



REGULAR ASSEMBLY MEETING 2025-05 AGENDA

March 03, 2025 at 7:00 PM

Assembly Chambers/Zoom Webinar

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

Submitted By:

Katie Koester, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

E. APPROVAL OF MINUTES

1. January 6, 2025 Regular Assembly Meeting 2025-01 Minutes-DRAFT

2. February 10, 2025 Special Assembly Meeting Minutes - Airport Board Appts - Draft

F. MANAGER'S REQUEST FOR AGENDA CHANGES

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (*Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.*)

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

Assembly Action

I. Ordinances for Introduction

3. **Ordinance 2024-01(b)(AG) An Ordinance Transferring \$375,000 from the Community Development Department Fiscal Year 2025 Operating Budget and \$80,000 from the Manager's Office Fiscal Year 2025 Operating Budget to the Comprehensive Plan Capital Improvement Project.**

The Community Development Department (CDD) is leading the CBJ's Comprehensive Plan Update project. The Comprehensive Plan is Juneau's long-term guide for development and land use activities, capturing the community's vision, goals, and recommended actions. FY25 CBJ Budget Ordinance 2024-01(b) appropriated \$375,000 to the CDD operating budget to cover the costs for the Comprehensive Plan work to be completed during the fiscal year and \$80,000 to the Manager's Office for scenario planning. Due to the multi-year and multi-department nature of the Comprehensive Plan

update, staff requests to transfer \$375,000 from the CDD FY25 operating budget to a Comprehensive Plan CIP. \$80,000 is requested to be transferred from the Manager's Office FY25 operating budget for a scenario planning initiative to accompany the comprehensive planning work. Additional funding for the Comprehensive Plan update will be requested in the FY26 budget cycle.

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

4. Ordinance 2024-01(b)(AH) An Ordinance Transferring \$200,000 from CIP D23-060 Waterfront Museum to CIP H51-125 Aurora Harbor Improvements.

This ordinance would transfer \$200,000 from the Waterfront Museum CIP to the Aurora Harbor Improvements CIP. The Harbors Enterprise has been awarded the Alaska Department of Transportation (ADOT) Harbor Facility grant for Aurora Harbor improvements, and began advertising for the \$9.5M project in February. To ensure the project has sufficient funding for upcoming construction, this request would transfer 1% Temporary Sales Tax from the Waterfront Museum CIP, which will retain sufficient funding for current project work. This funding will be returned to the Waterfront Museum CIP through the FY28 1% Temporary Sales Tax allocation.

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 Docks and Harbors Board approved this request at the February 27, 2025, meeting.

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

5. Ordinance 2024-01(b)(AI) An Ordinance Appropriating \$10,000,000 to the Manager for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project; Funding Provided by General Obligation Bond Proceeds.

This ordinance would appropriate \$10 million for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project. Funding for this request is provided by general obligation bond proceeds. This project would improve wastewater utility service by improving wastewater utility infrastructure, including, but not limited to, replacement of the wastewater clarifier building at the Juneau Douglas Wastewater Treatment Plant that services Thane, Downtown, and Douglas.

This appropriation of project funding is consistent with the intent of the \$10 million general obligation bond package approved by voters in the October 1, 2024, municipal election.

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

6. Ordinance 2025-07 An Ordinance Amending the Procedures and Requirements Related to Abandoned, Junked, Wrecked, and Impounded Vehicles.

Language for abandoned and wrecked/junk vehicles is currently found in five different locations throughout code. To simplify and clarify for both our departments and our community members, this ordinance moves all language into Chapter 72.

The intent of these code revisions is to be able to respond to abandoned, wrecked/junk vehicles more quickly and efficiently, to give more discretion to police officers in criminal cases, to clarify the impound process, and to ensure we are compliant with state law.

This code revision has been a collaborative project with JPD, Parks and Rec, Docks and Harbors, and the Manager's Office.

The Committee of the Whole reviewed this request at its January 27, 2025 meeting and forwarded it to the Assembly for adoption.

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

7. Ordinance 2025-11 An Ordinance Repealing CBJC 75.01.210 Thawing and Other Miscellaneous Charges, Related to the Water Utility Code.

In 2011, CBJ Water Utilities decommissioned its thaw unit after determining that repairs and replacement costs were prohibitive.

Previously, CBJ offered thawing services to customers for their service lines on private property for a nominal fee; however, given the high operating and maintenance costs, the program was discontinued upon the unit's decommissioning. This revision reflects the discontinuation of the thawing service and would improve operational clarity and would ensure that the code remains up to date with current and relevant practices.

This ordinance was reviewed at the Assembly Public Works and Facilities Committee meeting on February 24, 2025.

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

8. Ordinance 2025-18 An Ordinance Amending Title 42, Penal Code, Relating to Crime Involving Domestic Violence by Adding Language Consistent with State of Alaska Statutes and House Bill 66.

In January 2025, the State passed HB66. This bill made several updates to the definition of "crime involving domestic violence." This ordinance simply matches state code, allowing JPD and our prosecutors to correctly designate crimes as "DV" crimes. By adding this designation, we are able to provide additional safeguards for victims of DV crimes.

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

9. Ordinance 2025-20 An Ordinance Addressing Tax Exemptions Spanning Multiple Construction Seasons.

This ordinance is intended to address properties that are receiving an economic development tax abatement as described in CBJ Code 69.10.023. This ordinance will allow the developer and the Assessor the opportunity to set the 12 years of tax abatement starting year after the developer has received the certificate of occupancy. The developer and Assessor may decide to retroactively begin the tax abatement, in which case the developer's property taxes would be recalculated, fines and penalties may be waived by the Treasurer. The developer would still be responsible for property taxes related to the local contribution for education for all years including any fines or penalties associated with that portion of the assessment. This ordinance achieves the completion of economic development projects prior to the tax abatement approval and allows the developer the flexibility to manage cash flows for their project.

The Committee of the Whole reviewed this request at its February 24, 2025 meeting and forwarded it to the Assembly for adoption.

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

10. Ordinance 2025-21 An Ordinance Exempting the 2025 Fireworks Display Purchase from Compliance with the Procurement Code.

At the February 5, 2025, Assembly Finance Committee meeting, the Assembly was presented with several options regarding the July 4th fireworks program. The Assembly asked the City Manager's Office to pursue multiple strategies including an exemption ordinance, issuing a RFP or RFI, and exploring other possible options for future years. This ordinance will allow CBJ to provide funds for the July 4, 2025, fireworks program.

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

11. Ordinance 2025-22 An Ordinance Authorizing the Manager to Negotiate and Execute a Tidelands Lease for the Purpose of Waterfront Commercial Activities.

The Lands, Housing and Economic Development Committee received an update on this matter and took public testimony at its February 25, 2025 meeting.

The Assembly Committee of the Whole considered this ordinance and its companion Resolution 3098 at its February 25, 2025 meeting and forwarded it to the Assembly for introduction and referral back to the Assembly Committee of the Whole.

The City Manager recommends this ordinance be introduced and referred back to the Assembly Committee of the Whole.

J. Resolutions

12. Resolution 3098 A Resolution in Support of the City and Borough of Juneau's Application to Acquire Tideland from the State of Alaska.

This resolution, and its companion Ordinance 2025-22, were reviewed at the February 25, 2025 Lands, Housing and Economic Development Committee and Assembly Committee of the Whole meetings. It was forwarded along with Ordinance 2025-22 to the Assembly for introduction with a request to refer it back to the Assembly Committee of the Whole.

The City Manager recommends this resolution accompany Ordinance 2025-22 and be referred back to the Assembly Committee of the Whole for additional consideration.

13. Resolution 3093 for Phase 1 HESCO Barrier Project Clean Water State Revolving Fund (SRF) Loan

This resolution provides Assembly authorization for the City Manager to apply for and execute a loan agreement for up to \$7,830,000 for a Clean Water Nonpoint Source Loan from the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) to fund the Phase 1 HESCO barrier project and associated costs. The loan would include a 50% subsidy (forgiveness). This loan source, if awarded, can supplant the use of a Central Treasury Loan, Restricted Budget Reserve and use of General Funds as identified in Ordinance 2024-40(am) Section 10. The forgiveness benefit and how it is allocated can be determined by the Assembly at any time in the LID process.

The Assembly Public Works and Facilities Committee considered this at its February 24, 2025, meeting and forward this resolution to the Assembly.

The City Manager recommends this resolution be adopted.

14. Resolution 3097 A Resolution Authorizing the Manager to Apply For, and Enter Into, a Loan Agreement of Up to \$1,955,000 with the State of Alaska Department of Environmental Conservation, State Revolving Fund, for the Design of a Pyrolysis Unit at the Mendenhall Wastewater Treatment Plant.

The CBJ Utility aims to provide effective sewer treatment for the community in a cost-effective manner. The disposal of biosolids is a major and recurring cost for the Utility; the Utility has spent

over \$2M per year during the last two years on biosolids transport and disposal. The nearest landfill willing to accept Juneau’s biosolids is 2,000 miles away and requires multi-modal transport venues. Juneau’s most attractive option for addressing the biosolids disposal cost issue is the use of an onsite thermal destruction method. Fortunately, a multi-staged thermal processing method has recently been shown to destroy and/or contain PFAS emissions to safe levels. BioForceTech, has developed a pyrolysis-based technology for this purpose and has multiple installations operating under strict Federal and State regulatory control (<https://bioforcetech.com/equipment/installations>).

To facilitate the potential use of this biosolids solution for the CBJ Utility, CBJ would like to apply for a \$1,955,000 State Revolving Fund (SRF) loan, where we anticipate we will receive up to 100% forgiveness. This loan/grant hybrid would provide funding to begin a design phase for a BioForceTech pyrolysis project in Juneau. Once this step has been completed, the CBJ will determine project readiness and potentially seek funding to construct this addition to the biosolids processing system.

The City Manager recommends the Assembly adopt this resolution.

15. Resolution 3092 A Resolution Providing For Interest Rates For The Harbor Revenue Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024 the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Harbor Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

16. Resolution 3094 A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (Non-AMT) Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024 the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Port Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

17. Resolution 3095 A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (AMT) Being Issued Through The Alaska Municipal Bond Bank.

On December 16, 2024 the Assembly adopted Ordinance 2024-42 which authorized the refinancing of several bonds issues through Alaska Municipal Bond Bank Authority. Ordinance 2025-12, approved on February 3, 2025, revised the maturity dates of the bonds being refinanced. This resolution delegates to the Manager the authority to approve final interest rates for the refinancing of the Port Revenue Bonds. The bond refinancing sale is anticipated to occur the last week of March 2025.

The City Manager recommends the Assembly adopt this resolution.

K. Transfers

18. Transfer Request T-2508 A Transfer of \$1,406,317 from CIP H51-108 Statter Harbor Improvements Phase III to CIP H51-132 Statter Harbor Wave Attenuator.

This request would transfer \$1,406,317 of General Funds from the Statter Harbor Improvements Phase III CIP to the Statter Harbor Wave Attenuator CIP. These funds were obligated to the Statter Harbor Wave Attenuator CIP in Resolution 3065 as CBJ’s cost share of the US Army Corps of Engineers Auke Bay Feasibility Study. This project will investigate the feasibility of installing a floating wave attenuator, among other navigation options, to protect public and private marine facilities from wind-driven waves and vessel wakes. These facilities serve a multitude of commercial and non-commercial users and include public and private moorage facilities, Juneau’s most popular recreational launch ram facility, and only one of two marine fuel facilities between Juneau and Haines. This request will transfer the unspent balance of Phase III A-C stages of the project. Phase III D will be funded with Docks funds.

The Docks and Harbors Board reviewed this request at the February 27, 2025, meeting.

The City Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

19. Liquor License Actions

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

Liquor License - New

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Restaurant/Eating Place License: #16527 Location: 100 N. Franklin St.

Liquor License - Transfer

Transfer From: Triangle Club Inc. d/b/a Triangle Club

Transfer To: Triangle Syndicate LLC d/b/a Triangle Club

License Type: Beverage Dispensary License: #1166 Location: 251 Front St.

Liquor License - Package Store Delivery Endorsement (PSDE)

Licensee: Alaska Cache Liquor Inc. d/b/a Alaska Cache Liquor

License Type: Package Store Delivery Endorsement License: #271 Location: 156 S. Franklin St.

Liquor License - Renewal

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Brewery License: #5517 Location: 100 N. Franklin St.

Licensee: Devil's Club Brewing LLC d/b/a Devil's Club Brewing Company

License Type: Winery License: #5801 Location: 100 N. Franklin St.

Licensee: Costco Wholesale Corporation d/b/a Costco Wholesale #107

License Type: Package Store License: #3352 Location: 5225 Commercial Way

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

License Type: Package Store License: #849 Location: 214 Front St.

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

License Type: Package Store License #828 Location: 1017 3rd St. Douglas

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

License Type: Restaurant/Eating Place License: #188 Location: 318 Willoughby Ave.

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

License Type: Restaurant/Eating Place License: #1690 Location: 9108 Mendenhall Mall Rd.

Staff from Police, Finance, Fire, Public Works (Utilities) and Community Development Departments reviewed the above licenses and recommended the Assembly waive its right to protest these applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's Office.

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

M. Other

20. FY26 Legislative Capital Priorities

The Legislative Priorities need to be officially approved by the body. The priorities were last discussed in length at the Special Assembly Meeting with the Juneau Delegation on January 23, 2025. However, they inadvertently were left off the February 3rd Regular meeting. The State priorities have been submitted to CAPSIS and the Federal Congressionally Directed Spending Requests have been entered into Senator Murkowski's online portal.

The City Manager recommends the Assembly adopt the enclosed revised version of the FY26 Legislative Priority List.

N. PUBLIC HEARING

21. Ordinance 2024-01(b)(AD) An Ordinance Appropriating \$50,000 to the Manager for the Departure Lounge ADA Elevator Capital Improvement Project; Funding Provided by Airport Revolving Funds.

This ordinance would appropriate \$50,000 to the Departure Lounge ADA Elevator CIP. The funds would be used to hire an architect to conceptually identify locations and associated costs for an elevator in the Departure Lounge. This elevator would serve the Departure Lounge to the 121 Air Carrier apron and would facilitate ground boarding for passengers who are unable to navigate stairs to board at Gate 6 or when ground boarding is necessary. The total cost of the design and installation is currently estimated at \$2.5M and has been deemed eligible for Federal FAA funding.

The Airport Board of Directors reviewed this at the December 12, 2024 meeting. The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

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

22. Ordinance 2024-01(b)(AE) An Ordinance Appropriating \$3,000,000 to the Statter Harbor Improvements Phase III Capital Improvement Project; Funding Provided by Docks Funds.

This ordinance would appropriate \$3,000,000 to Phase III-D of the Statter Harbor Phase III CIP. Phase III-D of the project would provide for the installation of new curb, gutter, lighting, paving and landscaping at the excursion bus parking lot around the restroom facilities. These improvements primarily serve cruise tourism at Statter Harbor, therefore the use of Docks funds for this phase is appropriate.

The Docks and Harbors Board of Directors reviewed and recommended approval of this ordinance at the January 30, 2025 regular Board meeting. The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

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

23. Ordinance 2025-09am An Ordinance Amending the City and Borough Code Relating to Assessing Standards of Property Tax.

This ordinance was drafted in response to the passage of SB179 by the State. It was reviewed by the Assembly Finance Committee (AFC) on January 8, 2025 and forwarded to the full Assembly. On February 3, 2025, the Assembly sent this ordinance back to the AFC for further discussion of economic development exemptions. At the February 5, 2025, AFC, two amendments were made and have been incorporated.

The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025 meeting.

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

24. Ordinance 2025-14 An Ordinance Amending the City and Borough Title 29 Code Relating to Election Processes and Procedures.

In 2024, the Clerk’s Office received four petitions from citizens trying to engage in direct democracy. About 15% of the signatures initially turned in were rejected. Of those, more than half were rejected due to the strict, and outdated, requirements laid out in 29.10.090 about what is an ‘adequate’ address. This section of code was written before Clerk staff had real-time access to the State Division of Elections Voter Database (VREMS) which allows staff to quickly verify if a person is a Juneau resident who is eligible to sign a petition.

This led Clerk staff to propose Ordinance 2025-14, with the help of the Law Department. This ordinance removes many technical or procedural actions throughout the entire election code and places them into Rules of Procedure, which will allow election staff to better adapt to changing technologies. It also requires that the Rules of Procedure be available to the public online. This ordinance removes redundancies, rewrites complex language, and updates terminology definitions to make the code more readable by the public.

Additionally, this ordinance provides some minor changes in timing, including the candidate filing period and when ballots are mailed out. The Municipal Clerk recommends the below timing so the ordinance, if adopted by the Assembly, would take effect before the April 2025 initiative/referendum cycle begins.

