIP Juneau International Airport Taxiways A, E, & D-1 Capital Improvement Project Capital Improvement Project.

This request would transfer \$428,919 of previously appropriated 1% sales tax funds from multiple completed and one in progress Airport CIP to the Ramp Improvements and Juneau International Airport Taxiways A, E, & D-1 CIPs. These projects are ongoing and are in need of additional local matching funds.

This transfer of project funding is consistent with the intent of the 2017 1% Sales Tax initiative approved by voters in the October 3, 2017 municipal election.

The Airport Board reviewed this request at the August 10, 2023 meeting.

The Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

9. Liquor & Marijuana License Actions

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

Liquor License - Renewals

License Type: Restaurant/Eating Place, License #2541

Licensee: Spice LLC d/b/a Spice

Location: 112 N. Franklin St., Juneau

License Type: Beverage Dispensary, License #644

Licensee: Ronald Martin Burns d/b/a Salt

Location: 200 Seward St., Juneau

Marijuana License - Renewals

License Type: Retail Store, License: #13217

Licensee: ForgetMeNot Enterprises Inc., d/b/a Glacier Valley Shop

Location: 8505 Old Dairy Rd., Suite 1, Juneau

License Type: Standard Marijuana Cultivation Facility, License: #13221

Licensee: ForgetMeNot Enterprises Inc., d/b/a Green Valley Enterprises

Location: 8505 Old Dairy Rd., Suite 2, Juneau

License Type: Retail Store, License: #13222

Licensee: ForgetMeNot Enterprises Inc., d/b/a Southeast Essentials

Location: 8505 Old Dairy Rd., Suite 3, 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.

M. PUBLIC HEARING

10. Ordinance 2022-06(b)(AZ) An Ordinance Appropriating \$134,526 to the Manager for the Design Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate \$134,526 in Airport Improvement Program grant funding for the Ramp Improvements CIP. This funding would provide for the design phase of the rehabilitation of large air carrier and air taxi ramps. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Ramp Improvements CIP. This award increases the \$2,017,881 grant appropriated under Ordinance 2022-06(b)(M).

The Airport Board reviewed this request at the July 13, 2023 meeting.

The Manager recommends the Assembly adopt this ordinance.

11. Ordinance 2023-14(b)(H) An Ordinance Appropriating \$1,795,267 to the Manager for the Construction Phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate \$1,795,266 in Airport Improvement Program grant funding for the Gate 5 Passenger Boarding Bridge CIP. This request would provide for the acquisition, construction, and installation of a new passenger boarding bridge, replacing a 21-year-old, inoperable jet bridge. The final

grant award documentation was received, and the final grant award amount is \$1,795,266, \$1 less than the amount expected during the introduction of this ordinance. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Gate 5 Passenger Boarding Bridge CIP.

The Airport Board reviewed this request at the July 13, 2023 meeting.

The Manager recommends the Assembly adopt this ordinance.

12. Ordinance 2023-14(b)(l) An Ordinance Appropriating up to \$19,000,000 to the Manager for the Construction Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate up to \$19,000,000 in Airport Improvement Program grant funding for the Ramp Improvements CIP. This funding would provide for the construction of a new remain overnight (RON) large aircraft parking ramp, rehabilitate deteriorating pavement for large and commercial aircraft parking ramps, repair failing ramp drainage and catch basins, and upgrade ramp lighting. The local match requirement will be provided by previously appropriated CARES Act funding in the Ramp Improvements CIP.

The Airport Board reviewed this request at the August 10, 2023 meeting.

The Manager recommends the Assembly adopt this ordinance.

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

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

The Manager recommends the Assembly adopt this ordinance.

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

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

The City Manager recommends the Assembly take public testimony on this ordinance and refer it to the next regular Assembly meeting for action.

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

This ordinance would appropriate \$850,215 for the Hank Harmon Rifle Range Improvements CIP. This funding would provide for a series of safety, accessibility, and longevity improvements that will address deferred maintenance needs. The improvements will comply with National Rifle Association Standards and will ensure that all Juneau-area hunting and recreational shooters will have continued year-round

access to this free facility. The local match requirement will be met through previously appropriated funds in the CIP.

The City Manager recommends the Assembly adopt this ordinance.

16. Ordinance 2023-14(b)(D) An Ordinance Appropriating \$347,340 to the Manager as Funding for Round 2 of the Healthy and Equitable Communities Grant; Grant Funding Provided by the Alaska Department of Health.

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

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

CCFR Response Van Modifications - \$45,000

Community Health Needs Assessment - \$50,000

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

Warming Shelter - \$132,340

The Manager recommends the Assembly adopt this ordinance.

17. Ordinance 2023-14(b)(J) An Ordinance Appropriating \$280,000 to the Manager for the Safe Streets for All (SS4A) Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

CBJ has been awarded a \$280,000 Safe Streets for All (SS4A) grant from the Federal Highway Administration. The SS4A grant's goal is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries. Funding would be used to conduct a full road safety analysis, taking inventory of all previous crashes, historical trends, conditions, severity of injuries, community and partner input, and other factors throughout the borough. The safety analysis would produce a list of projects and guide the creation and implementation of the Comprehensive Safety Action Plan. Once the plan is implemented, the CBJ would be eligible for additional road safety grant funding. A local match requirement of \$70,000 will be provided by previously appropriated funds in the FY24 CIP Resolution 3016(b).

The Public Works and Facilities Committee reviewed this request at the June 26, 2023 meeting.

The Manager recommends the Assembly adopt this ordinance.

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

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

The LHED Committee reviewed this request at the May 2, 2022 meeting and forwarded the application to the Assembly with a motion of support for disposal. The Planning Commission reviewed this

application at the September 13, 2022 meeting and recommended approval of this disposal. The Assembly provided a motion in favor of working with Jon and Susanne Reiswig towards the disposal of City property at the June 12, 2023 meeting. An appraisal was complete in March 2023 which valued the property at \$7,600.

The City Manager recommends the Assembly adopt this ordinance.

19. Ordinance 2023-34 An Ordinance Authorizing the Eaglecrest Ski Area to Enter into a Franchise Agreement with Evan and Kaitlin Morgan, Doing Business as Pittman's Pub for Beer and Wine Sales.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement with Pittman's Pub LLC to provide beer and wine sales at Eaglecrest Ski Area during the winter season consistent with the ski area operating calendar. On June 5, 2017 the Assembly adopted Resolution 2793(b) authorizing the Eaglecrest Board to approve on a case by case basis, the sale, possession, and consumption of beer, wine, alcoholic ciders and other similar malt beverages in connection with a valid permit issued under City and Borough of Juneau Code of Regulations, Title 11 Chapter 7 with a licensed vendor holding a valid liquor license issued by the State of Alaska. The federal Land and Water Conservation Fund prohibits CBJ from issuing leases at Eaglecrest. However, CBJ can grant a franchise agreement as a mechanism to formalize a business relationship. Eaglecrest solicited a Request For Interest (RFI 23-174) and received no responses. After the solicitation closed Eaglecrest continued to look for suitable vendors and was contacted by two interested parties. After pursuing the opportunities further Pittman's Pub LLC was the only remaining interested party. This ordinance would allow Pittman's Pub to operate for five consecutive winter seasons.

The Manager recommends the Assembly adopt this ordinance.

N. NEW BUSINESS

20. BE22-202 Bid Award for JNU Gate 5 Passenger Boarding Bridge Replacement

Bids were opened on this project on July 19, 2023. The bid protest period expired at 4:30 p.m. on July 20, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Total Amount</u>
Dawson Construction, LLC	\$1,705,705.00
Island Contractors, Inc.	\$1,914,000.00
<i>Engineer's Estimate</i>	<i>\$3,016,762.00</i>

Project description: Work generally consists of the removal and replacement of the existing Passenger Boarding Bridge (PBB) and fixed PBB walkway at Gate 5.

The City Manager recommends award of this project to Dawson Construction, LLC for the total amount bid of \$1,705,705.00.

21. BE23-243 Bid Award for JNU Rehabilitation Part 121/135 Apron and RON Parking Apron

Bids were opened on this project on July 25, 2023. One bid was received. The bid protest period expired at 4:30 p.m. on July 26, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Base Bid</u>	<u>Add. Alt. No. 1</u>	<u>TOTAL BID</u>
Colaska dba SECON	\$13,376,162.00	\$1,332,478.00	\$14,708,640.00
<i>Engineer's Estimate</i>	<i>\$12,345,312.00</i>	<i>\$3,294,520.00</i>	<i>\$15,639,832.00</i>

Project Description: Heavy civil rehabilitation of the Part 121/135 parking aprons at Juneau International Airport.

The City Manager recommends award of this project to SECON for the total bid amount of \$14,708,640.00.

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

There are 31 property owners that have requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider each request separately and determine whether the property owner was unable to comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

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

23. Grant Creek Homes Request for a Land Trade

The Lands Office received an application from Grant Creek Homes, located at 4305 North Douglas Highway, requesting a land trade. This land trade would allow the disposal of approximately 3.22 acres of CBJ land to Grant Creek Homes and the acquisition of approximately 2.42 acres of land by the CBJ from Grant Creek Homes. The application states that this would allow the developer to avoid development in the Grant Creek stream buffer area and potentially create a small lot subdivision to provide housing within the CBJ. The Planning Commission noted that the land acquired by the CBJ would extend the 200-foot designated stream corridor surrounding Grant Creek, in line with the 2013 Comprehensive Plan. The Lands Housing and Economic Development Committee reviewed this proposal at the May 2, 2022, meeting and passed a motion of support. The Planning Commission reviewed this application at the meeting on August 11, 2022, and recommended that the Assembly approve this land trade. This application is moving forward after the applicant re-engaged in July.

The Manager recommends the Assembly pass a motion of support to work with Grant Creek Homes toward the disposal of City property in accordance with City Code 53.09.260.

24. Appeal 2023-AA01 before the Assembly: Karla Hart v. Planning Commission re: USE 2023-0003 Huna Totem Floating Dock

The Clerk's Office received a timely filed appeal from Karla Hart on August 4, 2023 regarding the Planning Commission's decision on USE 2023-0003 related to Huna Totem's application for a floating dock.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer.

If you decide to hear the appeal yourselves, a presiding officer should be appointed. In hearing an appeal itself, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

If you decide to send the appeal to a hearing officer, the Assembly may waive its right to reject or modify the hearing officer's decision, rendering the hearing officer's decision final and appealable to Superior Court without Assembly comment. Additionally, in this situation the Assembly is not prohibited

from discussing the case, as you are not sitting in a quasi-judicial capacity, nor are you reviewing the decision of the hearing officer.

At the February 1, 2021 Assembly Committee of the Whole the Manager recommended that in the event of an appeal of this proposed development that the Assembly send the appeal to a hearing officer.

An updated memo is in this packet.

Attorney Wright recommends the Assembly accept the appeal, consider assigning it to a hearing officer, and consider waiving final review under CBJC 01.50.140(c).

O. STAFF REPORTS

25. Mendenhall River Flood Report

P. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

Q. ASSEMBLY COMMENTS & QUESTIONS

R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

S. EXECUTIVE SESSION

T. SUPPLEMENTAL MATERIALS

U. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.

**Office of the Mayor
City and Borough of Juneau
Proclamation
Senior Citizens Day 2023**

WHEREAS, Alaska has the fastest growing senior population per capita; and

WHEREAS, older Alaskans make economic contributions that benefit people of all ages, including unpaid work as caregivers, participation in the labor force beyond typical retirement age, and marketplace spending that supports thousands of jobs while also generating substantial tax revenue; and

WHEREAS, Juneau's seniors should be celebrated and recognized for their contributions to our community with their insightful approach to problem-solving, as care-providers, as local volunteers, as keepers of family and community memory; and

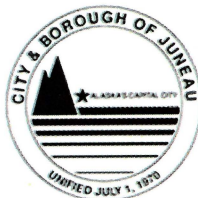
WHEREAS, we support older Alaskans and efforts to improve the livability of our community for people of all ages as an AARP Age-Friendly Community.

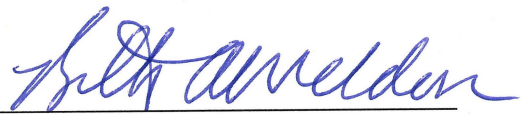
NOW, THEREFORE, I, Beth A. Weldon, Mayor of the City and Borough of Juneau, Alaska, on behalf of the City and Borough Assembly, do hereby proclaim August 21, 2023 as

Senior Citizens Day

And encourage the people of Juneau to show their gratitude and appreciation for the many contributions of elders in our community and across Alaska.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City and Borough of Juneau, Alaska, to be affixed this 21st day of August 2023.

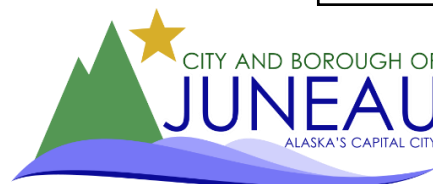



Beth A. Weldon, Mayor

SPECIAL ASSEMBLY MEETING 2023-14

DRAFT MINUTES

June 26, 2023 at 6:00 PM



Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

Immediately followed by Assembly Committee of the Whole Worksession

A. CALL TO ORDER

Deputy Mayor Maria Gladziszewski called the Special Assembly meeting to order at 6:08p.m. The meeting was held in the Assembly Chambers and broadcasted virtually via Zoom.

B. LAND ACKNOWLEDGEMENT

‘Wáahlaal Gíidaak provided the following land acknowledgment: 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

Assemblymembers Present: Maria Gladziszewski, Wade Bryson, Alicia Hughes-Skandijs, Greg Smith, Michelle Hale, Christine Woll, Carole Triem, and ‘Wáahlaal Gíidaak

Assemblymembers Absent: Mayor Beth Weldon.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy City Clerk Andi Hirsh, Lands Manager Dan Bleidorn, and BRH CEO David Keith

D. PUBLIC PARTICIPATION

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. ***Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.*** For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

E. AGENDA TOPICS

1. Public Hearing

Ordinance 2023-30 An Ordinance Authorizing the Manager to Advocate for and Provide Public Information Regarding the Need for a New City Hall, Including the Dissemination of Information That May Influence the Outcome of a Future Ballot Initiative.

This ordinance enables the Manager to advocate for a new City Hall project if the Assembly decides to put a ballot question before the voters this fall. \$50,000 for this purpose has been included in the FY24 budget. While CBJ regularly provides the public with nonpartisan information about upcoming ballot provisions, Alaska law requires the Assembly adopt an ordinance specifically authorizing the expenditure of funds if those funds are to be used to influence the outcome of an election. Threading the needle of delivering nonpartisan information versus information that might influence the outcome of an election is particularly challenging in this case; people may reasonably debate about the difference of facts and arguments in favor of a City Hall facility.

These funds would be used to produce and disseminate materials via direct mail, media, presentations to the community, and online.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Frank Bergstrom, a resident in the Fred Meyer area, spoke in opposition of Ordinance 2023-30. He stated that the new city hall is a controversial topic that was recently turned down by voters during the 2022 election. At the May Finance Committee meeting, Assemblymember Woll proposed that the word “New” be removed from the title “New City Hall” giving the reason that the subject is “controversial” and controversial subjects are often referred to a committee or commission for impartial study. Ordinance 2023-30 states “enables the manager to advocate for the new city hall... and influence the outcome of the election.” He spoke to the reasons this should be referred to an impartial committee or commission. He spoke to the expenses and numbers given during the 2022 election cycle as well as those of the project with relation to this proposed ordinance. He stated that his personal property tax has increased by 45% in the last eight years and he is emblematic of many people in town and he is exhausted by the rate of property taxes.

