



2024-04 REGULAR ASSEMBLY MEETING AGENDA

February 05, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

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

Submitted By:

Katie Koester, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

- [1.](#) Proclamation Recognizing Elizabeth Djajalie, scholar in this year's Regeneration Science Talent Search
2. Proclamation: Recognizing National Engineers Week 2024 (see proclamation under Supplemental Materials)

E. APPROVAL OF MINUTES

- [3.](#) May 8, 2023 Assembly Regular Meeting #2023-11 DRAFT Minutes
- [4.](#) May 17, 2023 Special Assembly No. 2023-12 Meeting Minutes - Draft
- [5.](#) December 14, 2023 Special Assembly Meeting #2023-27 -BRH Board & Planning Commission Appointments 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

- [6.](#) Ordinance 2023-32 An Ordinance Clarifying the Process for Electing an Assemblymember Due to a Midterm Vacancy.

The date when an office of the Assembly is vacant dictates whether the Assembly appoints a successor or the voters elect a successor. Notably, CBJ Charter 3.6(b) states “The assembly by ordinance shall provide for the filling of vacancies on the assembly.” The Assembly enacted CBJC 11.10.040(a) to prescribe how vacant Assemblymember positions are filled. While that code provision provides a helpful standard, it does not provide specificity when a midterm vacancy occurs whether the Assembly appoints or the voters elect. This ordinance clarifies that ambiguity:

-If a midterm vacancy occurs more than 60 days from the election, then the voters elect the vacant position;

-if a midterm vacancy occurs within 60 days of an election, then the Assembly appoints an interim and the vacancy would be placed on the subsequent year's election.

The Assembly Human Resources Committee recommended this ordinance at its meeting on November 28, 2023.

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

7. Ordinance 2024-07 An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty.

This ordinance will help the Parks & Recreation Department manage large, non-commercial events held in municipal parks or recreation facilities. Currently, a permit is only required for commercial activities or events where admission is charged. Things like concerts, festivals, or even large weddings do not require a permit even if they attract hundreds or thousands of people to a municipal park. These types of events are happening more frequently, impacting the public’s ability to use parks and recreation facilities, and incurring significant costs to taxpayers due to excessive trash, litter, and overcrowded restrooms. This ordinance will allow the Parks & Recreation Department to (1) manage the time, place, and manner of large events in public parks, (2) require reasonable conditions to protect public safety and property, and (3) recover costs through reasonable permit fees.

The Parks & Recreation Advisory Committee discussed this ordinance on November 7, 2023 and December 5, 2023, and unanimously recommended that it be adopted.

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

8. Ordinance 2023-14(b)(Y) An Ordinance Transferring \$540,340 from Various Capital Improvement Projects to CIP R72-167 Dogwood Lane, CIP R72-169 10th, F, W. 8th Streets Reconstruction, and CIP U76-127 Collection System.

This housekeeping ordinance would transfer \$540,340 from multiple nearly complete or fully complete projects to newer projects to allow bidding and construction during the 2024 season. Due to significant continued cost escalation, projects receiving funding no longer have sufficient budgets to complete the construction stage. This transfer will allocate additional funds to complete construction on these high priority projects. Any ongoing projects will retain sufficient funds funding to cover remaining project work. Funding is provided by Water Funds and Wastewater Funds.

The Public Works and Facilities Committee will review this request at the January 29, 2024 meeting.

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

J. Resolutions

9. Resolution 3050 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

This resolution would repeal the BRH Executive Committee. The Executive Committee was created more than 50 years ago to operate the hospital when the Board of Directors was not available. The hospital, healthcare law, the provision of healthcare services, and technology significantly changed over the last 50 years that eliminates the need for an Executive Committee. Importantly, if the CEO needs Board direction, technology enables a quorum of the Board to quickly convene.

The Board discussed this topic on November 28, 2023. On January 23, 2024, the Board recommended the Assembly repeal the BRH Executive Committee from its bylaws.

The City Manager recommends the Assembly adopt this resolution.

K. Transfers

10. Transfer Request T-1070 A Transfer of \$75,590 from CIP U76-118 ADOT Project Utility to CIP U76-127 Collection System Improvements.

This housekeeping request would transfer \$75,590 of Wastewater Funds from CIP U76-118 ADOT Project Utility to CIP U76-127 Collection System Improvements. The ADOT Project Utility CIP is complete and ready to close. The Collection System Improvements CIP is in need of additional funding for rehabilitating failures and troublesome areas of the Wastewater Collection System.

The Public Works and Facilities Committee reviewed this request at the January 29, 2024 meeting.

The Manager recommends approval of this transfer.

11. Transfer Request T-1071 A Transfer of \$2,069,263 from CIPs W75-061 Douglas Highway Water - David to I Streets and W75-077 Aurora Vault Removal to CIP W75-069 Glacier Highway and Lena Loop System Scope and CIP W75-070 Cope Park Pump Station Upgrade.

This housekeeping request would transfer \$2,069,263 of 1% sales tax and Water Funds from completed Water CIPs to CIPs W75-069 Glacier Highway and Lena Loop System Scope and W75-070 Cope Park Pump Station Upgrade. These projects repairing failing water utility infrastructure are currently being designed and require additional funding for bidding and construction. The Douglas Highway Water – David to I Streets CIP is a completed project that requires no additional funding. The cost of work for the Aurora Vault Removal project costs less than anticipated, and the project will retain sufficient funding for the remaining work.

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 Public Works and Facilities Committee reviewed this request at the January 29, 2024 meeting.

The Manager recommends approval of this transfer.

12. Transfer Request T-1069 A Transfer of \$3,949,000 from Various Capital Improvement Projects to CIP R72-162 Crow Hill Surface and Utility Rehabilitation, CIP R72-167 Dogwood Lane, R72-169 10th, F, 8th Streets Reconstruction, and R72-176 Pavement Management.

This housekeeping request would transfer \$3,949,000 from multiple nearly complete or fully complete projects to newer projects to allow bidding and construction during the 2024 season. Due to significant continued cost escalation, projects receiving funding no longer have sufficient budgets to complete the construction stage. This transfer will allocate additional funds to complete construction on these high priority projects. Any ongoing projects will retain sufficient funding to cover remaining project work.

The transfer of temporary 1% sales tax funding is consistent with the intent of the 2007 1% Sales Tax initiative approved by voters in the October 2, 2007 municipal election.

The Public Works and Facilities Committee reviewed this request at the January 29, 2024 meeting.

The Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

13. Liquor License Action

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License - Renewal

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

License Type: Package Store, License: #4742 Location: No Premises, Juneau

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above license and recommended the Assembly waive its right to protest the application.

This licensee has applied for a no premises waiver for the third time and that is currently pending a final decision by the ABC Board. Copies of the documents associated with this license 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 action.

M. Other

14. FY25 Legislative Capital Priorities

N. PUBLIC HEARING

15. Resolution 3051 A Resolution Petitioning the Alaska State Alcoholic Beverage Control Board to Issue up to 20 Additional Restaurant or Eating Place Licenses within the City and Borough of Juneau Under Alaska Statute 04.11.405.

Currently, our community exceeds the number of Restaurant or Eating Place Licenses (REPLs), and there appears to be demand for more alcohol licenses. Alaska law recently changed that now allow municipalities to apply for those additional REPLs. The Assembly Human Resources Committee discussed the recent changes to alcohol licensing, considered demand, and considered the impacts to existing alcohol license holders. Ultimately, the Committee recommends the Assembly request 20 additional REPLs from the State.

The Assembly Human Resource Committee discussed this topic on November 13, 2023; December 11, 2023; and January 8, 2024.

The City Manager recommends the Assembly hold a public hearing and then decide whether to adopt this resolution.

16. Resolution 3055 A Resolution Partially Opposing the Petition Submitted by the City of Hoonah for Incorporation of the Xunaa Borough Including Horse Island, Colt Island, and the Mansfield Peninsula on Admiralty Island.

The City of Hoonah recently submitted a petition to the Local Boundary Commission to form the Xunaa Borough. The petition proposes to annex the northern portion of Chichagof Island, the Glacier Bay area, and the northern tip of Admiralty Island (including Horse and Colt Islands). The proposed Xunaa Borough would likely be beneficial to people living in, working in, and visiting the area. However, the northern tip of Admiralty Island may be challenging because it is within the City & Borough of Juneau model borough boundaries and has substantially more connections to the Juneau community than any other area. The whereas clauses in the resolution describe those connections.

On January 29, 2024, the Assembly Committee of the Whole discussed this topic and recommended the Assembly consider submitting a public comment to the Local Boundary Commission. Comments are due on February 28.

The City Manager recommends the Assembly hold a public hearing and then decide whether to adopt this resolution.

17. Ordinance 2023-36(b) An Ordinance Authorizing the Sale of Foreclosed Property Located at 520 Sixth Street by Sealed Competitive Bid Auction.

In June of 2023, the City and Borough of Juneau received a Clerk’s Deed for the property located at 520 Sixth Street (downtown/Starr Hill area) after the owners failed to pay property tax for the tax years of 2019-2022. The property consists of a 5,353 square foot lot and a 780 square foot house, which is in poor condition. The current amount owed for tax years through 2023, including penalties and interest, is approximately \$22,324.

This property will be sold through a sealed bid process and if the property sells for more than the amount owed in taxes and penalties and interest, the remainder is forwarded to the former owner and lienholders.

The Lands, Housing, and Economic Development Committee considered this topic at its meeting on July 13, 2023. The Systemic Racism Review Committee reviewed this ordinance at its January 9, 2024 meeting.

Version (b) includes a correction to the legal description of the property, and is being re-introduced as a result.

The City Manager recommends the Assembly adopt this ordinance.

18. Ordinance 2023-14(b)(U) An Ordinance Appropriating \$900,000 to the Manager for a Loan to Coogan Alaska, LLC for the Island Hills Building LMN Project; Funding Provided by the Affordable Housing Fund.

During the 2023, Round Three competition of the Juneau Affordable Housing Fund, the application review committee forwarded a recommendation for funding of \$900,000 for Island Hills Building LMN to the Lands, Housing, and Economic Development Committee on November 6, 2023. Because the requests that were recommended exceeded the available funds in the Affordable Housing Fund, \$1.6 million was appropriated from the General Fund to the Affordable Housing Fund through ORD2023-14(b)(R).

This ordinance appropriates funds for a low interest \$900,000 loan to Coogan Alaska, LLC to promote the construction of 18 units of new housing in Juneau. The loan will be secured by the property to be developed.

The Lands, Housing, and Economic Development Committee heard this at the November 6, 2023 meeting. The Systemic Racism Review Committee reviewed this ordinance at its meeting on January 9, 2024.

The City Manager recommends the Assembly adopt this ordinance.

19. Ordinance 2023-14(b)(V)(b) An Ordinance Appropriating \$2,250,000 to the Manager for a Loan to Chilkat Vistas, LLC for Chilkat Vistas Apartments; Funding Provided by the Affordable Housing Fund.

During the 2023, Round Three competition of the Juneau Affordable Housing Fund, the application review committee recommended funding this project. This ordinance appropriates \$2,250,000 for a loan to Chilkat Vistas, LLC to complete 48 efficiency apartment units. The ordinance includes an affordability requirement. The loan will be secured by the property to be developed.

The Lands, Housing, and Economic Development Committee heard this at its November 6, 2023 meeting. The Systemic Racism Review Committee reviewed this ordinance at its meeting on January 9, 2024. The Assembly Committee of the Whole recommended the Assembly adopt version (b) of this ordinance at its meeting on January 29, 2024.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

20. Ordinance 2023-14(b)(X) An Ordinance Transferring \$800,000 from CIP F22-027 Juneau Police Department Roof Replacement to CIP P44-090 Deferred Building Maintenance.

This ordinance would transfer \$800,000 from the Juneau Police Department Roof Replacement CIP to the Deferred Building Maintenance CIP. The bid for the roof replacement project came in lower than anticipated. Ordinance 2023-14(b)(G) previously transferred funds from the Deferred Building Maintenance CIP to the Juneau Police Department Roof Replacement CIP. This transfer would return excess project funding back to the Deferred Building Maintenance CIP. The Juneau Police Department Roof Replacement CIP will retain sufficient funding for the project that is scheduled to begin construction in summer 2024.

This transfer of project funding is consistent with the intent of the 2022 1% Sales Tax initiative approved by voters in the October 4, 2022 municipal election.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on January 9, 2024. The Public Works and Facilities Committee will review this request at the January 29, 2024 meeting.

The City Manager recommends the Assembly adopt this ordinance.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

Q. STAFF REPORTS

R. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

U. EXECUTIVE SESSION

V. SUPPLEMENTAL MATERIALS

21. Proclamation: Recognizing National Engineers Week 2024

W. ADJOURNMENT

X. INSTRUCTION FOR PUBLIC PARTICIPATION

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

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

**The Office of the Mayor
City and Borough of Juneau, Alaska**

PROCLAMATION

In Recognition of Elizabeth Djajalie

WHEREAS, the Regeneron Science Talent Search is the nation’s oldest and most prestigious science and math competition for high school seniors; and

WHEREAS, this year, 300 scholars were selected from 2,162 applications from 712 high schools across 46 states, Guam, Puerto Rico and ten other countries; and

WHEREAS, Thunder Mountain High School’s Elizabeth Djajalie was the only scholar in Alaska selected for this illustrious honor; and

WHEREAS, as a Regeneron Science Talent Search scholar, Elizabeth joins a group of distinguished alumni who have gone on to receive more than 100 of the world’s most esteemed science and math honors, including 13 Nobel Prizes, 11 National Medals of Science, two Fields Medals, 23 MacArthur Foundation Fellowships and six Breakthrough Prizes; and

WHEREAS, now, more than ever, our world needs more students like Elizabeth to become the next generation of scientists, engineers and innovators that will develop solutions to our world’s greatest challenges; and

WHEREAS, Elizabeth’s hometown of Juneau, Alaska is extremely proud of her accomplishment.

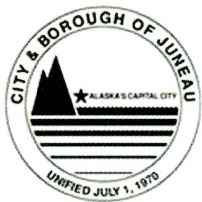
NOW THEREFORE, I, Beth A. Weldon, Mayor of the City and Borough of Juneau, Alaska, on behalf of the City and Borough Assembly, do hereby formally acknowledge and congratulate

Elizabeth Djajalie

For being named a scholar in this year’s Regeneron Science Talent Search, the nation’s oldest and most distinguished science and math competition for high school seniors.

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 5th day of February, 2024.

Beth A. Weldon, Mayor



REGULAR ASSEMBLY MEETING 2023-11

DRAFT MINUTES

May 08, 2023 at 7:00 PM



Assembly Chambers/Zoom Webinar/YouTube Livestream

A. CALL TO ORDER

Meeting No. 2023-11: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and via zoom, was called to order at 7:02pm.

B. FLAG SALUTE

C LAND ACKNOWLEDGEMENT

Ms. Gladziszewski 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!”

D ROLL CALL

Assemblymembers Present: Wade Bryson, Michele Hale, Alicia Hughes-Skandijs, Greg Smith, Christine Woll, ‘Wáahlaal Gíidaak, Maria Gladziszewski, Mayor Beth Weldon

Assemblymembers Absent: Carole Triem

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Port Director Carl Uchytíl, Engineering and Public Works Director Katie Koester, Airport Manager Patty Wahto, Lands Manager Dan Bleidorn, Bartlett Regional Hospital Chief Executive Officer David Keith, Bartlett Regional Hospital Director of Compliance Nathan Overson

E. SPECIAL ORDER OF BUSINESS

1. Proclamation - Public Service Recognition Week

Mayor Weldon presented a proclamation recognizing city, state, tribal, and federal workers for the public service they provide to the community.