The Systemic Racism Review Committee reviewed this ordinance at its February 4, 2025, meeting.

The Assembly Committee of the Whole reviewed this ordinance at its February 24, 2025, worksession and forwarded it to the Assembly for adoption.

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

O. NEW BUSINESS

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

There is 1 property owner that has requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider the request 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 the late-filed exemption request, the application will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on this application.

P. STAFF REPORTS

[26.](#) HESCO Barrier Notice to Property Owners and MOU-DRAFT

Q. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

R. ASSEMBLY COMMENTS & QUESTIONS

S. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

T. EXECUTIVE SESSION

27. Discussion on Collective Bargaining - if needed.

The City Manager recommends the Assembly recess into executive session to discuss an update to collective bargaining negotiations, the immediate knowledge of which would adversely affect the finances of the municipality.

Suggested Motion: *I move that the Assembly enter into Executive Session to discuss collective bargaining negotiations, the immediate knowledge of which would adversely affect the finances of the municipality and ask for unanimous consent.*

U. SUPPLEMENTAL MATERIALS

V. ADJOURNMENT

W. 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, e-mail: city.clerk@juneau.gov.

REGULAR ASSEMBLY MEETING 2025-01

DRAFT MINUTES



January 06, 2025, at 7:00 PM

Assembly Chambers/Zoom Webinar

Meeting No. 2025-01: the Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Deputy Mayor Greg Smith at 7:00 p.m.

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers present: Deputy Mayor Greg Smith, Christine Woll, Paul Kelly, Ella Adkison, Alicia Hughes-Skandijs, Neil Steinger, and Maureen Hall

Assemblymembers absent: Mayor Beth Weldon

Staff present: City Manager Katie Koester, City Attorney Emily Wright, Deputy City Manager Robert Barr, Municipal Clerk Beth McEwen, Meeting Tech/Minutes Clerk Kevin Allen, Port Director Carl Uchytel

D. SPECIAL ORDER OF BUSINESS

1. Proclamation honoring Kathy Vanderjack

Ms. Hall read the proclamation recognizing Kathy Vanderjack for her commitment to the community

E. APPROVAL OF MINUTES

2. January 30, 2024, Special Joint Assembly/School Board Meeting 2024-03 Minutes-DRAFT

3. May 29, 2024, Special Joint Assembly/Bartlett Regional Hospital Board Meeting 2024-11 Minutes-DRAFT

4. June 3, 2024, Special Assembly Meeting 2024-12 Minutes-DRAFT

5. June 17, 2024, Regular Assembly Meeting 2024-13 Minutes-DRAFT

6. November 18, 2024, Regular Assembly Meeting 2024-25 Minutes-DRAFT

MOTION by Ms. Hall to approve the minutes, as listed above, and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

F. MANAGER'S REQUEST FOR AGENDA CHANGES

None

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS *(Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)*

Cheyene Sanchez, Vice President of IAFF Local 4303, called via Zoom, said their members reflected on the status of the firefighter staffing after the recent tragic house fire. He pointed to four vacant firefighter positions, two of which have been unfilled for months despite hiring efforts. He said they are grateful for the intention to staff a third ambulance in 2018 but have had insufficient full-time employees (FTE) available to

staff the ambulance reliably. CBJ recently completed a compensation survey that was contracted out for the fire department, and it showed that wages fell below the regional average. He explained that this is believed to contribute to the difficulty in hiring and recruiting. His hope is that when members receive the study, they examine Appendix A regarding wages. He asked, as negotiations between the union and the city start in a month, that the city consider an internal wage alignment based on the merit of the work they do, the un-competitiveness of the wage, and inability to staff parts of Juneau’s emergency apparatus.

Supanika Ordóñez, Twin Lakes resident, recounted a dangerous situation several years ago where she woke up to a member of her household running up and down stairs with a knife while yelling at people they could hear in the walls. Juneau police assisted and escorted them to Bartlett Hospital, but the person was released and returned home hours later. The person stopped running around with a knife but didn’t stop yelling, even after she actively sought assistance before and after the incident. She stressed that it is an absolute systemic failure for somebody to grow up here in Juneau and get to a point where they make everyone around them feel unsafe. She said she recognizes the tremendous stress that Juneau Police must be under having to respond to these kinds of situations regularly. She called for better system supports to be put in place so that these calls don't have to be made, and families and individuals have the support to get the help they need before things get out of hand. She asked Assemblymembers to consider creating a task force on public safety with a task to create a comprehensive strategic plan to address, not only ongoing support for those who have slipped through the cracks, but prevention and early intervention, especially for youth.

Heather Marlow, informed members that she sent an email to the Assembly asking for a plan that delivers predictability and transparency on tourism. She also emailed her submittals for the marine passenger fee program, with suggestions for paying off the 16B dock project and completing the waterfront sea walk that’s between 16B dock area and Centennial Hall. She also suggested a request to limit tourism to a 10-hour day maximum on CBJ property. Lastly, she requested that the Assembly look at a remote airport/heliport for managing tourism helicopter traffic.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

Ms. Hughes-Skandjis requested that Resolution 3088 be removed from the consent agenda.

Assembly Action

MOTION by Ms. Hughes-Skandjis to adopt the consent agenda, as amended, by unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

I. Ordinances for Introduction

7. Ordinance 2024-01(b)(AA) An Ordinance Appropriating up to \$100,000 to the Manager for a Loan to BroKo Holdings, LLC for 220 Front Street; Funding Provided by the Affordable Housing Fund.

During the Fall 2024, Round Four competition of the Juneau Affordable Housing Fund (JAHF), two projects were awarded funding through a competitive funding round. The awardees were announced at the November 4, 2024, Lands Housing and Economic Development Committee meeting. The 220 Front Street apartment project was approved at the December 16, 2024, Assembly meeting.

This project is seeking to build 20 units affordable to households making 80% of the area median income (AMI). During the initial competition, this project placed second and was awarded the remainder of the available competitive funds in the amount of \$1 million. Because the original request for funding was \$1.1 million, it was not fully funded. The Assembly, at their December 16th meeting, requested full funding of this project by awarding the additional \$100,000 to meet the \$1.1 million request.

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

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

8. Ordinance 2024-01(b)(AB) An Ordinance Appropriating \$5,000,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.

This ordinance would appropriate \$5 million of grant funds from the Alaska Department of Transportation and Public Facilities' Harbor Facility Grants Program. This funding would provide support for the phase IV of the Aurora Harbor project. Phase IV project work includes the installation of new main walks J and K in the north end of the basin, completing the headwall float to reconnect the north parking lot to the harbor; updating the gangway, electrical system, lighting, potable water, and fire suppression systems; and installing a new Tee float on main walk H. The local match requirement will be met with existing 2017 and 2022 1% Sales Tax and Harbor Enterprise fund balance. Docks and Harbors anticipates a bid award in February 2025.

The use of 2017 1% Sales Tax funds is consistent with the intent of the of the initiative approved by voters in the October 4, 2016 municipal election. The use of 2022 1% Sales Tax funds is consistent with the intent of the of the initiative approved by voters in the October 4, 2022 municipal election.

The Docks and Harbor Board will review this request at the January 30, 2025 regular meeting.

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

9. Ordinance 2024-01(b)(AC) An Ordinance Appropriating \$7,520 to the Manager for a Grant to Juneau Economic Development Council; Funding Provided by General Funds.

Juneau Economic Development Council's (JEDC) property at 612 W. Willoughby Ave. Suite A does not qualify for CBJ's non-profit property tax exemption in 2024 because they did not submit their exemption application timely. As a result, property taxes cannot be exempted for 2024, and must be paid by JEDC. This is an unanticipated financial burden for JEDC. This grant would, in effect, acknowledge the intended non-profit purpose of 612 W. Willoughby Ave. Suite A, even though it did not meet the strict legal criteria to be exempted.

The Assembly Finance Committee will review this request at the January 8, 2025, meeting.

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

10. Ordinance 2025-08 An Ordinance Authorizing the Manager to Execute an Agreement with Alaska Electric Light & Power Company and AJT Mining Properties, Inc. for the Purpose of an Access Easement for the Christopher Trail.

Parks and Recreation has been working with AEL&P and AJT Mining Properties to improve recreational access between Cope Park and the Gold Creek Flume. By relocating an 86-foot long timber bridge from Kaxdigoowu Héen Dei (Brotherhood Bridge Trail) to Cope Park, a new trail connection can be made. This connection will require crossing approximately 250 feet of property owned by AJT. AJT has offered an easement at no cost. Alaska Statute 09.65.202 provides for a level of indemnification for landowners that allow recreational use of their land without charge. Ordinance 2025-01 allows the Manager to execute an agreement and allows an exception to the general prohibition on indemnification.

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

J. Resolutions

11. Resolution 3082 A Resolution Adopting an Alternative Allocation Method for the FY2025 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the

Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

This resolution would facilitate the CBJ’s participation in the State’s FY2025 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2023 from fisheries business activities within the CBJ’s qualifying area.

Pursuant to this program, the State distributes a share of State fishery revenues to each participating community in the Northern Southeast area.

It is anticipated that the CBJ’s share will be approximately \$1,431.58.

Clerk's note: This resolution was originally before the Assembly at its December 16, 2024, meeting but the resolution document was inadvertently marked as confidential and did not appear in any of the published packet materials. The resolution is now included in the packet for Assembly action.

The City Manager recommends the Assembly adopt this resolution.

12. Resolution 3083 A Resolution Ratifying the Labor Agreement between the City and Borough and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.

Per CBJ Code 44.10.120, tentative agreements between BRH and the ILWU must be presented to the Assembly for review and ratification. The Hospital Board approved this agreement at its December 19, 2024, meeting.

The City Manager recommends the Assembly adopt this resolution.

13. Resolution 3088 A Resolution Opposing Proposal 156, Alaska Board of Fisheries.

While the Assembly typically declines to take a position on statewide issues, Proposal 156 will directly impact Juneau and Southeast Alaska by reducing hatchery permitted pink and chum salmon egg take levels by 25%. Southeast hatcheries produce chum salmon to supplement wild stocks and sustain commercial fisheries. In 2024, hatcheries contributed approximately \$34 million of the estimated \$75 million commercial harvest value to Southeast Alaska’s economy; 86% of that value was from chum salmon. A reduction to salmon production will impact our local hatchery, DIPAC, our commercial fisheries, our charter fisheries, as well as our subsistence and personal use fishing.

The City Manager recommends the Assembly adopt this resolution.

This resolution was removed from the Consent Agenda under Assembly Requests for Consent Agenda changes and moved to the first item under Public Hearing.

K. PUBLIC HEARING

Resolution 3088 A Resolution Opposing Proposal 156, Alaska Board of Fisheries. (removed from the Consent Agenda.)

While the Assembly typically declines to take a position on statewide issues, Proposal 156 will directly impact Juneau and Southeast Alaska by reducing hatchery permitted pink and chum salmon egg take levels by 25%. Southeast hatcheries produce chum salmon to supplement wild stocks and sustain commercial fisheries. In 2024, hatcheries contributed approximately \$34 million of the estimated \$75 million commercial harvest value to Southeast Alaska’s economy; 86% of that value was from chum salmon. A reduction to salmon production will impact our local hatchery, DIPAC, our commercial fisheries, our charter fisheries, as well as our subsistence and personal use fishing.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

Katie Harms, Executive Director of DIPAC, was present and offered to answer questions.

Assembly Action

Ms. Hughes-Skandijs said her issue with the resolution is that the Assembly would be objecting before the matter gets to the Board of Fish. She said the Board of Fish would be best situated to make a decision based on their science, so she would like to leave the matter to them. She highlighted a whereas statement in the resolution which opines on the current data regarding hatchery impact on wild salmon populations, something she would not say CBJ is qualified to opine on. She maintained her objection and called for a no vote.

MOTION by Ms. Hughes-Skandijs to adopt Resolution 3088 objected to the motion.

The Assembly took a brief at-ease.

Ms. Woll said it was her understanding that the resolution would not prevent the Board of Fish from making the decision, it would just urge them to reject the proposal based on feedback.

Ms. Hughes-Skandijs agreed that nothing stops the board from taking this up. She said she cares about wild stocks and wants to make sure fish are here; if there is any question that the hatchery fish impact wild fish, she wouldn't want to jump-in and state opposition, she would want the board to review the data and make an informed decision.

Mr. Kelly asked which "Whereas" statement was in question. Ms. Hughes-Skandijs pointed to page 2, lines 47-51: "Whereas, the current data on hatchery impact on wild salmon populations remains inconclusive and does not substantiate the drastic cuts proposed by Proposal 156." She said she is unsure whether the city has staff that can opine on data about hatcheries and wild stock.

Mr. Bryson asked the DIPAC Director what the consequences would be if the resolution wasn't adopted. Ms. Harms explained that the impact of no action would lead to disparity between the other southeast communities as it relates to a full force effort at the Board of Fish level in support of hatchery programs. Ketchikan, Sitka, Craig, and Wrangell are the four towns that have passed similar resolutions that oppose the proposal. She said they are looking at how to facilitate a full-force effort of support for hatchery programs. No action or opposition to the resolution could also lead to dis-unity between the towns, and if the proposal passes at the Board of Fish, it would lead to economic harm in Juneau. She explained that a 25% reduction in chum salmon production may lead to two seafood processors being unable to operate year-round, which could also lead to a large loss in landing tax for the city and impact on those who rely on salmon for their livelihoods.

AMENDMENT #1 by Ms. Woll to amend the resolution striking the "Whereas" clause on page 2, lines 48-49, and asked for unanimous consent. *Hearing no objection, the Amendment #1 was adopted by unanimous consent.*

Roll Call Vote on Motion to Adopt Resolution 3088, as amended.

Yeas: Mr. Bryson, Ms. Adkison, Ms. Woll, Mr. Kelly, Ms. Hall, Mr. Steinger, Deputy Mayor Smith

Nays: Ms. Hughes-Skandijs

Motion adopted: 7 Yeas, 1 Nay

14. Ordinance 2024-01(b)(Z) An Ordinance Appropriating \$1,000,000 to the United States Army Corps of Engineers Glacier Flood Study Capital Improvement Project; Funding Provided by the U.S. Department of Agriculture, Forest Service, Tongass National Forest.

CBJ has entered a Participating Agreement with the United States Department of Agriculture, Forest Service, Tongass National Forest. Through this agreement, CBJ has been awarded \$1,000,000 in funding that would provide for continued technical and financial support for near-term studies to provide base line data for the

United States Army Corps of Engineers General Investigation study to find a long-term solution to future Mendenhall Lake outburst flooding. The local match requirement of \$326,707 will be met by in-kind Engineering and Public Works personnel service costs which must be met by the end of the agreement.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024 meeting.

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

Public Comment

None.

Assembly Action

MOTION by Ms. Adkison to adopt Ordinance 2024-01(b)(Z) and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

15. Ordinance 2024-43 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Approximately 63 Acres of USS 4605 FR, and 2.27 Acres of USS 3172 LT 38, Located on North Douglas Highway, from RR to D3.

This proposed rezone requested by CBJ (applicant) is consistent with development to the west and north. Bonnie Brae and Blacktail Subdivisions to the west are zoned D3. Lots to the north along North Douglas Highway are also zoned D3. Development will be challenging due to mapped wetlands and slopes in excess of 18 percent.

The Planning Commission heard [this proposal](#) at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024 meeting.

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

Public Comment

Michael Riederer, a North Douglas resident, said the city has done a good job in addressing housing needs in Juneau. This rezone will help families build new homes, the property taxes of which will support the city's public services. As a North Douglas resident, he has no problem with the possible additional traffic and looks forwards to new families in the neighborhood.

Assembly Action

MOTION by Mr. Steininger to adopt Ordinance 2024-43 and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

16. Ordinance 2024-44 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 28 Acres of USS 3820 LT3 B1 and USS2391 LT 1, Accessed via Glacier Highway in the Auke Bay Area.

This proposed rezone requested by CBJ (applicant) is uphill from the Auke Bay community core. Staff recommends reducing the applicant's scope to eliminate incompatible Comprehensive Plan land use designations, resulting in a total of approximately 29.5 acres for rezone. Mapped wetlands cover most of the proposed rezone, which will increase development costs.

The Planning Commission accepted Staff recommendation at its [regular meeting on October 22, 2024](#). The Planning Commission recommends the Assembly approve the reduced scope rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at its December 2, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024 meeting.