Scott Spickler, a resident of North Douglas, spoke in opposition to Ordinance 2023-30. He said that the community said no to this project last year. He said that the \$50,000 is not a wise use of funds. The project should stand on its own merits if the Assembly chooses to put this on the ballot again. He said that he hopes they don’t put it on the ballot again. He said that he also does not like when the city bundles ballot items together and would prefer that individual projects stand on their own merit. He said that he understands the Assembly has a tough job and that CBJ has \$1 billion in deferred maintenance that goes back decades but we don’t have a good history of taking care of what we do have and if we did, we would not likely be in the current situation.

Roger Callaway, an Auke Lake resident, spoke in opposition to Ordinance 2023-30. Mr. Callaway said that CBJ already has a Public Information Officer (PIO) that they fund and he is surprised that the information they wish to convey isn’t already being put out by the PIO.

Don Habeger, a Back Loop resident, said that in addition to speaking on his own behalf, he is representing Juneau’s First Things First Foundation, of which he is the Executive Director. He said that their organization is a 501(c)(3) non-profit that gets involved in public discussions. He said that this public discussion involves whether or not we need a new city hall and whether or not CBJ should be in the business to advocate for one. They have heard testimony that this is a controversial issue and it was defeated in the 2022 election that had a 32% turnout, which is average for the past 10 years for voter turnout. He said that turnout said no and it is the will of the people. That should conclude the Assembly to withdraw this ordinance. He said that if the Assembly does choose to pass it, they should have reasonable public debate and they should find an organization that would represent the other side and fund that equally and have a true, honest public debate on the issue.

Mr. Smith asked if First Things First, would be willing to participate in a public debate on the merits of the project. Mr. Habeger said he thinks First Things First is open to that but it would be willing to do that but it would depend on what an RFP would look like. If First Things First didn’t consider the RFP fair, they would likely not go after it. If all things are fair and a true public debate was put out, they may be interested in that.

Wayne Coogan, an Auke Bay resident, said that he deeply appreciates the Assembly’s commitment and professionalism and it is generally always there. He said that with regards to City Hall, this current City Hall now needs \$14 Million to repair the current space. He said that you can’t see the dire need when you walk through the building. He said that he thinks they have crossed into territory and is hearing grave concerns being raised about the Assembly advocating in a political manner and using tax payer money to advocate against the vote that was taken during the 2022 election. He is concerned about the honor of the Assembly.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2023-30 and asked for unanimous consent.

Objection by Mr. Smith for purposes of a question. Mr. Smith asked Manager Watt, if this ordinance does not pass, what information could CBJ provide to the public about this proposed project. He asked what city staff would feel is legal or comfortable in putting out. *[Mr. Smith removed his objection with Mr. Watt's reply.]*

Mr. Watt said that the information would look similar to what was done last year. He noted that if there was incorrect information out on social media, CBJ staff would not engage in that discourse or provide information that might correct erroneous assumption. CBJ would not participate with community groups if they asked for presentations. They would not provide mailer/flyer/postcards or things like that. He said they would narrowly stay out of the electoral process. He noted in his manager's recommendation what is and isn't a fact and what is or isn't considered advocacy can be subject to interpretation. CBJ would largely be silent. He said that he does not think that the voters would benefit from the reasons this project has been proposed. He said that it is for that reason that he has recommended this ordinance.

Ms. Gladziszewski asked Mr. Watt to explain the relationship of the Public Information Officer (PIO), how this money might relate to the PIO's salary and if this is additional money or if this ordinance is to meet the formal reporting requirements for advocacy as set out by Alaska Public Offices Commission (APOC).

Mr. Watt said that the \$50,000 looks like additional money but it offsets staff costs. He said that all staff work on this project has to be tracked and reported to Alaska Public Offices Commission (APOC). He said that any staff time related to providing public information on this topic, whether it was the PIO doing work on it or if he were to attend a public event such as a Chamber of Commerce luncheon to speak on this topic, they would assign the salary cost of the staff member to this appropriation. Those salary costs would offset existing budget authority and not likely be new expenditure of funds.

Ms. Gladziszewski asked if they could do it as a decrement from the already budgeted funds if they wanted to. She said that the real purpose of this appropriating ordinance is for APOC reporting of staff time allocated to this ballot issue. Mr. Watt said that was correct for the most part, however, if they did send out a postcard or flyer to voters, that would be a new expenditure so it would be fair to call those new costs. For any staff costs, those would be offset costs since they will not be hiring anyone new.

Ms. Hale said that one of the members of the public who testified suggested that CBJ could use the PIO to provide information to the public. She asked Mr. Watt to clarify that unless this ordinance is passed, the PIO would not be allowed to get information out about this project.

Mr. Watt said that was correct. Since that APOC rules are fairly narrow and this issue has been argued and litigated, APOC recommends specific appropriation and specific legislative authority to participate in the electoral process. He said that clearly, we would be advocating for a new city hall as they feel a new city hall is in the best interest of our citizens. He said that in the effort to provide information about the project, we would be trying to influence the election so APOC requires these two separate authorizations.

Hearing no further objection, Ordinance 2023-30 was adopted by unanimous consent.

F. SUPPLEMENTAL MATERIALS

G. ADJOURNMENT

There being no further business to come before the Assembly, the Special Assembly meeting was adjourned at 6:30p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Maria Gladziszewski
Deputy Mayor

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-07(b)(B)

Supplemental Information						
		Funding Classification	Funding Type	Instructional Y/N	Grant Y/N	Notes
RALLY (JSD Fund 399)	\$789,810	State	Special Revenue	N	Y	Workforce Initiative award for Phase 3 -- COVID-19 Child Care Stabilization Grant
AWARE (JSD Fund 348)	\$601,007	State	Special Revenue	N	Y	Alaska Project AWARE
SHI Raven Writes (JSD Fund 383)	\$503,486	Private	Special Revenue	Y	Y	SHI and JSD MOA Addendum for Services between SHI and JSD
SHI At Koowahaa-TCLL (JSD Fund 389)	\$467,474	Private	Special Revenue	Y	Y	MOA SHI and JSD Át Koowaháa: Expanding the Tlingit Culture, Language, and Literacy (TCLL) Program's Dual Language Pathway grant.
SHI Steam-Making (JSD Fund 381)	\$430,000	Private	Special Revenue	Y	Y	MOA Opening the Box: Culturally Responsive STEAM Education for Middle School
SHI Box of Treasures (JSD Fund 378)	\$333,843	Private	Special Revenue	N	Y	MOA Northwest Coast Arts: Our Box of Treasures: Deepening the Connections
SHI TEK STEAM (JSD Fund 388)	\$290,000	Private	Special Revenue	Y	Y	Amendment to Professional Services Agreement for Opening the Box of Traditional Ecological Knowledge: STEAM Pathways
ARPA Summer School (JSD Fund 342)	\$164,316	State	Special Revenue	Y	Y	American Rescue Plan Act Evidence-Based Summer Learning and Enrichment Programs Competitive Grant
JCF Social Worker (JSD Fund 391)	\$100,765	Private	Special Revenue	N	Y	CBJ Social Services Grant: Title 1 Elementary School Social Workers and Advocates
Total Changes	\$3,680,701					

Presented by: The Manager
 Introduced: August 21, 2023
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-07(b)(B)

An Ordinance Appropriating \$3,680,701 from the Central Treasury for FY23 School District Operations; Funding Provided by State Revenue and Private Grants.

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

Section 2. Estimated Funding Sources. This Ordinance will make the following changes to the City and Borough of Juneau School District Operating Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

Estimated Revenue

State Support	\$ 1,555,133
Private Grants	\$ 2,125,568
Total Changes	\$ 3,680,701

Section 3. Appropriation. The following amounts are hereby changed for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

RALLY (JSD Fund 399)	\$ 789,810
AWARE (JSD Fund 348)	\$ 601,007
SHI Raven Writes (JSD Fund 383)	\$ 503,486
SHI At Koowahaa-TCLL (JSD Fund 389)	\$ 467,474
SHI Steam-Making (JSD Fund 381)	\$ 430,000
SHI Box of Treasures (JSD Fund 378)	\$ 333,843
SHI TEK STEAM (JSD Fund 388)	\$ 290,000
ARPA Summer School (JSD Fund 342)	\$ 164,316
JCF Social Worker (JSD Fund 391)	\$ 100,765
Total Changes	\$ 3,680,701

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

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: August 21, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$600,000 to the Manager for the Gate K Culvert Reconstruction Capital Improvement Project; Funding Provided by Airport 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 \$600,000 for the Gate K Culvert Reconstruction Capital Improvement Project (A50-110).

Section 3. Source of Funds

Airport Funds \$600,000

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

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 08/21/2023
Drafted by: S. Layne

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3030

A Resolution Amending the Accessory Apartment Grant Incentive Program Criteria.

WHEREAS, consistent with the City and Borough of Juneau (“CBJ”) Housing Action Plan, to ensure a healthy housing market, the CBJ needs to spend its own resources to create more housing for young families, workers, and seniors; and

WHEREAS, in 2015, the Assembly established an accessory apartment grant pilot program with \$72,000 in \$6,000 individual grants, which resulted in 12 new accessory apartments; and

WHEREAS, by early 2017, the \$72,000 pilot program created more than \$1,000,000 in development, which is recognized through property taxes; and

WHEREAS, because of the success of the pilot program, the Assembly appropriated \$480,000 as funding for the Accessory Apartment Grant Incentive Program for five years via Ordinance 2017-06(AD); and

WHEREAS, the Accessory Apartment Grant Incentive Program criteria has been amended to clarify that the Assembly’s intent is to create accessory apartments for long-term rental use, and not for short-term rental use; and

WHEREAS, the CBJ Lands Housing and Economic Development Committee (LHEDC) made a motion of support of modifications to the Accessory Apartment Grant Incentive Program including structural and funding amount changes, and a name change to the “Accessory Dwelling Unit” Grant Program.

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

Section 1. Accessory Dwelling Unit Grant Program. The following program criteria governs new Accessory Dwelling Unit Grants:

- A. Intent.** The Accessory Dwelling Unit Grant Program is intended to provide encouragement for homeowners to add an accessory dwelling unit (ADU) to their home, furthering the creation of affordable housing. Homeowners will be awarded \$13,500 for construction of an ADU through this grant program.

B. Availability. Grants are limited based on available funding. The CBJ is free to reduce or eliminate the funding for this program. Applicants do not vest any rights in this program. Funding for this program is provided by the Juneau Affordable Housing Fund.

C. Preliminary Eligibility Requirements to Apply.

1. One grant per property;
2. Applicant must be a Juneau resident whose principal residence is within the borough of Juneau;
3. Applicant must be the property owner(s) and at least 18 years of age;
4. No outstanding code enforcement cases can exist on the subject property;
5. Only new accessory dwelling units are eligible for this incentive program;
6. Building permit and grant application must be compliant with applicable federal, state, and municipal codes, laws, and regulations; and Grant Criteria; and
7. Applicant can only apply for the grant program concurrently with a building permit application; applications received after submittal of a building permit will not be accepted.

D. General Eligibility for Award.

1. Must pass final inspection within two years of issuance of associated building permit.
2. Receive a full Certificate of Occupancy within two years from issuance of the building permit. A Temporary Certificate of Occupancy is insufficient.
3. The grant is non-transferable; therefore, if there is a conveyance of property prior to awarding this grant, this application becomes null and void. If a conveyance of property occurs after receipt of the grant award, Section F of this resolution applies.
4. Provide photos of the unit interior and exterior upon receipt of Certificate of Occupancy and prior to award. Photos must show the kitchen, bathroom(s), and a view of the unit from the street.
5. Property taxes and assessments, including bonds, must be in good standing.

6. Requirements are:

- a. Record a deed restriction agreeing not to rent the resulting unit as a short-term rental for three (3) years from the date of issuance of the Certificate of Occupancy;
- b. A default would cause the property owner to owe the CBJ the grant award;
- c. A short-term rental means a dwelling unit, or portion of a dwelling unit, offered for overnight occupancy in exchange for a fee and that is available for rent for fewer than 30 consecutive days; and

E. Application and Disbursement Process.

1. Property owners shall complete an Accessory Dwelling Unit Grant application concurrently with a Building Permit application for an accessory dwelling unit. Applications are accepted at the CBJ Permit Center on the 4th floor of the Marine View Building, located at 230 South Franklin Street.
2. Availability of funding currently allows for 16 grant awards beginning FY24. Applications are received on a first-come, first-served basis. Grant application approval will be determined by the Community Development Department; approval is subject to meeting preliminary eligibility requirements. The first 16 eligible applicants will be awarded after meeting the final eligibility for award requirements. After the first 16 applications have been received, eligible applicants will be placed on a waitlist in the event more funding becomes available, or an applicant on the primary list fails to meet award eligibility requirements.
3. Grant proceeds will be disbursed after a Certificate of Occupancy is issued by the CBJ Building Division, within the two-year timeframe, and all other award eligibility requirements are met. Temporary Certificates of Occupancy are insufficient to receive an incentive grant award.
4. Grant awards will be paid with vendor account created for each recipient and be paid on the next payment cycle after award.

F. Conveyance. If the applicant conveys the property prior to the end of the deed-restricted period, the applicant shall provide written notice to the Community Development Department.

1. The applicant shall pay back \$4,500 for each year remaining of the three-year deed restriction period, up to \$13,500.

G. Final Inspections. Applicants are cautioned that the building inspection process may take more time to complete than one may anticipate. Depending on the season,

139 inspectors may be unable to respond rapidly to a request for an inspection. Please
140 allow adequate time after inspections to make necessary corrections. Final
141 inspections should be scheduled at least one month in advance of the two-year
142 deadline.

143
144 **H. Income and Taxes.** Applicant is solely responsible for any tax implications upon
145 receiving this incentive grant and should consult their tax professional.

146
147 **Section 2. Effective Date.** This resolution shall be effective immediately after its
148 adoption.

149
150 Adopted this _____ day of August 2023.