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. February 27, 2023 Assembly Regular Meeting #2023-05 DRAFT Minutes

4. March 20, 2023 Assembly Regular Meeting #2023-07 DRAFT Minutes

Motion by Ms. Hale to approve the February 27, 2023 Assembly Regular Meeting minutes and the March 20, 2023 Assembly Regular Meeting minutes and asked for unanimous consent.

Hearing no objection, the minutes were approved by unanimous consent.

F. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested to remove item 9, Ordinance 2022-06(b)(AW) and said he will provide an update about permitting software at the next Assembly Finance Committee meeting

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

Michael Riederer, a North Douglas resident, asked CBJ to work with neighboring landowners to sell the assets of US Forest Service tract 4605, also known as Douglas Bench Road to allow for the building of residential homes. Mr. Riederer also requested that CBJ hold additional large and small land sales as described in the Land Management plan. He said he believes CBJ should provide additional buildable land to increase housing stock instead of focusing on increasing housing density within the existing land, which might have detrimental impact on the quality of life.

Karla Hart, a Back Loop resident, said that she was surprised at the last Assembly meeting when the executed MOU with the cruise ship industry that will impose a large five ship limit defined a large ship as 950 passengers and larger instead of 500 passengers or larger. Ms. Hart said that the 500 passenger and larger classification was used in discussion throughout the visitor industry task force. She said it seemed disingenuous to the public to change that definition, as it will allow up to 60 additional ships in 2024 since there are several ships that are under 950 passengers but above 500 passengers. Ms. Hart asked the Assembly if this was their intention, and if it was expressed concern about the public process.

H. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction - None

Assembly Request for Consent Agenda Changes

MOTION by Ms. Hughes-Skandijis to pull item 10, Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital. Mayor Weldon moved this to the first item under public hearing.

Assembly Action

MOTION by Ms. Gladyszewski to adopt the Consent Agenda as amended, which removed items 9 and 10, and asked for unanimous consent.

Hearing no objections, the Consent Agenda, as amended, was adopted by unanimous consent.

I. Ordinances for Introduction

5. Ordinance 2023-24 An Ordinance Amending the Elections Code Relating to Election Procedure.

At the January 30, 2023 Regular Assembly meeting, the Assembly directed staff to draft an ordinance which would make by mail elections the default for all CBJ elections going forward unless called for differently by the Assembly. Since that is a paradigm shift in the default method by which we conduct elections, it also required an overhaul of our current election code. Ordinance 2023-24 is mostly a housekeeping rewrite of the election code to streamline and move current by mail election sections 29.07.360 and 29.07.370 into the main body of the election code. It also provides clarity of language and codifies some of the past practices that have been in our policies and procedures into the code to enhance election transparency.

The Assembly Committee of the Whole (COW) reviewed the draft ordinance at its April 24, 2023 meeting and forwarded it to the Assembly.

The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at the Special Assembly meeting scheduled for Wednesday, May 17 immediately preceding the Assembly Finance Committee meeting.

6. Ordinance 2023-26 An Ordinance Creating a Short Term Rental Registration Program and Providing for a Penalty.

This ordinance requires owners to register the location and occupancy details of each individual short-term rental unit that they operate. Registration of individual short-term rental unit has two objectives: first, registration will assist the CBJ Sales Tax Office in ensuring compliance with sales tax and hotel-bed tax requirements, and second, registration will give the Assembly and the public greater visibility into the number, type, and geographical distribution of short-term rental units. This ordinance does not require registration for any dwelling units rented for longer than 30 days. The ordinance also provides for a penalty if owners publicly list short-term rental units without having properly registered those units with CBJ.

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

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

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

This ordinance appropriates funds for a low interest \$1.2 million loan to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. The loan will be secured by a deed of trust on the property.

The Systemic Racism Review Committee reviewed this request at the February 28, 2023 meeting and forwarded it to the full Assembly for public hearing.

At the direction of the Assembly Committee of the Whole at its March 6, 2023 meeting, the City Manager redrafted this ordinance with substantive changes requiring re-introduction.

The Lands, Housing and Economic Development Committee heard this topic on April 24th and forwarded version b to the Assembly. The Manager has updated this version c to explicitly authorize the Manager to subrogate the CBJ's interests to those of a commercial lending institution (bank).

The City Manager recommends the Assembly reintroduce this new version of the ordinance and set it for public hearing at the May 17, 2023 Special Assembly meeting at 5:30p.m. just prior to the Assembly Finance Committee meeting.

8. Ordinance 2022-06(b)(AU) An Ordinance Appropriating \$30,000 to the Manager for the Deferred Maintenance Capital Improvement Project; Funding Provided by School District Operating Funds.

This ordinance would appropriate \$30,000 to the CBJ Deferred Maintenance CIP for Thane Warehouse building repairs. The Juneau School District has agreed to pay \$30,000 of the installation fees associated with the overhead coiling door at the Thane Warehouse. The installation of this door provides improved access to the property stored at the warehouse. Maintenance and repair costs are considered instructional in nature, and therefore will be funded inside the cap from School District operating funds.

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

9. Ordinance 2022-06(b)(AW) An Ordinance Appropriating up to \$300,000 to the Manager for Community Development Permitting and Land Management Software; Funding Provided by General Funds.

This ordinance would appropriate up to \$300,000 for permitting and land management software for the Community Development Department. The software would provide an online public portal for permit and land use applications, inspection requests, status updates, and payments. The software would manage cross-departmental workflow, historical data, record keeping, and reporting for Community Development and Engineering and Public Works services while integrating data and functionality from the legacy system. The new software would increase staff productivity while offering a faster, more accurate, and user-friendly system for permit and land use applicants in the CBJ. Funding for the software would be provided by general funds.

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

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

J. Resolutions

10. Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital. Bylaws become effective upon Assembly approval by resolution. The hospital board bylaws were last amended in 2020. The hospital board has proposed an amendment, as provided in Attachment A to Resolution 3025. This resolution would adopt the hospital board’s recommended amendment to its bylaws that were approved by the board at its regular meeting on April 25, 2023. A summary of the amendment is provided in the attached documents. The amendment is straightforward and simply brings the bylaws in line with the current CBJ Code.

The Human Resources Committee reviewed this resolution at its May 8, 2023, meeting and forwarded its recommendation for adoption to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

11. Resolution 3027 A Resolution in Support of the City and Borough of Juneau’s Application for the Charging and Fueling Infrastructure Grant.

This resolution supports CBJ's application for a Charging and Fueling Infrastructure Grant for a borough wide Electric Vehicle Charging Plan and the installation of publicly accessible charging infrastructure in neighborhoods across the borough with an emphasis on providing charging in underserved and rural areas. The Electric Vehicle Charging Plan will include charging strategies for electrification of commercial and governmental fleets. The total project cost for a plan and implementation is \$5 million dollars, with a 20%, or \$1 million match. The grant is reimbursable and if CBJ is successful in its application, can be appropriated over multiple fiscal years as funds are expended.

The Public Works and Facilities Committee reviewed and approved this request at its April 24, 2023 meeting.

Juneau Commission on Sustainability reviewed this opportunity at its April 19 and May 3 meetings.

The City Manager recommends the Assembly adopt this resolution.

K. Bid Awards

12. Bid Award RFB 24-004 Term Contract for Janitorial Services at CBJ Shops.

Recommendation to Award Bid No. 24-004 Term Contract for Janitorial Services at CBJ Shops: to include, Mendenhall Waste Water Treatment Plant (MWWTP), Mendenhall Waste Water Treatment Plant-Collections (MWWTP-C), Capital Transit Bus Barn (CT) & Consolidated City Shop (CCS). Please see the attached memo from Purchasing Officer Renee Loree for complete details.

The City Manager recommends the award of this bid to Pak's Pro Cleaning Service, based on having the lowest responsive and responsible TOTAL BID price of \$102,000.00.

13. Bid Award No. 24-022 Term Contract for Roadway Deicer 'SALT' for City & Borough of Juneau Streets Division

Recommendation to Award Bid No. 24-022 Term Contract for Roadway Deicer 'SALT' for City & Borough of Juneau Streets Division. Please see the attached memo from Purchasing Officer Renee Loree for complete details.

The City Manager recommends the award of this bid to Bering Marine Corporation based on them having the lowest responsive and responsible TOTAL BID price of \$105,516.00.

L. Transfers

14. Transfer Request T-1057 A Transfer of \$75,000 from CIP R72-136 Areawide Drainage Improvements to CIP R72-128 Pavement Management.

This request would transfer \$75,000 from the Areawide Drainage Improvements CIP to the Pavement Management CIP. The underground drainage infrastructure along Montana Creek Road is significantly degraded due to corrosion and failure of the bottom of the metal culverts. Before repaving the failing roadway, these culverts must be replaced. The Areawide Drainage Improvements CIP was specifically designated to cover drainage issues such as the drainage degradation identified along Montana Creek Road.

The Public Works and Facilities Committee reviewed this request at the April 24, 2023 meeting.

The City Manager recommends approval of this transfer.

15. Transfer Request T-1058 A Transfer of \$200,000 from CIP B55-086 Deferred Maintenance, CIP B55-081 Study-Secondary Campus Access, and CIP B55-078 RRC Detox Additions to CIP B55-080 Crisis Stabilization.

This request would transfer \$200,000 of hospital funds to the Crisis Stabilization Capital Improvement Project, from the following capital improvement projects:

B55-086 Deferred Maintenance (\$ 106,805)

B55-081 Study-Secondary Campus Access (\$ 88,479)

B55-078 RRC Detox Additions (\$ 4,716)

Due to delays in the timing of completion of the Aurora Behavioral Health Center and unforeseen additional costs, the Crisis Stabilization CIP requires \$200,000 in supplemental funding. Bartlett has identified several other capital projects that were abandoned, completed, or had unobligated funding that can be transferred to the Aurora Behavioral Health Center to facilitate timely completion.

The Public Works and Facilities Committee reviewed this request on April 24, 2023. The Hospital Board approved this request at the April 25, 2023 meeting.

The City Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

16. Liquor & Marijuana Licenses for Review

These Alcohol Marijuana Control Office (AMCO) license actions are before the Assembly to either protest or waive its right to protest the license actions.

Liquor Licenses - RENEWAL

Licensee: Southern Glazer's Wine & Spirits of Alaska d/b/a Southern Glazer's of AK

License Type: General Wholesale, License #4859

Location: 5452 Shaune Dr. Bay 2., Juneau

Marijuana Licenses – RENEWAL

Licensee: The Green Elephant LLC., d/b/a The Green Elephant

License Type: Retail Marijuana Store, License #10844

Location: 101 Mill St. Suite B, 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.

N. PUBLIC HEARING

J. 10. Resolution 3025 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital. *Pulled from the consent agenda by Assembly request.*

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital. Bylaws become effective upon Assembly approval by resolution. The hospital board bylaws were last amended in 2020. The hospital board has proposed an amendment, as provided in Attachment A to Resolution 3025. This resolution would adopt the hospital board’s recommended amendment to its bylaws that were approved by the board at its regular meeting on April 25, 2023. A summary of the amendment is provided in the attached documents. The amendment is straightforward and simply brings the bylaws in line with the current CBJ Code.

The Human Resources Committee reviewed this resolution at its May 8, 2023, meeting and forwarded its recommendation for adoption to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Resolution 3025 and asked for unanimous consent.

AMENDMENT #1 by Ms. Hughes-Skandijs to amend Resolution 3025 to delete the words “located inside and outside the City and Borough of Juneau” in section 0122 General Powers. In speaking to her proposed amendment Ms. Hughes-Skandijs said this would help maintain clarity in the powers of the board.

Ms. Gladziszewski asked how this language differed from current ordinances.

Ms. Layne answered that the language “located inside and outside the City and Borough of Juneau” matched current CBJ code.

Mr. Smith asked how this language change would affect the hospital and hospital board. Mr. Kieth (BRH CEO) said that the intent of the resolution is to allow the hospital to meet certain regulatory requirements for hospice and home health care. The recommendations for changes proposed by the BRH board was to meet Centers for Medicare & Medicaid Services (CMS) and other regulatory requirements to allow them to oversee the hospital, hospice, home health, and any future entities that may fall into those categories, like Wildflower Court. Mr. Smith asked if Bartlett has provided medical care outside of Juneau. Mr. Keith answered that BRH has a relationship with Petersburg Medical Center where they provide credentialing and privileging support.

OBJECTION by Ms. Hale. Ms. Hale said she did not support making changes without communicating with the empowered board in question.

Ms. Woll also objected, for the purposes of asking a question. Ms. Woll asked if the proposed amendment and motion passed, would it prevent BRH from operating licensed medical facilities outside of the Borough. Ms. Layne said taking out the language “and outside the City and Borough of Juneau” would remove the board’s ability to operate outside of the borough, but noted that if BRH wanted to operate outside of CBJ then they would also need approval from both the CBJ Assembly and the Assembly of whatever borough they were looking to operate in.

Mr. Bryson also objected, and asked for more clarification. Ms. Layne said that Title 40 of CBJ code, where it talks about the powers of the Hospital Board, states that the hospital board is responsible for all licenses hospitals and associated licensed health facilities, but the Bartlett Bylaws only had licensed hospitals listed. She said the purpose of the resolution was to make sure the duties matched, and that she added “inside and outside the City and Borough of Juneau” as it’s currently in Title 40 of the code. Mr. Bryson asked Ms. Hughes-Skandijis what she was trying to accomplish with this amendment.

Ms. Hughes-Skandijis said she had misunderstood a previous conversation with the attorney and withdrew Amendment #1. Hearing no objection, Resolution 3025 passed, without amendment, by unanimous consent.

17. Ordinance 2023-08 An Ordinance Repealing Ordinance 2022-63 and Authorizing the Manager to Enter into a Revised Revenue Sharing Agreement with Goldbelt, Inc. to Fund Installation of the Gondola and Associated Infrastructure at the Eaglecrest Ski Area.

This ordinance would repeal ordinance 2022-63 authorizing the Manager to accept \$10M from Goldbelt, Inc., for the installation of the gondola and associated facilities and replace it with Ordinance 2023-08. The Assembly previously approved the ordinance on January 9, 2023. After approval of the ordinance, Goldbelt, Inc. requested changes to the payment schedule of their contribution to the CBJ. The City Manager, Legal Counsel, and the Eaglecrest Manager have negotiated with Goldbelt, Inc. through revisions to the original revenue sharing agreement that are depicted in Exhibit A. Goldbelt, Inc. has provided a letter of intent to enter into the revised revenue sharing agreement in Exhibit B.

The Assembly Committee of the Whole reviewed a revised Exhibit A Revenue Sharing Agreement at its April 24, 2023 meeting and forwarded it to the Assembly.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2023-08 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-08 passed by unanimous consent.

18. Ordinance 2022-06(b)(AD) An Ordinance Appropriating \$10,000,000 to the Manager for the Eaglecrest Gondola Capital Improvement Project; Funding Provided by an Investment from Goldbelt, Inc.

Goldbelt, Inc. has agreed to invest \$10 million for the installation of the gondola and associated infrastructure at Eaglecrest Ski Area. This ordinance appropriates funds for that purpose. The initial investment will be repaid according to the terms outlined in the revenue sharing agreement between CBJ and Goldbelt, Inc., authorized by Ordinance 2022-63. This appropriation will be effective upon execution of the agreement.