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

Public Comment

Heather Carpenter, an Auke Bay resident, asked that some of the rezone be reconsidered, as there are factors that should be considered. She explained that her house is near the Spaulding Meadows trailhead, and the trailhead is used daily. In the last week, there was a car that sat vacant parked at the trailhead for several days, and in the last year, a handgun was found on the trail. She said that, if the trailhead is moved up, it would be harder for police to monitor the area for squatters. She asked if another access point had been considered, rather than moving the trailhead. She said this may require coordination with the university, but they already have roads developed that may reduce the cost of the project. She stated that public comments weren't fully considered as the planner set a comment deadline of October 17 but didn't put a timestamp, so her comment sent afterhours was not incorporated in the report; it was attached as an addendum but not considered. She said the planner told her that the report was finished on October 17, which tells her that public comments were not going to be considered. She shared that she works for the Division of Insurance, and that the Southeast Alaska area has seen landslides all over for several years. She stated that they cannot find any landslide coverage available for Alaskans. If this area is rezoned and developed, is the city setting up an area that is not considered for landslide coverage.

Assembly Action

MOTION by Ms. Hall to adopt Ordinance 2024-44 and asked for unanimous consent.

Deputy Mayor Smith objected for purposes of a question. He asked Mr. Bleidorn about the trailhead concerns. Mr. Bleidorn relayed that, if this proposal is adopted, the trailhead is the first thing to be reconsidered. He is talking to the Parks & Recreation director about this, and said the trailhead is their first priority. Mr. Smith removed his objection.

Ms. Hughes-Skandijs thanked Ms. Carpenter for commenting. She advised that there are conversations that do happen, and these rezones are not just simply rubber stamped by the Assembly.

Hearing no further objection, the ordinance was adopted by unanimous consent.

17. Ordinance 2024-45 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 33 Acres of Parcel No. 8B3401000100, USS 3807, Located at 15700 Auke Rec Bypass Road, North of 15700 Glacier Highway.

The applicant (CBJ) requests a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3 (in the Auke Bay area).

The Planning Commission considered this proposal at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024 meeting.

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

Public Comment

None.

Assembly Action

MOTION by Mr. Kelly to adopt Ordinance 2024-45 and asked for unanimous consent. *Hearing no objection, the ordinance was adopted by unanimous consent.*

18. Ordinance 2024-46 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Pederson Hill II Lt 2A, Parcel 4B2201010102, Approximately 6 Acres, Located at the End of Karl Reishus Boulevard.

Applicant (CBJ) requests a rezone for approximately six acres at the end of Karl Reishus Boulevard from 10SF to D10 creating opportunity for multifamily housing.

The Planning Commission considered this proposal at its regular meeting on October 22, 2024. The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024 meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024 meeting.

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

Public Comment

Heather Marlow, an Auke Bay resident, informed members that she has experience with large sub-division settings. She said the best way to develop property this large is to have a larger master plan, as well as more predictable zoning outcomes. She advised approving the rezone tonight, and then ask staff to do a fuller, broader look at Pederson Hill. She said it is important to change course.

Assembly Action

MOTION by Ms. Hughes-Skandijis to adopt Ordinance 2024-46 and asked for unanimous consent.

Mr. Kelly objected for purposes of a question. He asked what could be done to make this a more comprehensive plan, like what Ms. Marlow suggested, or if it was already being considered in the master plan being redrafted. Manager Koester that, in any master planning efforts, the Assembly would direct staff to undertake.

Deputy Mayor Smith asked if the Assembly dedicated funds for a master plan and if that is being worked on. Manager Koester answered yes, the comprehensive plan is already underway. She said that, while the comprehensive plan may address things like density in an area, it wouldn't go into a sub-division planning level of detail.

Mr. Kelly removed his objection.

Hearing no further objection, the ordinance was adopted by unanimous consent.

19. Ordinance 2024-47 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning 39 Acres of USS 4605 FR, Located on North Douglas Highway, from D3 to D18.

At the Regular Planning Commission meeting on October 22, 2024, the Commission voted to recommend approval of a CBJ (applicant) request rezone of 39 acres of CBJ land south of Grant Creek from D3 to D18. A fraction of these 39 acres was subject to a 2022 Property Acquisition and Disposal (PAD2022 0002) that received a recommendation of approval from the Planning Commission and Assembly Lands Housing and Economic Development Committee.

The Planning Commission recommends the Assembly approve the rezone.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024, meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024, meeting.

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

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2024-47 and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

20. Ordinance 2024-48 An Ordinance Amending the Official Zoning Map of the City and Borough by Rezoning Approximately 87 Acres, Parcel 6D0611000010, North of Grant Creek from D3 to D15.

At the Regular Planning Commission meeting on October 22, 2024, the Commission voted to recommend approval of a CBJ (applicant) rezone of approximately 87 acres of undeveloped land north of Grant Creek from D3 to D15. Rezone is consistent with the adjacent zoning district.

The Assembly Lands, Housing & Economic Development Committee reviewed this request at the December 2, 2024, meeting.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024, meeting.

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

Public Comment

None.

Assembly Action

MOTION by Ms. Adkison to adopt Ordinance 2024-48 by unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

21. Ordinance 2024-49 An Ordinance Amending the Comprehensive Plan by Adopting the Blueprint Downtown Area Plan.

On April 23, 2024, the Planning Commission, at its special public meeting, adopted the analysis and findings listed in the attached memorandum dated April 16, 2024, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to adopt the Blueprint Downtown Area Plan as an addendum to the CBJ Comprehensive Plan with revisions noted in the staff report. The Commission added a recommendation to encourage a stronger focus on housing with preference language for projects involving housing downtown.

The Assembly discussed the adoption of the recommended text amendment at the June 3, 2024 Lands, Housing, and Economic Development Committee and the September 9, 2024 Committee of the Whole meeting. After discussion about adoption options, resolution vs. ordinance, the COW passed a motion to direct staff to draft an ordinance to adopt the Blueprint Downtown Area Plan as part of the CBJ Comprehensive Plan, 7-1.

It is noted that grammatical and formatting errors will be resolved prior to the final printing of the Plan. A handful of corrections recommended for approval are noted in Attachment A.

The draft Blueprint Downtown Area Plan may be found online: <https://juneau.org/community-development/blueprint-downtown>.

The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024, meeting.

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

Public Comment

Karla Hart, a Back Loop resident, asked members to delay consideration of this plan. She said the plan incorporates building a fifth dock at the subport, as well as adoption of the Visitor Industry Task Force’s recommendations. She learned through appealing the permit that electrifying the dock is aspirational and not law. She stressed that the Assembly is adopting something that cements permission to build a dock but does not provide the community the protections it needs, such as dock electrification. She said there some factually incorrect statements, like on page 81, which says that it is legally questionable as to whether Juneau can set limits on cruise tourism. She noted that a federal court has found in favor of legal rights of a community to set a limit on the number of visitors. She pointed to page 178, which suggests continued pursuit of dock electrification fits within Juneau's power capacity. She said that Juneau should be limiting cruise ship tourism to fit within the city’s power capacity. She urged tabling the motion.

Assembly Action

MOTION by Ms. Woll to adopt Ordinance 2024-49 ordinance and asked for unanimous consent.

Mr. Kelly objected. He asked if this ordinance would give permission for a fifth dock to be built. Ms. Wright responded that there is nothing in approving this ordinance that provides a yes or no on the next steps for a fifth, as the fifth dock is still fully up to the Assembly and it still has to go through the process. She said there isn’t anything in this plan that ties anyone’s hands. Mr. Kelly removed his objection.

Hearing no further objection, the ordinance was adopted by unanimous consent.

22. Ordinance 2024-01(b)(W) An Ordinance Appropriating up to \$3,000,000 to the Manager for a Loan to Tower Legacy II, LLC for Creekside Apartments; Funding Provided by the Affordable Housing Fund.

In July 2024, the CBJ Assembly made \$4,000,000 available for use by for-profit and non-profit organizations, public and regional housing authorities, and tribal governments interested in the creation of affordable and workforce housing in the City and Borough of Juneau. On November 4, 2024, The LHED Committee reviewed funding recommendations and forwarded this project to the full Assembly for approval.

This ordinance appropriates \$3,000,000 to the Creekside Apartments project.

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

Public Comment

None

Assembly Action

Mr. Bryson asked Ms. Wright that, if he wanted to apply for the affordable housing fund, at what point does he stop voting and recuse himself. Ms. Wright explained that funding is put into that fund each year for distribution. She advised that he would have to decline to participate in voting for funding the affordable housing fund next year.

MOTION by Mr. Bryson to adopt Ordinance 2024-01(b)(W) and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

23. Ordinance 2024-01(b)(Y) An Ordinance Transferring \$288,836 from CIP F22-027 Juneau Police Department Roof Replacement to CIP P41-091 Deferred Building Maintenance.

This ordinance would transfer \$288,836 from the Juneau Police Department Roof Replacement CIP to the Deferred Building Maintenance CIP. This transfer would return unspent funds previously appropriated through 2023-04(b)(G). This project is complete and ready to be closed and does not require the remaining funds.

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 Public Works and Facilities Committee reviewed this request at the December 2, 2024, meeting.
The Systemic Racism Review Committee reviewed this ordinance at its December 17, 2024, meeting.

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

Public Comment

None

Assembly Action

MOTION by Ms. Adkison to adopt the ordinance and asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

The Assembly took an at-ease at 8:06pm and returned at 8:15pm

L. NEW BUSINESS

24. Paden Application to Purchase CBJ Property at Pearl Harbor

In September 2024, Luke and Keely Paden submitted an application to the Lands Office with a request to purchase a 0.6 acre waterfront property located adjacent to the Jensen-Olson Arboretum. The 2016 adopted Land Management Plan lists this property as “Retain”, and this property is managed by the Parks and Recreation Department as public access to the waterfront. Disposal of this property is inconsistent with adopted plans, including the Comprehensive Plan, Land Management Plan, and Parks & Recreation Master Plan. It is also inconsistent with Ordinance 96-26 because this parcel has been “preserved from other uses for the purpose of inclusion in the Juneau Open Space & Parks System.” The Lands, Housing, and Economic Development (LHED) Committee reviewed this application at the 12/02/24 meeting and provided a motion to deny this application.

The City Manager recommends the Assembly adopt a motion to deny the Paden application to purchase the property adjacent to the Jensen-Olson Arboretum in accordance with the motion passed at the December 2, 2024 Lands, Housing and Economic Development Committee meeting.

Mr. Bryson said he was not at the Lands meeting. He asked if there are other lands available for this family to build on, since this parcel isn’t available for purchase. Manager Koester responded that the developer community are always scouring CBJ maps for buildable land, and that the easily developable lands are already developed.

Ms. Wright advised that this item should take public testimony before the Assembly takes action.

Public Comment

Keely Paden, an Out the Road resident, said they wanted to come to request that this be reconsidered. She explained that this land is small and it doesn't seem to actually have beach access, and her family is looking for something small and ready to build. She shared that their families were born here and they would like to build roots, but haven’t found anything small enough for development. She asked that this land is not left empty and that their efforts inspire others to explore new ways for Juneau families to own land.

Assembly Action

Mr. Steininger asked, if the Assembly chose the route of disposing the property and reinvestigate the determinations of staff, what would that process look like. Would it be a sale or go out to auction?

Manager Koester said if the assembly chose to change the property from retain to dispose, then there would be a sealed bid process.

Mr. Kelly said he was visited by Mr. Paden regarding documents on this land. He relayed that the area is recommended to be rural reserve to allow continued public access to beach. He asked if the arboretum is

consistently open, or if there are hours when it is closed. Manager Koester said there are no hours of operation at the arboretum.

Mr. Bryson stated that this is one of the lamest things the Assembly has to do. He said that, while this is unfortunate, members do need to think about fairness and process in the retention and disposal of city lands.

MOTION by Mr. Kelly to deny the Paden application to purchase the property adjacent to the Jensen-Olsen Arboretum in accordance with the motion passed at the December 2, 2024 Lands, Housing and Economic Development Committee meeting and he asked for unanimous consent. *Hearing no objection, the motion was adopted by unanimous consent.*

25. Goldbelt Seadrome Building Request for authorization for Direct Negotiations under Title 53.09.260(a) – Negotiated Sales, Leases and Exchanges.

The ownership for the uplands property of the Seadrome Building (76 Egan Drive) is a quilt work of small parcels owned by Goldbelt (dba Cultural Preservation, Inc.) and by CBJ (managed by Docks & Harbors). The property lines create challenges for both the CBJ and Goldbelt including the CBJ not having access from Egan Drive to CBJ property; and, Goldbelt, owner of the Seadrome Building, stymied in developing meaningful improvements due to the layout of the multiple parcels, each requiring setbacks. Goldbelt is proposing an land exchange, potentially including purchase & sale of CBJ property, with Docks & Harbors for re-development of the Seadrome Building. Goldbelt’s preliminary plans would be to raze and replace the existing building with a facility suited for the downtown waterfront.

If supported by Assembly motion, negotiations with Goldbelt will commence and a purchase & sales agreement or new lease will be returned to the Assembly for adoption by ordinance via the Docks & Harbors Board. There are no monetary commitments by CBJ with this motion for direct negotiations with Goldbelt. The Lands, Housing and Economic Development Committee reviewed this application at the December 2, 2024 meeting and provided a motion of support. In December 2022, the LHED Committee provided a similar motion of support.

The City Manager recommends the Assembly adopt a motion of support to consider the proposal.

Public Comment

Heather Marlow, testified that she does have concerns about the scale of this plan. She detailed a proposal she submitted for the marine passenger fees, which would seek to work with the Wharf property at the same time as the Seadrome property. The Wharf has requested the city acquire their property multiple times, and the city has not acted on it. She said there is a real need to put the two projects together in order to achieve egress to Centennial Hall, to finish the seawalk, to mitigate fire risk, and to have more redundancy in the transportation system to provide more means for emergency safety. She has no problem with the proposal before the Assembly tonight, she just hopes the Assembly will work with staff soon to put the project to scale.

Assembly Action

MOTION by Mr. Bryson that the Assembly adopt a motion of support for negotiations related to this proposal and asked for unanimous consent.

Ms. Woll objected. She said it looks like this would start the conversation on land swap and money exchanges. She asked what the city is hoping to get in the land exchange. Mr. Uchytel explained that, looking at page 186, the property lines right now are not conducive to any development. The CBJ owns property that is land-locked, with entry, exit and egress controlled by Goldbelt, who are looking to redevelop the building. This motion asks that direct negotiations be started with Goldbelt. He said there wouldn’t be a third party to bring in to discuss land sale or land swap because it is so uniquely cornered in this area. Ms. Woll sought confirmation that, through these negotiators, the city would gain egress that could be used for something in

the future, but there is no CBJ utilization plan for the area. Mr. Uchytal said there were visions at the time when the land was owned by NOAA, but the land has been conveyed to the coast guard, which doesn't give much opportunity for development by the city. He said Goldbelt has been looking at ways to make the best use of this area through new development. He added that sale of the property is another option as opposed to leasing property to Goldbelt.

Mr. Bryson recalled the Archipelago Lot swap, and that parking requirements were not discussed during negotiations. When it was done, the developers were told to pay \$800,000 or build 80 spaces, which killed the deal. He asked if the city could ensure that enough details are covered in swap negotiations so that a similar situation doesn't happen again here. Mr. Uchytal answered yes, and said the lot is less than half an acre, so whatever Goldbelt has in mind for the building would not require a lot of parking. He said Goldbelt is aware of the design limitations and set backs required.

Deputy Mayor Smith informed members that the Assembly is allowing negotiations to begin with Goldbelt, but the details of the swap will come back to the Assembly for approval.

Hearing no further objection, the motion was adopted by unanimous consent.

M. STAFF REPORTS

26. Thank you letters to U.S. Congressional Delegation

Manager Koester spoke about the letters that were sent to thank the delegation for their involvement in the Mendenhall River flooding response, copies of the letters were included in the packet.

N. ASSEMBLY REPORTS

Mayor's Report

None

Committee and Liaison Reports

Assembly Finance Committee (AFC) Chair Woll, informed members of the meeting on Wednesday. The committee will be talking about several items, including an executive session.

Public Works & Facilities Committee (PWFC) Chair Hughes-Skandijs, reported that the committee did not meet since the last Assembly meeting.

Human Resources Committee (HRC) Chair Adkison, reported that the committee proposed to dissolve several small committees. She also forwarded the following recommendations for board appointments:

The reappointment of **Deborah Craig**, and **Carol Ende** to terms running January 1, 2025 through December 31, 2026 and the appointment of **Diane Kyser** to a term beginning immediately and ending December 31, 2025 to the **Juneau Commission on Aging (JCOA)** Public/65+ Seats; and the reappointment **Jennifer Garrison** and the appointment of **Barbara Murray** to terms running January 1, 2025 through December 31, 2026 and the appointment of **Chris Schapp** to a term beginning immediately and ending December 31, 2025 all to the JCOA General Public Seats, and asked for unanimous consent. *Hearing no objection, motion passed by unanimous consent.*

ASSEMBLY LIAISON REPORTS, COMMENTS & QUESTIONS

Mr. Bryson applauded the rezones done today.

Ms. Hughes-Skandijs reported that she had no liaison meetings.