151
152
153
154 _____
Beth A. Weldon, Mayor

155 Attest:
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158 _____
159 Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 08/21/2023
Drafted by: The Manager

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3035

**A Resolution Approving the Issuance of the Public Finance Authority
Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation)
in a Maximum Aggregate Par Amount Not to Exceed \$250,000,000.**

WHEREAS, the Public Finance Authority (the “Issuer”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, has received a request from Aurora Integrated Oncology Foundation, a Delaware not-for-profit corporation (the “Borrower”) and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the “Code”) to issue one or more series of the Issuer’s qualified 501(c)(3) conduit revenue bonds, as defined in Section 145 of the Code, in a maximum aggregate par amount not to exceed \$250,000,000 (the “Bonds”) to (a) either via the acquisition of the membership interests in the entities that own such assets or through the acquisition of such assets directly, finance the acquisition of (i) various existing radiation oncology centers located in the State of Alaska including, without limitation, the real estate and equipment related to such centers, including a radiation oncology facility located within the boundaries of the City and Borough of Juneau (the “Juneau Treatment Facility”) and a medical office building and a patient house located in City and Borough of Juneau (the “Juneau MOB and Patient House”), and (ii) a professional physician practice providing physicians to provide services in such existing radiation oncology centers; (b) fund one or more debt service reserve funds; and (c) pay costs incurred in connection with the issuance of the Bonds; and

WHEREAS, on the date of issuance of the Bonds, the Juneau Treatment Facility will be owned by RBS Evolution of Juneau, LLC, the sole member of which is the Borrower, and will be located at 1701 Salmon Creek Lane, Juneau, Alaska and expected to be acquired for a par amount of not more than \$45,000,000, and the Juneau MOB and Patient House will be owned by the Borrower, and will be located at 1701 Salmon Creek Lane and 10736 Mendenhall Loop Road, Juneau, Alaska, respectively and expected to be acquired for a par amount of not more than \$6,500,000; and

WHEREAS, the remaining portion of the proceeds of the Bonds will be used to finance the acquisition of existing radiation oncology centers, real estate, equipment, and a professional physician practice as described above in the City of Palmer, Alaska, the City of Soldotna, Alaska, and the Municipality of Anchorage, Alaska, as well as for the other uses described above; and

43 WHEREAS, the Internal Revenue Code of 1986 (the "Code") authorizes the issuance of
44 revenue bonds for a "qualified 501(c)(3) entity," such as the Borrower; and
45

46 WHEREAS, Section 147(f) of the Code requires that qualified 501(c)(3) bonds be approved
47 by the applicable elected representatives of the governmental units having jurisdiction over
48 the areas in which the assets being financed by the Bonds are located, and the Assembly
49 (the "Assembly") of the City and Borough of Juneau, Alaska ("Juneau") is the "applicable
50 elected representative" of the governmental unit having jurisdiction over the area in which
51 the portion of the Project consisting of the Juneau Treatment Facility and Juneau Patient
52 House being financed with a portion of the proceeds of the Bonds is located; and
53

54 WHEREAS, under no circumstances will the City and Borough of Juneau be in any way,
55 legally or morally, obligated to repay any portion of the Bonds or in any other way incur any
56 liability related thereto; the Bonds will be special limited obligations of the Issuer payable
57 solely from revenues and resources provided or arranged by the Borrower to be pledged to
58 the payment of the Bonds and any credit enhancement arranged for by the Borrower; and
59 the Bonds and interest thereon will not constitute an indebtedness or a pledge of the faith
60 and credit of the City and Borough of Juneau, the State of Alaska or any political
61 subdivision thereof; and
62

63 WHEREAS, the Borrower has requested that the Assembly approve the issuance of the
64 Bonds strictly in order to satisfy the requirements of Section 147(f) of the Code; and
65

66 WHEREAS, the City and Borough of Juneau's approval or support is for the sole purpose
67 of fulfilling the requirements for a TEFRA public hearing; and
68

69 WHEREAS, a public hearing was held on Monday, August 21, 2023, at 2:00 p.m. by the
70 City and Borough of Juneau Finance Director at City Hall, via phone and Zoom. Adequate
71 notice of this hearing was published pursuant to Section 147(f) of the Code, to provide a
72 reasonable opportunity for members of the public to express their views regarding the
73 issuance of the Bonds and the uses and purposes of the proceeds of the Bonds.
74

75 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
76 JUNEAU, ALASKA:
77

78 **Section 1.** The Assembly of the City and Borough of Juneau approves the issuance of
79 the Bonds in order to satisfy the requirements of Section 147(f) of the Code.
80

81 **Section 2. No Liability.** Under no circumstances will Juneau be in any way, legally
82 or morally, obligated to repay any portion of the Bonds or in any other way incur any
83 liability related thereto. The Bonds will be special limited obligations of the Issuer payable
84 solely from revenues and resources provided or arranged by the Borrower to be pledged to
85 the payment of the Bonds and any credit enhancement arranged for by the Borrower.
86 Nothing in this Resolution obligates Juneau in any way to grant further approvals or
87 support for the Project, the Bonds, or any other project. Further, nothing in this resolution

88 constitutes any representation or commitment that any other Juneau approvals or support
89 needed for this Project, the Bonds, or any other project will be granted by Juneau.

90
91 **Section 3. Effective Date.** This resolution shall be effective immediately after its
92 adoption.

93
94 Adopted this _____ day of August 2023.
95

96
97 _____
Beth A. Weldon, Mayor

98 Attest:
99

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101 _____
102 Elizabeth J. McEwen, Municipal Clerk
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Presented by: The Manager
Introduced: August 21, 2023
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1061

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$428,919 be transferred:

From: CIP

A50-100	Land Acquisition – Planning	\$ (200,000)
A50-091	RSA 2C—NE/NW Quad Apron Construction	\$ (127,205)
A50-103	Snow Removal Equipment	\$ (57,304)
A50-097	Sand/Chemical Building & Fueling Station	\$ (20,365)
A50-094	Ramp LED Lighting	\$ (14,157)
A50-090	Design Taxiway A Rehabilitation and Re- alignment of Taxiway E and D-1	\$ (9,888)

To: CIP

A50-104	Ramp Improvements	\$ 341,362
A50-098	TWY Rehab Construction	\$ 67,192

The \$428,919 consists of:

Temporary 1% Sales Tax	\$ 428,919
------------------------	------------

Moved and Approved this _____ day of _____, 2023.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

June 30, 2023

Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Re: Notice of 2023/2024 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	2641
Licensee:	Spice LLC		
Doing Business As:	Spice		

We have received a completed renewal 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 written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Joan M. Wilson".

Joan Wilson, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

July 12, 2023

City and Borough of Juneau
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov;

Re: Notice of 2023/2024 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	644
Licensee:	Ronald Martin Burns		
Doing Business As:	Salt		

We have received a completed renewal 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 written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Joan M. Wilson".

Joan Wilson, Director
amco.localgovernmentonly@alaska.gov



Alaska Marijuana Control Board

Form MJ-20: 2022-2023 Renewal Application Certifications

Alcohol and Marijuana Section L, Item 9.

550 W 7th

Anchorage, AK 99501

marijuana.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.01S(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.01S(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 - Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	ForgetMeNot Enterprises, Inc	License Number:	13217
License Type:	Retail Marijuana Store		
Doing Business As:	Glacier Valley Shop		
Premises Address:	8505 Old Dairy Road- STE #1		
City:	Juneau	State:	Ak ZIP: 99801

Section 2 - Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Norvin Perez
Title:	Owner

Section 3 - Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2021 and June 30, 2022.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.03S(b).

**Form MJ-20: 2022-2023 Renewal Application Certifications****Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

By initialing this box, I certify I have submitted an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

If multiple licenses are held, list all license numbers below:

13217, 13221, 13222

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Norvin Perez

Printed name of licensee

Signature of licensee



AMCO received 6/30/2022

Alcohol and Marijuana Control Office

550 W 7th

Section L, Item 9.

Anchorage, AK 99501

marijuana.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-20: 2022-2023 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	ForgetMeNot Enterprises, Inc	License Number:	13221		
License Type:	Standard Cultivation Facility				
Doing Business As:	Green Valley Enterprises				
Premises Address:	8505 Old Dairy Road- STE #2				
City:	Juneau	State:	Ak	ZIP:	99801

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Norvin Perez
Title:	Owner

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

NP

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

NP

I certify that a notice of violation has **not** been issued for this license between July 1, 2021 and June 30, 2022.

NP

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

[Signature]

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

LP

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

LP

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

LP

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

LP

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

LP

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

LP

By initialing this box, I certify I have submitted an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

LP

If multiple licenses are held, list all license numbers below:

13217,13221,13222

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

LP

Norvin Perez

Printed name of licensee

Signature of licensee



AMCO received 6/30/2022

Alcohol and Marijuana
550 W 7th

Section L, Item 9.

Anchorage, AK 99501

marijuana.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-20: 2022-2023 Renewal Application Certifications**Why is this form needed?**

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	ForgetMeNot Enterprises, Inc	License Number:	13222
License Type:	Marijuana Product Manufacturing Facility		
Doing Business As:	Southeast Essentials		
Premises Address:	8505 Old Dairy Road- STE #3		
City:	Juneau	State:	Ak
		ZIP:	99801

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Norvin Perez
Title:	Owner

Section 3 – Violations & ChargesRead each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.I certify that a notice of violation has **not** been issued for this license between July 1, 2021 and June 30, 2022.Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Alaska Marijuana Control Board

Form MJ-20: 2022-2023 Renewal Application Certifications**Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

By initialing this box, I certify I have submitted an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

If multiple licenses are held, list all license numbers below:

13217,13221,13222

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Norvin Perez

Printed name of licensee

Signature of licensee

Presented by: The Manager
Introduced: July 31, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(AZ)

An Ordinance Appropriating \$134,526 to the Manager for the Design Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

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 \$134,526 for the design phase of the Ramp Improvements Capital Improvement Project (A50-104).

Section 3. Source of Funds

Federal Aviation Administration	\$134,526
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 31, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$1,795,267 to the Manager for the Construction Phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

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 \$1,795,266 for the construction phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project (A50-107).

Section 3. Source of Funds

Federal Aviation Administration	\$ 1,795,266
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 31, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating up to \$19,000,000 to the Manager for the Construction Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

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 \$16,603,563 for the construction phase of the Ramp Improvements Capital Improvement Project (A50-104).

Section 3. Source of Funds

Federal Aviation Administration	\$16,603,563
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 10, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

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

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 \$60,000 for the Trail Improvement Capital Improvement Project (P46-112).

Section 3. Source of Funds

U.S. Department of Transportation	\$60,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 10, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$2,000,000 to the Manager for Childcare Programs and Grants; Grant Funding Provided by the State of Alaska.

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 \$2,000,000 as funding for childcare programs and grants.

Section 3. Source of Funds

State Revenue	\$2,000,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801
Telephone: 586-5240| Facsimile: 586-5385

TO: Deputy Mayor Gladziszewski and Assembly Committee of the Whole

DATE: July 17, 2023

FROM: Robert Barr, Deputy City Manager

RE: Childcare Update

This is a follow-up to our discussion at the [April 24, 2023](#) Committee of the Whole meeting. Since then, AEYC has published a request for [letters of interest](#) for new and/or expanded childcare startups, we were notified that our \$2M grant application was successful and will be awarded in full. An [appropriating ordinance](#) was introduced at the July 10, 2023 Regular Assembly meeting.

As a reminder, total CBJ funding with the grant requires shifting some funds from FY24 to FY25 due to a requirement the grant be fully expended in FY24, and our desire to smooth out and create a longer-term period of predictable funding for providers. Currently anticipated 5-year funding with the new grant (more detail in the 4/24 memo linked above):

Revenue Source	FY24	FY25	FY26	FY27	FY28
General Fund	\$330,000	\$1,355,000	\$805,000	\$805,000	\$805,000
1% Sales Tax		\$900,000	\$500,000	\$500,000	\$600,000
State Grant	\$2,000,000				
Total	\$2,330,000	\$2,255,000	\$1,305,000	\$1,305,000	\$1,405,000

This level of funding will allow us to double the size of our per-child stipend program in FY24 and FY25 while also creating a new per-employee stipend program and an apprenticeship program designed to provide training and development opportunities for 4 new childcare administrators.

A final note – while we have received verbal notification of this grant award, we have yet to receive formal grant documents. We expect to receive those just-in-time for AEYC to process July payments – if something changes, we will adjust course and update the Assembly.

Recommendation:

Direct staff to prepare a deappropriation ordinance for \$950K (\$550K from GF, \$400K from 1% Sales Tax) in FY24, and include the same amount as a one-time increment in FY25.

Presented by: The Manager
Introduced: July 10, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$850,215 to the Manager for the Hank Harmon Rifle Range Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game.

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 \$850,215 for the Hank Harmon Rifle Range Improvements Capital Improvement Project (P41-102).

Section 3. Source of Funds

Alaska Department of Fish and Game \$850,215

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

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 10, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

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

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 \$347,340 as funding for Round 2 of the Healthy and Equitable Communities grant.

Section 3. Source of Funds

Alaska Department of Health	\$347,340
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 31, 2023
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$280,000 to the Manager for the Safe Streets for All (SS4A) Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration.

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 \$280,000 for the Safe Streets for All (SS4A) Capital Improvement Project (D24-099).

Section 3. Source of Funds

U.S. Department of Transportation	\$280,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 07/10/2023
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-27

An Ordinance Authorizing the Manager to Convey Approximately 3,030 Square Feet of Property with the Legal Description of a Fraction of Lot 2, USS 3559 to Jon and Susanne Reiswig for Fair Market Value.

WHEREAS, Jon and Susanne Reiswig (“applicants”) are owners of certain real property located at 11260 North Douglas Highway with the legal description of Tract D, Entrance Point Subdivision; and

WHEREAS, the City and Borough of Juneau (CBJ) owns real property adjacent to Tract D, Entrance Point Subdivision, described as a Fraction of Lot 2, USS 3559 Beachside, Juneau Recording District, First Judicial District, State of Alaska; and

WHEREAS, the applicants request additional land to their current property to provide for additional access points for a future subdivision; and

WHEREAS, the Lands Committee reviewed this proposed CBJ land disposal at the meeting on May 2, 2022, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property to the applicants; and

WHEREAS, the Planning Commission reviewed this proposed disposal of the CBJ property at the meeting on September 13, 2022, and recommended that the Assembly approve the sale of a portion of Lot 2 to the applicants, as provided for under CBJ Code of Ordinances Title 49; and

WHEREAS, fair market value has been determined by appraisal to be \$2.50 per square foot, for a total value of \$7,600 more or less.

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. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a Fraction of Lot 2, USS 3559 Beachside, Juneau Recording District, First Judicial District, State of Alaska, constituting 1 acre, more or less, as shown on the attached Exhibit A.

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Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by the Manager to be \$2.50 per square foot. Applicants will be responsible for all surveying, platting, closing costs, and recording fees.

Section 4. Other Terms and Conditions. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.