This ordinance was introduced to the Assembly on January 9, 2023. Public hearing for the ordinance was postponed until the revenue sharing agreement was finalized between Eaglecrest Ski Area and Goldbelt Inc. The letter of intent between Eaglecrest and Goldbelt, Inc. was signed on April 12, 2023. The Committee of the Whole

discussed this request at the November 28, 2022 and December 12, 2022 meetings, and approved the revenue sharing agreement at the April 24, 2023 meeting. The Systemic Racism Review Committee reviewed this request at the January 10, 2023 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlal Gíidaak to adopt Ordinance 2022-06(b)(AD) and asked for unanimous consent.

OBJECTION by Ms. Hughes-Skandijs for the purposes of a comment. Ms. Hughes-Skandijs said that at the last Eaglecrest Board meeting, a member of the board asked Mr. Scanlan what would happen if it cost more than \$10 million dollars to build the gondola project; Ms. Hughes-Skandijs said that Mr. Scanlan answered they would look for additional funding opportunities, including the Assembly. Ms. Hughes-Skandijs removed her objection.

OBJECTION by Mayor Weldon for the purpose of a question. Mayor Weldon asked if this money is appropriated, what is the basic plan for movement on the gondola. Mr. Satre, Chair of the Eaglecrest Board, answered that they need to do more engineering and geotechnical work this summer, in the hopes of moving to construction work next building season. Mayor Weldon asked if the \$10 million dollars will cover the project. Mr. Satre said, speaking on behalf of the Board, that they had originally hoped for the gondola plus ancillary activities, but with increasing construction costs they are now planning to have the backbone of the gondola done with the \$10 million dollars and hope to revisit the ancillary facilities at a future time.

Ms. Woll asked when a final cost estimate will be available. Mr. Satre replied he did not know that answer, but that Mr. Scanlan might be able to provide it when he was back from vacation.

Mayor Weldon removed her objection.

Hearing no objection, Ordinance 2022-06(b)(AD) passed by unanimous consent.

19. Ordinance 2023-22 An Ordinance Authorizing the Eaglecrest Ski Area to Enter Into a Franchise Agreement with Alaska Rainforest Sanctuary, LLC dba Kawanti Adventures, for Operating the Alaska Zipline Adventure Canopy Tour.

This ordinance would authorize the Eaglecrest Ski Area to enter into a franchise agreement with Alaska Rainforest Sanctuary LLC to operate their zipline under the DBA Kawanti Adventures. Eaglecrest has been permitting a third party to operate the zipline tour at Eaglecrest since 2006 under a commercial use permit. Alaska Rainforest Sanctuary purchased the zipline infrastructure and took over the previous Commercial Use Permit in 2018. Normally, the CBJ would use the lease process for this type of arrangement, but the federal Land and Water Conservation Fund prohibits the CBJ from issuing leases at Eaglecrest. However, the CBJ can grant a franchise agreement as a mechanism to formalize this business relationship. Eaglecrest contacted six different zipline operators to see if there was interest in developing a zipline tour and received no affirmative responses. This ordinance would allow Alaska Rainforest Sanctuary to operate the zipline tour for five consecutive summer seasons.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2023-22 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-22 passed by unanimous consent.

20. Ordinance 2023-23 An Ordinance Authorizing the Manager to Execute a Lease with GCI Communication Corporation for Approximately 15,500 Square Feet of City Property Located at 1580 Thane Road for a Satellite Communication Earth Station Site.

This ordinance would authorize the Manager to lease a fraction of municipal property, Alaska Tidelands Survey No. 556, located at 1580 Thane Road for fair market value. GCI applied to continue to lease this property for the operation of a Satellite Communication Earth Station site. GCI has leased this space from the City since 1983. On January 23, 2023, the Assembly Lands, Housing, and Economic Development Committee passed a motion of support to continue to lease this property to GCI. An appraisal was completed in February and determined market value for this lease to be \$29,211 per year.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2023-23 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-23 passed by unanimous consent.

21. Ordinance 2022-06(b)(AQ) An Ordinance Transferring \$7,026,038 from CIP B55-087 Emergency Department Addition to CIP B55-080 Crisis Stabilization, and Deappropriating \$7,026,038 from the Manager for the Crisis Stabilization Capital Improvement Project.

This request would transfer \$7,026,038 from the Emergency Department addition CIP to the Crisis Stabilization CIP for the purpose of releasing Bartlett fund balance currently in the Crisis Stabilization project to improve BRH's available capital to support ongoing operations as well as other ongoing strategic initiatives of the hospital.

The Hospital Board reviewed this request at the March 28, 2023 meeting. The Public Works and Facilities Committee reviewed this request on April 24, 2023. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2022-06(b)(AQ) and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for the purposes of a question. Ms. Gladziszewski asked for an update about emergency room plans. Mr. Watt said the hospital desires upgrades to the emergency room at a scaled down budget, but they have not determined the scope of the project at this time.

Ms. Hughes-Skandijis asked what the total CIP was for the crisis stabilization project. Mr. Rogers said there was a memo in a previous Public Works and Facilities Committee packet with that information, but he could not answer it from memory.

Ms. Gladziszewski asked if this ordinance needed to pass immediately or if it could wait until answers were provided. Mr. Rogers said the hospital board has voted to abandon the emergency department project and will seek to do something else with the bond fund appropriation. If the Assembly and Hospital Board wanted to revisit an emergency department upgrade, the hospital could then pay for that from their general fund balance.

Ms. Gladziszewski removed her objection.

Hearing no objection, Ordinance 2022-06(b)(AQ) passed by unanimous consent.

22. Ordinance 2022-06 (b)(AS) An Ordinance Appropriating \$11,944,152 to the Manager for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate Airport CARES Act funding for the Bag Belt Replacement, Parking Lot Paving, and Gate K Culvert Reconstruction capital improvement projects, to be appropriated as follows:

- Parking Lot Paving (A50-106) \$ 9,854,010
- Bag Belt Replacement (A50-105) \$ 1,419,716
- Gate K Reconstruction (A50-110) \$ 670,426

Funding appropriated for the Parking Lot Paving CIP would rehabilitate the long-term, short-term, employee, and rental car lots and taxi staging areas, and will include the addition of EV charging stations. \$600,000 was previously appropriated to this project, to engage the design consultant. The Airport Board approved this action at its April 12, 2023 meeting.

Funding appropriated for the Bag Belt Replacement CIP would provide for the replacement of aging and unreliable components of the outbound baggage conveyor system. \$50,000 was previously appropriated to this project, to engage the design consultant. The Airport Board approved this request at the March 9, 2023 meeting.

Funding appropriated for the Gate K Reconstruction CIP would provide for the replacement of the failed culvert on the primary Aircraft Rescue and Fire Fighting (ARFF) response route for the runway and main taxiway. The Airport Board approved this action at its March 9, 2023 meeting. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

These projects are fully funded by federal grants and do not require any local match.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to adopt Ordinance 2022-06 (b)(AS) and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for the purposes of a question. She said \$9.8 million for paving the parking lot was a lot of money per square foot and asked if there was anything special about the project. Ms. Wahto, Airport Manager, said that bids are coming in high but that this project also included lights, draining, and was phased which increased cost.

Mayor Weldon asked about the changes in parking during the project. Ms. Wahto said that the long term parking lot will be moving near the north terminal between Alaska Seaplanes and FedEx and that short term parking will be moving about several times during the project but signage will be up.

‘Wáahlaal Gíidaak commented that she would like to see permanent signage that welcomed visitors to Dzantik’i Héeni, land of the Lingít Aaní.

Mayor Weldon removed her objection.

Hearing no objections, Ordinance 2022-06(b)(AS) passed by unanimous consent.

23. Ordinance 2022-06(b)(AT) An Ordinance Appropriating \$250,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

This ordinance would appropriate \$250,000 in Harbors Funds for Phase III of the Aurora Harbor Improvements CIP. The lowest bid for this project came in at \$4.3 million, exceeding the available budget in the CIP. This appropriation would provide the necessary funding to award the base bid, which includes a main float and finger floats for 60-foot vessels, electrical build out, and potable water.

The Docks and Harbors Board approved this request at the April 14, 2023 meeting. Due to lack of quorum at its April 18, 2023 meeting, the Systemic Racism Review Committee did not review this ordinance prior to public hearing.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2022-06(b)(AT) and asked for unanimous consent.

Hearing no objection, Ordinance 2022-06(b)(AT) passed by unanimous consent.

24. Ordinance 2023-15 An Ordinance Appropriating Funds from the Treasury for FY24 School District Operations.

This ordinance will appropriate to the School District an FY24 operating budget of \$96,317,000. This is an overall increase in the budget of \$9,658,000 from the FY23 Amended Budget. The FY24 school budget is supported with a combination of funding sources including CBJ local funding of \$33,050,800 and state and federal funding of \$58,996,000. The local funding consists of \$30,775,800 for general operations and \$2,275,000 for programs and activities not subject to the state funding cap.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. The district's budget was submitted April 3, 2023. During the April 26, 2023 Special Assembly meeting, the Assembly approved the local funding portion of \$30,775,800 for school district general operations. During the May 3, 2023 Assembly Finance Committee meeting, the Assembly approved \$2,275,000 for program and activities not subject to the state funding cap.

By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2023.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-15 and asked for unanimous consent.

Hearing no objection, Ordinance 2023-15 passed by unanimous consent.

25. Items for Reconsideration

Notice of reconsideration was given at the April 17, 2023 Assembly meeting for Ordinance 2023-21, An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours.

Assembly Action

MOTION by Mr. Bryson to reconsider Ordinance 2023-21 An Ordinance Authorizing the Manager to Enter into a Lease of City and Borough Property Located on West Douglas along the West Douglas Pioneer Road to iRide Alaska, LLC, for the Purpose of Offering Guided Electronic Bike Tours and asked for a vote.

Mayor Weldon asked how many votes this needed for reconsideration to pass. Ms. Layne said there needed to be five affirmative votes to take up the ordinance for reconsideration.

OBJECTION by Ms. Woll. Ms. Woll said that reconsideration is a useful tool when new information becomes available or when Assemblymembers were confused about an issue and have since gotten clarity. Ms. Woll said that neither situation applies.

OBJECTION by Ms. Hughes-Skandijs, who agreed with Ms. Woll, said she did not see a clear and compelling case for reconsideration.

ROLL CALL VOTE to reconsider Ordinance 2023-21.

Yeas: Mr. Bryson, Ms. Hale, ‘Wáahlaal Gíidaak

Nays: Mr. Smith, Ms. Hughes-Skandijs, Ms. Woll, Ms. Gladziszewski, Mayor Weldon

Motion to reconsider Ordinance 2023-21 failed; 3 yeas, 5 nays.

P. NEW BUSINESS

26. Bid Award RFB #DH23-015 Aurora Harbor Rebuild Phase III

Docks & Harbors completed an in-house design for the next phase of the Aurora Harbor project and has solicited general contractors for construction bid award. This project will construct a single, new 270 foot main float with slips to support 60 foot vessels and transient side-tie vessels, including power and water. Due to float manufacturing limitations, the performance period for this contract will extend into May 2024.

Funding provided from the Aurora Harbor Rebuild CIP H51-125 which includes money from the 2017 1% Sales Tax Initiative, Harbor Enterprise Fund Balance and ADOT Harbor Facility Grant.

Bids were opened on April 12, 2023. The bid protest period expired at 4:30 p.m. on April 19, 2023 with the following results:

	<u>Engineer's Estimate</u>	<u>Trucano Construction Co.</u>	<u>Western Marine Construction</u>
Base Bid	\$3,235,800	\$4,269,650	\$4,510,950
Additive Alt. A	\$ 143,250	\$ 236,900	\$ 244,950
Additive Alt. B	\$ 457,000	\$ 589,750	\$ 551,500
Additive Alt. C	\$ 333,600	\$ 495,800	\$ 462,200
Additive Alt. D	\$ 57,500	\$ 72,750	\$ 109,500
Total Project Cost	\$ 4,227,150	\$ 5,664,850	\$ 5,879,100

The Docks and Harbor Board recommended this bid award at the regular board meeting held on April 27, 2023.

The City Manager recommends the base bid award of this procurement to Trucano Construction Company for a total award of \$4,269,650.

Public Comment

None.

Assembly Action

MOTION by ‘Wáahlaal Gíidaak to award Bid Award RFB #DH23-015 Aurora Harbor Rebuild Phase III to Trucano Construction Company and asked for unanimous consent.

Hearing no objection, Bid Award RFB #DH23-015 for the base bid to Trucano Construction Company passed by unanimous consent.

27. Bid Award BE23-267 (A50-106) JNU Parking Lot Improvements

Bids were opened on the subject project on April 5, 2023. The bid protest period expired at 4:30 p.m. on April 6, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>	<u>Total Amount</u>
Colaska dba SECON	\$7,997,405.00	\$287,046.00	\$8,284,451.00
<i>Engineer's Estimate</i>	<i>\$6,684,079.00</i>	<i>\$321,489.00</i>	<i>\$7,005,568.00</i>

Project Description:

Base Bid: The Work is generally described as follows: Rehabilitate Juneau Airport public long and short-term parking lot, employee parking and eastern portion of rental lot parking. Remove and replace asphalt pavement, replace stormwater drainage, lighting and underground electrical. Replace stormwater drainage on Air Operations Area (AOA) adjacent to rental lot. Provide phased project delivery to maintain parking access during construction. Trades will include site work, concrete, electrical, mechanical, paving, and fixed equipment.

Additive Alternate 1: – Western Portion of Rental Lot: The Work is generally described as follows: Rehabilitate Juneau Airport western portion of rental lot parking. Remove and replace asphalt pavement, replace stormwater drainage, lighting and underground electrical. Provide phased project delivery to maintain parking access during construction. Trades will include site work, concrete, electrical, and paving.

Funding Source: FAA CARES grant
Total Project Funds: \$10,454,010
CIP No. A50-106
Construction Encumbrance: \$8,284,451
Construction Contingency: \$0
Design: \$767,783
Contract Administration/Inspection: \$1,029,229
CBJ Administrative costs: \$372,547

Staff recommends award of this project to SECON for the total amount bid of \$8,284,451.00, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to award Bid Award BE23-267 (A50-106) JNU Parking Lot Improvements to SECON for the total amount bid of \$8,284,451.00, contingent upon receipt of an anticipated FAA CARES grant amendment and asked for unanimous consent.

Hearing no objection, Bid Award BE23-267 (A50-106) passed by unanimous consent.

28. Bid Award BE23-263 (A50-105) Outgoing Baggage Belt Repairs

Bids were opened on the subject project on March 7, 2023. The bid protest period expired at 4:30 p.m. on March 9, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>	<u>Total Amount</u>
Robson Handling Technology USA, Inc.	\$1,169,012.00	\$106,912.00	\$1,275,924.00
Dawson Construction, LLC	\$1,321,000.00	\$221,000.00	\$1,542,000.00

Engineer's Estimate \$ 706,860.00 \$420,750.00 \$1,127,610.00

Project Description: This project is a partial replacement of existing out-going baggage conveyor assembly components within the Juneau International Airport.