Ms. Woll reported that she had no liaison meetings. She commented that she is wary about dissolving committees, but just because there is lower volunteerism in the country, doesn't mean there couldn't be more engaging ways to participate.

Ms. Adkison reported that the Systemic Racism Review Committee (SRRC) met and reviewed the legislation on tonight's agenda under public hearing.

Mr. Steininger reported that the Douglas Advisory Board (DAB) has expressed that they would like an Assembly liaison assigned to their body.

Ms. Hall said the School Board has not met, but JCOA did. JCOA presented their priorities at tonight’s HRC meeting.

Mr. Kelly reported that the Housing and Homelessness Coalition did meet.

Deputy Mayor Smith spoke about the Restaurant Eating Place Licenses (REPLs) and mentioned that we are not currently at our maximum capacity of REPLs for CBJ’s population. He asked if the Assembly would be OK with not filing the petition for additional REPLs until Juneau is at the population cap of REPLs. Additional discussion took place to clarify timing of the petition and the Assembly was in agreement to wait to file the petition until after we were at the population cap.

Presiding Officer Reports

None.

P. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

S. ADJOURNMENT

@ 8:55pm

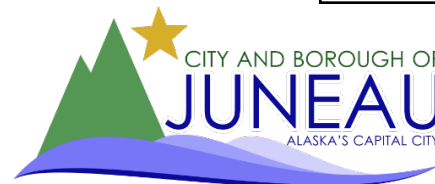
There being no further business to come before the Assembly, the meeting was adjourned at 8:55 p.m.

Signed: _____
Elizabeth J. McEwen,
Municipal Clerk

Signed: _____
Gregory Smith,
Deputy Mayor

SPECIAL ASSEMBLY MEETING FOR AIRPORT BOARD APPOINTMENTS 2025-04 MINUTES

DRAFT



February 10, 2025 at 12:00 PM

Zoom Webinar Only

<https://juneau.zoom.us/j/91515424903>

or 1-253-215-8782 Webinar ID: 915 1542 4903

Virtual Meeting Only

A. CALL TO ORDER – *Mayor Weldon called the Special Assembly meeting to order via Zoom at 12:00 p.m.*

B. LAND ACKNOWLEDGEMENT – *read by Assemblymember Steininger*

We would like to acknowledge that the City & 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, Deputy Mayor Greg Smith, Wade Bryson, Christine Woll, Paul Kelly, Neil Steininger, and Ella Adkison

Assemblymembers Absent: Alicia Hughes-Skandijs, and Maureen Hall

Staff/Others Present: Deputy City Clerk Di Cathcart, City Attorney Emily Wright, City Manager Katie Koester, Assistant City Attorneys Sherri Layne & Nicole Lynch, Airport Manager Patty Wahto, and Juneau Empire Reporter Mark Sabbatini

D. AGENDA TOPICS

1. Airport Board Appointments

Per [CBJ Code 05.01.010\(b\)](#); the Juneau International Airport Board consists of seven members appointed by the Assembly to serve without compensation for staggered three-year terms. Per code, no more than three members of the airport board may be a tenant under a lease with the airport, or an officer or employee of a tenant under lease with the airport.

Due to Assembly action taking during its February 3, 2025 Regular Assembly meeting, there are two seats up for appointment. One seat is for a term beginning immediately and ending June 30, 2025; if the Assembly so chooses, this seat can be extended to a full-term running July 1, 2025 to June 30, 2028 since the term end date is within 6 months of appointment. The second seat is for an unexpired term beginning immediately and ending June 30, 2026.

The Assembly moved into Executive Session at 12:02 p.m. by a motion from Mr. Bryson and reconvened from Executive Session back into Open Session at 12:12 p.m.

MOTION: by Mr. Bryson to appoint Angela Rodell and David Epstein to the Airport Board for terms beginning immediately and ending June 30, 2025 and asked for unanimous consent. ***Hearing no objection, motion passed.***

E. EXECUTIVE SESSION

MOTION: by Mr. Bryson that the Assembly recess into executive session to discuss matters which may tend to prejudice the reputation or character of any person, specifically to deliberate on the qualifications of applicants and asked for unanimous consent. *Hearing no objection, Assembly moved into Executive Session at 12:02 p.m.*

MOTION: by Mr. Bryson to move out of Executive Session and into Open Session and asked for unanimous consent. *Hearing no objection, Assembly moved back into Open Session at 12:12 p.m.*

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

G. ADJOURNMENT

There being no further business to come before the Assembly meeting adjourned at 12:13 p.m.

Signed: _____
Diane Cathcart
Acting Municipal Clerk

Signed: _____
Beth Weldon
Mayor

Presented by: The Manager
Introduced: March 3, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AG)

An Ordinance Transferring \$375,000 from the Community Development Department Fiscal Year 2025 Operating Budget and \$80,000 from the Manager's Office Fiscal Year 2025 Operating Budget to the Comprehensive Plan Capital Improvement Project.

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 \$455,000 be transferred:

From:

FY25 Community Development Department (\$ 375,000)
Operating Budget

FY25 Manager's Office Operating Budget (\$ 80,000)

To: CIP

D16-045 Comprehensive Plan \$ 455,000

Section 3. Source of Funds – Transfer.

General Funds \$ 455,000

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: March 03, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AH)

An Ordinance Transferring \$200,000 from CIP D23-060 Waterfront Museum to CIP H51-125 Aurora Harbor Improvements.

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 \$200,000 be transferred:

From: CIP

D23-060 Waterfront Museum (\$ 200,000)

To: CIP

H51-125 Aurora Harbor Improvements \$ 200,000

Section 3. Source of Funds.

Temporary 1% Sales Tax \$ 200,000

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: March 3, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AI)

An Ordinance Appropriating \$10,000,000 to the Manager for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project; Funding Provided by General Obligation Bond Proceeds.

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 \$10,000,000 as funding for the Juneau Douglas Treatment Plant Clarifier Building Repair Capital Improvement Project (U76-133).

Section 3. Source of Funds

General Obligation Bond Proceeds \$ 10,000,000

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

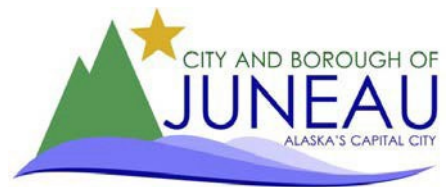
Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM



155 Heritage Way
One Sealaska Plaza
Suite 202
Juneau, AK 99801
Phone: (907) 586-5242

DATE: 1/27/2025
TO: Assembly
FROM: Emily Wright, City Attorney
SUBJECT: 2025-07 Ordinance Summary

Code language for abandoned and wrecked/junk vehicles is currently found in CBJC 36.30 (Litter), 72.02 (Rules of the Road), 72.22 (Penalties and Arrests), 72.23 (Impound), and 72.28 (Definitions). To simplify and clarify for both our department and our community members, the new code moves all language into Chapters 72.23 and 72.28, and appropriately re-titles these Chapters.

The intent of these code revisions is to be able to respond to abandoned, wrecked/junk vehicles more quickly and efficiently, to give more discretion to police officers in criminal cases, to clarify process, and to ensure we are compliant with state law.

This code revision has been a collaborative project with JPD, Parks and Rec, Docks and Harbors, and the Manager’s Office.

Below is a sectional summary for ease of reference.

Sec. 3 – 72.22	Repealed and moved to new sections, so that readers can more easily find the code provisions.
Sec. 4 - Title	Renames this Chapter to encompass all vehicles, not just those involved in driving offenses. This allows us to move language from Title 36 (Litter) into this section.
Sec. 4 - 72.23.010	This section consolidates authority from Title 36 and Chapters 72.02 and 72.23. It establishes the basic authority we have for responding to vehicles. We have added in “presumptions” to clarify when certain things take place. For example, we have added that vehicles with hazardous materials should be disposed of rather than sold due to the risks to the officers, staff, and anyone who would bid if it was put up for auction. We have also added in more options for JPD when they are responding to incidents and making arrests. For example, they can immobilize, rather than tow. This will give officers more discretion, decrease the number of vehicles in the impound lot, decrease towing and storage costs, and decrease CBJ liability for vehicles in our lots.
Sec. 4 - 72.23.020	This language codifies the impound in place and immobilize options. It also takes language that is spread out in code and places it under the correct heading. This section also expands an officer’s options when they arrest; decreasing the number of vehicles which will be taken to the impound lot.
Sec. 4 - 72.23.030	This language moves the immobilization provisions to the correct heading and gives JPD the option to impound by immobilizing – which should decrease the number of vehicles in our impound lot. It also clarifies that if a vehicle that is immobilized is not claimed after 72 hours, the vehicle will be handled like an abandoned vehicle and go through that notice process; this way we have a process to remove these vehicles if an owner does not reclaim the vehicle.
Sec. 4 -72.23.040	This section clarifies the notice requirements under state law. Notice has been a

	<p>complicated piece of the process for many departments. This language attempts to clarify the steps that a department must take. It also distinguishes between abandoned vehicles and wrecked/junked vehicles, which have different timeframes. Law has been asked whether it is possible to shorten the time from impound to disposal. The answer is no. Our timeframes are governed by State law. The fastest we can respond to an abandoned vehicle on public property is 51 days. To get to this number you take, 30 days (abandoned) + 20 days (notice) + dispose immediately (51 days) or add 10 more days for auction (notice). So, your range for an abandoned vehicle is 51-61 days. The fastest we can respond to a wrecked or junked vehicle is 5 days (notice), and if not reclaimed or moved, it can be disposed of at day 6.</p>
Sec. 4 - 72.23.050	<p>This section governs how a vehicle is released back to an owner. It consolidates all release options currently available. We have added that there must be proof of insurance before release, to ensure that vehicles on our roads are insured.</p>
Sec. 4 - 72.23.070	<p>This language lays out how and when fees and costs will be reimbursed. We have added in that fees and costs cannot be reimbursed in suspended entry of judgment (SEJ) or diversion cases. An SEJ or diversion are plea options in criminal cases where a dismissal may ultimately result if a defendant completes certain tasks. We want to clarify that this is not the type of dismissal that would result in fee reimbursement. In addition, we have added in an administrative hearing section for fees and costs, as required by law.</p>
Sec. 4 - 72.23.080	<p>As required by law, we must have a way for owners to appeal fees and costs. This section adds in that process.</p>
Sec. 4 - 72.23.101-104	<p>Repealed and moved to the appropriate section for ease of reading.</p>
Sec. 5 - 72.28.010	<p>Definitions found scattered throughout Chapters 36 and 72 have now all be placed here so they are more easily found.</p>
Sec. 5 - 72.28.020	<p>Penalties language has been moved so they are more easily found. In addition, the total amount has been increased from \$300 to \$500 to match state law.</p>
Sec. 5 - 72.28.030	<p>Regulation authority has been moved here so it is more easily found.</p>
Sec. 6 - 36.30	<p>Repealed and moved into the correct spot in 72.23.</p>
Sec. 7 - 72.02.340	<p>This amendment is simply fixing the cross reference in code.</p>
Sec. 8 - 72.02.345	<p>This amendment provides a cross refence to the new code sections. The deleted language is encompassed by 72.23.</p>
Sec. 9 - 72.23.060	<p>Due to the rules of drafting, this section is somewhat out of order (it is part of code provisions found in Sec.4). This language sets out the disposal options, adds a minimum bid amount for auction, and allows for annual adjustments due to CPI. JPD has found that the current minimum bid of \$300 does not cover costs and often result in the vehicle being bought and then abandoned again, this new number and process will help with the auction process.</p>

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Presented by: The Manager
Presented: 01/27/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-07

An Ordinance Amending the Procedures and Requirements Related to Abandoned, Junked, Wrecked, and Impounded Vehicles.

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. Application. This ordinance shall apply to all vehicles under impound status as of the date of passage.

Section 3. Repeal of Chapter. Chapter 72.22, Penalties and arrests, is repealed in its entirety.

~~Chapter 72.22 — REPEALED PENALTIES AND ARRESTS~~

~~72.22.010 Repealed. Penalties.~~

~~Unless another penalty is expressly provided, every person convicted of a violation of this title is guilty of an infraction, punishable by a fine not to exceed \$300.00. (CBJ Code 1970, § 72.22.010; Serial No. 71-59, § 4, 1971; Serial No. 84-80, § 3, 1984; Serial No. 85-56, § 68, 1985)~~

~~State law reference(s) — Penalties for violations of law, regulations and municipal ordinances, AS 28.40.050.~~

~~72.22.045 Repealed. Reserved.~~

~~Serial No. 2024-09(b), § 4, adopted July 29, 2024, effective August 28, 2024, repealed § 72.14.045, which pertained to traffic citation on illegally parked vehicle and derived from CBJ Code 1970, § 72.22.045; Serial No. 71-59, § 4, adopted 1971.~~

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**72.22.060 Repealed. Authority to impound vehicles; redemption or sale;
presumption of abandonment.**

- (a) ~~Whenever any vehicle is located or is standing upon any street or alley or right of way in violation of the provisions of this title or any rule or regulation adopted thereto, or whenever any vehicle is found to be mechanically unsafe to operate upon any street or alley or right of way, or whenever the driver is arrested for an offense involving either driving under the influence of intoxicating liquor or hypnotic or narcotic drugs, reckless driving, negligent driving or any felony, such vehicle may be removed from the City and Borough streets or alleys and may be impounded at a place to be designated by the chief of police. The police shall, in the proper case and whenever any other provision of this title is violated, cause a complaint to be filed against the person committing such offense. When the owner or authorized representative of the owner of the vehicle claims the same, he or she shall be informed of the nature of the circumstances causing the impoundment of such vehicle and to obtain release thereof shall pay all towing, impoundment and storage charges. Such fees may be established, changed or abolished by the assembly by resolution. If the operator or owner of the vehicle, upon hearing before the municipal judge, is found not guilty of the violation of which he or she is charged, the impounded vehicle shall be released immediately to the owner without collection of fees or other charges, or if such person found not guilty has already paid impoundment towing or storage charges, the court may order the City and Borough to refund part or all of such fees or charges. If the owner or operator of such vehicle is found guilty, any fine imposed under the provisions of the appropriate section of this title shall be in addition to the towing, impounding and storage charges herein prescribed in this section.~~
- (b) ~~No person shall allow, permit or suffer any vehicle registered in that person's name to stand or park upon or be operated upon any street in this City and Borough in violation of this title or any rule or regulation adopted or issued pursuant thereto.~~
- (c) ~~Whenever an officer removes or has removed a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and~~

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~~the reasons therefor and of the place to which such vehicle has been removed. If any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.~~

(d) ~~After a vehicle has been impounded for more than ten days, the chief of police shall cause to be sent by registered mail a notice to the owner and any lienholder thereof, if after the exercise of due diligence the owner's or lienholder's name can be ascertained. The notice shall accurately describe the vehicle, give the date the vehicle was impounded, and inform the owner that unless the owner reclaims the vehicle within ten days from the dispatch thereof, the vehicle shall be sold. Not less than 15 days after the dispatch of the letter, if the letter can be sent, and in any event if such letter cannot be sent, the chief of police shall cause to be posted in three public places in the City and Borough a description of the vehicle, the owner's name, if known, and state the facts that the vehicle and other similar vehicles similarly described will be sold at public auction to the highest responsible bidder at a public sale under the direction of the chief of police or a contractor at a specified time and place, not less than ten days after the publication of the notice of sale. The chief of police shall keep a permanent accurate record of all vehicles impounded containing the date of impoundment, description of the vehicle, cause for which impounded, date of redemption if redeemed, an amount paid upon redemption, date of letter to owner if known, notice of sale, record of sale and the price paid at sale and the name of the purchaser.~~

(e) ~~If the highest bid at public auction shall not be equal to or greater than the towing and storage charges, the City and Borough may reject the bid and attempt to sell the vehicle at subsequent public auction or negotiate for private sale; provided, however, the price obtained at private sale must be equal to or greater than the highest bid at public auction.~~

(f) ~~The proceeds of a sale of any impounded vehicle shall be applied first against any and all costs of the City and Borough involved in towing, impounding and storing the vehicle, and in conducting any sale thereof, with any remaining proceeds paid first to the lienholder if known, to the extent of the lienholder's interest if any, then to the owner if known, or if unknown into the operating fund of the police department.~~

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(g) ~~Notwithstanding any other provisions of this section, whenever any vehicle located or standing upon any street or alley or right of way is or has been involved in an accident resulting in personal injury or property damage in an amount of \$500.00 or more as judged by a police officer, such vehicle may be removed from the streets and impounded by the police department for a period not to exceed five days for the purpose of having the vehicle inspected by a competent mechanic to determine whether the vehicle is mechanically safe. The expense of this type of inspection impoundment shall be borne by the City and Borough.~~