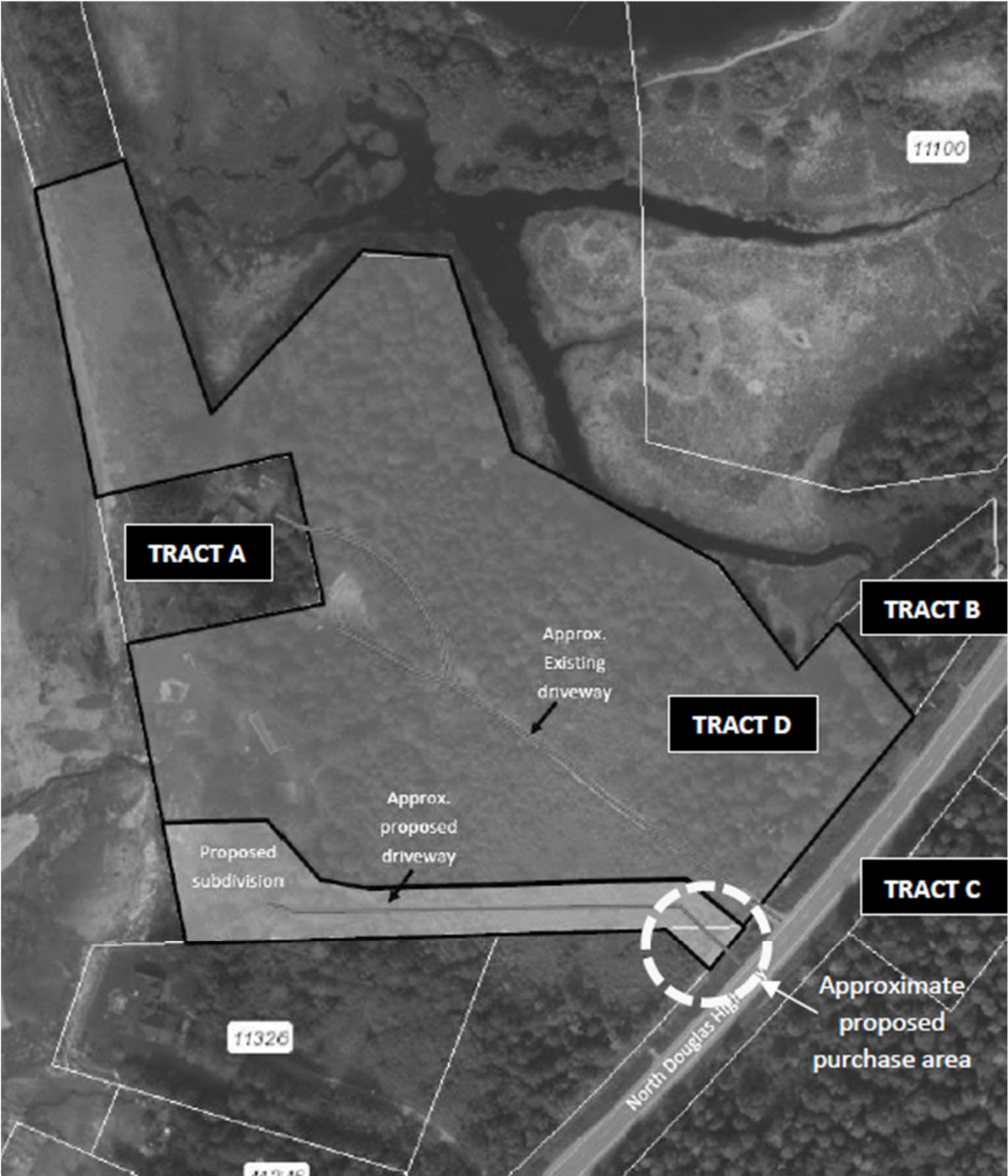
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Ordinance 2023-27
Exhibit A

Presented by: The Manager
Presented: 07/31/2023
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-34

An Ordinance Authorizing the Eaglecrest Ski Area to Enter into a Franchise Agreement with Evan and Kaitlin Morgan, Doing Business as Pittman’s Pub for Beer and Wine Sales.

WHEREAS, in 1975 and 1983, federal Land and Water Conservation Funds were used to develop Eaglecrest Ski Area, which imposed permanent restrictions prohibiting conversion of any property interest including a lease to private use, *see* 54 U.S.C.A. § 200305(f)(3); 36 C.F.R. § 59.3; LWCF Financial Assistance Manual at page 103 (3/11/2021); and

WHEREAS, the City and Borough of Juneau Charter allows the Assembly to authorize franchises by ordinance, CBJ Charter 5.2(c); and

WHEREAS, Black’s Law Dictionary defines Franchise as, “To grant (to another) the sole right of engaging in a certain business or in a business using a particular trademark in a certain area”; and

WHEREAS, the Eaglecrest Ski Area solicited statements of interest for the Eaglecrest Beer and Wine Sales in (RFI 23-174), and received no responses during the initial solicitation; and

WHEREAS, City and Borough of Juneau (“CBJ”) staff contacted other Beer and Wine vendors who did not express an interest in the Beer and Wine Concessionaire opportunity and found Pittman’s Pub to be the only interested party; and

WHEREAS, the following franchise authorization is in the best interest of the public.

THEREFORE 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. Franchise terms. The franchise is subject to the following essential terms:

(a) **Application of 11 CBJAC 07 Commercial Use of Eaglecrest Ski Area.** The provisions of 11 CBJAC 07.010-100 apply to this franchise authorization in addition to the following provisions except when in conflict with a provision of this ordinance.

(b) **Authorized location.** Eaglecrest has two locations which Concessionaire may use to provide concessions (“Concession Premises”). The first location is a designated bar concession

space with a handwashing sink behind a permanently positioned bar located in the Fish Creek Lodge adjacent to the cafeteria. The second is a twenty-five-foot (25') wide by thirty-five-foot (35') deep outdoor commercial tent with overhead propane heat and a permanently mounted bar adjacent to the base of the Hooter Chairlift, which includes a small storage shed. All utilities necessary shall be provided by Eaglecrest or Concessionaire under the terms of this Contract. CBJ reserves the exclusive right to provide all food service at Eaglecrest including during all open bar concession hours.

(c) **Kitchen and restrooms.** Vendor may use restrooms and water from the kitchen. The vendor may also use the kitchen on “off hours” if agreed to by the Ski Area Manager and vendor. “Off hours” being defined as hours when the kitchen is not being used by Eaglecrest staff for washing any glassware or serving equipment.

(d) **Communication system.** Vendor may use of the Eaglecrest Secure WIFI network for credit card transactions.

(e) **Term.** Each franchise term is one winter operating season, generally running December 1st until Aril 15th terminating on the last day of the winter operating season. Vendor may request to renew this franchise authorization annually by sending written notice to the Ski Area Manager by September 15th, which shall be granted so long as the vendor is in good standing and a renewal is in the best interest of Eaglecrest Ski Area as determined by the Board of Directors. This franchise authorization is effective for a maximum of five winter seasons expiring October 1, 2028, with an annual renewal option.

(f) **Revocation.** This franchise authorization is revocable upon violation of any of terms of this ordinance or upon failure to comply with other applicable permits, laws, and regulations.

(g) **Compliance with other laws and regulations.** Vendor shall comply with all applicable City and Borough of Juneau, State of Alaska, and federal permits, laws, and regulations, including CBJ Conditional Use Permit USE2005-00060. Vendor shall ensure compliance and is responsible with this franchise authorization for Vendor’s agents, employees, customers, and guests.

(h) **Insurance.**

Commercial General Liability Insurance. Concessionaire must maintain Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against Concessionaire. This amount must be at least one million dollars (\$1,000,000.00) per occurrence, and two million dollars (\$2,000,000.00) aggregate. **This insurance policy is to contain, or be endorsed to contain, additional insured status for CBJ, its officers, officials, employees, and volunteers.** If additional insured status is provided in the form of an endorsement to Concessionaire’s insurance, the endorsement shall be at least as broad as ISO Form CG 20 10 11 85 or **both** CG 20 10, CG 20 26, CG 20 33, or CG 20 38; **and** CG 20 37 forms if later revisions used.

Comprehensive Automobile Liability Insurance. Concessionaire must maintain Comprehensive Automobile Liability Insurance, which coverage shall apply to all owned, hired, and non-owned vehicles, with one million dollars (\$1,000,000.00) combined single limit coverage. **This insurance policy is to contain, or be endorsed to contain, additional insured status for CBJ, its officers, officials, employees, and volunteers.**

Workers Compensation Insurance. If required by Alaska Statute (see Alaska Statute 23.30), Concessionaire must maintain Workers Compensation Insurance to protect Concessionaire from any claims or damages for any bodily or personal injury or death which may arise from services performed under this Contract. This requirement applies to Concessionaire's firm, Concessionaire's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this Contract. Concessionaire must notify CBJ as well as the State Division of Workers Compensation immediately when changes in Concessionaire's business operation affect Concessionaire's insurance status. Statutory limits apply to Workers Compensation Insurance. The policy must include employer's liability coverage of one million dollars (\$1,000,000) per injury and illness, and one million dollars (\$1,000,000.00) aggregate. **If Concessionaire is exempt from Alaska Statutory Requirements, Concessionaire must provide written confirmation of this status in order for CBJ to waive this requirement.**

Liquor Liability. Liquor Liability: Insurance Services Office Form CG 00 33 04 13 covering Liquor Liability on an "occurrence" basis, with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate. The Liquor Liability will cover the furnishing of alcoholic beverages.

(i) **Indemnity.** Vendor agrees to indemnify, defend, and hold harmless the City and Borough of Juneau from any and all claims for injury and damage to persons or property related to or arising out of the Vendor's activities unless such injury or damage is caused by the gross negligence of the City and Borough of Juneau, its agents, employees, officers, or anyone acting on its behalf.

(j) **Hours of operation.** Vendor must operate the business at a minimum every weekend day and holiday that Eaglecrest is open during the winter. The business will be available from 11:00am until one hour after the chairlifts close. Vendor may operate other hours as approved by the Ski Area Manager.

(k) **General permit fees.**

a. The Concession Fee payable by Concessionaire to CBJ for this Contract year shall be five percent (5%) of Concessionaire's gross sales or six hundred dollars (\$600), whichever is the larger sum, for the months of January, February, and March. For each partial month, (December and April), the Concession Fee shall be 5% of Concessionaire's gross sales or three hundred dollars (\$300) whichever is the larger sum. The Concession Fee shall be calculated monthly and remitted to CBJ within fifteen (15) days after the end of each month this Contract is in effect. Late payments not made by the 20th of the month due shall bear interest at a rate established by ordinance for late payments or at the rate of twelve percent (12%) *per annum*, if no rate has been set by ordinance.

1 **b. Concessionaire will pay as follows for utilities:** heating fuel (paid directly to propane
2 vendor or to CBJ based on actual billing from propane vendor), internet and electricity at a
3 monthly fee of \$150 paid directly to CBJ.

4 **(l) Fees charged by vendor.** Pursuant to 11 CBJAC 07.040(b)(3)(A), Vendor must submit
5 to the Ski Area Manager a schedule of fees and charges to customers prior to the beginning of
6 each ski season.

7 **(m) Monthly revenue reports.** Vendor must submit to the Ski Area Manager a complete
8 revenue report detailing the gross revenues for each month of operation. Reports are due on or
9 before the last day of the following month. (For example, the February 2024 report will be due
10 on or before March 31, 2024). Reports shall contain a breakdown of the gross receipts by the
11 activity which produced such receipts.

12 **(n) Audit and inspection of records.** The CBJ may once per annual term cause an audit of
13 Vendor's gross revenues to be made by a Certified Public Accountant of the CBJ Finance
14 Director's selection or a CBJ auditor. If the audit reports that less gross revenues were reported
15 by the Vendor in a given year period than were actually received, Vendor shall bear the cost of
16 the audit and remit the amount of the underpayment to the Eaglecrest Ski Area. Otherwise,
17 the Eaglecrest Ski Area shall bear the cost of the audit. The Eaglecrest Ski Area shall have the
18 right at all reasonable times during the term of this franchise authorization, upon ten days
19 written notice, to inspect, review, and copy, records of Vendor that are necessary to verify
20 Vendor's compliance with its fee obligations.

21 **(o) Ownership, maintenance, and removal of improvements.** All improvements
22 installed by Vendor are the property of Vendor. Vendor shall keep Vendor's improvements in
23 neat, clean, sanitary, and safe condition. Vendor must remove improvements on or before the
24 date of permit expiration, or within 30 days after permit termination. At any time during the
25 term of this franchise authorization, upon Vendor's consent, Eaglecrest Ski Area may purchase
the improvements or consent to allow improvements to remain on site after expiration or
termination.

(p) Taxes and impositions. During the term of this franchise authorization, Vendor shall
pay all CBJ taxes which may be imposed or assessed, including tax on sales and services and
business personal property. Nothing in the preceding sentence shall affect Vendor's legal rights
to appeal any tax imposed or assessed on it by CBJ.

(q) Permit transfer. Pursuant to 11 CBJAC 07.030(e), business may only be conducted under
this franchise authorization by Pittman's Pub, LLC, and this franchise authorization may not
be sold, assigned, leased, rented, mortgaged, or otherwise transferred unless Vendor's entire
business interest in Pittman's Pub, LLC is transferred to another party. The Vendor or the
transferee shall submit a written application which shall be approved if application satisfies all
of the reasonable requirements applicable to an original application. No credit will be given to
the transferee for any permit payments made to CBJ by the Vendor.

1 (r) **General operating requirements.** Pursuant to 11 CBJAC 07.080(b), Vendor is
2 responsible to the CBJ for their actions and those of agents, employees, and customers while
3 engaged in franchise authorization activities, and the following operating requirements apply to
4 the permit unless otherwise addressed:

- 5 (i) Vendor will keep the permitted area clean at all times and will employ persons who
6 meet or exceed food and alcohol safety handler standards.
- 7 (ii) Signs may be posted in accordance with CBJC 49.45 *et. seq.* and with the Ski Area
8 Manager’s written permission and Board of Director approval, which must not be
9 unreasonably withheld.
- 10 (iii) The Vendor must promptly notify the Ski Area Manager of any accident, injury, or
11 claim relating to the franchise activity.
- 12 (iv) Vendor shall promptly dispose of all litter found on and near the authorized
13 location.
- 14 (v) All vehicles under the control of the Vendor shall be lawfully operated and parked
15 while the Vendor is engaging in franchise activities. The Vendor is responsible for
16 following all parking restrictions and requirements.

17 (s) **Casualty.** Should the authorized location be destroyed or so badly damaged by fire or
18 other casualty during the initial term or any renewal term of this franchise authorization
19 making the premises unusable for the intended purposes, the franchise authorization is
20 terminated.

21 (t) **Vendor’s Confidential Information.** The parties acknowledge that as a result of
22 Vendor’s operations under this franchise authorization, CBJ may acquire information regarding
23 Vendor’s business that may be protected as confidential under state or CBJ law. Vendor
24 acknowledges and understands that the CBJ is subject to the Alaska Public Records Act (AS
25 40.25.120) and that all documents received, owned, or controlled by the CBJ in relation to this
franchise authorization must be made available for the public to inspect upon request, unless
an exception applies. It is Vendor’s sole responsibility to clearly identify any documents Vendor
believes are exempt from disclosure under the Public Records Act by clearly marking such
documents “Confidential.” Should the CBJ receive a request for records under the Public
Records Act applicable to any document marked “Confidential” by Vendor, the CBJ will notify
Vendor as soon as practicable prior to making any disclosure. Vendor acknowledges it has five
(5) calendar days after receipt of notice to notify the CBJ of its objection to any disclosure, and
to file any action with any competent court Vendor deems necessary in order to protect its
interests. Should Vendor fail to notify the CBJ of its objection or to file suit, Vendor shall hold
the CBJ harmless of any damages incurred by Vendor as a result of the CBJ disclosing any of
Vendor’s documents in the CBJ’s possession. Additionally, Vendor may not promise
confidentiality to any third party on behalf of the CBJ, without first obtaining express written
approval by the CBJ.

(u) **Choice of law, jurisdiction.** The Superior Court for the State of Alaska, First Judicial
District at Juneau, Alaska shall be the exclusive jurisdiction for any action of any kind and any
nature arising out of or related to a franchise agreement. Venue for trial in any action shall be
in Juneau, Alaska. The laws of the State of Alaska shall govern the rights and obligations of
the parties. Vendor specifically waives any right or opportunity to request a change of venue
for trial pursuant to A.S. 22.10.040.