Funding Source: CARES Grant
 Total Project Funds: \$ 1,469,716
 CIP No. A50-105
 Construction Encumbrance: \$1,275,924.00
 Construction Contingency: \$0
 Design and Contract Administration/Inspection: \$168,792
 CBJ Administrative costs: \$25,000

Staff recommends award of this project to Robson Handling Technology, USA, Inc. for the total amount bid of \$1,275,924, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to award Bid Award BE23-263 (A50-105) Outgoing Baggage Belt Repairs to Robson Handling Technology, USA, Inc. for the total amount bid of \$1,275,924, contingent upon receipt of an anticipated FAA CARES grant amendment and asked for unanimous consent.

Hearing no objection, Bid Award BE23-263 (A50-105) passed by unanimous consent.

29. Bid Award BE23-223 (A50-110) Gate K Reconstruction

Bids were opened on the subject project on March 1, 2023. The bid protest period expired at 4:30 p.m. on March 2, 2023. Results of the bid opening are as follows:

<u>Responsive Bidders</u>	<u>Total Bid</u>
Colaska dba SECON	\$555,213.00
<i>Engineer's Estimate</i>	<i>\$488,827.00</i>

Project Description: Work generally consists of the emergency removal of an existing eighty foot long steel pipe arch with approximate 12'-0" span and 6'-4" rise, protection of existing utilities, installation of a stream bypass system, installation of a new eighty foot long aluminum pipe arch with 13'-1" span and 8'-4" rise, removal and reconstruction of existing riprap bank armoring, re-seeding of disturbed banks, reconstruction and repaving of disturbed roadway and other miscellaneous Work.

Funding Source: Airport CARES grant
 Total Project Funds: \$670,426
 CIP No. A50-110
 Construction Encumbrance: \$555,213
 Construction Contingency: \$0
 Design and Contract Administration/Inspection : \$104,213
 CBJ Administrative costs: \$11,000

Staff recommends award of this project to SECON for the total amount bid of \$555,213, contingent upon receipt of an anticipated FAA CARES grant amendment.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to award Bid Award BE23-223 (A50-110) Gate K Reconstruction to SECON for the total amount bid of \$555,213, contingent upon receipt of an anticipated FAA CARES grant amendment and asked by unanimous consent.

Hearing no objection, Bid Award BE23-223 (A50-110) passed by unanimous consent.

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

There are six 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.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to accept Robert Ridgeway for the Hardship List and Amelia Lucas, Jeffrey Goodell, Joy Oberholtzer, Patricia Harper, and Landon Rector for the Late File Senior and Disabled Veteran Exemption List and refer them to the Assessor's for action.

Hearing no objections, the motion passed by unanimous consent.

Q. STAFF REPORTS

31. Election Maps Update

Mr. Barr said they are proposing no changes to the Assembly District 1 and 2 boundary lines. He said they plan to report out CBJ election results by the new interim precincts but are planning to wait to propose permanent changes to the Assembly District 1 and 2 boundaries until after the State Redistricting Board finalizes its work.

R. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon said that there were a lot of activities happening around town recently, including the Maritime Festival and the Little League opening ceremonies. She said that in addition to Public Service Recognition week it was also Teacher Appreciation Month and she appreciated all the hard working teachers.

Committee and Liaison Reports

Committee of the Whole (COW) – Chair Gladziszewski reported that the COW met on April 24 and received an update and talked about childcare, election code changes, community schools, and the gondola revenue sharing agreement. She said the next COW meeting will be May 22.

Assembly Finance Committee (AFC) – Mayor Weldon, speaking for the absent chair, reminded people that the AFC meeting this week will start at 5:00pm, not 5:30pm.

Public Works and Facilities Committee (PWFC) – Chair Bryson said they discussed the emergency department funding switch that came to the Assembly tonight, as well as EV chargers and a waste study.

Human Resources Committee (HRC) – Chair Smith said that the HRC meeting from earlier today was cancelled. He said at the next meeting on June 12 they are looking at making the Parks & Recreation Advisory Committee (PRAC) appointment process smoother. He said they need to set dates for empowered board interviews; after some discussion the Assembly decided upon June 27 as a tentative date.

Lands, Housing, and Economic Development Committee (LHEDC) – Chair Hughes-Skandijs said the last meeting was April 24. She said they discussed changes to the accessory dwelling unit program and they forwarded two options to the full COW. They also discussed housing loans and they heard from Travel Juneau.

Joint Assembly/School Board Facilities Committee -- Chair Hale said there will be a joint meeting on May 25 at noon.

City Manager Hiring Committee – Chair Woll said that they will be meeting next week, date and time still to be determined. She asked Assemblymembers to please fill out a survey of the qualifications and competencies they are hoping to see in their next City Manager. Ms. Woll said she will be working with staff to hold interviews later in the summer and invited the whole body to attend those interview sessions.

S. ASSEMBLY COMMENTS & QUESTIONS

Ms. Hughes-Skandijs reported the Chamber of Commerce will meet May 10 at 2:30pm. She said she attended the Eaglecrest Board meeting on May 1 and they are working on Mr. Scanlan’s performance review. She said during the Eaglecrest Board meeting they also received the annual report from the manager, which noted labor shortages. She said there may be future work in the biathlon sphere.

Mr. Smith joined the Juneau Commission on Housing and Homelessness where they discussed the third phase of Housing First. He reported that Travel Juneau has a board retreat this Friday and that the PRAC has not met since they are in the process of reforming.

Mr. Bryson said he attended a Docks and Harbors meeting where they discussed the Aurora Harbor improvements that were on tonight’s agenda and the UAS property and potential solutions for a new rental agreement. Mr. Bryson also attended the UA Campus Council which reported they had 581 graduates over the three campuses. He reported the new UAS chancellor, Aparna Palmer, started. Mr. Bryson also talked a lot about the North Douglas Crossing and trash at the Maritime Festival. Mr. Bryson received a plaque, on behalf of Juneau, acknowledging 150 years of cruising from Holland America.

‘Wáahlaal Gíidaak said the last Planning Commission meeting was cancelled and she was unable to attend the last Systemic Racism Review Committee (SRRC) meeting. She said the Hōkūle‘a arrived to Juneau today by barge and the welcoming ceremony will be June 10 and the global launch on June 15.

Ms. Woll reported that the school board will be meeting tomorrow.

Ms. Hale said the Juneau Commission on Aging (JCOA) met on April 25 and there will be upcoming listening sessions to hear about elder concerns in partnership with AARP. She said she met with the Assessor’s office and they are working on changes to the forms to simplify the hardship and senior exemption process. Ms. Hale reported that she attended and spoke at the May 5 Missing and Murdered Indigenous Women rally on behalf of the Mayor.

Ms. Gladziszewski said the Juneau Commission on Sustainability (JCOS) met on May 3; at that meeting they talked about introducing a sustainability award. On May 16 they will be hosting a sustainability session regarding greenhouse gas inventory. Ms. Gladziszewski attended the Totem Pole trail ceremony and spoke on behalf of the Mayor; Sealaska Heritage presented an application to rename part of Seward Street to Heritage Way which will go to go the Planning Commission. Ms. Gladziszewski said the State Museum’s current exhibit “Visceral” about intestines was amazing and recommended everyone go see it.

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

U. EXECUTIVE SESSION

32. Law Department - Litigation Update

MOTION by Ms. Gladziszewski to go executive session at 9:03pm to receive a litigation update from the City Attorney and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

The Assembly reconvened into open session at 9:25pm.

V. SUPPLEMENTAL MATERIALS

W. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:26 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

SPECIAL ASSEMBLY MEETING 2023-12 (DRAFT) MINUTES

May 17, 2023 at 5:00 PM



Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/93917915176> or 1-253-215-8782 Webinar ID: 939 1791 5176

Immediately followed by Assembly Finance Committee Meeting

A. CALL TO ORDER

Meeting No. 2023-12: The Special Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 5:04 p.m.

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

Assemblymembers Present: Mayor Beth Weldon, Maria Gladziszewski, Greg Smith, Christine Woll, Wade Bryson, Michelle Hale (via Zoom) and Alicia Hughes-Skandijs (via Zoom)

Assemblymembers Absent: 'Wáahlaal Gíidaak and Carole Triem

CBJ Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting Municipal Attorney Sherri Layne, Acting Municipal Clerk Diane Cathcart, Deputy Municipal Clerk Andi Hirsh, Finance Director Jeff Rogers, Incoming Finance Director Angie Flick, Budget Manager Adrien Speegle, Finance Administration Coordinator John Nesmith, and Assistant Attorney Emily Wright

D. MANAGER'S REQUEST FOR AGENDA CHANGES - None

E. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

The public testimony from Ms. Hart took place at the end of the meeting just prior to adjournment.

Karla Hart, a Back Loop resident, provided the following testimony: I am here today to remind you that with 4 ships in town there is \$168,678 worth of costs in health accrued to this community. This is per same numbers that the CBJ Shore power study is based on. Juneau has capacity for only 25% shore power unless more is built. The Juneau shore power grant proposal package glossed over what the costs are beyond dollars to the community in their cost benefit analysis; you and the community must understand what those dollars equate to. When fossil fuels are combusted, they put off nitrogen oxides, which become nitrogen dioxide. Nitrogen Dioxide is not very water soluble so when we breathe it, it doesn't get caught in our nose, it goes deep into our lungs in the delicate, spongy membrane where immune cells are in battle with inhaled viruses and bacteria. Nitrogen Dioxide is a powerful cellular poison that damages those protective immune cells, leaving us more vulnerable to flu, upper respiratory infections, and other diseases, plus they cause inflammation, which triggers asthma. Sulfur Dioxide is water soluble, and when it hits our nostrils it becomes basically battery acid, burning our airway and lungs. Ultra fine particulates carry heavy metals and are small enough to go right into our lungs from our bloodstream. Diesel exhaust exposure is associated with neurological disease, Alzheimer's, and other serious diseases, both for adults and children. CO2 of course is a climate change driver. Today these ships are putting, per the 2007 Juneau statistic I could find, more than double the daily highway transport emissions for CO2 so it's hard for us to achieve our sustainability if we are importing our pollution. I urge you to stop any support or actions towards the fifth

dock until we're addressing the health in Juneau, and you can provide shore power for all of the ships whenever they're in dock because your decisions or your lack of action are actually physically harming the health of people in Juneau. Thank you.

Mr. Smith asked if the health impacts Ms. Hart mentioned are acute exposure or long term or things, we could see in terms of hospital visits or would show up in data that is accessible for review.

Ms. Hart responded that she didn't have access to that data but there is a tremendous body of medical literature that's peer reviewed that says that exposure to diesel exhaust, which is what this is, has these health impacts and there's calculators to know what's coming out of the stack. There's no reason to believe that Juneau residents are any different physiologically than humans anywhere else in the country or the world. So, we might see more asthma attacks; we might see more heart attacks at the hospital. I don't have access to that data, but a lot of it, the neurological effects are cumulative and over a long time the effects to a child that's exposed while they're in the uterus, that's also over time and we won't know.

Ms. Hale asked about the dollar figure Ms. Hart referenced at the beginning of her testimony and if she could send that information to the Assembly showing the source material of where that dollar amount was pulled from.

Ms. Hart responded she had sent that source material to the Assembly previously so they could do their own calculations and she will resend it with this calculation from today.

F. APPROVAL OF MINUTES

1. April 26, 2023 Special Assembly Meeting #2023-10 DRAFT Minutes

MOTION by Ms. Gladziszewski to approve the minutes of the April 26, 2023 Special Assembly meeting as amended by Ms. Hale and asked for unanimous consent. *Hearing no objection, the April 26, 2023 minutes, as amended, were approved by unanimous consent.*

G. AGENDA TOPICS

2. ORDINANCES FOR INTRODUCTION

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

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

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

This request was reviewed by the Hospital Board at the April 25th, 2023, meeting.

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

MOTION: by Ms. Gladziszewski to introduce Ordinance 2022-06(b)(AX) and forward it to the next regular Assembly meeting for public hearing and asked for unanimous consent. *Hearing no objections, motion passed by unanimous consent.*

3. PUBLIC HEARING

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

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

This ordinance appropriates funds for a low interest \$1.2 million loan to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. The loan will be secured by a deed of trust on the property.

The Systemic Racism Review Committee reviewed this request at the February 28, 2023 meeting and forwarded it to the full Assembly for public hearing.

At the direction of the Assembly Committee of the Whole at its March 6, 2023 meeting, the City Manager redrafted this ordinance with substantive changes requiring re-introduction.

The Lands, Housing and Economic Development Committee heard this topic on April 24th and forwarded version (b) to the Assembly. The Manager has updated this version (c) to explicitly authorize the Manager to subrogate the CBJ's interests to those of a commercial lending institution (bank).

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

David Ignell, a West Juneau resident, provided the following testimony: I spent most of my professional career in commercial real estate finance. In my opinion I don't think this ordinance is going to alleviate CBJ's problem with housing and affordable housing. My analysis shows that the return on equity would be about 3% increase which investors are looking for a 20-30% return on equity; so, this subsidized interest rate doesn't move the needle much and adds a layer of complexity to the financing, there'll need to be subrogation agreements and legal costs will go up from a development standpoint. I'm also concerned about the hidden costs. CBJ is taking the role of a financial institution, so you'll need experts in valuation, credit management and legal experts to not only review the documents with CBJ and the developer but also those in first position. My other concern is CBJ is competing with the private sector. We already have people who do second trustee financing, so you'll be taking business away from them. Lastly, I want to see more housing and affordable housing in Juneau; to do so, CBJ will need to look at housing differently and reduce some of the restrictions. We need a city that is more conducive and agreeable to small developers.

Assembly Action

MOTION: by Mr. Bryson to adopt Ordinance 2022-06(b)(AK)(c) and asked for unanimous consent.

Ms. Gladyszewski objected for purposes of question for the City Attorney. The subrogation of CBJ's interest to those of a commercial banking lender is new and asked the attorney to explain why that happened.

Ms. Layne deferred to Mr. Watt. Mr. Watt responded that after a series of long conversations with developers, the Chamber of Commerce, and the banking industry, it became clear that any development project in Juneau is extremely likely to have bank financing. There are very few developers who have the financial resources to build a housing development with their own cash. When a bank is involved the bank is going to only loan to a developer if they are certain that they are going to get a return on their investment but the unfortunate problem we have is a high cost of construction and land development makes projects very difficult to finance through conventional banking loans which is why we have begun the path of low interest loans to help stimulate housing development. If we try to place requirements that put us in front of the bank, the bank won't loan to the developer and we're a relatively small piece of the funding package so the whole deal will fall apart unless we agree to take a position behind the bank.

Ms. Gladyszewski had a follow-up question; how big a risk is this now that we are not in line first. Mr. Watt responded that the ordinance requires this loan be required by a Deed of Trust which means it would be secured by the land, however, by taking a position behind the bank we don't have an effective means of collecting on that in the short term. So essentially, we have a secure loan, but the timeline is long because it comes after the bank.

Ms. Gladyszewski removed her objection.

Mayor Weldon objected for purposes of a question. So CBJ is doing a lesser interest loan to get them into a position to get a loan from a financial institution. Mr. Watt stated that is correct and one way to look at it. Another way to look at it is if a developer doesn't have the cash assets to build a project like this is using all venture capital, those venture capital investors will require a high rate of return. The testifier indicated that, and I agree, venture capital on housing projects is well known to require high rates of return. So, if you are using all venture capital on a housing project in our market with high construction costs, then the project simply doesn't pencil out.

Mayor Weldon removed her objection.

Hearing no further objection, Ordinance 2022-06(b)(AK)(c) was adopted by unanimous consent.

4. PUBLIC HEARING

Ordinance 2023-24 An Ordinance Amending the Elections Code Relating to Election Procedure.