(h) ~~If a vehicle qualifies for impound, the manager, the manager's designee, or an employee of the Juneau Police Department may impound a vehicle in place and proceed with the notice and disposal process.~~

~~(CBJ Code 1970, § 72.22.060; Serial No. 71-59, § 4, 1971; Serial No. 2000-20, § 5, 6-5-2000; Serial No. 2023-38, § 2, 11-13-2023, eff. 12-14-2023)~~

~~State Law reference — Abandoned vehicles, AS 28.11.010 et seq.; forfeiture of vehicle or aircraft, AS 28.35.036 et seq.~~

72.22.063 Repealed. Vehicle immobilization.

~~(a) The chief of police may, subject to the limitations contained in this section, authorize the immobilization of any motor vehicle by the use of a vehicle immobilization device which, when attached to the wheel or other part of a motor vehicle, prevents that vehicle from being driven.~~

~~(b) No vehicle may be immobilized pursuant to this section unless there has been affixed to that or any other vehicle owned by the same person, or that person has otherwise been issued, at least two municipal parking citations and has, with respect to each such citation, failed, within the time permitted by law, to:~~

- ~~(1) Post or forfeit the bail specified for that offense; or~~
- ~~(2) Appear and answer to the charge.~~

~~(c) The owner or operator of a vehicle immobilized pursuant to this section may obtain its release by:~~

- ~~(1) Posting bail for each of the parking citations outstanding against the owner; and~~
- ~~(2) Paying the release service fee established by the chief of police.~~

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~~(d) A vehicle immobilized pursuant to this section may not be the subject of further parking citations during the period of immobilization.~~

~~(e) If a vehicle immobilized pursuant to this section is not released within 24 hours, it may be impounded and shall thereafter be released only upon the posting of bail and payment of the service fee required under subsection (c) of this section and compliance by the owner or operator with section 72.22.060.~~

~~It is unlawful for a person to purposely or recklessly and without authority tamper with, remove, attempt to remove, damage or deface any vehicle immobilization device attached to any vehicle.~~

~~(Serial No. 80-13, § 2, 1980; Serial No. 81-13, § 2, 1981)~~

72.22.065 Repealed. Authority to effect regulations.

~~The chief of police is hereby empowered, with approval of the assembly, to make all necessary regulations pursuant to CBJ chapter 01.60 to affect all provisions of this title.~~

~~(CBJ Code 1970, § 72.22.065; Serial No. 71-59, § 4, 1971)~~

Section 4. Amendment of Chapter. Chapter 72.23, Impoundment or forfeiture of motor vehicles involved in driving offenses, is renamed and amended by adding new sections to read:

Chapter 72.23 IMPOUNDMENT, IMMOBILIZATION, REMOVAL, AND DISPOSAL OF VEHICLES IMPOUNDMENT OR FORFEITURE OF MOTOR VEHICLES INVOLVED IN DRIVING OFFENSES

72.23.010 Authority and presumptions.

- (a) Authority.
 - (1) No person may stop, park, or leave standing a vehicle in violation of statute, ordinance, or regulation.
 - (2) No person may deposit or maintain an abandoned, junked, or wrecked vehicle on any street, sidewalk, recreation area, open space, or other public property, or on any private property other than permitted in a lawful junkyard pursuant to Title 49 of this Code.

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(3) If a vehicle qualifies for impound, the manager, the manager's designee, or a police officer of the Juneau Police Department may choose to impound the vehicle in place or impound and remove the vehicle to a storage yard.

(4) A vehicle used in an impoundment driving offense or crime may be impounded and removed, impounded in place, or immobilized through a seizure of the vehicle incident to an arrest or citation.

(5) A police officer may not stop a vehicle for the sole purpose of determining whether the driver is properly licensed.

(6) The disposal process for vehicles will comply with AS 28.11.040 and AS 28.11.070.

(b) *Presumption of abandonment.*

(1) A vehicle registered or titled that reasonably appears to have been left unattended, standing, parked upon or within 10 feet of the traveled portion of a highway or vehicular way or area in excess of 48 hours, or a vehicle that reasonably appears to have been left standing or parked on private property in excess of 24 hours or upon other public property for more than 30 days and without the consent of the owner or person in charge of the property is presumed abandoned.

(2) A wrecked or junked vehicle that reasonably appears to have been left unattended, standing, parked upon or within 10 feet of the traveled portion of a highway or vehicular way or area in excess of 24 hours, or a wrecked or junked vehicle that reasonably appears to have been left standing or parked on private property or other public property in excess of 24 hours and without the consent of the owner or person in charge of the property is presumed abandoned.

(c) *Presumption of ownership.* A vehicle deposited in any place in violation of code is considered to have been so deposited by the last registered owner of the vehicle unless the last registered owner has filed a notice of transfer or assignment in accordance with AS 28.10.271, in which case proof of the filing of the notice shall constitute prima facie evidence that the transferee named in the notice was the person who deposited the junked or abandoned vehicle in violation of this section.

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(d) Presumption in driving offense cases. It shall be presumed that a vehicle operated by, driven by, or in the physical control of an individual arrested for or charged with a driving offense is being operated by either the vehicle’s registered owner or is being operated by another person with the knowledge and consent of the registered owner.

(e) Presumption in criminal cases. A motor vehicle that is operated, driven, or in actual physical control of an individual arrested for or charged with a crime may be impounded to preserve any evidence that may be necessary for trial.

(f) Presumption of auction. In the following situations, after providing required notice, the presumption is that the vehicle will be auctioned rather than being removed to a scrap processing yard or auto wrecker for disposal:

- (1) The vehicle is safe to operate and has no major body damage; and
- (2) The Kelly Blue Book value is listed at \$1,000.00 or more.

(g) Presumption of disposal. In the following situations, after providing required notice, the presumption is that the vehicle will be removed to a scrap processing yard or auto wrecker for disposal rather than being placed for auction:

- (1) The vehicle is junked or wrecked as defined in CBJ 72.28.010; or
- (2) A vehicle poses a hazard due to presence of blood, bodily fluids, standing water, contagion, or other hazardous materials; or
- (3) A vehicle is determined to be worth less than \$1,000.00; or
- (4) The vehicle has previously been subject to an auction under this Chapter; or
- (5) A vehicle is unsafe to drive due missing parts, or damage to the motor, engine, transmission, brakes, steering, suspension, or body of the vehicle.

(h) Impound options. A police officer, the manager, or the manager’s designee may:

- (1) Impound and remove a vehicle to an impound lot for storage; or
- (2) Impound in place by ensuring the vehicle is in a safe location and by placing notice of impound on the vehicle.

(i) Immobilization options. A police officer may immobilize a vehicle in association with a criminal arrest or citation for impoundment driving offenses. If an immobilized vehicle is not released within 72 hours, the manager or the manager’s designee may deem the vehicle abandoned and proceed with notice and disposal. A vehicle may be released from immobilization per CBJ 73.23.050.

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(j) Exceptions to impound.

- (1) If a driver is unable to produce a valid driver's license on the demand of a police officer, the vehicle may be impounded regardless of ownership, unless the police officer is able, by other means, to verify that the driver is properly licensed. Prior to impounding a vehicle, an officer shall attempt to verify the license status of a driver who claims to be properly licensed but is unable to produce the license on demand of the police officer.
- (2) A police officer may not impound a vehicle based on expiration of the driver's license if the license expired within the preceding 90 days and the driver would otherwise have been properly licensed.
- (3) A police officer, the manager, or the manager's designee may waive impoundment of the vehicle if the driver is an employee driving a vehicle registered to an employer in the course of employment. A police officer may also waive impoundment if the driver is the employee of a bona fide business establishment or is a person otherwise controlled by such an establishment and it reasonably appears that an owner of the vehicle, or an agent of the owner, relinquished possession of the vehicle to the business establishment solely for servicing or parking of the vehicle or other reasonably similar situations, and where the vehicle was not to be driven except as directly necessary to accomplish that business purpose. In this event, if the vehicle can be returned to or be retrieved by the business establishment or registered owner, the police officer may release and not impound the vehicle.
- (4) A police officer, the manager, or the manager's designee may waive impoundment in other circumstances clearly establishing that the owner of the vehicle had no cause to believe, or reasonable opportunity to inquire, whether the driver would commit an impoundment driving offense.
- (5) A police officer, the manager, or the manager's designee may waive impoundment if a licensed driver is available to take possession of the vehicle within 72 hours, the vehicle may be parked in a safe location, and the key is secured until a licensed driver arrives. The officer may store the keys at the police department for safekeeping or may allow the driver of the vehicle to

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designate where the keys to the vehicle are placed for safekeeping. The driver of the vehicle is responsible for notifying a licensed driver of the need to take possession of the vehicle within 72 hours. If not taken into possession and moved within 72 hours, the vehicle may be subject to impound.

(6) A police officer, the manager, or the manager’s designee may waive impoundment if the vehicle is left standing or parked more than the time specified in Title 72, but the owner or driver of the vehicle has given notice to the police department, specifying the circumstances which require excess of the time specified and any provisions the owner or driver is making to remove the vehicle.

72.23.020 Impound of vehicles.

(a) A police officer, the manager, or the manager’s designee may impound and remove or impound in place a vehicle that is in violation of the provisions of statute, ordinance, or regulation.

(b) Removal of a wrecked, junked, or abandoned vehicle from private property shall be upon the written request of the owner or person in lawful possession or control of the property.

(c) When a police officer arrests the driver of a motor vehicle, the officer shall impound and remove, impound in place, or immobilize the vehicle as designated by the chief of police. The officer shall inform the driver that they may elect to have another immediately available person who is legally licensed to drive a motor vehicle drive or otherwise remove the vehicle as the driver directs. The driver may designate the nearest available garage or tow car operator of the driver's choosing to remove the vehicle. The exceptions to impound under 72.23.010(j) may be applied at the discretion of the police officer.

(d) When a vehicle is impounded and removed to the impound lot, or immobilized, the owner or driver may claim the vehicle per CBJ 72.23.050.

72.23.030 Vehicle immobilization.

(a) A police officer, the manager, or the manager’s designee may authorize the immobilization of a vehicle as part of a criminal arrest using a vehicle immobilization device which, when attached to the wheel or other part of a motor vehicle, prevents that vehicle from being driven.

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(b) The owner or operator of a vehicle immobilized pursuant to this section may obtain its release by complying with the terms of CBJ 73.23.050.

(c) A vehicle immobilized may not be the subject of parking citations during the period of immobilization.

(d) If an immobilized vehicle is not released within 72 hours, the manager or the manager's designee may deem the vehicle abandoned and proceed with notice and disposal.

(e) It is unlawful for a person to purposely or recklessly and without authority tamper with, remove, attempt to remove, damage, or deface any vehicle immobilization device attached to any vehicle.

72.23.040 Notice requirements.

(a) Abandoned vehicles.

(1) A written report of impoundment shall be made by the police officer, the manager, or the manager's designee. The report shall be sent immediately to the department of motor vehicles and a copy of the report shall be given to the person who stores the property. The report must describe the vehicle, the date, time, and place of removal, the grounds for removal, and the place of impoundment of the vehicle.

(2) Adequate notice of impoundment and procedures for redemption of a vehicle shall be given to registered owners of vehicles and other persons known to have a legal interest in them. Adequate notice shall consist of a certified letter or personal service, when the persons involved are known, or publication for ten days if such persons are not known. The notice shall contain:

1. A description of the vehicle,
2. The date, time, and place of impound;
3. The current location of the vehicle;
4. An itemized statement of amounts due the municipality for towing and storage and stating that such fees and costs must be paid prior to redemption of the vehicle;
5. A statement that the owner may appeal the impoundment fees and costs by making a request in writing within 20 days from the date of mailing or publication of the notice; and

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6. A statement that unless the vehicle is reclaimed within 20 days from the date of mailing or publication of the notice, the vehicle and its contents may be disposed of per CBJ 73.23.060.

(3) Title to the vehicle will vest with the city and borough on the 21st day from the notice given.

(b) *Wrecked or junked vehicles.*

(1) Upon observation of what appears to be a wrecked or junked vehicle, a police officer, the manager, or the manager’s designee may impound the vehicle.

(2) A written report of impoundment shall be made by the police officer, the manager, or the manager’s designee. The report shall be sent immediately to the department of motor vehicles. The report must describe the vehicle, the date, the time, the grounds for impound, and the place of impoundment of the vehicle.

(3) The police officer, the manager, or the manager’s designee shall give written notice by personal service or certified mail to the vehicle owner of record as well as by notice affixed to the vehicle, when the persons involved are known. Notice affixed to the vehicle shall suffice for subsequent disposal if such persons are not known.

(4) The notice shall contain the street address and other information sufficient to identify the location of the vehicle, a statement that the vehicle constitutes a public nuisance, a statement that if the vehicle is not claimed and removed within five days from issuance of the notice, the vehicle will be disposed of per CBJ 73.23.060; and a statement that, if the owner can show ability and willingness to make the repairs necessary to convert the junked vehicle into an operable vehicle, application may be made at any time before the five days have expired for a 30-day waiver to make the necessary repairs.

(c) If a vehicle can be considered both abandoned and wrecked or junked, the vehicle may be disposed of under either subsection (a) or (b) above.

72.23.050 Release of vehicle.

(a) The vehicle shall be released to the registered owner upon presentation of a release authorization issued by the police department.

(b) A release shall not be granted unless the owner:

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- (1) Can provide proof of ownership or a legal right to possess the vehicle; and
- (2) Can provide current proof of insurance; and
- (3) Is not intoxicated; and
- (4) Pays all towing and storage fees.

(c) An owner who presents satisfactory proof of ownership or right to possession may redeem a vehicle at any time before destruction or auction by paying the charges of towing, storage, notice, other cost of impoundment, and any applicable penalty imposed by law.

72.23.070 Reimbursement of impound fees and costs.

Fees and costs may be reimbursed by the City and Borough if:

- (a) All charges related to the impoundment are dismissed, except in diversion or Suspended Entry of Judgment (SEJ) cases, or the driver is acquitted;
- (b) A showing that the owner of the vehicle has a valid driver’s license, valid registration, and proof of insurance;
- (c) Fees and costs may be reimbursed by the city and borough if the chief of police finds there were facts which would have justified a decision by the officer to waive impoundment; a finding by the chief shall not be construed to mean that the officer knew or should have known such facts; or
- (d) A hearing officer determines that fees and costs should be reimbursed under CBJ 72.23.080.

72.23.080 Administrative hearing.

An owner and any lienholder of a vehicle impounded under this chapter shall be entitled to an administrative hearing regarding fees and costs. An owner and any lienholder may request a hearing, in writing, within 20 days from the date of mailing or publication of the notice. Hearings shall be informal and technical rules of evidence do not apply. A person who requests a hearing may retain an attorney if the person desires. The hearing officer shall be appointed by the manager. Proceedings of the hearing shall be recorded. The hearing officer has full discretion to decide the matters and shall state on the record the evidence relied on and the reasons for the officer’s determination.

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72.23.101 Repealed. Presumptions; vehicle impoundment.