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(v) **Other terms.** The Eaglecrest Ski Area may add additional terms that are in the best interest of the City and Borough of Juneau.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____ 2023.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

THROUGH: Patty Wahto
Airport Manager

FROM: Greg Smith
Contract Administrator

SUBJ: BID RESULTS:
JNU Gate 5 Passenger Boarding Bridge Replacement
CBJ Contract No. BE22-202

DATE: August 16, 2023
FILE: 2226

Bids were opened on the subject project on July 19, 2023. The bid protest period expired at 4:30 p.m. on July 20, 2023. Results of the bid opening are as follows:

Responsive Bidders	Total Amount
<i>Dawson Construction, LLC</i>	\$1,705,705.00
Island Contractors, Inc.	\$1,914,000.00
<i>Engineer's Estimate</i>	\$3,016,762.00

Project Manager: Ke Mell, Airport Project Manager

Project Description: Work generally consists of the removal and replacement of the existing Passenger Boarding Bridge (PBB) and Fixed PBB walkway at Gate 5. The work will include off-site disposal of the existing PBB and Fixed PBB walkway assemblies and appurtenances at Gate 5. The work will include replacement of the existing Passenger Boarding Bridge (PBB) and Fixed PBB walkway in the same location at Gate 5 at the southeastern corner of the Juneau International Airport (JNU) Terminal Building.

Funding Source: FAA BIL Grant, Sales Tax Match
Total Project Funds: \$1,914,951.00
CIP No. A50-107
Construction Encumbrance: \$1,705,705.00
Construction Contingency: \$80,246.00

Contract Administration/Inspection: \$78,000
CBJ Administrative costs: \$51,000.00

Staff recommends award of this project to Dawson Construction, LLC for the total amount bid of \$1,705,705.00.

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____

c: CBJ Purchasing



MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

DATE: August 16, 2023

FROM: Greg Smith
Contract Administrator

FILE: 2229

SUBJ: BID RESULTS:
JNU Rehabilitation Part 121/135 Apron and RON Parking Apron
CBJ Contract No. BE23-243

Bids were opened on the subject project on July 25, 2023. One bid was received. The bid protest period expired at 4:30 p.m. on July 26, 2023. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No. 1	TOTAL BID
Colaska dba SECON	\$13,376,162.00	1,332,478.00	\$14,708,640.00
<i>Engineer's Estimate</i>	<i>\$12,345,312.00</i>	<i>\$3,294,520.00</i>	<i>\$15,639,832.00</i>

Project Manager: Mike Greene

Project Description: Heavy Civil rehabilitation of the Part 121/135 parking aprons at Juneau International Airport. Base Bid work will include demolition and replacement of existing asphalt surface, drainage structures, ramp lighting systems, concrete hardstands, new pavement markings, new tie down anchors and construction of a new concrete hardstand. Additive Alternate 1 work includes additional Part 135 asphalt removal and replacement. Demolition and removal of existing concrete panels.

Funding Source: FAA AIP and BIL grants, Sales Tax Match

Total Project Funds: \$17,710,467.00

CIP No. A50-104

Construction Encumbrance: \$14,708,640.00

Construction Contingency: \$333,740.00

Contract Administration/Inspection: \$2,226,827.00

CBJ Administrative costs: \$441,260.00

Staff recommends award of this project to SECON for the total bid amount of \$14,708,640.00.

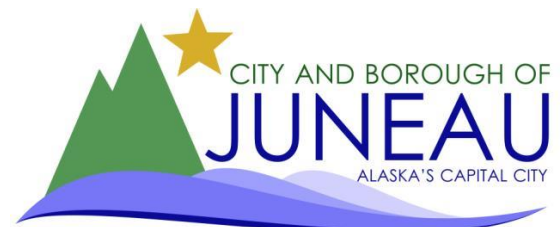
Approved: _____

Duncan Rorie Watt
City & Borough

Manager

Date of Assembly Approval: _____

c: CBJ Purchasing



2023 4th Late File List to AssemblyHardship List:

Name	Parcel Number	Property Address
Betty Hallum	5B2501560110	4416 Mint Way
Cynthia Hudson	7B1001100081	4404 Abby Way
Gerald Bennett	5B1201160020	5876 Lund St
Hernando Dumaop	5B2101250030	9319 Stephen Richards Dr
James Hammond	4B2801101060	11909 Glacier Hwy Unit 106
Josel Carrillo	1C030J040070	116 Behrends Ave
Juliet Carrillo-Magallanes	5B2101140180	3082 Mountainwood Cir
Mark Hildebrand	2D040T480270	208 5 th St
Rita George	1C060C100050	825 B st
Robert McVey	4B1801030170	1650 Fritz Cove Rd
Tessie Balles	1C060K580010	1102 W 9 th St
Tessie Llanto	5B2101050040	9166 James Blvd
Theodor Mecklenburg	8B3601010011	18881 Trails End Dr
Melanie Melvin	4B1701150110	2640 Engineers Cutoff Rd

Late File Senior & Disabled Veteran Exemption List:

Name	Parcel Number	Property Address
Beverly Agler	7B0801060180	1923 Wickersham Ave
Bryan Olson	4B1801000100	2710 Fritz Cove Rd
Carolyn Martin	5B1301122720	6590 Glacier Hwy SP 272
Curtis Clothier	7B0901050050	115 Wire St
Dayton Canaday	5B1501130002	2375 Jordan Ave #13
Donald Sjostedt	5B1601240012	2217 Radcliffe Rd
Erna Carothers	1D050L040100	2664 Douglas Hwy
Gregory McLaughlin	5B1301080390	5875 Glacier Hwy #39
Harold Henricksen	8B3401070090	17290 Glacier Hwy
Harriet Moore	1C030J0302B0	90 Spruce St #202
Janet Madsen	8B3701000110	19415 Glacier Hwy
Jerry Rounsley	5B2401150031	4013 Mendenhall Loop Rd
Kathleen Lea	5B2401180170	4105 Dogwood Ln
Rebecca Orford	5B2401010170	8538 Steep Pl
Ruby Lamphere	8B3701040190	20147 Coehn Dr
Susan Burns	5B2101530001	8526 Rainbow Row
Timothy Adams	5B1201150020	5876 Sunset St

Name: <i>Betty Louise Hallum</i>	Parcel Number: <i>5B2501560110</i>
Date: <i>7-11-2023</i>	Assessment Year: <i>2023</i>
The following shows the reason(s) I was unable to submit the exemption application by the established deadline: <i>I needed to wait and see if additional family members might remain living with me and they are not. They moved out of town.</i> <i>Betty L. Hallum</i>	

CBJ-Assessor's Office

JUL 24 2023

Assembly,

I was unaware that I needed
to file annually for Sr Citizen
Property Hardship Exemption.

I just retired last Dec +

I am amazed at everything

I need to know about

my benefits -

Thank you for your
consideration. It helps
me so much!

Sincerely

Cynthia Hubson

6/29/23

Dear Assembly:

I didn't know of the deadline
regarding the haul stop.

Derek Bennett Sr
(907) 780-6090
5876 Lund St
Juneau, AK 99801

AUG 04 2023

Aug. 4, 2023

REF: 2023 Property Tax

TO The Assembly:

We just became ^{aware} of the Hardship
Exemption & we didn't know
about the deadline for
filing.

Please consider our late filing.

Hoping for your consideration
to this matter.

Sincerely,
Maxine C. Duran

JUL 03 2023

Name: James Hammond	Parcel Number: 4B2801100160
Date: 7/3/23	Assessment Year: 2023

The following shows the reason(s) I was unable to submit the exemption application by the established deadline:

I confused the application date with sales tax deadlines and was somehow unaware that it was an April deadline. We had the information but somehow failed to act on it.

J Hammond

CBJ-Assessor's Office

JUL 26 2023

TO THE ASSEMBLY

I JUST MY TAX BILL. NOW I
DIDN'T KNOW THE AMTSHIP EXEMPTION
PLEASE CONSIDER MY LATE FILE

JOSE B CARRILLO
Joaquin Carrillo

JUL 31 2023

Section N, Item 22.

Name: <u>Julie Carrillo-Magallanes</u>	Parcel Number:
Date: <u>7/31/23</u>	Assessment Year: <u>2023</u>

The following shows the reason(s) I was unable to submit the exemption application by the established deadline:

I wasn't aware of the deadline.

Julie Carrillo-Magallanes
3082 Alameda Circle
Irmau, Ak 99801
907.321-8841
email: julie.carrillo54@gmail.com

JUN 30 2023

Name: <i>MARK HILDEBRAND</i>	Parcel Number: <i>2DC40T480270</i>
Date: <i>6/30/23</i>	Assessment Year: <i>2023</i>
The following shows the reason(s) I was unable to submit the exemption application by the established deadline: <i>I THOUGHT THE DEADLINE DATE WAS AS LISTED ON THE "CITY SENIOR CITIZEN HARDWARE SALES TAX REBATE" NOTICE,</i>	

CBJ-Assessor's Office

AUG 08 2023

Dear Assembly,

I was not aware of the
deadline. Please consider
my late file.

Sincerely,
Rita George
August 8, 2023

Name: Robert & Betty Melley	Parcel Number: 4B180101030170
Date: 07/18/23	Assessment Year: 2023

The following shows the reason(s) I was unable to submit the exemption application by the established deadline:

My name is Jeanie Melley and I am Power of Attorney for my parents Robert and Betty Melley. Betty is blind and both are experiencing age related memory issues (he is 90, she is 91) and I have taken over their financial affairs in the past few years. I failed to apply timely for their financial hardship exemption and it should not reflect on them. I recently was able to finish my divorce, and it has been a struggle. It was 4.5 years of mediation to end a 40 year marriage and it has been a struggle for me. I was finally finished 5/1/23. Please reinstate their hardship extension - my struggles were not their fault and I would hate to see them penalized ~~for~~ for my issues - which are now resolved! I will endeavor to

do a better job in the years to come.

Thank you,

Jeanie Melley POA
for Robert and
Betty Melley

CBJ-Assessor's Office
AUG 01 2023

AUG 01 2023

Name: <u>Tessie BALES</u>	Parcel Number: <u>10060K580010</u>
Date: <u>8/1/23</u>	Assessment Year: <u>2023</u>
The following shows the reason(s) I was unable to submit the exemption application by the established deadline: - No form of transportation. - I did not know about the Senior Citizen RP Hardship Exemption form - I only live by myself	

CBJ

JUL 31 2023

I WAS NOT AWARE OF THE
DEADLINE, PLEASE
RECONSIDER.

June C. Arlt

Received
AUG 04 2023
CBJ-Assessors Office

P.O. Box 210307
Auke Bay, AK 99821-0307

ptstephens@alaskan.com

907-789-7603

July 31, 2023

To The Assembly:

We were surprised when we received the 2023 Real Property Tax Bill for our home, Parcel No. 8B3601010011 at 18881 Trails End Drive, USS 2388 Lot H-A. For several years we have received a Senior Citizen Real Property Hardship Exemption, but it was not applied for 2023. We did receive our Senior Citizen Sales Tax Hardship Rebate, but we thought we had also sent the application for the Real Property Hardship Exemption. When we noticed that the hardship exemption was not applied to our real property tax bill, we soon, on July 14, 2023, wrote to the CBJ Assessor's Office including the application with a copy of the 2022 Form 1040 tax return. Upon receipt, Mr. Tony Perletti of the CBJ Assessor's Office confirmed that they had not previously received these materials.

We hope you can still apply the exemption, so the Treasury can send us an adjusted tax bill. Thank you for this consideration.

Sincerely,

T. Anthony Mecklenburg

Catherine W. Mecklenburg

T. Anthony Mecklenburg
Catherine W. Mecklenburg

Received

Section N, Item 22.

AUG 16 2023

8/12/2023

CBJ-Assessors Office

Dear Assembly,

Please accept my apologies for filing late .

This is a program that I was not aware of until my bookkeeper suggest that I look into it.

However the deadline for filing was already past due but I just took a chance and filled out the application and turned it in.

Thank you for considering my application at this late date.

Regards,

Melanie Melvin

A handwritten signature in cursive script that reads "Melanie Melvin".

Name: Beverly A Agler	Parcel Number: 780801060180
Date: 7-6-23	Assessment Year: 2023
The following shows the reason(s) I was unable to submit the exemption application by the established deadline: I believed that I had applied for this exemption in August 2022. At that time, I took the day off and went to the city offices to apply for my senior exemptions. That day, I received my sales tax card (senior card). I was aware of the property tax exemption, and I made a point of asking at the front window and in the sales tax office about it. I was told that I would not qualify for 2022 because my birthday was in August and it was too late for 2022. But I was told that it was now "taken care of." I did not know that I needed to go to a third place to complete another form. Thus, I understood that I everything I needed to do to be eligible for the senior exemption had been completed, and I was a bit shocked when I opened my tax bill this year and I had not received it. I apologize for not following up prior to this, but I believed that everything was in place. Please grant the refund for this year, as I do qualify, and understood from my experience at the CBJ office that I had completed all necessary paperwork. Thank you. 	

Received

JUL 20 2023

CBJ-Assessors Office

COT Assnldy,

I Have Just received my military Veterans
50% Disability Letter, Respectfully request
a Property Tax Exemption based upon the Attached
Information from Veterans Affairs

Sincerely

Dawn V. VISO

2710 Fritz Cove Rd

Tucson AZ 85701

907-209-1765

July 17, 2023

To: CBJ Assembly,

I, Carolyn Martin, was not aware of filing the exemption application for Senior Citizens and didn't know the deadline date.

Please consider my late filing as I have been out of town visiting my grandchildren.

I can be reached @ 723-3293 if you have any questions.

Thank you very much,

Carolyn R. Martin

CBJ-Assessor's Office

JUL 19 2023

TO: CBJ ASSEMBLY

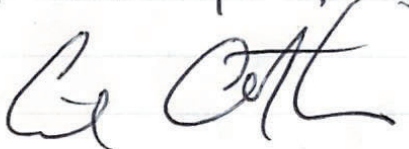
FROM: CURTIS CLOTHIER
115 WIRE ST.
JUNEAU, AK 99801

ASSEMBLY MEMBERS

I WAS RECENTLY MADE AWARE OF THE
SENIOR CITIZENS EXEMPTION FOR CBJ
PROPERTY TAX PURPOSES.

I AM RESPECTFULLY SUBMITTING MY
PAPERWORK FOR 2023.

FOR THE RECORD, I TURNED 65 ON
8/12/21.

Thank you,


907-321-6204

OBJ-Assessor's Office

AUG 02 2023

Aug 2, 23

Dear Sir,

We were not aware of the
the deadline to file for the
Senior property tax exemption.

Thank you for your time to
review our application.

Dayton W. Canaday
x Dayton W. Canaday
8-2-23

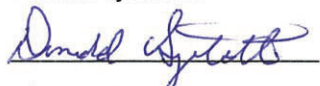
CBJ Assessor's Office
155 S. Seward St
RM 114
Juneau, AK 99801

To Whom It May Concern:

I am providing this letter as a supplement to my submitted CBJ Senior Citizen Real Property Tax Exemption Application for the 2023 tax year. My wife and I moved to Juneau in October 2022 to be close to our son and his family, and were not aware of the exemption option. We understand that the application deadline has passed, but are requesting that the exemption be applied to our 2023 real estate tax statement, and a revised statement be provided. Thank you for your consideration.

Regards,

Donald Sjostedt


7-14-2022

Date

CBJ-Assessor's Office

JUL 14 2023

Dear Assembly,

I was not aware that the senior exemption was in the previous owner's name and assumed I would get the exemption this year. I just became aware that I need to apply. Please consider my circumstances with this late file request.