At the January 30, 2023 Regular Assembly meeting, the Assembly directed staff to draft an ordinance which would make by mail elections the default for all CBJ elections going forward unless called for differently by the Assembly. Since that is a paradigm shift in the default method by which we conduct elections, it also required an overhaul of our current election code. Ordinance 2023-24 is mostly a housekeeping rewrite of the election code to streamline and move current by mail election sections 29.07.360 and 29.07.370 into the main body of the election code. It also provides clarity of language and codifies some of the past practices that have been in our policies and procedures into the code to enhance election transparency.

The Assembly Committee of the Whole (COW) reviewed the draft ordinance at its April 24, 2023 meeting and forwarded it to the Assembly. Your packet contains the Municipal Clerk's memo to the Assembly COW with the sectional summary of the ordinance changes to the election code.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Karen Lewis (no area of town given)(via Zoom), provided the following testimony: Thank you Madam Mayor and Assemblymembers, I am speaking against mail-in ballots. The election system we currently have not only here in this state, but all our nation is not good. It's become centralized, vulnerable to cheating through machines that can be manipulated and dirty voter rolls that enables ballot stuffing. ERIC [Electronic Registration Information Center], which, I don't know if we still are involved in this program, but I know that we were we have a 121% of eligible voters in our in our voter rolls and this is common for ERIC and the bloated voter rolls creates a way for cheating in elections and this must be fixed. The problem will be solved if we vote and count the ballots at precinct levels. We must have a voting day, not a voting month and in-person voting with very few exceptions. Mail-in ballots should strictly be used for military people who are overseas, and people who cannot vote in-person due to physical disabilities. Mail-in ballots were used to change the outcomes of elections in 2020 and 2022, and probably other ones too. COVID-19 was a believable reason for the Secretaries of State to take it upon themselves to allow mail-in ballots throughout their States, even though the legislature was the body that determines election procedures. In Pennsylvania, tens of thousands of ballots were returned before they were sent out. Hundreds of thousands of completed ballots were shipped from New York to Pennsylvania before the election; the truck driver swore to this in an affidavit. 2.5 million absentee ballots were counted in Pennsylvania, but only 1.8 million in total were sent out. What in the world? There were 202,377 more votes cast than voters voting, this must be fixed. In Michigan, according to the State's Voter Information Center, there were over 8.1 million

registered voters in the 2020 election that makes the States voter registration rate over 100%. There were 31 States involved in ERIC, I don't know how many there are now, a lot of states were dropping out. Alaska deserves secure elections. We must require stringent, valid IDs before a voter can receive a ballot and cast their vote. Many people are receiving more than one ballot in the mail. I mean there are mail in ballots everywhere. Some people get 2, 3, 4, 5 ballots, it's ridiculous and it really must stop. It's one of our most precious rights, and we must stop voting fraud throughout our country, and in this state, we must save our nation. One day in-person voting at precincts will reduce ballot stuffing substantially, and hand counting the ballots at a precinct and not a centralized area where there is a lot of room for vote theft which disenfranchises Alaskan voters. Since I am out of time, I will email the rest of my testimony to the Assembly. Thank you.

David Ignell, West Juneau, provided the following testimony: I don't have as much to say about this. I just think that election integrity is important, and there's a lot of uncertainty about it in our nation right now and in Alaska, and I don't think we need to add to that. I guess in looking at this item today on the agenda, my real question was, why do we need this? I don't see any explanation in the materials as to what the benefit of this is going to be. Why can't we just go as we've been going. I think it's a great social thing when people show up on Election Day and vote. It gets people in the community together. It's a rare opportunity for Democrats and Republicans to be in the same room together and to help heal this divide that we have. So, I think the last thing we want to do is pass this ordinance that creates distance between people. Let's get everybody together and work out our differences. Thank you.

Brad Rider (no area of town given), provided the following testimony: I wonder why we want to fix something that's not broken. How many people came up with this idea and are moving forward with it; it doesn't make any sense to me. Our other way of voting in-person has worked well forever. We used to have them in our garage when I was a kid, my mom did at her house, and it's always worked perfectly. If you're going to move forward with this, it should be a vote by the people and not decided by just a couple of people when it affects the whole town dramatically. There's nothing wrong with in-person voting. I'm totally against this. Thank you.

Chris Wallace, Lemon Creek, provided the following testimony: I have two points on mail-in voting. Last year we received ballots at our house for people who haven't lived in that house at least two families back as well as everybody in-between. If I wanted to, I could fill the ballots out and mail them in. That's the problem with mail-in ballots. My other point is you can't exercise your right to own a gun in this country without going through a bunch of paperwork and proving that you're capable and responsible, you should not be allowed to vote without proving that you're here, and that you are who you say you are. Mailing a ballot to my house with my name on it doesn't make me who I say I am, it just makes our ballot go to our house and anybody can vote it. I think it's wrong, and we shouldn't be doing it at the State, City, or the Federal level. Thank you.

Frank Bergstrom, 7 ½ Mile Glacier Hwy, provided the following testimony: Thank you all. We really appreciate you working hard, and this is a tough job at low pay. Simple point, one of the Assemblymembers prior to the last election, when asked what the primary reason was for going to mail-in ballots was, responded that it was because of voter turnout, and the expectation that there would be greater turn out by people be able to sit at home and mail their ballot in. Well, the last election had lower voter turnout. So, my question to you all is, if the primary reason for going to vote by mail was not achieved and in fact, was the inverse, what is the justification now for continuing and expanding this policy? Thank you.

Assembly Action

MOTION: by Ms. Woll to adopt Ordinance 2023-24 and asked for unanimous consent.

Ms. Woll objected to her motion to address some of the questions that were brought during public testimony. Ms. Woll stated that when mail in voting was discussed as an Assembly in the past, the Assembly wanted to move forward with by mail elections to increase voter participation. She noted the testimony that there was a decrease in voter participation for last year's municipal election. The Assembly races were completely uncontested last year, and so I spent some time looking over the years at voter participation in the types of races heavily contested

versus races that weren't heavily contested; and I do believe the last few years have shown that mail in voting has increased voter participation. Ms. Woll removed her objection.

Objection by Mayor Weldon and Mr. Bryson; Mayor Weldon spoke to her objection, Mr. Bryson did not.

Mayor Weldon stated that she disagreed with the people that talked about the integrity of the elections. She has worked for elections, and it would be very hard, especially at the city level, to vote twice or anything else. Mayor Weldon said her reason for objecting is she feels election day is rather sacred and by voting by mail we've taken some of the emphasis on how wonderful it is to get out and vote; all these precincts had personalities and we lose that with by mail elections.

ROLL CALL VOTE

Yeas: Woll, Hale, Hughes-Skandijs, Smith, Gladziszewski

Nays: Weldon, Bryson

Motion Passes 5:2

H. SUPPLEMENTAL MATERIALS

Ms. Woll gave an update to the Assembly on the City Manager Recruitment Committee process and proposed timeline and invited Assemblymembers to the next meeting on May 30, 2023

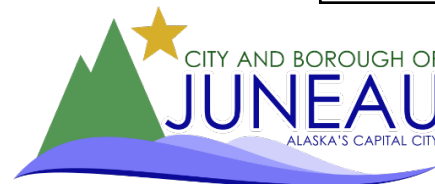
I. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 5:45 p.m.

Signed: _____
Diane Cathcart
Acting Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

SPECIAL ASSEMBLY MEETING 2023-27 (BRH BOARD/PLANNING COMMISSION APPOINTMENTS) MINUTES - DRAFT



December 14, 2023 at 8:00 PM

Zoom Webinar

<https://juneau.zoom.us/j/95241164899> or 1-253-215-8782 Webinar ID: 952 4116 4899

8pm Start time is approximate - Immediately following the adjournment of Full Assembly as HRC

A. CALL TO ORDER/ROLL CALL

Deputy Mayor Hale called the Special Assembly Meeting 2023-27 held via Zoom to order at 8:24 p.m.

Assemblymembers Present: Deputy Mayor Michelle Hale, Greg Smith, Wade Bryson, 'Wáahlaal Gídaag, Christine Woll, Paul Kelly, and Ella Adkison

Assemblymembers Absent: Mayor Beth Weldon and Alicia Hughes-Skandijs

Staff Present: Deputy Municipal Clerk, Diane Cathcart

B. APPROVAL OF AGENDA

Agenda approved as presented.

C. AGENDA TOPICS – Appointments to the Bartlett Regional Hospital Board & the Planning Commission

Bartlett Regional Hospital Board

Per [CBJ 40.05.010](#); the board shall consist of nine members appointed by the assembly for staggered three-year terms. There are three public seats on the Board with terms running January 1, 2024 to December 31, 2026.

MOTION: by HRC Chair Greg Smith for the Assembly to reappoint Kenny Solomon-Gross and Lisa Petersen and to appoint James Kohn to the Bartlett Regional Hospital Board all to terms beginning January 1, 2024 and ending December 31, 2026. **Hearing no objection, motion passed.**

Planning Commission

Per [CBJ 49.10.110](#); the nine members of the commission shall be residents of the CBJ and may be paid an norarium. Members of the commission shall be appointed by the assembly to staggered three-year terms. There are three seats with terms running January 1, 2024 to December 31, 2026.

MOTION by HRC Chair Greg Smith for the Assembly to reappoint Mandy Cole and to appoint Lacey Derr and Jessalyn Rintala to the Planning Commission all for terms beginning January 1, 2024 and ending December 31, 2026. **Hearing no objection, motion passed.**

D. PUBLIC PARTICIPATION

None

E. ADJOURNMENT

There being no further business before the committee, meeting adjourned at 8:26 p.m.

Signed: _____
Diane Cathcart
Deputy Municipal Clerk

Signed: _____
Michelle Hale
Deputy Mayor

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Presented by: The Manager
Presented: 02/05/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-32

An Ordinance Clarifying the Process for Electing an Assemblymember Due to a Midterm Vacancy.

WHEREAS, CBJ Charter 3.6 and CBJC 11.10.040 provide standards for vacancies on the Assembly; and

WHEREAS, however, neither of those provisions provide clarity on the timing relationship between a midterm vacancy and the upcoming regular election; and

WHEREAS, consistent with state law, A.S. 29.26.010(a), and CBJ Charter 6.5(a), the Assembly prescribes rules for elections; and

WHEREAS, the formal public notice of the election must occur at least 30 days prior to the election (CBJ Charter 6.1, CBJC 29.07.010(e), A.S. 29.26.030), and CBJC 29.07.010(f)(3) dictates the contents of the notice, which includes specifying the Assemblymember seats that are vacant on the ballot; and

WHEREAS, the Election Official establishes the timeline for ballot formatting, proofing, and printing, which now generally requires all ballot items to be finalized 60 days prior to the election; and

WHEREAS, the Election Official may be able to reduce that 60-day deadline by a few days in certain years due to election vendor efficiencies and ballot language complexity; and

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WHEREAS, while those 60-day deadline reductions may be available in certain years, they are not predictable enough every year for the regular election; and

WHEREAS, the community needs clarity when a midterm vacancy of a non-mayoral Assemblymember seat is on the upcoming election for the following year’s election; and

WHEREAS, this ordinance provides the necessary clarity to maintain election integrity, a representative form of government, while balancing the practical needs of formatting, proofing, and printing timely ballots.

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

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

Section 2. Amendment of Section. CBJC 11.10.040 Vacancies, is amended to read:
11.10.040 Vacancies.

(a) Except for a vacancy in the office of mayor, a vacancy on the assembly shall be filled by the assembly which shall appoint by majority vote of the remaining members a qualified resident of the election district from which the vacancy arose to be the acting assemblymember until the next regular election and a successor is elected. The person appointed by the assembly shall be compensated in accordance with CBJ 11.15.050(b). The relationship between a midterm vacancy and an upcoming election shall be governed by the following subsections.

(1) If a midterm vacancy occurs more than 60 days, including day 60, from the upcoming regular election, the vacant assemblymember seat shall be placed on the upcoming regular election.

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(2) If a midterm vacancy occurs less than 60 days from the upcoming regular election, the vacant assemblymember seat shall be placed on the following year’s election.

(b) If a vacancy in the office of mayor occurs within eight months before a regular election, or if the mayoral term to be filled ends with the next regular election, the deputy mayor shall succeed to the office of mayor until the next regular election and a successor is elected, at which time, the deputy mayor shall resume their ~~his or her~~ assembly seat for the remainder of their ~~his or her~~ term, if any. The deputy mayor shall be compensated in accordance with CBJ 11.15.050(a). The assembly shall fill the seat left vacant by the deputy mayor's succession by appointing by majority vote of the remaining members a qualified resident from the same election district as the deputy mayor. The person appointed by the assembly shall serve until the next regular election and shall be compensated in accordance with CBJ 11.15.050(b).

(c) If a vacancy in the office of mayor occurs more than eight months before a regular election, the assembly shall call a special election to fill the unexpired mayoral term. The deputy mayor shall serve as mayor until the new mayor takes office. The assembly shall fill the seat left temporarily vacant by the deputy mayor's succession by appointing by majority vote of the remaining members a qualified resident from the same election district as the deputy mayor. The person appointed by the assembly shall serve until a new mayor takes office and the deputy mayor resumes their ~~his or her~~ assembly seat. The person appointed by the assembly shall be compensated in accordance with CBJ 11.15.050(b). This subsection shall not apply if the mayoral term to be filled will end with the next regular election.

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 02/05/2024
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-07

An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty.

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

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

Section 2. Amendment of Section. CBJC 67.01.090 Prohibited uses, is amended to read:

67.01.090 Prohibited uses.

- (a) *Illegal occupancy or use.* No person shall climb upon or otherwise occupy or use any portion of a building or other structure not intended for such occupancy or use. No person shall erect a table barrier or other object to any picnic shelter, building, fence, or improvement to limit public occupancy or use.
- (b) *Occupancy during closed periods.* No person shall enter or occupy any portion of any recreation area during the closed period, as posted on the sign, except that the provisions of this subsection shall not apply to:
 - (1) Persons occupying vehicle-mounted campers or camp trailers; and
 - (2) Persons making direct trips to or from the small boat harbor or the offices of the bureau of mines.

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- (c) *Firearms and other missiles prohibited.* No person shall carry or discharge an air rifle, firearm or slingshot or throw stones or other missiles within the limits of any area designated in section 67.01.030, and no person shall hit a golf ball or launch other missiles within such areas other than in areas designated by the director.
- (d) *Posting bills, advertisements, etc.* No person shall post any bill, notice, advertisement or other written or printed matter in any place within the limits of any recreation area, except upon a bulletin board provided by the City and Borough for such purpose.
- (e) *Motor-driven vehicles prohibited.* No person shall operate any motor-driven vehicle within any recreation area except on the roadways and parking areas designated for such motor vehicles and no person shall allow a motor vehicle owned or controlled by him or her to be so operated.
- (f) *Vehicle repairs prohibited.* No motor vehicles shall be overhauled, repaired, lubricated, or oiled in any recreation area.
- (g) *Obstructing driveways.* No person shall obstruct the driveways in any recreation area.
- (h) *Animals.* Unless otherwise posted by Juneau Parks and Recreation under regulations issued pursuant to CBJ 01.60, dogs shall be permitted in park or recreation areas if the dog is restrained on a leash no longer than ten feet held by a person capable of controlling the dog, or is under competent voice control, as defined in CBJ 08.05.010.
- (i) *Permit required for sales and commercial use of recreation facilities.* The permit is issued pursuant to regulations adopted in section 67.01.045. A person shall not expose or offer for sale any merchandise or solicit or advertise for the sale of any merchandise or service within the limits of a recreation area or adjacent loading zone:

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(1) If that person is not in possession of a valid permit issued for that purpose by the manager or the manager's designee; or

(2) Other than in compliance with all conditions of a permit issued for that purpose by the manager or the manager's designee.