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- (a) ~~It shall be presumed that a vehicle operated by or driven by or in the actual physical control of an individual arrested for or charged with an impoundment driving offense has been so operated by the registered owners thereof or has been operated by another person with the knowledge and consent of the registered owners.~~
- (b) ~~A vehicle used in the alleged impoundment driving offense may be impounded through a seizure of the vehicle incident to an arrest or citation subject to subsection (d).~~
- (c) ~~A police officer shall not stop a vehicle for the sole purpose of determining whether the driver is properly licensed.~~
- (d) ~~Confirmation and mitigation.~~
 - (1) ~~If a driver is unable to produce a valid driver's license on the demand of a police officer, the vehicle may be impounded regardless of ownership, unless the police officer is reasonably able, by other means, to verify that the driver is properly licensed. Prior to impounding a vehicle, a police officer shall attempt to verify the license status of a driver who claims to be properly licensed but is unable to produce the license on demand of the police officer.~~
 - (2) ~~A police officer shall not impound a vehicle based on expiration of the driver's license if the license expired within the preceding 90 days and the driver would otherwise have been properly licensed.~~
 - (3) ~~A police officer may waive impoundment of the vehicle if the driver is an employee driving a vehicle registered to the employer in the course of employment. A police officer may also waive impoundment if the driver is the employee of a bona fide business establishment or is a person otherwise controlled by such an establishment and it reasonably appears that an owner of the vehicle, or an agent of the owner, relinquished possession of the vehicle to the business establishment solely for servicing or parking of the vehicle or other reasonably similar situations, and where the vehicle was not to be driven except as directly necessary to accomplish that business purpose. In this event, if the vehicle can be returned to or be retrieved by the business establishment or registered owner, the police officer may release and not impound the vehicle.~~
 - (4) ~~A police officer may waive impoundment in other circumstances clearly establishing that the owner of the vehicle had no cause to believe or reasonable~~

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~~opportunity to inquire whether the driver would commit an impoundment driving offense. Impoundment may not be waived under this subsection (4) if the owner and the driver are married, members of the same household, or both in the vehicle at the time of the stop.~~

~~(Serial No. 2003-22, § 4, 6-9-2003; Serial No. 2019-33, § 13, 9-16-2019, eff. 10-17-2019)~~

72.23.102 Repealed. Storage of vehicle, payment of fees, release.

- ~~(a) The police officer shall arrange for a vehicle impounded under this chapter to be taken to and stored at a commercial vehicle storage service.~~
- ~~(b) The vehicle storage service shall release the vehicle to the registered owner upon presentation of a release authorization issued by the police department.~~
- ~~(c) The police department shall issue a release authorization upon request on the first business day 72 hours after the vehicle was impounded. A release shall not be granted unless the owner:

 - ~~(1) Can provide proof of ownership or a legal right to possess the vehicle; and~~
 - ~~(2) Is not intoxicated, and~~
 - ~~(3) Pays an administrative charge to offset the city's processing costs.~~~~
- ~~(d) Vehicles ordered impounded under this section and which are not claimed may be disposed of pursuant to the provisions of AS 28.10.502. If the contents of the vehicle have not been recovered before such disposal, the contents may be disposed of with the vehicle.~~
- ~~(e) The owner shall be liable for payment of all towing and storage fees to the commercial towing and storage service.~~

~~(Serial No. 2003-22, § 4, 6-9-2003)~~

72.23.103 Repealed. Reimbursement of impound fees.

~~Fees under section 72.23.102(e) and (e) may be reimbursed by the City and Borough if:~~

- ~~(a) All charges related to the impoundment are dismissed or the driver is acquitted, or~~
- ~~(b) The chief of police finds there were facts which would have justified a decision by the officer under section 72.23.10(d) to waive impoundment. A finding under this subsection (b) shall not by itself be construed to mean that the officer knew or should have known such facts.~~

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(Serial No. 2003-22, § 4, 6-9-2003)

72.23.104 Repealed. Definitions.

The following definitions shall apply to this article:

Business day means a day other than Saturday, Sunday, or a City and Borough holiday.

Impoundment driving offense means ~~CBJ 72.10.010 or AS 28.35.030, pertaining to driving while intoxicated, or CBJ 72.10.012 or AS 28.35.032, pertaining to refusal to submit to chemical test, or CBJ 72.10.028 pertaining to driving without a valid operator's license.~~

Previously convicted or previous conviction means ~~having been convicted in this or another jurisdiction within 15 years preceding the date of the present offense, of a drunk driving offense or another statute or ordinance with substantially similar elements.~~

Registered owner or owner means ~~the owner of the vehicle at the time of the offense as shown in the vehicle ownership records of the State of Alaska, Division of Motor Vehicles or another agency with similar responsibilities in another state.~~

(Serial No. 2003-22, § 4, 6-9-2003; Serial No. 2019-33, § 13, 9-16-2019, eff. 10-17-2019)

Section 5. Amendment of Chapter. Chapter 72.28, Definitions, is renamed and amended to read:

Chapter 72.28 DEFINITIONS, PENALTIES, AND REGULATIONS

72.28.010 Definitions of words and phrases.

The following words and phrases, when used in this title, shall have the meaning respectively ascribed to them in this section, unless the context clearly indicates otherwise. Words or phrases used but not defined in this title which are defined in state laws or regulations pertaining to the operation of vehicles shall have the meaning ascribed to them by such state law or regulation, unless the context clearly indicates otherwise.

Abandoned vehicle means:

- (1) A vehicle registered or titled that reasonably appears to have been left unattended, standing, parked upon, or within 10 feet of the traveled portion of a highway or vehicular way or area in excess of 48 hours, or a vehicle that reasonably appears to have been left standing or parked on private property in excess of 24 hours or upon other public property for more than 30 days without the consent of the owner or person in charge of the property. A privately owned

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~~vehicle which is left standing on a highway or other public property in the City and Borough for a continuous period of 72 hours or more, or is left standing on private property without the permission of the owner or legal occupant of the property for a continuous period of 24 hours or more. The term also includes a vehicle that is not removed within the time specified to a police officer as provided in subsection (2) of this definition.~~

Business day means a day other than Saturday, Sunday, or a city and borough holiday.

Impoundment driving offense means CBJ 72.10.010, pertaining to driving while intoxicated, or CBJ 72.10.012, pertaining to refusal to submit to chemical test, or CBJ 72.10.028, pertaining to driving without a valid operator's license.

Junked vehicle means a vehicle:

- (1) which has not been registered for a period of one year or more prior to impoundment, except:
 - (A) for a vehicle not currently registered under AS 28.10 and used exclusively for competitive racing; or
 - (B) a vehicle whose registration expired while being held in an impound lot;
- (2) that is stripped, wrecked, or otherwise inoperable due to mechanical failure;
- (3) that has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or
- (4) that is in a condition that exhibits more than one of the following elements:
 - (A) broken glass;
 - (B) missing wheels or tires;
 - (C) missing body panels or parts; or
 - (D) missing drive train parts.
- (5) that has been previously declared a wreck or reconstructed on title.

Previously convicted or previous conviction means having been convicted in this or another jurisdiction within 15 years preceding the date of the present offense, of a drunk driving offense, or another statute or ordinance with substantially similar elements.

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Registered owner or owner means the owner of the vehicle at the time of the offense as shown in the vehicle ownership records of the State of Alaska, Division of Motor Vehicles or another agency with similar responsibilities in another state.

Wrecked vehicle means a vehicle that is disabled and cannot be used as a vehicle without substantial repair or reconstruction.

72.28.020 Penalties.

Unless another penalty is expressly provided, every person convicted of a violation of this chapter is guilty of an infraction, punishable by a fine not to exceed \$500.00. Upon a conviction under this Chapter, the city and borough may have up to 90 days to file a motion for restitution for fees and costs incurred.

72.28.030 Authority to effect regulations.

The manager or manager’s designee is empowered, with approval of the assembly, to make all necessary regulations pursuant to CBJ chapter 01.60 to affect all provisions of this title.

Section 6. Repeal of Section. CBJC 36.30.230, Abandoned and junked vehicles, is repealed in its entirety.

36.30.230 Repealed. Abandoned and junked vehicles.

- (a) ~~No person may deposit or maintain a junked or abandoned vehicle on any private property or on any street, sidewalk, recreation area, open space, or other public property. It shall be a defense to a charge under this section that the vehicle was located within a permanent structure or on property lawfully used as a junkyard pursuant to title 49 of this Code.~~
- (b) ~~A junked or abandoned vehicle deposited in any place in violation of this section is considered to have been so deposited by the last registered owner of the vehicle unless the last registered owner has filed a notice of transfer or assignment in accordance with AS 28.10.271, in which case proof of the filing of the notice shall constitute prima facie evidence that the transferee named in the notice was the person who deposited the junked or abandoned vehicle in violation of this section.~~
- (e) ~~A transferor or assignor of a vehicle who fails to file a notice as provided in AS 28.10.271, within ten days of the transfer or assignment, shall be guilty of an infraction.~~

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(d) ~~Violation of subsection (a) or subsection (e) of this section is an infraction, upon conviction of which the court shall impose a minimum fine of \$295.00. The execution of sentence may not be suspended nor may probation be granted except on condition that the minimum fine provided in this section is paid. Imposition of sentence may not be suspended.~~

(e) ~~Upon a conviction under subsection (a) of this section, the court shall order the defendant to make restitution for the actual costs incurred by the City and Borough for disposal of the vehicle.~~

(f) ~~If a vehicle qualifies for impound, the manager or the manager's designee may impound a vehicle in place and proceed with the notice and disposal process.~~

~~(Serial No. 79-53, § 3, 1979; Serial No. 2000-20, § 4, 6-5-2000; Serial No. 2023-38, 11-13-2023, eff. 12-14-2023)~~

Section 7. Amendment of Section. CBJC 72.02.340, Stopping, standing or parking on highway and in other locations, is amended to read:

72.02.340 Stopping, standing, or parking on highway and in other locations.

...

(b) This section and section 72.02.365 do not apply to the driver of a vehicle performing an official duty which requires stopping, standing, or parking upon or within eight feet of a roadway or to the driver of a vehicle which is disabled in a manner and to an extent that it is impossible to avoid stopping and temporarily leaving the vehicle upon or within eight feet of roadway. The driver of a disabled vehicle shall comply with the requirements of section 72.23.010(e) ~~72.02.345~~.

...

Section 8. Amendment of Section. CBJC 72.02.345, Officers authorized to remove vehicles, is amended to read:

72.02.345 Officers authorized to remove vehicles.

(a) If a vehicle is in violation of the provisions of sections 72.02.340 through ~~72.02.3723~~, or is left on a roadway or under circumstances which obstruct the normal movement of traffic, a police officer may move the vehicle, or require the driver or other person in

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charge of the vehicle to move the vehicle to a position off the roadway or to a safe place on the roadway, or when necessary.

(b) A police officer may impound in place, impound and remove to a place of safety, or immobilize a vehicle which under the provisions of Chapter 72.23.

- (1) ~~Is found in the state and which has been previously reported stolen or taken without the owner's consent;~~
- (2) ~~Is found or operated on a highway or ferry facility without license plates or other evidence of registration or which evidence is false with respect to that vehicle;~~
- (3) ~~Is found or presumed to be abandoned as provided in AS 28.11.020, except that a vehicle is not considered abandoned if left standing or parked in excess of the time specified in AS 28.11.020 when the owner or driver of the vehicle has given notice to a municipal police department, if the vehicle is located within a municipality, or to the nearest office of the Alaska State Troopers, specifying the circumstances which require standing or parking in excess of the time specified in AS 28.11.020, and the provisions the owner or driver is making to remove the vehicle; or~~
- (4) ~~Is found to be in violation of subsection 72.02.340(d)(1)(K) upon a state-controlled or state-designated parking area.~~

(e) ~~When a police officer arrests and detains the driver of a motor vehicle, the officer shall impound and remove the vehicle to a place of safety; however, the officer shall inform the driver that the driver may elect to have another immediately available person, who is legally licensed to drive a motor vehicle, drive or otherwise remove the vehicle as the driver directs. The driver may designate the nearest available garage or tow car operator of the driver's choosing to remove the vehicle. If the driver does not so indicate, the officer shall make the arrangements necessary to remove the vehicle.~~

(d) ~~When a vehicle is impounded, it may be impounded in place or removed from a highway or elsewhere at the discretion of a police officer. A vehicle removed shall be removed to a place of safety. The owner or driver may claim the vehicle by securing a written release for it from the police officer or agency ordering its impound or removal. A vehicle legally removed or impounded may not be released to the owner, nor may the owner secure its~~

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2 use until the release for it is certified by the officer or agency directing its removal. The
3 expense for the removal and storage must be paid by the owner or driver of the vehicle.
4 (CBJ Code 1970, § 72.02.345; Serial No. 71-66, § 4, 1971; Serial No. 2023-38, 11-13-2023, eff.
5 12-14-2023)

6 **Section 9. Amendment of Section.** CBJC 72.23.100, Vehicle impoundment; public
7 nuisance, is amended to read:

8 **72.23.060100 Disposal of vehicles. ~~Vehicle impoundment; public nuisance.~~**

9 (a) Upon satisfaction of the notice and reporting requirements, an abandoned, wrecked, or
10 junked vehicle may be disposed of by removal to a scrap processing yard or auto wrecker
11 or may be sold at public auction.

12 (1) For a vehicle which will be sold at auction, after issuing the 20 day notice and
13 having no response from the owner or lien holder, the vehicle may be sold at
14 auction no sooner than 10 days after the 20th day.

15 (2) For a vehicle which will be disposed of removal to a scrap processing yard or auto
16 wrecker, after issuing the 20 day notice for an abandoned vehicle or posting a 5
17 day notice for a wrecked or junked vehicle, the vehicle may be immediately
18 disposed of.

19 (b) If the contents of the vehicle have not been recovered before such disposal, the contents
20 may be disposed of with the vehicle.

21 (c) The minimum bid at auction will be no less than \$1,000.00, which represents
22 administrative, towing, and storage costs to the city and borough. This amount will be
23 equal to the previous fiscal year's cost and adjusted by the Consumer Price Index –
24 Urban Alaska (CPI) as reported by the Alaska Department of Labor and Workforce
25 Development.

(e) The proceeds of a sale of any impounded vehicle shall be applied first against any and
all administrative costs, towing and storage fees, and costs of conducting the sale, with
any remaining proceeds paid first to the lienholder if known, to the extent of the
lienholder's interest if any, then to the owner if known, or if unknown, into the
operating fund of the appropriate department.

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~~A motor vehicle that is operated, driven, or in actual physical control of an individual arrested for or charged with an impoundment driving offense may be impounded by the City and Borough for 72 hours in accordance with this chapter. The purpose of the impoundment is to preserve any evidence that may be necessary for trial, to protect the public by removing public nuisances from the roads and deterring drivers from drinking and from operating vehicles in violation of license restrictions. A vehicle operated in the course of the commission of an impoundment driving offense is declared to be a public nuisance for which the registered owners shall be legally responsible subject only to defenses set forth by law.~~

~~(Serial No. 2003-22, § 4, 6-9-2003; Serial No. 2019-33, § 13, 9-16-2019, eff. 10-17-2019)~~

Section 10. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 2/24/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-11

**An Ordinance Amending CBJC 75.01.210, Thawing and Other
Miscellaneous Charges, Related to the Water Utility Code.**

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 75.01.210, Thawing and other miscellaneous charges, is amended to read:

75.01.210 ~~Thawing and other miscellaneous~~ Miscellaneous charges.

The water utility may, but is not required to, provide ~~thawing and~~ other services on a time-available basis. The fee for such services shall be the actual cost to the municipality to perform the work plus a ten percent administrative fee. ~~For thawing service, the customer shall pay all costs of thawing to the main.~~ Except in an emergency which the water utility determines may threaten the property of the water utility or poses a substantial threat to the health, safety or welfare of a customer, these services shall be scheduled and performed during regular working hours on a first-come, first-served basis.

(Serial No. 87-40, § 16, 1987)

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

Adopted this _____ day of _____, 2025.

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Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Engineering and Public Works Department
155 Heritage Way
Juneau, Alaska 99801
Telephone: 586-0800 Facsimile: 586-4565

DATE: February 24, 2025

TO: Alicia Hughes-Skandijs, Chair
Public Works and Facilities Committee

THROUGH: Denise Koch, Engineering and Public Works Director

FROM: Brian McGuire, Utilities Superintendent

SUBJECT: Request for Code Revision – Removal of Thawing Services to Reflect Current Practices

In 2011, CBJ Water Utilities decommissioned its thaw unit after determining that repairs and replacement costs were prohibitive. Previously, CBJ offered thawing services to customers for their service lines on private property for a nominal fee; however, given the high operating and maintenance costs, the program was discontinued upon the unit's decommissioning.

Since thawing services for private property are not a core function of the Utility and are provided by local plumbers, the Utility was comfortable discontinuing this service, especially considering budget constraints. It has now been nearly 15 years since thawing services were last provided.

As part of a general housekeeping effort, we request that the section of the code referencing thawing services, currently under 75.01.210 "Thawing and Other Miscellaneous Charges," be amended to simply read 75.01.210 "Miscellaneous Charges." With minor edits to the section of code to remove references to thawing. This revision would reflect the discontinuation of the thawing service and would improve operational clarity and would ensure that the code remains up to date with current and relevant practices.

Action Requested

Staff requests the revisions to City Code Chapter 75.01.210 – THAWING AND OTHER MISCELLANEOUS CHARGES be forwarded to the full Assembly for approval.

Attachment:

Ordinance 2025-11 vPWFC (Amendment of 75.01.210 Thawing)

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Presented by: The Manager
Introduced: 3/3/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Ordinance Serial No. 2025-18

An Ordinance Amending Title 42, Penal Code, Relating to Crime Involving Domestic Violence by Adding Language Consistent with State of Alaska Statutes and House Bill 66.

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 42.05.130, Definitions, is amended to read:

42.05.130 Definitions.

(3) *Domestic violence and crime involving domestic violence* mean one or more of the following offenses or an offense under a law of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:

- (A) A crime against the person under CBJ title 42.10;
- (B) Criminal trespass under CBJ section 42.15.015;
- (C) Criminal mischief under CBJ section 42.15.110;
- (D) Violating a protective order under CBJ section 42.30.060;
- (E) Unlawful contact under CBJ section 42.30.080;
- (F) Harassment under CBJ section 42.10.110;
- (G) Cruelty to animals under CBJ Section 08.35.010 if the animal is a pet;
- (H) Interfering with a report of a crime involving domestic violence under CBJ section 42.30.070.