Anna L. Carathetos
7-14-2023

JUL 05 2023

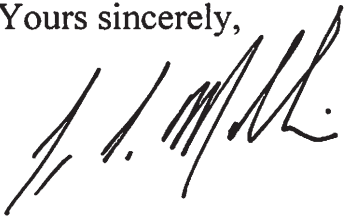
07/03/2023

City & Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801

Dear Assemble Members,

With all due respect I am writing to you with regards to my property tax. I reside at 5875 Glacier Highway #39 in Creekside Park. My wife passed away on August 24, 2020. The title to the mobile home, in which I reside, was transferred to my name in March of 2021, as per her will. I was unaware that I needed to notify the assessors office of the title transfer. I assumed (trough my ignorance) that DMV would make that known to them. I do, as did my wife, qualify for the senior tax exemption. My hope is that you will forgive this property tax bill, as the assessed value of the home is under the \$150,000 value. Thank you for your consideration in this matter.

Yours sincerely,



Gregory S. McLaughlin

Harold Henricksen
17290 Glacier Highway
Juneau, Alaska 99801

CBJ-Assessor's Office
AUG 01 2023

City and Borough of Juneau
155 S Seward
Juneau, Alaska 99801

July 30, 2023

To Whom It May Concern:

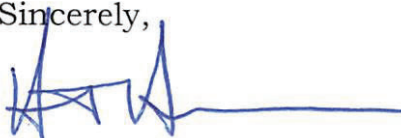
I am drafting this letter as an application for an extension of the filing deadline for the CBJ Senior Citizens Real Property Tax Exemption.

On 4/15/2022 my wife and I visited the CBJ office that issues the Senior Citizen Sales Tax Exemption. We were issued sales tax exemption #34759. At the time of this issue the gentleman in charge directed us to the City Assessors Office to apply for the Property Tax Exemption. After completing the application for the exemption, the person in charge of this office informed us we would be required to complete a deadline extension letter in order to qualify for the available exemption for that year. Upon review of the acceptable reasons for issuing the exemption we determined we were probably not eligible as not knowing of the deadline is not a valid reason for granting an CBJ Real Property Tax Exemption extension. At that time, we decided not to pursue the extension for 2022 Real Property Tax Exemption.

After receiving our 2023 Real Property Tax bill it was apparent, we had not received the exemption for the current year either. I contacted the city Assessors office to inquire why we had not received the allowable exemption and they were unable to locate our previous application. It appears there was some miscommunication between the CBJ Assessors office and my wife and I regarding the status of the application. We left under the impression that we had filed for the Real Property Tax Exemption and would receive the exemption the following year.

Please consider validating the extension for 2023, our understanding was that our application has been on file since 04/15/2022.

Sincerely,

A handwritten signature in blue ink, appearing to be 'H. Henricksen', with a long horizontal line extending to the right.

Harold Henricksen

Received

AUG 09 2023

CBJ-Assessors Office

8/9/23

To the Assembly-

I was not aware of
the deadline for
senior property exemption.
Please consider my
late application.

Respectfully,
Dannier E. Moore

19415 Glacier Hwy
Juneau, AK 99801
PO Box 210522
Auke Bay, AK 99821
July 14, 2023

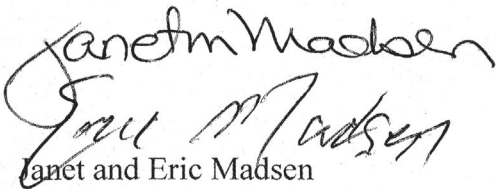
City and Borough of Juneau Assembly
c/o Tony Perletti
Assessor's Office
City and Borough of Juneau

Dear CBJ Assembly Members:

This letter requests your consideration of our Property Tax Exemption Application, which is late. Although we applied several years ago for a sales tax exemption card (which, for philosophical reasons, we rarely use), we did not know until recently that a partial property tax exemption was also possible. We would like to explore this option.

Thank you for your consideration.

Sincerely,


Janet and Eric Madsen

JUL 03 2023

JUL 03 2023

JUL 03 2023

CBJ-Assessor's Office

Name: <u>Jerry Rounsley</u>	Parcel Number: <u>5B2401150031</u>
Date: <u>7/3/23</u>	Assessment Year: <u>2023</u>
The following shows the reason(s) I was unable to submit the exemption application by the established deadline: Property was in my mothers name and now in mine. I wasn't aware until now of this process.	

Kathleen S. Lea

4105 Dogwood Lane
Juneau, AK 99801
907-723-1911

City and Borough Assembly of Juneau

August 26, 2023

To the Assembly:

I am requesting approval for acceptance of my late filed Real Property Tax Exemption application. I am a senior citizen who had the exemption for my previously owned condominium in Douglas and believed I had filed for an exemption for my new house on Dogwood Lane in Juneau at the time I purchased my new home. My application was apparently not received at that time but due to my escrow account set-up which automatically sets up my property tax payments, I did not realize that it was not in effect until this week.

I realize I am passed the March 31, 2023 deadline for filing but ask for approval to accept my late filing due to my mistake in not realizing the exemption was not already in place. Thank you for your consideration in this matter.

Warm Regards,



Kathleen S. Lea

July 3, 2023

City and Borough of Juneau
Office of the Assessor
155 S. Seward Street
Juneau, AK 99801

Hello,

I am writing in regard to the 2023 Real Property Tax Bill for Parcel Number 582401010170 (8538 Steep Place). I was dismayed to see my name was not on the bill, and that it did not include the Senior Property Tax Exemption.

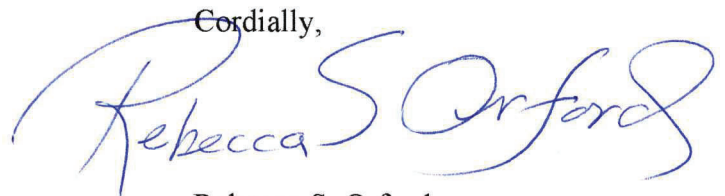
When my husband removed his name from the deed, he did not realize that I, having been on the deed since the property was purchased, did not automatically become the primary owner of record, and that since we are both on record with the city as Seniors, the property tax exemption would not automatically apply.

The property record should show me as the primary owner of record, and my daughter Ariana Rebecca Orford as secondary.

I have attached my application for Real Property Tax Exemption with this e-mail. If you need additional information, you can e-mail me at rorfordak@gmail.com, or call 907-789-5439, or text me to my cell phone, 907-209-4486 (I often miss calls to my cell phone, the landline above is better for messages), or call my husband at his cell, 907-500-5057.

Thank you for your assistance with this.

Cordially,



Rebecca S. Orford

Received

JUL 27 2023

July 25, 2023

CBJ-Assessors Office

Dear Members of Assembly of CBJ.

Please accept my late filing
for sr. tax assessment reduction.

I was unaware of the filing
deadline date.

Also I had a dental appt in Mexico
to finish implants in March.

My permanent residence is my
home here that I own
20147 Cohen Dr. Juneau, AK 99801
Tee Harbor Alaska BL4 Lot 19

My official name on birth
certificate is Teresa Ruth Lamphere
by everyone calls me "Ruby" T.
for the last 52 years.

Please accept my apology for
late filing and grant me

this reduction in prop taxes
as it will greatly help my financial situation.

Thank you

Ruby T. Lamphere
Teresa 206 502 8613

Received

Section N, Item 22.

JUL 14 2023

CBJ-Assessors Office

7/14/23

Dear Juneau Assembly Members:

My husband Jeff Carpenter passed away a few years ago. I just finished changing the estate to just show my name. I did not realize I needed to do anything else for the CBJ to continue to receive the Senior Citizens Discount. I am a senior citizen myself (DOB 8/9/54) and request that you approve continuing the Senior Citizen's Discount.

Thanks for anything you can do to help.

Susan Burns

Parcel # 5B2101530001

P.O. Box 32762

Juneau AK 99803

Received

JUL 10 2023

CBJ-Assessors Office

As I turned 65 in Oct of 2021

~~I had expected on a~~

mis informed on
I was understood when I was eligible

for this. ALSO I have had multiple Health

Issues which has consumed my

Ability to function on certain levels



Applicant Information

Business / Individual *

Gary Tigar, Grant Creek Homes

Address *

1765 Palo Verde Blvd. S.

Street Address

Lake Havasu City

City

AZ

State / Province / Region

86403

ZIP / Postal Code

Phone *

(928) 566-4007

Email

garytigar@sbcglobal.net

☒ Add Another Business/Individual

Business / Individual - 2 *

Murray Walsh, Walsh Planning & Development Services

Address *

2974 Foster ave

Street Address

Juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone *

{907} 723-8444

Email

murray@acsalaska.net

CBJ Land Information

The [CBJ Assessor's Database](#) will provide information regarding site address and legal description. The [CBJ Parcel Viewer](#) tool can provide necessary maps needed to complete this application.

Site Address *

4305 North Douglas Highway and the 8 acre parcel to the south

Legal Description *

USS 2135 TR 1 TR.A

Provide Brief Description of Your Proposal *

To trade a portion of the Applicant's property to the CBJ in exchange for a portion of CBJ-owned land above USS 2135 TR 1 TR.A as shown on the attached drawing. The newly configured property will then be subdivided for small single family homes on small lots.

Provide a Map of CBJ Land you wish to Purchase *

[Grant-Crk-Ph-III-7142021-TradeMap.pdf](#) (+) (x)

Have you mailed the \$500.00 filing fee? *

- ☒ Yes
- ☐ Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:
The City and Borough of Juneau
Attn: Lands and Resources Division
155 S. Seward St.
Juneau, AK 99081

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual *

Gary
First

WTigar
Last

Legal Representative of Business / Individual -2 *

Murray
First

Walsh
Last





Planning Commission

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/community-development/planning-commission

155 S. Seward Street • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: September 1, 2022
File No.: PAD2022 0002

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal: Property Acquisition and Disposal review for the acquisition and disposal of land by the CBJ

Property Address: 4305 North Douglas Highway and North Douglas Highway

Legal Description or ROW name: USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 Fraction

Parcel Code No.: 6D0601110020, 6D0601130010, 6D0611000010

Hearing Date: August 23, 2022

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 11, 2022, and recommended that the Assembly direct CBJ staff to initiate the proposed land swap.

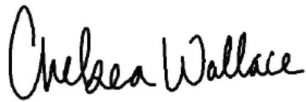
Attachments: August 11, 2022, memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding PAD2022 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

Michael LeVine, Chair
Planning Commission

September 6, 2022

Date



Filed With Municipal Clerk

September 6, 2022

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

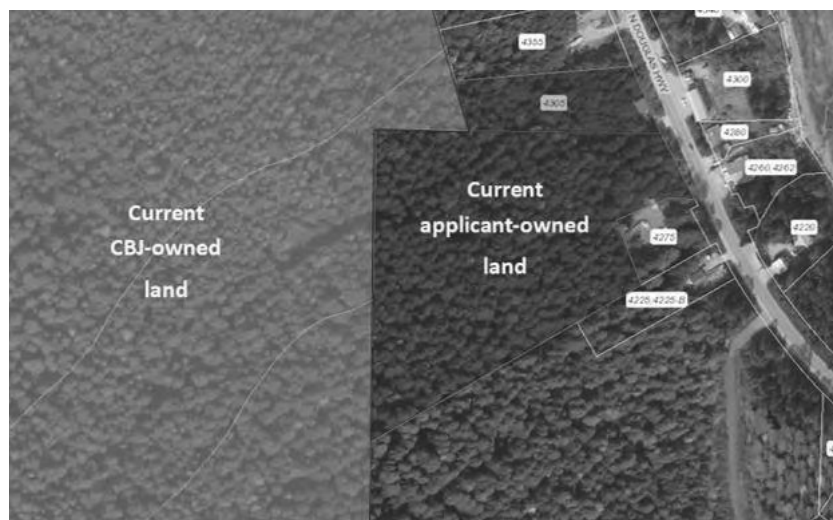
(907) 586-0715

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

- Land disposal is in general conformity with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2016 CBJ Land Management Plan.
- The Land Management Plan designates this city property as retain/dispose.
- The applicant is seeking to purchase 140,394 square feet of CBJ land and would like to sell the CBJ 105,347 square feet of land.
- Creation of buildable lots is in the public interest.
- Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 53.09.260



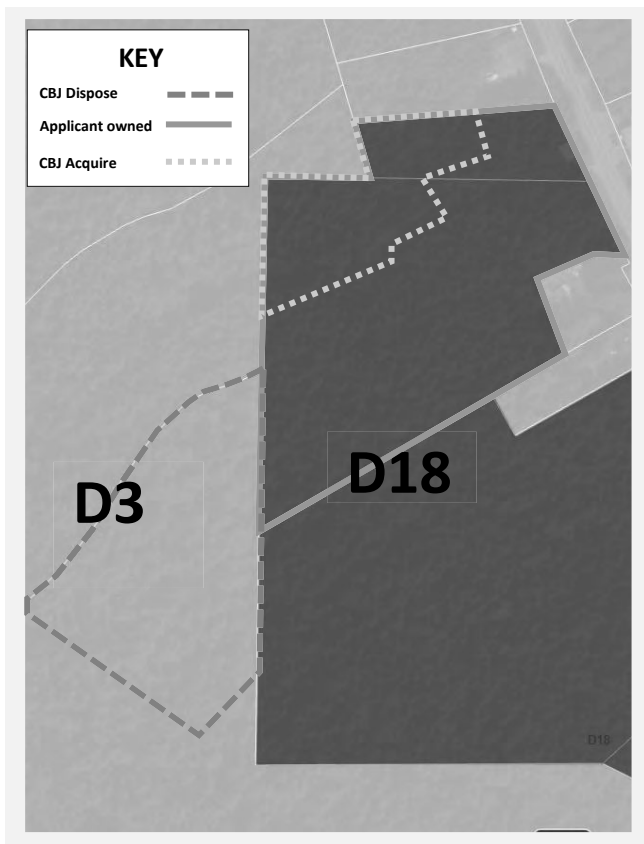
GENERAL INFORMATION	
Property Owner	Grant Creek Homes / City & Borough of Juneau
Applicant	Murray Walsh, WPDS/ City & Borough of Juneau
Property Address	4305 North Douglas Highway & North Douglas Highway
Legal Description	USS 2135 Tract 1 Tract A, USS 2305 Lot 15, USS 4605 FR
Parcel Number	6D0601110020, 6D0601130010, and 6D0611000010
Zoning	D18 and D3
Land Use Designation	Medium Density Residential (MDR) & Urban Low-Density Residential (ULDR)
Lot Size	Approximately 699,524 square feet (16.06 acres)
Water/Sewer	CBJ
Access	North Douglas Highway
Existing Land Use	One single-family structure
Associated Applications	N/A

The Commission shall hear and decide the case per CBJ 53.09.260 – Negotiated sales, leases, and exchanges:

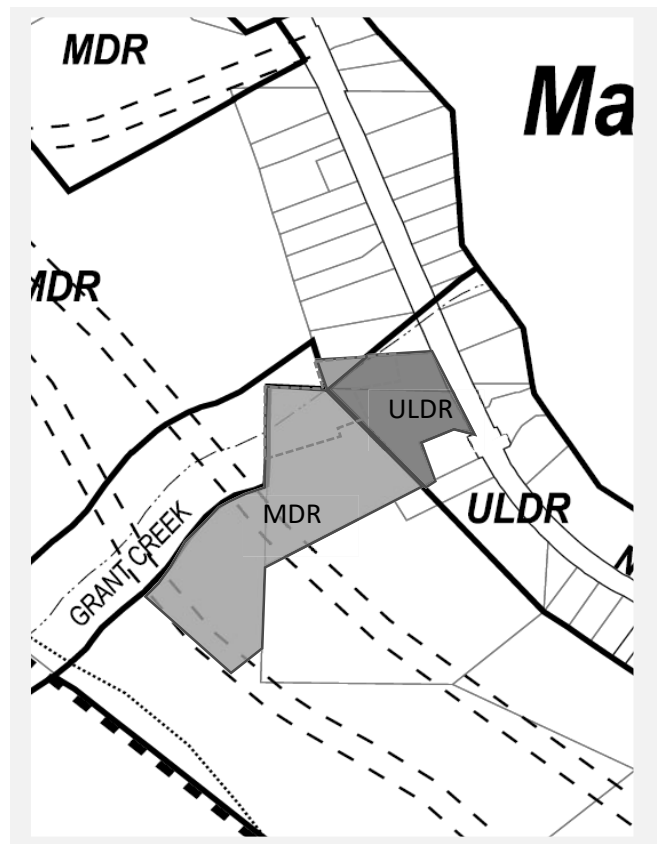
- (a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.*
- (b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.*

CBJ 49.10.170(c) Planning Commission Duties: *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by CBJ Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



SURROUNDING LAND USES AND ZONING

Direction	Zoning District	Land Use
North	D3 – Residential	Single-family structure
South	D18 & D3 – Residential	Vacant
East	Right-of-Way	North Douglas Highway
West	D3 – Residential	Vacant

BACKGROUND INFORMATION

Project Description – The applicant is seeking to sell 105,347 square feet of land to the CBJ ① and purchase 140,394 square feet of land from the CBJ ②. This land swap is being proposed as a means of creating additional buildable lots within the CBJ, in conformity with the 2013 CBJ Comprehensive Plan. In addition, the land being conveyed to CBJ would be included in the existing designated stream buffer to extend protection of Grant Creek, an anadromous waterbody. This effort is also in conformity with the 2013 Comprehensive Plan.