(j) *Fires.* No person shall make or assist in making any fire within 50 feet of any building or other improvement except in established fireplaces or barbecue pits, and no person shall allow a fire to burn in a manner dangerous to persons or property, or to be left unattended.

(k) *Glass containers prohibited.* No person may possess, carry, or use a glass beverage container of any nature within any park or recreation area owned or operated by the City and Borough; except, this prohibition does not apply to the Eaglecrest Lodge or to special events where the use of glass containers has been specifically authorized by the manager.

(l) ~~*Violations.*~~ *Violations.* A violation of this section is an infraction punishable pursuant to section 03.30.056. ~~Violation of regulations issued pursuant to subsection (h) of this section is an infraction.~~

(m) *Fireworks.* Except for an area specifically designated for use of fireworks by the assembly, use of a firework is prohibited within the limits of any area designated in section 67.01.030. Firework and use of firework have the same meanings as in CBJC 36.80.070. The assembly, by resolution, may designate any area designated in section 67.01.030 for use of fireworks during specific times.

(n) *Permit required for gatherings of over 100 persons in parks or recreation facilities.* The manager or designee may promulgate regulations pursuant to section 67.01.045 to permit a large gathering. A person shall not cause more than 100 people to gather within the limits of a recreation area:

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(1) If that person is not in possession of a valid permit issued for that purpose by the manager or the manager’s designee; and

(2) Other than in compliance with all conditions of a permit issued for that purpose by the manager or the manager’s designee.

Section 3. Amendment of Section. CBJC 03.30.056 Parks and recreation fine schedule, is amended to read:

03.30.056 Parks and recreation fine schedule.

Pursuant to sections 03.30.010—03.30.015 of this chapter, the following parks and recreation offenses are amenable to disposition without court appearance and may be disposed of upon payment of the fines listed to the municipal clerk. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed in the following schedule:

PARKS AND RECREATION FINE SCHEDULE

CBJ	Offense	No. of Offenses	Fine
67.01.050	Hours of operation	Any	\$ 25.00
67.01.090(a)	Climb on or occupy building	Any	25.00
67.01.090(c)	Firearms and other missiles prohibited	Any	150.00
67.01.090(d)	Posting bills, advertising	Any	25.00
67.01.090(e)	Motor vehicles prohibited	Any	150.00
67.01.090(f)	Vehicle repairs prohibited	Any	25.00
67.01.090(g)	Obstructing driveway	Any	25.00
67.01.090(h)	Animals in parks and recreation areas	Any	25.00
67.01.090(i)(1)	Parks and recreation permit required	Any	300.00
67.01.090(i)(2)	Violation of permit conditions	Any	200.00
67.01.090(j)	Fires	Any	50.00

67.01.090(k)	Glass container prohibited	Any	25.00
67.01.090(n)	Large gathering permit violation	Any	200.00
67.01.095(a)	Hours of operation	Any	100.00
67.01.095(b)	Prohibited area of operation	Any	100.00
67.01.095(c)	Violation of wake restriction	Any	100.00
67.01.095(d)	Refueling prohibited	Any	250.00
67.01.095(e)	Rinsing or flushing prohibited	Any	250.00

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Introduced: February 05, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Transferring \$540,340 from Various Capital Improvement Projects to CIP R72-167 Dogwood Lane, CIP R72-169 10th, F, W. 8th Streets Reconstruction, and CIP U76-127 Collection System.

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. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$540,340 be transferred:

From: CIP		
W75-072	Lower D and 1 st Street – Sewer Replacement	(\$ 275,000)
W75-066	Airport Area Water Replacement	(\$ 115,862)
W75-060	ADO Project Utility Adj-F414	(\$ 77,637)
W75-077	Aurora Vault Removal	(\$ 71,841)
To: CIP		
R72-169	10 th , F, W. 8 th Streets Reconstruction	\$ 233,340
U76-127	Collection System Improvements	\$ 221,000
R72-167	Dogwood Lane	\$ 86,000

Section 3. Source of Funds.

Water Funds	\$ 490,340
Wastewater Funds	\$ 50,000

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 02/05/2024
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3050

A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

WHEREAS, the Bartlett Regional Hospital (BRH) Board of Directors is responsible for the administration and management of the hospital under the general direction of the Assembly; and

WHEREAS, CBJC 40.05.030 provides that the BRH Board of Directors shall recommend bylaws for the administration and government of the hospital, which bylaws shall become effective upon approval of the Assembly by resolution; and

WHEREAS, CBJC 40.05.040 authorizes but does not require the existence of an executive committee, and BRH Board of Directors can run more effectively without it; and

WHEREAS, the Assembly may accept the bylaws recommended by the BRH Board of Directors, may reject such bylaws, or may modify them; and

WHEREAS, at its regular meeting on January 23, 2024, the BRH Board of Directors approved certain amendments to the bylaws consistent with CBJ ordinances and forwarded the same to the Assembly; and

WHEREAS, the BRH Board of Directors recommends that the Assembly approve the amended bylaws attached to this resolution.

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

Section 1. The Assembly hereby approves the amendment to the BRH Board of Directors Bylaws, which would read:

0154.1 ~~Reserved Executive Committee~~

~~The Executive Committee shall consist of the President, Vice President, Secretary, and the Immediate Past President. The President shall be Chair of the Executive Committee and in their absence the Vice President shall be Chair. The Immediate Past President shall serve as an ex-officio voting~~

43 ~~member on the Executive Committee following their last term as President.~~
44 ~~The Executive Committee shall be empowered to transact all regular business~~
45 ~~of the hospital during the interim between meetings of the Board, provided~~
46 ~~that any action it may take shall not conflict with the policies of the Board.~~
47 ~~Any action taken by the Executive Committee shall be reported at the next~~
48 ~~regular meeting of the Board and may be rescinded by Board action at the~~
49 ~~meeting.~~

50 **Section 2. Effective Date.** This resolution shall be effective immediately after its
51 adoption.

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53 Adopted this _____ day of _____ 2024.

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56 _____
57 Beth A. Weldon, Mayor

58 Attest:
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60 _____
61 Elizabeth J. McEwen, Municipal Clerk
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Presented by: The Manager
Introduced: February 05, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1070

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$75,590 be transferred:

From: CIP

U76-118 ADOT Project Utility \$ (75,590)

To: CIP

U76-127 Collection System Improvements \$ 75,590

The \$75,590 consists of:

Wastewater Funds \$ 75,590

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: February 05, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1071

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$2,069,263 be transferred:

From: CIP

W75-061	Douglas Highway Water – David to I Streets	\$ (1,791,104)
W75-077	Aurora Vault Removal	\$ (278,159)

To: CIP

W75-069	Glacier Hwy and Lena Loop System Scope	\$ 1,204,500
W75-070	Cope Park Pump Station Upgrade	\$ 864,763

The \$2,069,263 consists of:

Water Funds	\$ 1,069,263
Temporary 1% Sales Tax	\$ 1,000,000

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: February 05, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1069

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$3,949,000 be transferred:

From: CIP

R72-158	Teal Street Reconstruction	\$ (850,000)
R72-170	Conifer Lane Back Loop to End	\$ (813,000)
R72-161	Misty Lane Reconstruction	\$ (730,000)
R72-165	Dudley Street (Loop Road to End)	\$ (706,000)
R72-149	Meadow Lane Improvements	\$ (450,000)
R72-150	Cedar Street – Mendenhall to Columbia	\$ (200,000)
R72-151	Robbie Road, Ling Court and Laurie Lane	\$ (100,000)
R72-152	Tongass Boulevard - Trinity to Loop	\$ (100,000)

To: CIP

R72-167	Dogwood Lane	\$ 1,414,000
R72-169	10th, F, W. 8th Streets Reconstruction	\$ 1,190,000
R72-162	Crow Hill Surface and Utility Rehabilitation	\$ 845,000
R72-176	Pavement Management	\$ 500,000

The \$3,949,000 consists of:

General Sales Tax	\$ 2,712,000
Water Funds	\$ 745,000
Wastewater Funds	\$ 392,000
Temporary 1% Sales Tax	\$ 100,000

Moved and Approved this _____ day of _____, 2024.

Katie Koester, 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

December 27, 2023

Juneau, City and Borough

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

Re: Notice of 2024/2025 Liquor License Renewal Application

Table with 2 columns and 3 rows containing license details: License Type (Package Store), Licensee (Thibodeau's Market, Inc.), and Doing Business As (Thibodeaus Liquor).

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,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov

FY2025 DRAFT Legislative Capital Priorities

FY25 Assembly Scoring (1 - 21)	FY24 Adopted Priority Ranking	Project Name:	Amount Requested:	Total Project Cost:	Funding Already Secured:
1	2	Juneau Douglas North Crossing	\$2M	\$280M-320M	\$2M for PEL; \$250,000 CBJ; \$7M; \$16.45 RAISE
2	4	Telephone Hill Redevelopment	\$2M	~\$10M (placeholder)	\$600,000 (\$500k 1% Sales Tax; \$100k GF)
3	1	Pederson Hill Housing Development	\$1M	\$5-\$15M	\$1.5M (1% Sales Tax)
4	7	Mendenhall Wastewater Treat. Plant Compliance: Fats, Oil, and Grease & Grit Removal	\$5.95M	\$5.95M	\$0
5	5	Public Safety Radio Improvements (formerly CBJ Radio System Replacement)	\$13M	\$21M	\$500K, \$2M CBJ Voter approved sales tax (\$2M pending CDS)
6	3	Aak'w Village District Parking (formerly N. SOB parking garage)	\$30M	\$40M	\$5M SOA; \$5M CBJ Voter Approved Sales Tax
7	6	JSD-Wide HVAC and Heating Control System Upgrades	\$6.4M	\$6.4M	\$0
8	8	Lemon Creek Multimodal Path	\$8M	\$10M	\$250,000; \$1.15M, 1% Sales Tax
9	New	Bartlett Emergency Department (ED) Renovation/Expansion	\$2M	\$10-12M	\$4M Bartlett Reserves; (\$4M pending CDS)
10	13	Municipal Composting Facility Design and Construction	\$4M	\$6.5M	\$2.5M CDS (FY23)
11	10	Capital Civic Center	\$5-\$10M	\$45M	\$8M CBJ funds for design and matching funds; \$10M commitment from CLIA for MPFs; \$6.5M in Partnership Resources
12	14	Aurora Harbor Rebuild – Ph. IV	\$1M	\$11.5M	\$5M (1% CBJ Voter approved sales tax)
13	12	JSD-Wide Security and Safety Upgrades	\$2M	\$2M	\$0
14	New/ Returning	Shore Power at Dock 16B	\$20M	\$54.25M	\$5.38 (MPF)
15	New	Eaglecrest Employee & Tourism Workforce Housing	\$12M	\$12M	\$0

16	16	Waterfront Juneau Douglas City Museum	\$2M	\$12M	\$2M in 1% CBJ Voter approved sales tax
17	20	West Douglas Extension	\$4M	\$7.5M	\$0
18	15	Auke Bay New Breakwater	\$5M	~\$50M+ (placeholder)	\$1.8M CBJ commitment, (\$500k pending CDS)
19	22	Jackie Renninger Park Development & Pipeline Skatepark Improvements	\$4M	\$4.075M	\$75,000
20	18	North Douglas Boat Ramp Expansion	\$250k	\$20M	\$0
21	19	Off-Road Vehicle (ORV) Park Development	\$5.7M	\$6M	\$450,000 (CBJ funds and RTP grant)

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Presented by: The Manager
Introduced: 02/05/2024
Drafted by: S. Layne

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3051

A Resolution Petitioning the Alaska State Alcoholic Beverage Control Board to Issue up to 20 Additional Restaurant or Eating Place Licenses within the City and Borough of Juneau Under Alaska Statute 04.11.405.

WHEREAS, the City and Borough of Juneau (“CBJ”) is incorporated as a home rule municipality and is eligible to seek additional Restaurant or Eating Place Licenses (REPL) from the Alaska State Alcoholic Beverage Control Board through the process outlined in Alaska Statute ("AS") 04.11.405; and

WHEREAS, the CBJ is a hub of regional commerce in Southeast Alaska and the state capital; and

WHEREAS, approximately 32,000 people live in the CBJ year-round, Juneau employs over 15,000 local resident workers, over 4,000 nonresident workers, has 1.6 million yearly visitors, and those workers and visitors rely on the CBJ for goods and services meeting the requirements outlined in AS 04.11.405(b)(1)(A); and

WHEREAS, the Juneau Police Department has 40 sworn peace officers and numerous other staff members to provide local law enforcement services including police patrol and criminal investigation, meeting the conditions outlined in AS 04.11.405(b)(1)(B); and

WHEREAS, the CBJ Planning Commission and Planning staff are tasked with wide-ranging planning and land use authority including, but not limited to, zoning regulation and oversight, management of CBJ lands, and updates to the CBJ Comprehensive Plan (CBJC Title 49), meeting the conditions outlined in AS 04.11.405(b)(1)(C); and

WHEREAS, the CBJ currently exceeds the number of licenses allowed under AS 04.11.040(a) with 23 active REPLs, meeting the conditions outlined in AS 04.11.405(b)(1)(D) and (c)(3)(B); and

WHEREAS, when considering the cumulative number of geographically-integrated populations, residents versus non-residents, the CBJ has over 32,000 residents; over 4,000 nonresident workers, and over 1.6 million visitors each year, well above the additional population that would be required for the 20 additional licenses requested to maintain the 1 to 1,500 ratio mandated under Title 4; and

WHEREAS, allowing the sale of beer and wine at additional local restaurants would allow for an increase in consumer options for locals and visitors and more opportunities for local businesses; and

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WHEREAS, the increased REPL would enhance CBJ's local economic development and create additional jobs.

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

Section 1. The Assembly hereby petitions the Alaska State Alcoholic Beverage Control Board to issue up to 20 additional restaurant or eating place licenses within the CBJ under AS 04.11.405.

Section 2. Effective Date. This resolution shall be effective immediately upon its adoption.

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



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

TO: Mayor Weldon and Assembly
FROM: Katie Koester, City Manager
Sherri Layne, Assistant Municipal Attorney
DATE: January 2, 2024
RE: Resolution 3051 Petitioning the Alaska State Alcoholic Beverage Control Board to Issue Additional Restaurant or Eating Place Licenses (REPLs) within the City and Borough of Juneau

The purpose of this memo is to provide context to Resolution 3051 and help the committee decide if the body wishes to request additional REPLs, how many to request. As a reminder, the Human Resources Committee heard presentations on this topic at the [November 13, 2023](#) and [December 11, 2023 meetings](#).

Background

Recent changes to Title IV allow local governments to petition for additional Restaurant or Eating Place Licenses (REPLs serve beer and wine only with a 50% food requirement). Under Title 4 the procedure for a community to obtain additional REPLs is to pass a resolution, apply to the Alcohol and Beverage Control Board, and attend a hearing before the board. A decision can be made as soon as one month from submission. Note, a REPL is a year-round beer and wine license – the new changes allow for unlimited seasonal REPL licenses, not to exceed 6 months.

How Many REPLs Should Juneau Request?