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Section 3. Amendment of Section. CBJC 42.30.070, Interfering with a report of a crime involving domestic violence, is amended to read:

42.30.070 Interfering with a report of a crime involving domestic violence.

(a) A person, other than the victim, commits the crime of interfering with a report of a crime involving domestic violence if the person knowingly interferes with another person who is reporting or attempting to report a crime involving domestic violence to a law enforcement agency.

(b) In this section, "crime involving domestic violence" means any crime per 42.05.130(3). one or more of the following offenses or a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:

- ~~(1) A crime against the person under chapter 42.10;~~
- ~~(2) Criminal mischief under section 42.15.110;~~
- ~~(3) Criminal trespass under section 42.15.015;~~
- ~~(4) Harassment under section 42.20.110; or~~
- ~~(5) Violating a domestic violence protective order under section 42.30.060.~~

(c) Violation of this section is a Class A misdemeanor.

State Law reference—Similar provisions, AS 11.56.745; definition of "domestic violence" or "crime involving domestic violence," AS 18.66.990(3).

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Mayor
Presented: 03/05/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-20

An Ordinance Addressing Tax Exemptions Spanning Multiple Construction Seasons.

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 69.10.023, Property tax incentives for economic development property, is amended to read:

69.10.023 Property tax incentives for economic development property.

(f) *Final approval of exemption.* The assessor shall finally approve an application for tax exemption if:

- (1) The applicant has completed construction of residential units in accordance with the plans and drawings submitted with its application and a certificate of occupancy has been issued pursuant to Title 19 for each structure that contains a residential unit described in the application; and
- (2) The total number of residential units on the property has increased.

If the applicant has complied with (1) and (2), the assessor may retroactively approve an application for tax exemption when an application and construction season spans

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multiple years if the applicant desires the first year of abatement to begin on a partially constructed facility and may waive any related penalties and late fees.

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Staff Requested Amendment

Amendment ____.

(f)

... If the applicant has complied with (1) and (2), the assessor may retroactively approve an application for tax exemption when an application and construction season spans multiple years if the applicant desires the first year of abatement to begin on a partially constructed facility and the treasurer may waive any related penalties and late fees.

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Presented by: The Manager
Presented: 03/03/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-21

An Ordinance Exempting the 2025 Fireworks Display Purchase from Compliance with the Procurement Code.

WHEREAS, City and Borough of Juneau Code 53.50.001(a) requires all goods and services to be purchased through the division of finance according to the standards and procedures set forth in chapter 53.50; and

WHEREAS, at the Assembly Finance Committee meeting of February 5, 2025, the Committee passed a motion to request an ordinance allowing the purchase of fireworks to be exempted from the Procurement Code; and

WHEREAS, the Assembly recognizes and appreciates the skilled work of the community members who volunteer their time and expertise to put on a fireworks display for the City and Borough of Juneau citizens.

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. Exemptions. The purchase of fireworks and necessary equipment for the July 4, 2025 fireworks display are exempt from the Purchasing Code, CBJC 53.50.

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

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Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 3/3/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2025-22

**An Ordinance Authorizing the Manager to Negotiate and Execute a
Tidelands Lease for the Purpose of Waterfront Commercial Activities.**

WHEREAS, in August 2022 Huna Totem Corporation (HTC) acquired the upland parcel at the Subport from Norwegian Cruise Line Holdings; and

WHEREAS, in September 2022, Aak’w Landing LLC (“Aak’w”), a wholly owned subsidiary of HTC, applied to lease tidelands owned by the City and Borough of Juneau for the purpose of building a cruise ship dock; and

WHEREAS, the City and Borough of Juneau (CBJ) owns submerged lands in excess of 50 acres in ATS 3 including a four-hundred-foot swath seaward of the Coast Guard Dock and Subport; and

WHEREAS, in order to construct the Aak’w dock, Aak’w will need to acquire an interest in certain lands and tidelands, which includes the CBJ swath of tidelands and approximately 8 acres of unsurveyed tidelands currently owned by the State of Alaska, Department of Natural Resources (ADNR); and

WHEREAS, the City and Borough of Juneau has applied to the ADNR to have lands owned by the State conveyed for the purposes of this lease; and

WHEREAS, CBJC 53.20.020 authorizes the lease of lands owned by the City and Borough, including tidelands and submerged lands, by ordinance under such procedures and minimum terms and conditions as set forth in the ordinance; and

1 WHEREAS, maintaining year-round businesses and activities on the site is a shared
2 priority of the CBJ and Aak’w; and

3 WHEREAS, shore power is a community priority throughout the port and it is the
4 shared intention of the CBJ and Aak’w to electrify cruise ship docks to the degree that it’s
5 feasible to do so; and

6 WHEREAS, the CBJ and Aak’w have a shared interest in honoring community priorities
7 including all negotiated agreements between the CBJ and the cruise industry.
8

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

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

11 **Section 2. Authorization to Lease.** The Manager is authorized to negotiate and
12 execute a lease of tidelands as generally depicted on Exhibit A, subject to the following
13 minimum essential terms and conditions:

- 14 (A) This lease signing is conditioned upon the conveyance of State tidelands south
15 of the Subport to the City and Borough of Juneau from ADNDR;
- 16 (B) This lease is conditioned upon an appraisal providing legal boundaries and fair
17 market value as required by CBJC 53.20.040 and 05 CBJAC 50.050;
- 18 (C) The leased property shall be used by Aak’w for waterfront commercial activities
19 consistent with the application submitted to the Community Development
20 Department January 25, 2023, Attachment 1;
- 21 (D) The lease shall be for a maximum term of 35 years (CBJC 53.20.080) effective
22 upon signing of the lease by CBJ; the parties, upon mutual agreement and by
23 ordinance, may execute one additional lease for a maximum term of 35 years;
- 24 (E) The annual lease rent for the first five-year period of the term shall be not less
25 than fair market value plus sales tax. The annual rent due is divided into

twelve equal installments due at the beginning of each month. Rent shall accrue on the effective date of this lease. The Manager or designee shall review and adjust the annual rental payment every fifth year of the lease in accordance with CBJC 53.20.190(d) and CBJC 85.02.060(a)(5);

(F) Aak’w shall be responsible for obtaining all necessary permits and approvals for its use and development of the leased property;

(G) Aak’w shall indemnify, defend, and hold harmless the City and Borough and its officers and employees for any claims related to or arising out of the Aak’w’s use, operation, or maintenance of the leased property, equipment, and improvements, or any further development of the leased property or improvements by the Aak’w; and

(H) The lease shall include all provisions of the standard CBJ land lease form not in conflict with ordinance, any other provisions that the Manager determines to be in the public interest, and all conditions and parameters outlined in Conditional Use Permit, USE2023 0003, approved by the Planning Commission July 20, 2023, Attachment 2.

(I) Additional Conditions:

a. The dock may be used in case of emergency outside the specified CUP terms;

b. The dock may only accommodate lightering from a cruise ship at anchor in the case of an emergency, no matter what size the ship is.

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

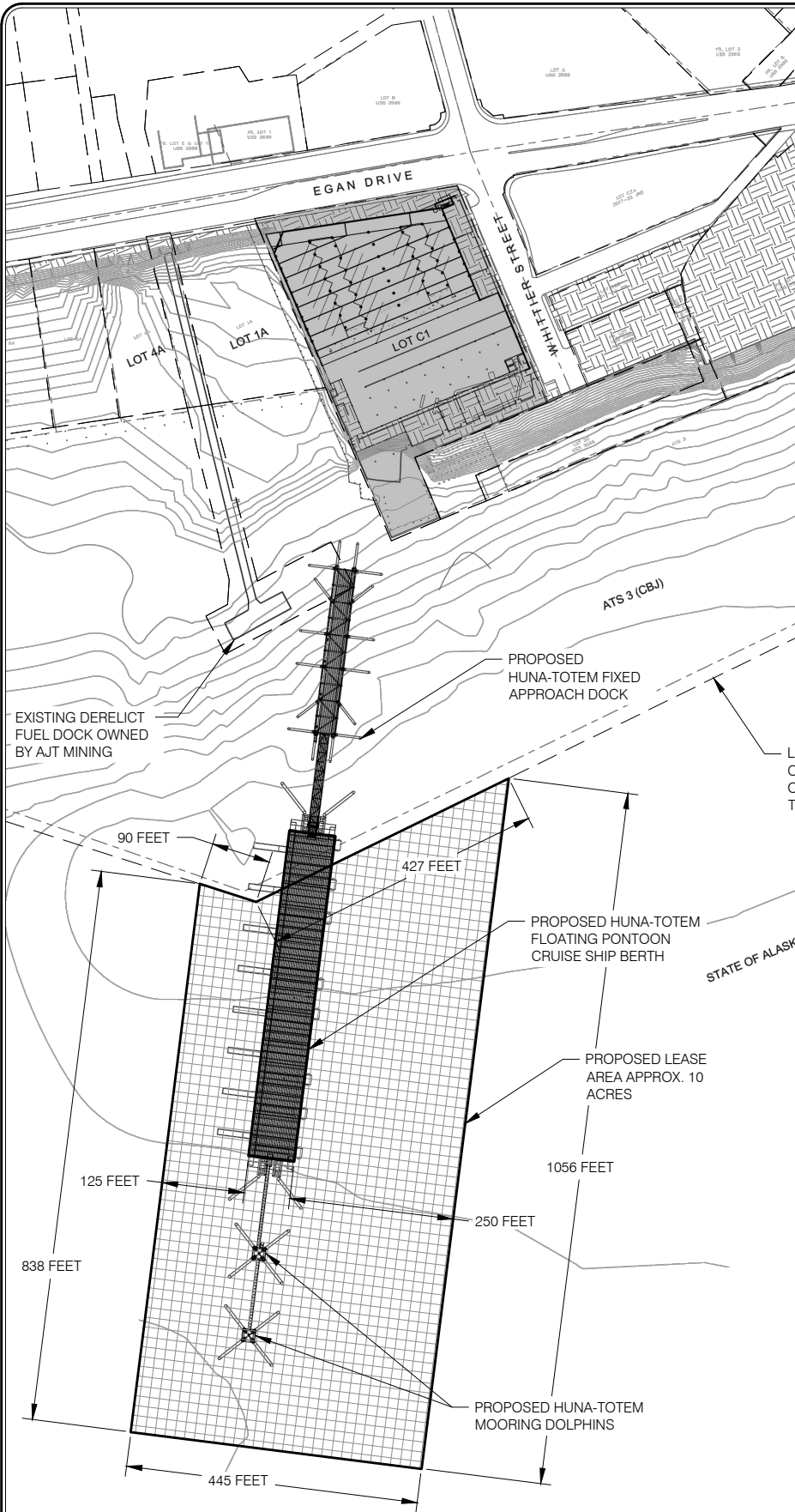
Attest:

Elizabeth J. McEwen, Municipal Clerk

Section I, Item 11.



VICINITY MAP - PORT OF JUNEAU



NOTE:
THIS DOCUMENT COMPILED FROM
CITY AND BOROUGH OF JUNEAU
GIS PARCEL LAYER AND SITE PLAN
SUBMITTED BY HUNA-TOTEM AS
PART OF THEIR CONDITIONAL USE
PERMIT APPLICATION.



CITY AND BOROUGH OF JUNEAU
DOCKS & HARBORS DEPT.
155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801
PHONE: 907-586-0398

REQUESTED LEASE AREA
HUNA-TOTEM DOCK TIDELANDS LEASE

DESIGN: MS	DATE: AUGUST 16, 2024
CHECKED: MS	CONTRACT NO.
APPROVED: CU	JOB NO. PAGE 1 OF 1

Original Application



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION																	
	Physical Address 0 Egan Drive																	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Subport Lot C1																	
	Parcel Number(s) Parcel: 1C060-K01-0031 (C-1)																	
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which No																	
	LANDOWNER/ LESSEE																	
	Property Owner	Huna Totem Corporation	Contact Person Fred Parady															
	Mailing Address	9301 Glacier Highway, Suite 200, Juneau, AK 99801	Phone Number(s) 907.789.8504 (office) 907.723.3903 (cell)															
	E-mail Address	fparady@hunatotem.com																
	LANDOWNER/ LESSEE CONSENT																	
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.																		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.																		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Russell Dick</td> <td style="width: 50%;">Landowner</td> </tr> <tr> <td>Landowner/Lessee (Printed Name)</td> <td>Title (e.g.: Landowner, Lessee)</td> </tr> <tr> <td>X </td> <td>1/24/23</td> </tr> <tr> <td>Landowner/Lessee (Signature)</td> <td>Date</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>X _____</td> <td>_____</td> </tr> <tr> <td>Landowner/Lessee (Printed Name)</td> <td>Title (e.g.: Landowner, Lessee)</td> </tr> <tr> <td>Landowner/Lessee (Signature)</td> <td>Date</td> </tr> </table>			Russell Dick	Landowner	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)	X	1/24/23	Landowner/Lessee (Signature)	Date			X _____	_____	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)	Landowner/Lessee (Signature)	Date
Russell Dick	Landowner																	
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)																	
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Landowner/Lessee (Signature)	Date																	
X _____	_____																	
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)																	
Landowner/Lessee (Signature)	Date																	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.																		
APPLICANT																		
Applicant (Printed Name) Same		If same as LANDOWNER, write "SAME" Contact Person Same																
Mailing Address Same	Phone Number(s) Same																	
E-mail Address Same																		
X	01.24.2023																	
Applicant's Signature	Date of Application																	

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 	Date Received 1-25-23
Case Number USE23-003	

Original Application



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

The project proposed phased development of mixed use, including retail, community park, docking, and associated parking. Phase 1 includes a total of 24,800 square feet of retail, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 117 cars. External lighting to be developed. The Aak'w Landing uptown project will be a concrete Bus Staging and vehicle Garage topped by a landscaped Park sloping up from Egan Drive. The project will include 34,000 sf of Retail spaces in the first phase with future phases adding 9,000 sf of additional Retail and 40,000 sf of facilities with a use yet to be determined. Total square footages are approximate at this initial design stage, but as shown on the Zoning and Parking Study, the target square footages are well below what would be allowed on the site by zoning or parking.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- Accessory Apartment – Accessory Apartment Application (AAP)
- Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: See attachment regarding Aak'w Landing Zoning and Parking

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

- YES – Case # _____
- NO

UTILITIES PROPOSED

WATER: Public On Site

SEWER: Public On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 125,377 square feet Total Area of Existing Structure(s) ⁰ square feet

Total Area of Proposed Structure(s) Phase 1 150,000, future phase building square feet 1ST PHASE 34,000 sf, per narrative

EXTERNAL LIGHTING

- Existing to remain No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
- Proposed No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

If this is a modification or extension include:

Narrative including:

- Current use of land or building(s)
- Description of project, project site, circulation, traffic etc.
- Proposed use of land or building(s)
- How the proposed use complies with the Comprehensive Plan

- Notice of Decision and case number
- Justification for the modification or extension
- Application submitted at least 30 days before expiration date

Plans including:

- Site plan
- Floor plan(s)
- Elevation view of existing and proposed buildings
- Proposed vegetative cover
- Existing and proposed parking areas and proposed traffic circulation
- Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>4,000⁰⁰</u>	<u>ph 1 class IV</u>		
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50⁰⁰</u>			
Pub. Not. Sign Deposit	\$ <u>100⁰⁰</u>			
Total Fee	\$ _____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>USE23-003</u>	<u>1-25-23</u>

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

- 1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
- 2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
- 3. **Project Narrative:** A detailed narrative describing the project.
- 4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

- 1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
- 2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



Huna Totem Corporation

WOOSH-JEE-EEN • PULLING TOGETHER

May 18, 2023

Revised Materials

Ms. Irene Gallion
Senior Planner
Community Development Division
City and Borough of Juneau
4th Floor – Marine View Center
230 South Franklin Street
Juneau, Alaska 99801

Dear Ms. Gallion:

As we discussed yesterday, enclosed please find the updated materials we are submitting for our Conditional Use Permit Application USE23-003 for our project Aak'w Landing project. The updated materials combine reflect the original submittal for the uplands portion of the project with the requested inclusion of the tidelands portion. Included are the following:

1. The original Development Permit Application
2. An email attachment from the additional landowner for the relevant tidelands of the State of Alaska.
3. The original Conditional Use Permit Application showing the case number.
4. An updated project summary description.
5. Two drawings of the planned dock alignment.
6. An updated Architectural Narrative dated 5.17.23.
7. An updated Zoning and Parking Study also dated 5.17.23, which updates the Site and Building Specifics numbers to reflect
8. The completed Traffic Impact Analysis.

All other attachments in the original remain as submitted. We hope to complete review in a timely manner in order to make the agenda for the Planning Commission shown on the calendar for Tuesday, July 11, 2023.