Background – The table below summarizes relevant history for the subject parcel and proposed development.

Item	Summary
Rezone ORD2010-14am	Rezoned three lots on North Douglas Highway from D3 to D18 in 2010.

Existing Conditions – In order to more efficiently describe the project, each section is labelled with a number corresponding to the action that will be taken by this land swap. These parts are not discrete units following property lines, and include portions of three separate lots. In addition, the maps contained within this report are approximate and meant solely for illustrative purposes.

The lot is currently vacant and forested with 12% slopes according to the provided preliminary site plan. A single-family dwelling exists on the northeast portion of the lot at 4305 North Douglas Highway.

CBJ 53.09.200(b) – Purpose and intent. The purpose and Intent of CBJ Title 53.09.200(b) is:

- 1. Inclusion in Land Management Plan. Except for property acquired by tax foreclosure or reconveyance agreement, real property should not be conveyed prior to inclusion in a land management plan.*

The Land Management Plan designates this city property for disposal as retain/dispose.

ZONING ANALYSIS FOR INFORMATIONAL PURPOSE

Zoning Generally – The proposed area for disposal and acquisition encompasses 245,741 square feet of land and spans two zoning districts – D3 and D18 Residential. Density on the lot will need to meet the standards of each respective zoning district, including using the stricter standard when lots within two different zoning districts abut one another. To maximize the density of the lot, a rezone may be sought.

Table of Permissible Uses – The proposed use of the land is for single-family residential lots. This use is appropriate for the D3 zoning district and is also a permissible use in the D18 zoning district. The CBJ encourages maximizing density where possible, particularly in areas zoned for multi-family developments within the urban service area.

Table of Dimensional Standards – Depending on the density that the applicant is seeking, a rezone may be necessary to fully take advantage of these lots, as there are currently two zoning districts regulating the lot, D3 and D18.

Zoning District	Minimum lot size	Bungalow Lots	Duplex	Commonwall
D3	12,000 square feet	6,000 square feet	18,000 square feet	N/A
D18	5,000 square feet	2,500 square feet	N/A	2,500 square feet

Other Required Permits – A major subdivision permit will be required for future subdivision of the site.

Roadway Classification Maps – The lots are adjacent to North Douglas Highway which is classified as a minor arterial.

Hazard Areas – A portion of USS 2135 Tract 1 Tract A and USS 2305 Lot 15 are within the Zone A flood zone.

COMMUNITY SERVICES

Service	Summary
Urban Service Boundary	Within the urban service area
Water/Sewer	CBJ
Fire Service Area	Within the fire service area
Schools	Juneau School District

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes Conservation, Historic, and Archeological Resources which may be affected by the acquisition and disposal of approximately 16 acres of land between the CBJ and the applicant.

Resource	Summary
Conservation Areas	None
Wetlands	No known wetlands on site.
Anadromous	An on-site stream is only anadromous below North Douglas Highway, and is not anadromous on the lots being reviewed. Streams are only anadromous where designated by Alaska Department of Fish & Game.
Impaired Waterbodies	None known.
Historic	None.
Archeological	None known.
Comprehensive Plan View sheds	None

This land purchase by the CBJ would extend the 200-foot designated stream corridor surrounding Grant Creek, in line with the 2013 Comprehensive Plan.

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN – The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
4	37	Policy 4.2	<i>To facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.</i>
7	79	DG2	<i>On publicly-owned lands, designated on the Land Use Code Maps as not appropriate for development an area extending 200 feet from the Ordinary High Water Mark of the shorelines or stream corridors of the anadromous fish creeks, streams, and lakes listed in the most recently CBJ-adopted Alaska Department of Fish and Game inventory of anadromous fish streams.</i>
17	226	Policy 17.2	SOP4: <i>Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage. Coordinate activities with an orderly system for extending and constructing the public facilities and services called for in the transportation/public facilities and services element of the Plan.</i>

2013 COMPREHENSIVE PLAN – The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

			This application is in conformity with the Adopted 2013 Comprehensive plan Policy 17.2 SOP4. The stated intent of the application is to subdivide the land for future housing development. There is a significant demand for all types of housing in the CBJ. This purchase would be in the broader public interest to provide more buildable lands for housing development.
--	--	--	--

2016 HOUSING ACTION PLAN – The proposed text amendment complies with the 2016 Housing Action Plan

Chapter	Page No.	Item	Summary
Part 2	36	Develop Housing Choices to Accommodate Juneau's Workforce Needs	The applicant has stated that they are seeking to create, " <i>small, affordable lots</i> " through this land purchase. Currently, there is no requirement that the development qualify for affordable housing as defined by the Department of Housing and Urban Development standards.

2016 CBJ Land Management Plan – The proposed text amendment complies with the 2016 CBJ Land Management Plan

Chapter	Page No.	Item	Summary
N/A	7	Goal 1	Continue the land disposal program which systematically places CBJ land into private ownership.
N/A	112	Recommendations	<i>Disposal of large tracts to private developers.</i> This proposal is in conformity with the 2016 CBJ Land Management Plan by providing disposal of large tracts of land to private developers. The plan designates this tract as retain/dispose.

AGENCY REVIEW

CDD conducted an agency review comment period between July 13, 2022 and July 27, 2022. Agency review comments can be found in Attachment C.

Agency	Summary
General Engineering	No concerns with the land swap.
Assessor	No comments received.
Alaska Department of Transportation & Public Facilities	No comments received.

PUBLIC COMMENTS

CDD conducted a public comment period between July 19, 2022 and August 1, 2022. Public comments can be found in Attachment D.

FINDINGS

In accordance with CBJ 49.15.580, staff finds the proposed acquisition and disposal of land by the CBJ complies with the Title 49 Land Use Code and is in general conformity with adopted plans, specifically the 2013 Comprehensive Plan, the Housing Action Plan, and the CBJ Land Management Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the acquisition and disposal of land by the CBJ.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Public Notice Materials
Attachment C	Agency Comments
Attachment D	Public Comments
Attachment E	Reviewed Materials



CBJ CLERK

AUG 04 2023

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OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202

Phone: (907)586-5278 Fax: (907)586-4552

email: city.clerk@juneau.orgAssigned Assembly Appeal
#2023-AA01

Notice of Appeal

This appeal is governed by CBJ 01-50, the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

- ☒ Agency Appealed From: Planning Commission
- ☒ Description and Date of Decision: USE 20230003 Phase of Floating
July 11, 2023 hearing, July 20, 2023 Dock
Notice Filed

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

- | | | | | |
|---|--|--------------|-----|-----------------------|
| ☒ Party Filing Appeal | Mailing Address | Telephone | Fax | Email |
| KARLA HART | 4950 WREN DRIVE
JUNEAU AK 99801 | 907-957-6723 | | KarlaJHart@gmail.com |
| ☒ Parties Who Won the Decision Appealed | Mailing Address | Telephone | Fax | Email |
| Huna Totem Corporation | 9301 Glacier Highway Ste 200
Juneau, Alaska 99801 | 907-789-8504 | | fparady@hunatotem.com |

1 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:

- (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
- (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
- (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.

(b) The burden of proof is on the appellant. (Serial No. 92-36

☐ 2 (part), 1992).

-over-

AUG 04 2023

Section N, Item 24.

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2016 - Appeal Form

Page 2 of 2

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them: argument will be heard later.

Inadequate outreach for a project of this magnitude and know controversy.

Sloppy review by staff, including lack of data and analyses on many items, including health and welfare.

Demonstrated biases in information presented, phasing the project approval and no detailed info on dock or plan use.

Conditions that are in conflict with city policy (VITF).

Issues are continued on 5 pages of typed for reasons of space and legibility!

Relief Requested

What should the Assembly do with the action being appealed: send it back, modify it, or something else?

- 1) Appoint an independent hearing office.
- 2) Revoke this CUP
- 3) Since this approval was phased and uplands split out to USE 2023 0010 and that suffers the same lack of data and analyses, require the entire project be rejoined and returned to Community Development for complete review, data, analysis and then robust outreach to ensure outreach reflects the project magnitude and scope of impacts.

Signature

If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.

Date

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.

-over-

*continued
from Appeal form*

Directions are to "Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them, argument will be heard later."

Note that I have no model of what is meant by "concisely describe the legal and factual errors" and am not an attorney, I am an active and involved citizen is approaching this as the same. I don't want to be excluded from raising issues because I thought they were part of the argument and the hearing officer chooses to interpret as legal and factual errors. This detail is attached to my ever-so brief summary of legal and factual errors handwritten on the form.

Unless stated otherwise, page numbers refer to the June 29, 2023 staff report from Irene Gallion to Michael LeVine.

Outreach, including the description of a mixed use development that "includes a floating dock," with a street address of 0 Egan Drive was inadequate for a project of this known level of controversy and community-wide impact, as well as for the timing during the summer when locals are traveling, working seasonal jobs, and otherwise not proactively looking at meeting agendas.

CDD appears to confound the past and present property owner's outreach and consider private events (Rotary, Chamber, Southeast Conference) and bar and basketball venues as public meetings. The Hanger Ballroom, closest to a meaningful public meeting, was on January 30, the same day the Assembly had a public hearing on "Resolution 3011 A Resolution Adopting Cruise Ship Tourism Policy Objectives from the Visitor Industry Task Force Final Report."

The Community Development Director was in error with respect to appropriate public outreach.

Despite a notedly (by the commission, relating to Phase 3, by this appeal, far more) incomplete application, concerns expressed about approving the project in phases, the observation of public involvement lacking, and without any substantive discussion of the dock and related impacts, or the details of the proposed staff conditions relating to the dock, the Commission chose to separate approval of that out from the rest of the project and approve a CUP for the dock **PHASE**.

The **project review was sloppy and reads more as an advocacy document** by selection of information to include, and to bury or exclude, and by wording than a thorough and objective review expected of planning staff. A lack of page numbers on the 300+ page packet hinders review.

Page 3 in background information states that "the original application was for the uplands. The Applicant added the dock to this application rather than apply for a separate one. Revisions have resulted in some redundancies in the submission." The public notice to abutters, printed June 2, 2023, includes the dock. Yet, throughout the document the dock project is neither integrated full for consideration, nor pulled out as a standalone with complete evaluation.

Examples from Gallion to Levine, June 29, 2023

"The proposal moves reception of over 100 thousand passengers out of the congested downtown dock area." (page 1)

"A dock will allow larger ships, increasing Juneau's cruise ship visitor capacity by 25 percent." (page 21)

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"Applicant is limited to one large cruise ship unless they subsequently modify the Conditional Use Permit with Planning Commission approval." (page 1)

Pages 25 and 26 note the limit of five large ships as a CBJ management issue, yet suggest the possibility of approval for a dock for a second large ship in the future.

"Two additional moorages for smaller vessels could be provided under the current vehicle regime..." (page 1) These statement leaves a gaping opportunity by ambiguity.

"The dock will not accommodate lightering from a cruise ship at anchor if that ship is over 750 feet or accommodates more than 950 passengers." (page 22) Page 25 Waterfront Plan info: "No berthing or lightening outside of the area encompassed by the plan." "Summary, CBJ manages current lightening facilities and would deny access to a sixth ship at anchor, or anchored outside of the managed area. A proposed condition prohibits lighting from the proposed facility." NCL, when the property owner, was very clear and vocal that building the dock would physically preclude and cruise ships anchoring out and touted the environmental and safety costs of having ships at anchor.

CBJ Docks and Harbors asked for a **navigation study**. (page 23 of 30) Rather than requiring that before approval, staff/the Commission chose to make that a condition of the CUP, approving the use without knowing how the dock (and associated use) will impact harbor navigation. They also asked for clarity regarding dock fingers in the renderings. "(Attachment A2, page 12)" is referenced. I found no corresponding page. The proponent is big on renderings of their shoreside facilities but extremely vague on the dock details.

The dock is dependent upon CBJ **leasing tidelands** to Huna Totem. The public has been repeatedly assured that will be a meaningful opportunity for input on whether or not this project goes forward. That the lease is not a done deal. Yet, page 3 "The lease provides the vehicle for the Assembly to attach qualitative policy standards to the project, based on their assessment of community interest and well-being." Bias noted.

"Once the **full details of the proposal are known, should the Assembly lease land** for the development of a cruise ship dock at the Subport?" from Watt, Jan 20, 2021 to Assembly, yet in passing a CUP without the uplands and without evaluating many other aspects, including details on the dock design and complete intended use, the Assembly will not have complete information for a lease or no lease decision.

From Watt, Jan. 20, 2021 memo to the Assembly: "Docks & Harbors is currently working on the "Small Cruise Ship Berthing Plan." That plan has preliminarily identified a preferred development option that is adjacent to and coordinates with the proposed NCL development." I note no mention of any coordination or even how this dock relates to the city dock in the staff packet.

With the exception of the condition regarding the navigation study (which should predate approval, not be an add-on condition), **Docks and Harbors had questions which appear unaddressed** by the applicant, CDD, and the Commissioners.

1. Docks & Harbors requests a navigability study be conducted to ensure the alignment of the proposed HTC dock does not impede access to the AS/CT Docks or to the USCG/NOAA Docks. The

CBJ CLERK

AUG 04 2023

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study should also evaluate any unreasonable impact to larger vessels (i.e. fuel/material barges) transiting Gastineau Channel under the bridge. **The AJT Dock (former Standard Oil Dock) also should be addressed as the proposed HTC appears to block reasonable access to this derelict pier which is legally on patented private tidelands.**

4. Docks & Harbors recommends the CUP address dock electrification and expected commitment from HTC to achieve shore power (**conceptual planning document**, by date certain, **anticipated financial investment**, etc.).