If the Assembly decides to apply for additional REPLs, it needs to land on a number to request. Once a petition is submitted, a community cannot petition the ABC Board for one year (however, if the request is denied, it can amend the request). Wasilla and Valdez recently successfully petitioned for additional REPLs, 20 and 10, respectively. Currently, Juneau has 23 REPLs, which is the maximum allowable without submitting a petition for additional licenses. However, the new formula takes into account resident *and* visitor population – which means from a strictly mathematical perspective Juneau could have over 1000 REPLs.

Recommendation: Discuss Resolution 3051 petitioning the Alaska State Alcoholic Beverage Control Board to issue additional Restaurant and Eating Place Licenses in CBJ.

If the committee is supportive of requesting additional REPLs:

- Decide how many to request and amend lines 10, 45 and 59 accordingly.
- Recommend Resolution 3051 for introduction to the Assembly.

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Presented by: COW
Presented: 02/05/2024
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3055

A Resolution Partially Opposing the Petition Submitted by the City of Hoonah for Incorporation of the Xunaa Borough Including Horse Island, Colt Island, and the Mansfield Peninsula on Admiralty Island.

WHEREAS, Horse and Colt Islands are only ~7 boat miles from the major boat access points in the CBJ (Statter Harbor/North Douglas Boat Ramp) as compared to ~53 boat miles to Hoonah; Horse Island had ~75 private lots according to Plat 86-57 (1986) and Colt Island had ~113 private lots according to Plat 75-11 (1975); and

WHEREAS, the eastern side of the Mansfield Peninsula—including the Point Retreat Lighthouse—is only ~6-11 boat miles from the major boat access points in the CBJ as compared to ~40-56 boat miles to Hoonah; and

WHEREAS, the western side of the Mansfield Peninsula, especially Funter Bay, is about equal distance (~25 boat miles) from the major boat access points in the CBJ and to Hoonah; and

WHEREAS, Article X, Sec. 3 of the Alaska Constitution requires boroughs that encompass areas and populations with common interests to the maximum degree possible; and

WHEREAS, the Local Boundary Commission conducted an intensive study, which included public testimony from throughout Alaska, in order to adopt "model borough boundaries" that should guide the Local Boundary Commission’s analysis; and

WHEREAS, charged in 2005 to research and advise the Assembly on annexation topics, the [CBJ Annexation Study Commission produced a final report](#) in 2007; and

WHEREAS, the 2007 CBJ Annexation Study Commission report, described the model borough boundaries for the CBJ and accurately reflected an area more closely tied to the CBJ than any other potential municipality—including a potential Xunaa Borough—because of the CBJ’s “role as a transportation, supply, services, and communication hub for property owners at Funter Bay and on Horse and Colt Islands...” ([2007 Report page 4](#)); and

WHEREAS, the 2007 CBJ Annexation Study Commission report also researched the common interests (social, cultural, economic, communication, and transportation) for the northern area of Admiralty Island and described that “Many CBJ residents also own

45 property outside but need the current CBJ boundaries, including in Funter Bay and on
46 Horse and Colt Islands, and other dispersed locations on Admiralty Island...Juneau serves
47 as the supply, transportation, and services center for all of these outlying areas” and public
48 radio stations reach some of the areas ([2007 Report page 4](#)); and
49

50 WHEREAS, the 2007 CBJ Annexation Study Commission report also described there is
51 dispersed economic activity around the northern area of Admiralty Island by identifying a
52 tourist lodge that operates seasonally on Colt Island, a mining company had expressed
53 interest exploring old prospects on the Mansfield Peninsula, and only 14 people received
54 Permanent Fund Dividend distributions in this area as of 2005 (Funter Bay-6, Colt Island-4,
55 Horse Island-3, Hawk Inlet-1) ([2007 Report pages 5-6](#)); and
56

57 WHEREAS, the 2007 CBJ Annexation Study Commission report concluded the CBJ
58 should not annex the area south of Greens Creek on Admiralty Island without initiating
59 discussions with the City of Angoon community leaders (page 10), but the CBJ should
60 defend the model borough boundaries if an annexation petition was submitted, especially by
61 a community that did not include the City of Angoon ([2007 Report pages 11-12](#)); and
62

63 WHEREAS, on November 27, 2023, the Local Boundary Commission accepted an
64 annexation petition submitted by the City of Hoonah for Incorporation of the Xunaa
65 Borough and Dissolution of the City of Hoonah, that includes the northern tip of Admiralty
66 Island (including Colt and Horse Islands), which is inside the model borough boundary for
67 the CBJ and does not include the City of Angoon; and
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69 WHEREAS, Horse Island, Colt Island, and the northern tip of Admiralty Island are still
70 within the model borough boundary for the CBJ, and still have stronger connections with
71 the CBJ than any other potential borough; and
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73 WHEREAS, about five years ago, there were five permanent residences on Horse and Colt
74 Islands, who came to the CBJ for mail and services (Exhibit E at n. 4-5,
75 <https://juneau.org/manager/2019-annexation-petition?pagenum=1>); and
76

77 WHEREAS, about five years ago, the remaining private parcels are either undeveloped or
78 have recreational cabins with the vast majority residing in the CBJ, are registered to vote in
79 the CBJ, and have already been included in CBJ’s population count. Of the registered
80 Alaska voters who own property, none were registered to vote or reside in Hoonah (Exhibit
81 E at page 7, <https://juneau.org/manager/2019-annexation-petition?pagenum=1>); and
82

83 WHEREAS, about five years ago, the two non-profit entities that owned property on the
84 eastern side of the Mansfield Peninsula had addresses in the CBJ (Exhibit E at page 8,
85 <https://juneau.org/manager/2019-annexation-petition?pagenum=1>); and
86

87 WHEREAS, about five years ago, there was a tourism-based business (Orca Point Lodge)
88 on Colt Island in which the tours all left from the CBJ (i.e. Statter Harbor), another nearby
89 property is owned by a business that shuttles Green’s Creek mine workers within the CBJ,
90 and Sealaska—headquartered in the CBJ—owns a small parcel on the Mansfield Peninsula

91 (Exhibit E at pages 9-10, <https://juneau.org/manager/2019-annexation-petition?pagenum=1>);
92 and
93

94 WHEREAS, about five years ago, the USFS permitted commercial activity—freshwater
95 fishing, hunting, nature tours—in GUA 04-10 (including southwestern Mansfield Peninsula)
96 and GUA 04-08 (including northern Mansfield Peninsula) with more companies that had
97 connections to the CBJ than any other area (Exhibit R, <https://juneau.org/manager/2019-annexation-petition?pagenum=2>); and
98
99

100 WHEREAS, about five years ago, the Alaska Department of Fish and Game reported that
101 79% of the Alaska resident brown bear hunters, 95% of Alaska resident Sitka black-tailed
102 deer hunters, and the majority of Alaska big game guides who hunted on northern
103 Admiralty Island were based out of the CBJ (Exhibit E at page 11,
104 <https://juneau.org/manager/2019-annexation-petition?pagenum=1>); and
105

106 WHEREAS, about five years ago, radio communication, public radio stations, cell phone
107 towers, and charter services from the CBJ provided the requisite level of communications to
108 Horse and Colt Islands and Mansfield Peninsula (Exhibit E at pages 19-21,
109 <https://juneau.org/manager/2019-annexation-petition?pagenum=1>); and
110

111 WHEREAS, there have been substantial public meetings discussing annexation of the
112 Mansfield Peninsula, Horse Island, and Colt Island including during the 2018-19
113 annexation process (Exhibits H1-H8), and more recently on January 29 and February 5,
114 2024, which included a public hearing.
115

116 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
117 JUNEAU, ALASKA:
118

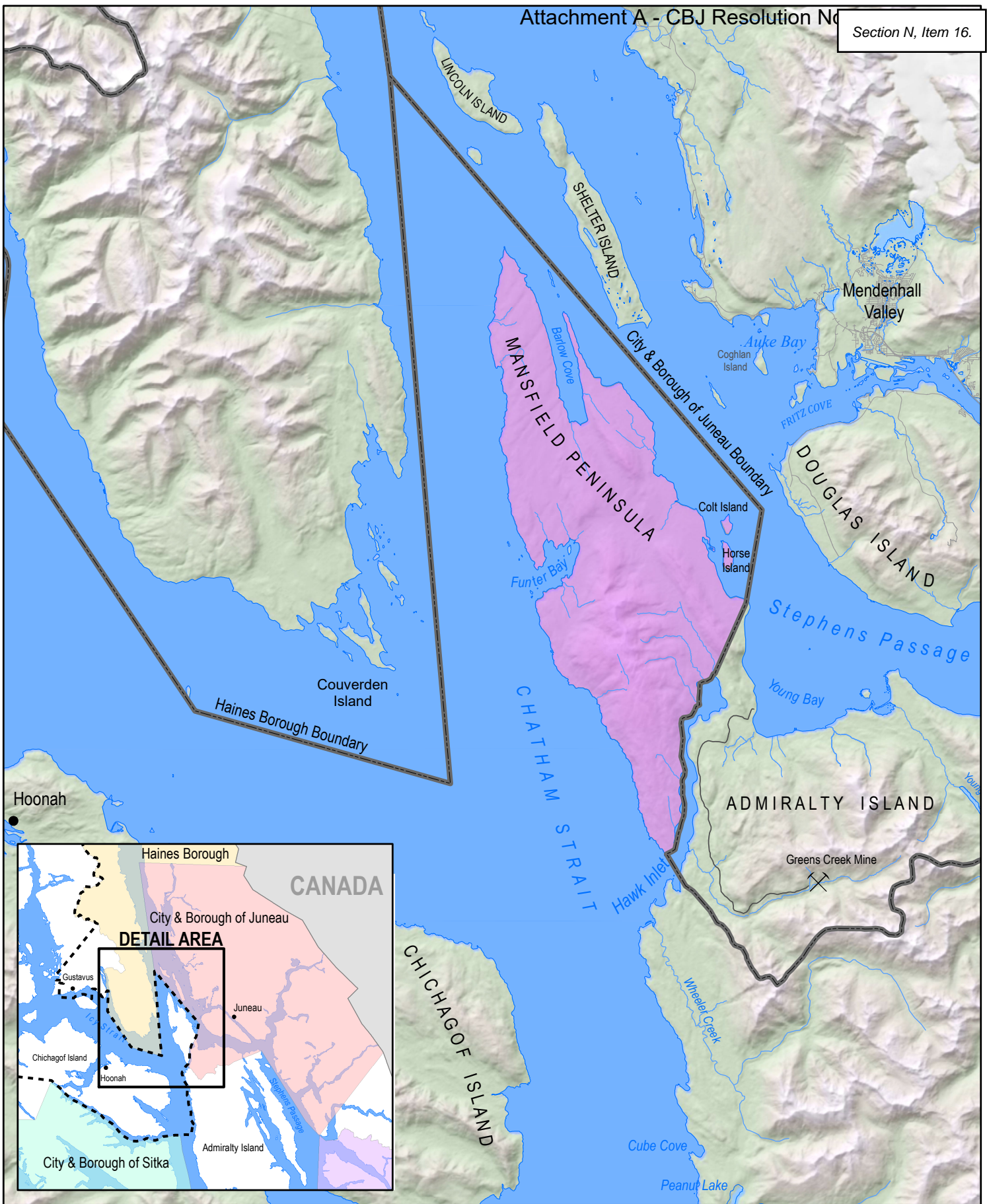
119 **Section 1. CBJ Partial Opposition to the Xunaa Borough Petition.** The City and
120 Borough of Juneau believes the Xunaa Borough would benefit the region, but the CBJ
121 opposes the incorporation/annexation of Horse Island, Colt Island, and the Mansfield
122 Peninsula according to Attachment A into the proposed Xunaa Borough for the reasons
123 described above and encourages the Local Boundary Commission to use the 1997 model
124 borough boundary for that area instead.
125

126 **Section 2. Effective Date.** This resolution shall be effective immediately after its
127 adoption.
128

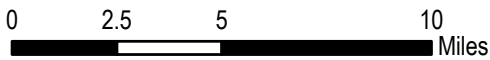
129 Adopted this _____ day of _____ 2024.
130
131




132
133 Attest: _____ Beth A. Weldon, Mayor
134
135

136 _____
137 Elizabeth J. McEwen, Municipal Clerk



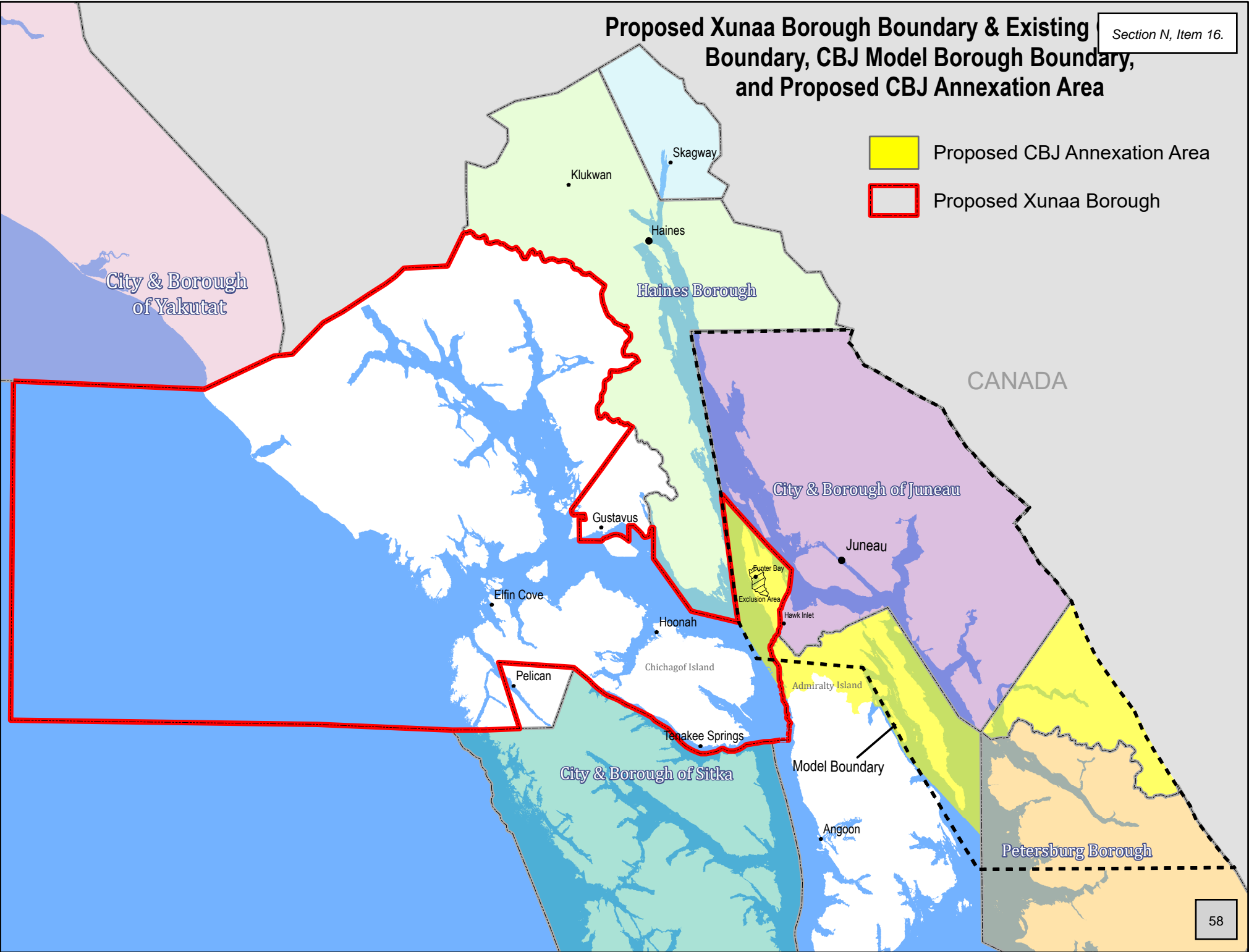
Map date: 1/3/2024



-  Borough Boundary
-  Mansfield Peninsula Protest Area
-  Proposed Xunaa Borough Boundary (inset)

Proposed Xunaa Borough Boundary & Existing Boundary, CBJ Model Borough Boundary, and Proposed CBJ Annexation Area

Section N, Item 16.



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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-36(b)

An Ordinance Authorizing the Sale of Foreclosed Property Located at 520 Sixth Street by Sealed Competitive Bid Auction.

WHEREAS, in connection with the foreclosure process for property tax year 2021, the following property was conveyed to City and Borough of Juneau by Clerk’s Deed:

JUNEAU TOWNSITE Block 109 Lots 3, 5 and 6FR,
Juneau Recording District, First Judicial District, State
of Alaska

with an address of 520 Sixth Street, Juneau, Alaska; and

WHEREAS, the current amount owed for tax years 2019, 2020, 2021, 2022, and 2023, including penalties and interest, is \$22,324.59; and

WHEREAS, AS 29.45.460 provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold; and

WHEREAS, the property is not needed by the City and Borough for a public purpose; and

WHEREAS, according to the City and Borough’s real property tax assessment rolls, Priscilla Corpuz was the last record owner of the property; and

WHEREAS, CBJC 53.09.250 provides for the disposal of City and Borough land by sealed competitive bid auction; and

WHEREAS, AS 29.45.480 describes how the proceeds of a sale must be distributed; and

WHEREAS, the Lands Committee considered this foreclosure at its regular meeting on July 13, 2023, and recommended disposing of the property.

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

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

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Section 2. Disposal. The City and Borough of Juneau has determined that a public purpose does not exist for the property. The Manager is authorized to dispose of the property, located at 520 Sixth Street, Juneau, Alaska, and legally described as JUNEAU TOWNSITE Block 109 Lots 3, 5 and 6FR, Juneau Recording District, First Judicial District, State of Alaska, by sealed competitive bid auction in accordance with CBJC 53.09.250. In the event the sealed competitive bid does not dispose of the property, the Manager is authorized to dispose of the property by negotiated sale in accordance with CBJC 53.09.260, CBJC 53.09.200, and such other terms and conditions set by the Manager.

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

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Presented by: The Manager
Presented: 01/08/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$900,000 to the Manager for a Loan to Coogan Alaska, LLC for the Island Hills Building LMN Project; Funding Provided by the Affordable Housing Fund.

WHEREAS, during the 2023 Juneau Affordable Housing Fund solicitation, the City and Borough of Juneau received a proposal from a private development group for a construction loan of \$900,000 for 18 market rate one-bedroom units to be developed at 401 Cordova Street, Juneau, AK, 99801; and

WHEREAS, the scoring team stated that if additional funding in the Affordable Housing Fund became available, as provided in Ordinance 2013-14(b)(R), this project could be recommended for award; and

WHEREAS, prior to executing a loan agreement with CBJ, Coogan Alaska, LLC, must have secured an appraisal of the Island Hills LMN Project, which indicates that the project is financially feasible given the housing market situation in Juneau and the Southeast Alaska economy; and

WHEREAS, CBJ and Coogan Alaska, LLC, agree that since a bank loan will be used for the development project that a loan from CBJ must be secured in a manner that places CBJ's interests after those of the bank, otherwise a bank will not loan on a development project; and

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WHEREAS, given the high demand for housing and the potential benefits for the community if the Island Hills LMN Project is fully developed, the following appropriation terms and conditions are in the best interest of the community.

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 \$900,000 for a loan to the Island Hills LMN Project.

Section 3. Source of Funds.

Juneau Affordable Housing Fund \$900,000

Section 4. Loan Purpose and Terms. The Manager is authorized to negotiate a loan contract with Coogan Alaska, LLC, with the following essential terms, in addition to other reasonable contractual and financing provisions deemed necessary by the Manager to protect the City and Borough:

(a) Intent. Housing is in high demand. The purpose of this loan is to provide capital in the form of a construction loan, secured by a mortgage lien, to help encourage and facilitate the development of 18 one-bedroom units to be developed at 401 Cordova Street, Juneau, AK, 99801. The 18 housing units must be developed as described in the application to the 2023 Juneau Affordable Housing Fund; if a provision of this ordinance conflicts with the application, the provision of this ordinance controls.

(b) Restrictions. The Manager must include and the Borrower must agree to the following restrictions, which are necessary to protect the public’s interest with this loan:

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- (1) **Rentable Apartments.** During the term of this loan, the housing units must remain apartments and available to rent. The apartments may be converted to other forms of housing (i.e. condos) upon complete satisfaction of the CBJ loan.
- (2) **Short-term rental.** During the term of this loan, no apartment may be used as a short-term rental. The short-term rental restriction expires upon complete satisfaction of the CBJ loan.
- (3) **Affordability.** Given that the applicant is not proposing affordable units, rents must remain at \$1,400 per month as described in the application, adjusted for inflation annually for the term of the loan.
- (4) **Borrower.** The Developer/Borrower is Coogan Alaska, LLC, represented by Wayne Coogan.
- (5) **Real Property (“Property”).** This appropriation is for an 18-unit building on a portion of the following real property:
 - Island Hills II Subdivision, according to Plat 2014-47,
 - Juneau Recording District, First Judicial District, State
 - of Alaska.
- (6) **Loan Amount.** A construction loan of \$900,000 shall be made to Coogan Alaska, LLC, in a single disbursement.
- (7) **Appraisal.** Prior to the Manager executing any loan contract, (i) Coogan Alaska, LLC, must provide a recent appraisal and (ii) the maximum debt allowed between any equity or private commercial loan and the CBJ loan must not exceed a loan to value of 75% of the appraised value of the project.

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(8) Payment Term. Coogan Alaska, LLC, shall pay CBJ monthly once repayment of the loan commences. Monthly payments shall begin the first business day of the first month that occurs 6 months after a final certificate of occupancy is obtained from the CBJ Building Official. The loan payments shall be calculated on a 25-year amortization schedule and the full amount of the loan shall be due after 10 years of payments (120 monthly payments).

(9) Interest Rate and Calculation. The loan authorized by the ordinance will be at zero percent (0%) per annum from disbursement and for the first five years of the loan repayment and two percent (2%) per annum for the remaining five years of the loan repayment. After ten years of payments, the loan shall be repaid in full.

(10) Security. Coogan Alaska, LLC, must agree and grant authority to the City and Borough to secure and record a lien for the full loan amount plus interest, costs, and reasonable attorney’s fees related to or arising from the mortgage contract against the real property and all personal property owned by the Borrower on or near the real property. Coogan Alaska, LLC, and the City and Borough may renegotiate the terms of the property which provides security for the loan over the life of the loan, but the security must match or exceed the value of the outstanding loan. Coogan Alaska, LLC, must further agree to authorize the City and Borough to secure the loan with liens on any materials purchased with the loaned money; the City and Borough will release the materials liens either upon Coogan Alaska, LLC, completing repayment or upon the permanently installing the materials onto or into the property.

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(11) Subrogation. The Manager may subrogate the CBJ's interests to those of the commercial banking lender.

(12) Additional Loan Terms. The Manager may add additional terms consistent with the intent of this ordinance.

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

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 01/08/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$2,250,000 to the Manager for a Loan to Chilkat Vistas, LLC for Chilkat Vistas Apartments; Funding Provided by the Affordable Housing Fund.

WHEREAS, during the 2023 Juneau Affordable Housing Fund solicitation, the City and Borough of Juneau received a proposal from a private development group for a construction loan of \$2,250,000 for 45 apartments (18 efficiency and 27 one-bedroom) to be developed at Chilkat Vistas Subdivision Phase 2, Tract A3 in Juneau, Alaska; and

WHEREAS, the Juneau Affordable Housing Fund Review Committee recommends the Assembly loan \$2,250,000 to Chilkat Vistas, LLC, for the Chilkat Vistas Apartment Project; and

WHEREAS, due to changing market conditions, after the submission of their application in September of 2023, Chilkat Vistas, LLC amended their project to 48 efficiency units; and

WHEREAS, prior to executing a loan agreement with CBJ, Chilkat Vistas, LLC must have secured an appraisal of the Chilkat Vistas Apartment Project, which indicates the project is financially feasible given the housing market situation in Juneau and the Southeast Alaska economy; and

WHEREAS, CBJ and Chilkat Vistas, LLC agree that since a bank loan will be used for the development project that a loan from CBJ must be secured in a manner that places CBJ's interests after those of the bank, otherwise a bank will not loan on a development project; and

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WHEREAS, given the high demand for housing and the potential benefits for the community if the Chilkat Vistas Apartment Project is fully developed, the following appropriation terms and conditions are in the best interest of the community.

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 \$2,250,000 for a loan to the Chilkat Vistas Apartment Project.

Section 3. Source of Funds.

Juneau Affordable Housing Fund \$2,250,000

Section 4. Loan Purpose and Terms. The Manager is authorized to negotiate a loan contract with Chilkat Vistas, LLC, with the following essential terms, in addition to other reasonable contractual and financing provisions deemed necessary by the Manager to protect the City and Borough:

(a) Intent. Housing is in high demand. The purpose of this loan is to provide capital in the form of a construction loan, secured by a mortgage lien, to encourage and facilitate the development of 48 efficiency apartments to be developed at Chilkat Vistas Subdivision Phase 2, Tract A3 in Juneau, Alaska. The 48 units must be constructed as one phase consisting of three separate buildings, one building after the other.

(b) Restrictions. The Manager must include, and the Borrower must agree to the following restrictions, which are necessary to protect the public’s interest with this loan:

(1) Rentable Apartments. During the term of this loan, the housing units must remain apartments and available to rent. The apartments may be converted to other forms of housing (i.e. condos) upon complete satisfaction of the CBJ loan.

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(2) Short-term rental. During the term of this loan, no apartment may be used as a short-term rental. The short-term rental restriction expires upon complete satisfaction of the CBJ loan.

(3) Affordability. A minimum of 14 units must be rented or available for rent for \$1,400 a month adjusted for inflation annually for the term of the loan. In addition, 31 units must be rented or available for rent to people who make 80% or less than the Juneau Area Median Income (\$1,712 per month) adjusted for inflation annually for the term of the loan.

(c) Borrower. The Developer/Borrower is Chilkat Vistas, LLC, represented by Michael Heumann, who is the majority member (49%) of the Limited Liability Company.

(d) Real Property (“Property”). This appropriation is for a 48-unit development on a portion of the following real property:

Chilkat Vistas Subdivision Phase 2, Tract A3 according to Plat 2023-07, Juneau Recording District, First Judicial District, State of Alaska.

(e) Loan Amount. A construction loan of \$2,250,000 shall be made to Chilkat Vistas, LLC, in a single disbursement.

(f) Appraisal. Prior to the Manager executing any loan contract, (i) Chilkat Vistas, LLC, must provide a recent appraisal and (ii) the maximum debt allowed between any equity or private commercial loan and the CBJ loan must not exceed a loan to value of 75% of the appraised value of the project.

(g) Payment Term. Chilkat Vistas, LLC shall pay CBJ monthly once repayment of the loan commences. Monthly payments shall begin the first business day of the first month that occurs six months after a final certificate of occupancy is obtained from the CBJ Building Official. The

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loan payments shall be calculated on a 25-year amortization schedule and the full amount of the loan shall be due after 10 years of payments (120 monthly payments).

(h) Interest Rate and Calculation. The loan authorized by the ordinance will be at zero percent (0%) per annum from disbursement and for the first five years of the loan repayment and two percent (2%) per annum for the remaining five years of the loan repayment. After ten years of payments, the loan shall be repaid in full.

(i) Security. Chilkat Vistas, LLC must agree and grant authority to the City and Borough to secure and record a lien for the full loan amount plus interest, costs, and reasonable attorney’s fees related to or arising from the mortgage contract against the real property and all personal property owned by the Borrower on or near the real property. Chilkat Vistas, LLC and the City and Borough may renegotiate the terms of the property which provides security for the loan over the life of the loan, but the security must match or exceed the value of the outstanding loan. Chilkat Vistas, LLC must further agree to authorize the City and Borough to secure the loan with liens on any materials purchased with the loaned money; the City and Borough will release the materials liens either upon Chilkat Vistas, LLC completing repayment or upon the permanently installing the materials onto or into the property.

(j) Subrogation. The Manager may subrogate the CBJ’s interests to those of the commercial banking lender.

(k) Additional Loan Terms. The Manager may add additional terms consistent with the intent of this ordinance.

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

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 8, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Transferring \$800,000 from CIP F22-027 Juneau Police Department Roof Replacement to CIP P44-090 Deferred Building Maintenance.

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. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$800,000 be transferred:

From: CIP

F22-027 Juneau Police Department Roof Replacement (\$ 800,000)

To: CIP

P44-090 Deferred Building Maintenance \$ 800,000

Section 3. Source of Funds.

Temporary 1% Sales Tax \$ 800,000

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

**The Office of the Mayor
City & Borough of Juneau, Alaska**

PROCLAMATION

WHEREAS, February 18-24, 2024 has been designated as National Engineers Week; and

WHEREAS, the 2024 theme, "Welcome to the Future" is about celebrating today's achievements and paving the way for a brighter and more diverse future in engineering; and

WHEREAS, National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions President Washington, a military engineer and land surveyor, made to engineering; and

WHEREAS, Southeast Alaska engineers have enhanced the quality of life in Juneau and the Southeast community through public works projects, ports and harbors development, maritime transportation, mining, and improvements to airports, museums, recreational facilities, roadways, schools, and telecommunications; and

WHEREAS, the Juneau branch of the American Society of Civil Engineers, and Alaska Capital Engineers are local sponsors of National Engineers Week, celebrating the local accomplishment of projects-of-the-year and engineer-of-the-year recognitions within the Juneau region; and

WHEREAS, since 1983 the National Society of Professional Engineers has contributed time, sponsorship and resources in support of the national Mathcounts competition series, a competitive mathematics program that promotes mathematical achievements through a series of fun and engaging "bee" style contests; and

WHEREAS, the 2024 Juneau Mathcounts competition will be held on February 10, 2024 at Floyd Dryden Middle School; and

WHEREAS, the Juneau branch of the American Society of Civil Engineers engages in hands-on school outreach programs in science, technology, engineering, and mathematics during National Engineers Week to inspire future generations of engineers and scientists; and

WHEREAS, the Juneau branch has established civil engineer and professional engineer scholarships for high school seniors pursuing Bachelor of Science degrees in the engineering and science fields.

NOW, THEREFORE, I, Michelle Hale, Acting Mayor of the City and Borough of Juneau, Alaska, on behalf of the City and Borough Assembly, do hereby proclaim February 18-24, 2024 as:

National Engineers Week

in Juneau, Alaska and call upon the people of Juneau to recognize the essential contributions engineers make within our community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City and Borough of Juneau, to be affixed this 5th day of February, 2024.



Michelle Hale
Michelle Hale, Acting Mayor