5. Docks & Harbors requests the applicant provide clarity to the **finger floats** shown in the renderings. What size of slips are proposed and how will these slips be utilized in the off-season.

6. Docks & Harbors requests to know if HTC will be providing navigation safety measures such as real time current monitoring and/or meteorological sensors.

7. Given a that very large cruise ships will be moored perpendicular to shore and in close proximity to the bride, **request a hydraulic study** be conducted to determine whether disruptions to the tidal flushing under the bridge or if siltation issues will be anticipated. Additionally, **evaluate safety concerns to very large cruise ships mooring with current abeam** in the proposed dock alignment.

8. An evaluation to view-shed impacts should be considered/addressed for both the dock (with vessel) as well as the proposed upland building.

Docks and Harbors asked for **view-shed** impacts as well. The applicant provides nothing re view sheds and Juneau residents Page 25, table re Long Range Waterfront Plan, also has "new docks should address impacts to view planes." the summary response is inadequate. Ships now are up to 14 floors tall, well over 1,000 feet long, and 200 feet wide. The few dock-related illustrations provided do not address resident/off-site view sheds at all.

Page 18. "**Noise** is anticipated to be in character with Mixed Use 2 and Waterfront Commercial activities..., this project does not change or mitigate those concerns." Isn't noise supposed to be below 65 db at the property boundary in daytime? Has this been measured? The ships are coming now. A professional could/should do real noise measurements that include at different elevations as noise carries at heights and across water. "Anticipated to be" is not an analysis or data.

Page 18. Habitat. Completely blows past the fact that tidelands will be impacted and intertidal areas. Zero acknowledgment. Zero analysis.

Page 20. Under **Welfare** is a gratuitous biasing statement relating to estimates of electric rates and Greens Creek Mine and Princess interruptible power that is irrelevant to the application since shore power will not be available for years. Similarly the statements re economic indicators and the visitor survey, without also acknowledging the conflicts, stress, overtourism, discontent, objects that exist.

The condition re shore power "an appropriately sized power line is within 25 feet of the property line" indicates that there is no real analysis or work done to specify what that might be, and the "at their own expense" part only starts within 25 feet of the power line, apparently it is okay with all if the general ratepayers of Juneau cover the expenses of getting the line there.

The section on property value or neighborhood harmony just blows off any analysis with a "it is challenging due to ship size increases and the ability to enforce limitations." Completely unacceptable. No real analysis was even attempted and the impacts go community-wide.

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The City Attorney memo is referenced was Attachment D. Challenges of limiting the number of passengers. One undebatable legal option Juneau has for limits is not allowing another dock for large cruise ships.

CBJ revenue bonds for the city cruise docks do not allow the city to do things that might threaten revenues and the ability to pay back the bonds. There is no analysis of how having another dock might impact use or ability to charge prices at the city docks.

Page 25, "New docks should address **environmental impacts**, including shore power to mitigate air pollution." Summary, "The proposed dock includes cable trays.... However, a line capable of providing power needed is not currently proximate to the project." The document and application do not provide any meaningful environmental analysis. Not air pollution. Not water pollution. The bit about shore power is a red herring as there is no power to offer. Further, DEC has done modeling on the water discharges from cruise ships in the Juneau harbor and the modeling found water quality issues. CBJ should understand the discharge of any scrubber wastewater in Gastineau Channel. There is nothing in the application that addresses sewer discharge to Juneau treatment plants, sewer lines, costs, sewer system capacity and related either.

Page 28. Is the application for the requested Conditional Use Permit complete? "No further analysis needed." I've detailed missing analyses, there are likely others.

Page 28. "Will the proposed development **materially endanger public health, safety, or welfare?**" "No further analysis needed." NONE was done. The 2022 CBJ application for a grant for shore power, April 12, 2022 submitted by CBJ Carl Uchytel, clearly documents air pollution from cruise ships in Juneau and that there is inadequate electricity to provide shore power for one dock all of the time, much less for the city docks which are also seeking to electrify. A timeline for getting additional power online is years. Therefore, a full analysis of the health impacts of cruise ship emissions moved closer to that part of town and shore is needed. The finding is that "with appropriate conditions." Extensive modeling of winds along with analysis and weighing of health impacts of this pollution burden is needed. There is new evidence emerging in health scientific literature that demonstrates even lower levels of air pollution than once thought has adverse impacts on a wide range of health conditions. None of that is included. Even if on shore power once docked, ships tend to belch especially dirty smoke when maneuvering and this dock will require them to be doing tricky maneuvering, sometimes against winds and currents. That is not analyzed. So even in the best case, air pollution will be in close proximity. And where are the air intakes on the federal building, the SLAM, others?

At the July 11 Planning Commission meeting, Mr. LeVine stated that members had received a **letter from Alexandra Pierce, Tourism Manager**, but that they could not accept letters handed to them outside of the packet unless the sender were in person in the Assembly chambers at the time. She was not, she was on Zoom. Her proposed amendments to the proposed conditions for the dock put them in alignment with the VITF. **That the CDD staff did not take the content of the CBJ Tourism Manager commenting in her official capacity to clarify conditions to meet a guiding document for Juneau cruise tourism and put them forth themselves resulted in conditions that are not in compliance with adopted city policies.**

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The July 20, 2023 Planning Commission Notice of Decision states "The Project is to be conducted as described in the project description and project drawings submitted with the application... THERE are essentially no details in any project description. No information as to a depth of dredging needing (and environmental impacts of that), the details on the dock that Docks and Harbors requested, whether there are sewer connections and how that is done, no harbor traffic study to know what will be needed), no information on size, volume, other of ships (and corresponding passengers, traffic, and other community impacts. How does CBJ enforce this? Or the public monitor?

There is no acknowledgement in the CUP that there is yet the step of the Assembly considering whether or not to lease the land. This permit should be clear that the applicant has the further step of consideration of whether or not to lease the land rather than "... until the tidelands lease is recorded." There is no THE lease. They do not have a lease yet. And no guarantees of a lease.

4. "The Applicant will maintain and operate paths, parks, ... for year-round use." Is it the intention of the Commission that this be for year-round PUBLIC use or simply that the property owner uses it?

5. re shore power, "large ships" has a meaning in Juneau. So again there is the implication that ships under 950 feet might also be using the dock and not be required to use shore power. Is this what is intended? How does this protect the health of Juneau residents, as a 949 passenger ship is still quite large and emitting significant pollution?

6. All of this should have been done before issuing a permit and the results may influence how the project is built and you have not enough project description and project drawings to hold Huna Totem accountable.

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Planning Commission

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/community-development/planning-commission

155 S. Seward Street • Juneau, AK 99801



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: July 20, 2023
Case No.: USE2023 0003

Huna Totem Corporation
9301 Glacier Hwy, Ste. 200
Juneau, AK 99801

Proposal: Conditional Use Permit for mixed use development: Up to 50,000 square feet of retail and related uses, underground bus staging and vehicle parking, and a park. Includes floating steel dock up to 70 feet wide and 500 feet long.

Property Address: 0 Egan Drive

Legal Description: Juneau Subport Lot C1

Parcel Code No.: 1C060K010031

Hearing Date: July 11, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 29, 2023 as they pertain to the floating dock. The Commission approved a Conditional Use Permit for a floating steel dock up to 70 feet wide and 500 feet long. The project is to be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

1. A Temporary Certificate of Occupancy will not be issued for the dock until the tidelands lease is recorded.
2. The minimum width of the Applicant – constructed seawalk on the south side of the lot will be 16 feet wide. The minimum width of the Applicant-constructed seawalk on the west side of the lot will be 20 feet.
3. Before Temporary Certificate of Occupancy for any phase or element of the project, the Applicant will record an easement for CBJ maintenance and management of the seawalk. The easement will be at least 16 feet wide on the south side of the lot, and 20 feet wide on the west side of the

- lot. The easement will be comparable to such easements in place for other dock owners.
4. The Applicant will maintain and operate paths, parks, landscaping, and other amenities (other than the seawalk) for year-round use.
 5. The dock owner will, at their own expense, provide shore power within 24 months after an appropriately-sized power line is within 25 feet of the property line. When shore power is provided, large ships using the dock will be required to use shore power instead of ship power.
 6. Prior to issuance of a building permit, the Applicant must provide a navigability study that includes explicit consideration of access impacts to:
 - Alaska Steam Dock.
 - Cruise Ship Terminal.
 - USCG/NOAA docks.
 - Large traffic, such as material or fuel barges, transiting Gastineau Channel under the bridge.
 - The AJT Mining Properties, Inc. dock.
 - Aircraft using the area for landing and taxiing to the float plane docks.
 7. The dock is limited to one (1) large cruise ship (750 feet or more in length OR 950 or more passengers) each 24 hour period beginning at midnight.
 8. The dock will not accommodate hot berthing.
 9. The dock will not accommodate lightering from a cruise ship at anchor if that ship is over 750 feet in length or accommodates more than 950 passengers at full capacity.

The Commission (Commission) did not adopt the analysis and findings that relate to the uplands portion of the application. The Commission found that the uplands portion of the application did not contain sufficiently specific information, particularly about the portion designated Phase 3, to support a conclusion that the project as a whole would comport with Title 49, including the MU2 land use designation.

Attachments: June 29, 2023 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding USE2023 0003.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

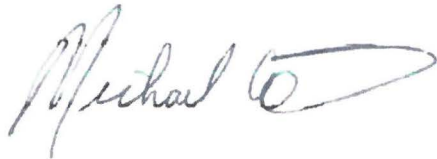
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, July 11, 2023.

Huna Totem Corporation
File No: USE2023 0003
July 20, 2023
Page 3 of 3

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Expiration Date: The permit will expire 18 months after the effective date, or January 11, 2025, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

July 19, 2023
Date

[Redacted]
File

July 20, 2032
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



TRUE NORTH
FEDERAL CREDIT UNION

P.O. Box 34157
Juneau, AK 99803
1-907-523-4700



Check No. **56387**
Section N, Item 24.
0010472023

PAY

*** FIVE HUNDRED DOLLARS AND 00 CENTS ***

EXACTLY 500 Dollars 00 Cents

\$500.00

PAY TO
THE
ORDER
OF

City and Borough of Juneau

VOID AFTER 180 DAYS

MEMO

Appeal

Madenton
CHIEF FINANCIAL OFFICER
AUTHORIZED SIGNATURE

⑈ 56387 ⑈

⑆ 325272270 ⑆

81180613 ⑈

CITY AND BOROUGH OF JUNEAU
Treasury Division

155 South Seward
Juneau, AK 99801
(907) 586-5218

DATE 8/4/2023 RECEIPT NUMBER 086217

REC'D FROM: NAME Karla Hart
ADDRESS 4950 Wren Drive
CITY Juneau,
STATE AK ZIP 99801

DESCRIPTION

ARS ☐ BUS TAX ☐ REA TAX ☐ POLICE CIT ☐ SALES TAX ☐ HBR ☐ UTL ☐ G/L ☐

OTHER PAC 1-110030101-4420.0009

CODE	AMOUNT
<u>Appeal Filing Fee</u>	<u>500⁰⁰</u>
<u>C.U.P. use 2023-0003</u>	
<u>Parcel #</u>	
<u>1C060K010031</u>	
<u>Check # 56387</u>	

RECEIVED
AMOUNT \$ 500⁰⁰ CREDIT CARD ☐
CASH ☐ CHECK ☒
REC'D BY: Beth McEwen

TREA CASH 10/88



City and Borough of Juneau
 City & Borough Manager's Office
 155 South Seward Street
 Juneau, Alaska 99801
 Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and City and Borough of Juneau Assembly
 DATE: August 18, 2023
 FROM: Rorie Watt, City Manager
 RE: Subport Development – Updated Assembly Consideration Process

In January 2021, at the COW, I provided a [memo](#) that detailed a recommended public process approach to consideration of a fifth cruise ship dock at the Subport property. Over the past 2.5 years, CBJ has used this document as guidance in the Assembly and public process around the property purchased by Norwegian Cruise Lines (NCL) and subsequently transferred to Huna Totem Corporation (HTC). This memo is intended to provide an update on the process and outline the Assembly's next steps. The "Issues and Approach" sections below will follow the same format as the 2021 memo and provide an update on each component of the process with a draft approach, all of which still hinges on three sequential questions:

1. Should a dock at the Subport be considered?
2. Should a dock at the Subport be permitted, and if so, under what conditions?
3. Once the full details of the proposal are known, should the Assembly lease land for the development of a cruise ship dock at the Subport?

Issues and Approach:

1. Long Range Waterfront Plan (LRWP)

This process is complete as recommended in 2021. This affirmatively answers the question of "should a dock at the Subport be considered?".

2. Conditional Use Permitting

- a. The Conditional Use Permit (CUP) application was heard by the CBJ Planning Commission on July 11, 2023. The Planning Commission approved the proposed dock, but not the uplands development. This CUP was appealed on August 4. A separate CUP for the uplands development was approved on August 8. As of August 18, CBJ has not received an appeal of the uplands CUP.
- b. The 2021 memo recommends that the Assembly hire an independent hearing officer in the event of an appeal. That decision is before the body tonight, and staff's recommendation stands.

- c. The Assembly should refrain from negotiations with HTC before the appeal is resolved. It would not be surprising if HTC requests to start negotiating while the appeal is still in process. The outcome of the appeal and the conditions imposed by the Planning Commission will inform the Assembly's decision on what to include in a tidelands lease. While I appreciate that an appeal delays the project proposal (and is frustrating for project proponents), I strongly believe that the public is best served by letting the appeal process run its course before contemplating next potential steps.

3. CBJ is the owner of the adjacent tidelands.

- a. If the appeal process results in approved CUPs for both the dock and uplands, the Assembly should commence tideland lease discussions with HTC, based on public process.
- b. The Assembly may consider the conditions imposed by the Planning Commission to determine whether they are adequate or if additional items should be included.
- c. While the appeal is in process, staff will work with the Assembly to design a timely public process to ensure that the items included in the tidelands lease and the decision on whether to approve or deny a fifth cruise ship dock are based on public input.

4. Adjacent or Coordinated Development.

There are two CBJ projects that need to be considered in the context of the proposed development.

- a. Docks & Harbors is currently working on obtaining funding for the "Small Cruise Ship Berthing Plan." That plan has preliminarily identified a preferred development option that is adjacent to and coordinates with the proposed HTC development. There is no timely action on these ideas necessary at this time.
- b. Engineering Department staff have been working on developing a waterfront seawalk from the bridge to the rock dump, in conformance with the Long-Range Waterfront Plan. Efforts to extend the seawalk to the AJ Dock has some momentum and are making progress.

5. Negotiations with Federal Government.

- a. The HTC proposal originally included a U.S. Coast Guard facility on one side of the proposed cruise ship dock. The Coast Guard has declined to be part of the project. The Coast Guard also owns property along the water side of the lot and the adjoining tidelands.

- b. The D&H planning effort would require negotiation and agreement with NOAA and possibly the USCG.
- c. The Coast Guard has selected the adjoining federal (Coast Guard and NOAA) lots as a homeport for a future icebreaker. This is an important priority for CBJ and any offsite impacts of the development on navigation, security, or facility access should be considered in the tideland lease discussions.

Recommendation:

Assign Appeal 2023-AA01: Karla Hart v. Planning Commission re: USE 2023-0003 Huna Totem Floating Dock to an independent hearing officer.