Thank you for your time in reviewing these materials and your insight into the process. We look forward to moving into the next steps necessary to advance the Aak'w Landing project.

Cordially,

Fred Parady
Chief Operating Officer



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION									
	Physical Address 0 Egan Drive									
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Subport Lot C1									
	Parcel Number(s) Parcel: 1C060-K01-0031 (C-1)									
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which No									
	LANDOWNER/ LESSEE									
	Property Owner	Huna Totem Corporation	Contact Person Fred Parady							
	Mailing Address	9301 Glacier Highway, Suite 200, Juneau, AK 99801	Phone Number(s) 907.789.8504 (office) 907.723.3903 (cell)							
	E-mail Address	fparady@hunatotem.com								
	LANDOWNER/ LESSEE CONSENT									
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.										
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.										
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Russell Dick	Landowner									
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X	1/24/23									
Landowner/Lessee (Signature)	Date									
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Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)									
X _____	_____									
Landowner/Lessee (Signature)	Date									
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.										
APPLICANT										
If same as LANDOWNER, write "SAME"										
Applicant (Printed Name)	Same	Contact Person Same								
Mailing Address	Same	Phone Number(s) Same								
E-mail Address	Same									
X	01.24.2023									
Applicant's Signature	Date of Application									

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 	1/25/23
Case Number USE23-003	Date Received 1-25-23

I:\FORMS\PLANFORM\DP\A_Final Draft.docx

Updated 6/2022 - Page 1 of 1

AK DNR Acknowledgement

Fred Parady

From: Hillgartner, Megan G (DNR) <megan.hillgartner@alaska.gov>
Sent: Friday, April 21, 2023 3:14 PM
To: Fred Parady
Subject: RE: Aak'w Landing Tidelands
Attachments: Aak'w Landing Concept Plans 2022.11.22.pdf; 2023 04 17 HTC CBJ Tidelands DEVELOPMENT PERMIT APPLICATION.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Fred,

Just gave you a call back but appears I've missed you, so figured I'd follow up via email.

As we discussed on the phone last week, it seems premature for DNR to sign the CBJ Development Permit Application (attached) as we have not seen or reviewed any application requesting use of state land for this proposal. The preliminary drawings you sent on April 17th were helpful in determining the location of the proposed tideland lease we discussed over the phone, however, I cannot sign any document granting "complete understanding and permission" for an activity until we've received, reviewed, adjudicated, and approved a complete tideland lease application from the entity requesting the use of state tidelands (whether that be CBJ or Huna Totem Corporation – as it is still unclear who is requesting this use).

The CBJ Development Permit Application does, however, note that alternative written approval may be accepted. I would like to offer this email as a proof that we have received the tentative drawings ("Aak'w Landing Concept Plans 2022.11.22") and have confirmed that this proposal, as indicated on PDF page 6, involves use of state-owned, DMLW-managed submerged lands. Placement of permanent infrastructure and long-term, commercial use of state-managed lands requires written authorization from DNR -DMLW. We look forward to receiving and reviewing your tideland lease application for this requested activity.

I hope this email will sufficiently address your needs to move forward with the City in obtaining your preliminary approvals for this project. Please feel free to give me a call if you have any questions.

Thank you,

Megan G. Hillgartner
Southeast Regional Manager
Department of Natural Resources
Division of Mining, Land and Water
P: (907) 465-3406

From: Fred Parady <FParady@hunatotem.com>
Sent: Monday, April 17, 2023 11:27 AM
To: Hillgartner, Megan G (DNR) <megan.hillgartner@alaska.gov>
Subject: Aak'w Landing Tidelands

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.



CBJ Lands Acknowledgement

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION				
	Physical Address O Egan Drive				
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Subport Lot C1 Tidelands				
	Parcel Number(s) n/a				
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which No				
	LANDOWNER/ LESSEE				
	Property Owner Huna Totem Corporation	Contact Person Fred Parady			
	Mailing Address 9301 Glacier Highway, Suite 200, Juneau 99801	Phone Number(s) 907.789.8504 907.723.3903			
	E-mail Address fparady				
	LANDOWNER/ LESSEE CONSENT				
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.					
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.					
<table style="width:100%; border:none;"> <tr> <td style="width:50%; border:none;"><u>Dan Bleidorn</u></td> <td style="width:50%; border:none;"><u>CBJ Lands Manager</u></td> </tr> <tr> <td style="border:none;">Landowner/Lessee (Printed Name)</td> <td style="border:none;">Title (e.g.: Landowner, Lessee)</td> </tr> </table>		<u>Dan Bleidorn</u>	<u>CBJ Lands Manager</u>	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
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APPLICANT If same as LANDOWNER, write "SAME"					
Applicant (Printed Name) Huna Totem Application	Contact Person Fred Parady				
Mailing Address Same	Phone Number(s) 907.789.8504 907.723.3903				
E-mail Address Same					
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X <u><i>[Signature]</i></u>	<u>5.26.2023</u>				
Applicant's Signature	Date of Application				

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

	Intake Initials
	Date Received



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant.

PROJECT SUMMARY
The project proposed phased development of mixed use, including retail, community park, docking, and associated parking. Phase 1 includes a total of 24,800 square feet of retail, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 117 cars. External lighting to be developed. The Aak'w Landing subarea project will be a concrete Bus Staging and vehicle Garage topped by a landscaped Park sloping up from Egan Drive. The project will include 34,000 sf of Retail spaces in the first phase with future phases adding 9,000 sf of additional Retail and 40,000 sf of facilities with a use yet to be determined. Total square footages are approximate at this initial design stage, but as shown on the Zoning and Parking Study, the target square footages are well below what would be allowed on the site by zoning or parking.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED
 Accessory Apartment – Accessory Apartment Application (AAP)
 Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: See attachment regarding Aak'w Landing Zoning and Parking

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? YES – Case # _____ NO

UTILITIES PROPOSED WATER: Public On Site SEWER: Public On Site

SITE AND BUILDING SPECIFICS
 Total Area of Lot 125,377 square feet Total Area of Existing Structure(s) 0 square feet
 Total Area of Proposed Structure(s) Phase 1 150,000, future phase build square feet 1st PHASE 34,000 sf, per narrative All Phases

EXTERNAL LIGHTING
 Existing to remain No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED
 Narrative including:
 Current use of land or building(s)
 Description of project, project site, circulation, traffic etc.
 Proposed use of land or building(s)
 How the proposed use complies with the Comprehensive Plan
 Plans including:
 Site plan
 Floor plan(s)
 Elevation view of existing and proposed buildings
 Proposed vegetative cover
 Existing and proposed parking areas and proposed traffic circulation
 Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

If this is a modification or extension include:
 Notice of Decision and case number
 Justification for the modification or extension
 Application submitted at least 30 days before expiration date

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ 4,000 ⁰⁰	ph 1 class IV		
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ 50 ⁰⁰			
Pub. Not. Sign Deposit	\$ 100 ⁰⁰			
Total Fee	\$ _____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
USE23-003	1-25-23



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

Huna Totem Dock

Case Number: PAC2022 0047
 Applicant: Huna Totem Corporation, Fred Parady
 Property Owner: Aak W Landing LLC
 Property Address: Egan Dr.
 Parcel Code Number: 1C060K010031
 Site Size: 125,406 SF/2.8789 Acres
 Zoning: MU2 Mixed Use 2 (Willoughby)
 Existing Land Use: Seasonal restaurant/Construction trailer

Conference Date: October 26, 2022
 Report Issued: November 2, 2022
DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Fred Parady	Huna Totem, COO	FParady@hunatotem.com
Russell Dick	Huna Totem, President/CEO	Russell.Dick@hunatotem.com
Mickey Richardson	Huna Totem, Dir of Marketing	Mickey@hunatotem.com
Wayne Jensen	JYW Architects, President	Wayne@jensenyorbawall.com
Corey Wall	JYW Architects, Vice President	Corey@jensenyorbawall.com
Irene Gallion	Planning	Irene.Gallion@juneau.org
Emily Suarez		Emily.Suarez@juneau.org
David Peterson		David.Peterson@juneau.org

Sydney Hawkins	Permit Tech II	Sydney.Hawkins@juneau.org
Jill Maclean	CBJ CDD Director	Jill.Maclean@juneau.org
Alex Pierce	CBJ Tourism Manager	Alexandra.Pierce@juneau.org
Dan Bleidorn	CBJ Lands Manager	Dan.Bleidorn@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Flood plain development: FEMA mapping shows the flood plain area ending at the beach. Elements of the proposal closer to Egan Drive are below the 27 foot special flood hazard area elevation, but are outside of the mapped area. The Director has determined that flood proofing will not be required for development outside of the mapped area.

Lot coverage: See #7 below.

Construction across lot lines: A reminder that CDD cannot permit construction that crosses lot lines (CBJ 49.25.430).

Tidewater Lot Line setbacks: According to CBJ 49.25.430(4)(G): In any zoning district, yard setbacks are not required from tidewater lot lines. Reference #3 below.

Seawalk requirements: See the attached Ordinance 2005-29(am). Property owners within the area of the Long Range Waterfront Plan shall dedicate all easements necessary for construction of a seawalk 16 feet in width.

Project Overview

The project proposed phased development of mixed use, including retail, community park, docking, and associated parking.

Phase 1 includes a total of 24,800 square feet of retail, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 180 cars.

Materials provided by the applicant include:

- Existing Site Plan
- Seawalk (Grade) Level and Site Plan (with bus parking).
- Seawalk (Grade) Level and Site Plan (with off-season parking).
- Upper Plaza Level Phase 1.
- Upper Plaza Level Future Phases.
- Site Section.
- Zoning and parking study.
- Architectural Narrative for CBJ Pre-Application Conference.

The Applicant is working through early development stages. There are two meetings on November 7, 2022:

- Assembly Lands, Resources and Economic Development: The lease of the tidelands will be discussed in light of 53.09.260. Coast Guard land ownership and seawalk requirements will be discussed. Focus is on the specifics of the lease.
- Assembly Committee of the Whole: Huna Totem will be presenting development ideas and concepts to the Assembly. Focus will be on the vision for the community.

Coast Guard land ownership negotiations may result in modifications to the

The project will require a conditional use permit (CUP), because of public interest will be require a public meeting before the application goes to the Planning Commission.

Planning Division

1. **Zoning** – MU2, Town Center Parking area
2. **Subdivision** – Not applicable.
3. **Setbacks** –
 - a. Minimum front yard setback: 5 feet
 - b. Minimum street side yard setback: 5 feet
 - c. Minimum rear yard setback: 5 feet
 - d. Minimum side yard setback: 5 feet
 - e. 49.25.430 (4)(G) - Yard setbacks. Tidewater lot line setback is zero (0)
4. **Height** – Maximum height permissible use: 45 feet
5. **Access** – Primary access is from Whittier Street. At this time the Applicant is unsure if access off Egan Drive will be required. Egan Drive is an Arterial. If access off Egan Drive is proposed, a driveway permit will be required from The Alaska Department of Transportation and Public Facilities.

Contact: Michael K. Schuler
 Email: michael.schuler@alaska.gov
 Phone: 465-4499

6. **Parking & Circulation**– Parking per submitted materials. Note that the parking shown on Whittier is illustrative, and is not considered in parking calculations provided by the Applicant. CBJ does not permit back-out parking for commercial operations (CBJ 49.40.235(b)(6)

The Applicant does not anticipate pursuing a waiver for parking at this time. If pursued, a waiver application should be made at the same time as the Conditional Use Permit application.
7. **Lot Coverage** – Maximum lot coverage is 80%. CDD’s interpretation is that the park area on top of the garage is not lot coverage.

The definition of "lot coverage" means the percentage of horizontal lot area that is occupied by all buildings on the lot, each measured at the outside of those exterior walls of the floor having the greatest horizontal dimensions. The garage creates horizontal lot area by providing park space on the roof.

Phase 1 proposal current lot coverage is 8%.

- 8. **Vegetative Coverage** – Per CBJ 49.50.300 - Minimum vegetative cover is 5%. (Met)
- 9. **Lighting** – Proposed lighting will need to be downward cast full cut off. Lighting conditions established by the commission. Verified during building permit process.
- 10. **Noise** – Anticipated noise from this project is not expected to be excessive for the zoning district.
- 11. **Flood** –



Elements of the proposed structure and improvements are in the VE flood zone with elevations of 23 to 26 feet. VE Zone is a Special Flood Hazard Area (SFHA) inundated by 1% annual chance flood; coastal floods with velocity hazards. New development that follows within the definitions stipulated in 49.80 shall obtain a floodplain development permit (FDP). Proposed structures will need to be design to meet the requirements of CBJ 49.70 Article IV, and 49.70.400(j) for additional provisions in zones VE and V.

- 12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The project is not within a mapped hazard area. The project does not appear to need a Hillside Endorsement. A Hillside Endorsement will be required if slopes in excess of 18% are created, or cut into.

- 13. **Wetlands** – Wetlands are not anticipated on this lot. Fill of wetlands will require a United States Army Corp of Engineers fill permit.
Contact them at: 907-753-2689
- 14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 15. **Plat or Covenant Restrictions** –There were not applicable Plat notes in Plat number 2009-37.
- 16. **Traffic** – A traffic impact analysis (TIA) will be required per CBJ 49.40.300 (a)(1)
Parking level: 5,300 SF and 9,500 SF: Total SF: 14,500 SF (Retail)
Phase 1: 10,000 SF Plaza level (Retail)
Total: 24,800 SF retail
According to the Institute of Transportation Engineers Trip Generation Manual 9th edition a variety store generates 64.03 average annual daily traffic (AADT). Generating 1,587.94 AADT.
Per plans parks are approximately 60,000 SF, or approximately 1.4 Acres (Scaled of off Plaza Level Phase 1 drawings) According to the Institute of Transportation Engineers Trip Generation Manual 9th edition a City park generates 1.89 average annual daily traffic (AADT).
The applicant will review the parking analysis done by the previous applicant, and modify if necessary.
- 17. **Nonconforming situations** – There are not nonconforming situations evident

Building Division

- 18. **Building** – Building plans will be reviewed during the permitting process, no comments at this time.
- 19. **Outstanding Permits** –
 - a. BLD20190242 – “Temp power for job trailer.”

General Engineering/Public Works

- 20. **Engineering** –
 - a. Note that a single water meter would be required. Does not anticipate many challenges since the project will have engineers involved.
 - b. Per discussion above, review building elevations with FEMA elevation requirements for this area.
- 21. **Drainage** – None at this time.
- 22. **Utilities** – (water, power, sewer, etc.) None at this time.

Fire Marshal

- 23. **Fire Items/Access** – No comments at this time.

Other Applicable Agency Review

(Supp. No. 145)

-
24. The Traffic Impact Analysis will be submitted to the Alaska Department of Transportation and Public Facilities for their evaluation and review. If they have concerns, the Commission may condition the project to address them.
 25. The application will be circulated to the Alaska Department of Transportation and Public Facilities, the United States Army Corps of Engineers, the Alaska Department of Natural Resources, the United States Fish and Wildlife Service, the Alaska Department of Fish and Game, the Federal Aviation Administration, and the United States Coast Guard.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application
2. Allowable/Conditional Use Permit Application

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Traffic Impact Analysis. The Final draft will be required to go to the Planning Commission.

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. \$1,000 Class IV Permit
2. Public Notice Sign \$150. \$100 refundable if the sign is brought back by the Monday after the Commission meeting.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org
OR in person with payment made to:

(Supp. No. 145)

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Web: www.juneau.org/community-development

- Attachments:
- 49.70 Article IV
 - 49.15.330
 - Ordinance 2005-29(am)
 - Development Permit Application
 - Allowable/Conditional Use Permit Application

49.15.330 Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)–(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*

- (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;
 - (B) Whether the application is complete; and
 - (C) Whether the development as proposed will comply with the other requirements of this title.
- (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
 - (1) Materially endanger the public health or safety;
 - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
 - (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
 - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
 - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
 - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
 - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
 - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.

- (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1–8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
- (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:
 - (A) Developments in wetlands and intertidal areas.
- (11) *Sound.* Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.
- (12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions.* Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015 ; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018)

49.70.400 Floodplain.

- (a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:
 - (1) Reserved;
 - (2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;
 - (3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;
 - (4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;
 - (5) Reserved;
 - (6) Ensure that potential buyers are notified that property is in a special flood hazard area; and
 - (7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.
- (b) *Interpretation.*
 - (1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.

- (2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
 - (3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.
 - (4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.
- (c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:
- (1) Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;
 - (2) Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;
 - (3) Flood insurance studies (FISs);
 - (4) Flood insurance rate maps (FIRMs);
 - (5) Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and
 - (6) A file of all floodplain permit applications, permits, exceptions, and supporting documentation.
- (d) *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.
- (e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:
- (1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.
 - (2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.
 - (3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:
 - (A) Elevation of the lowest floor, including a basement, of all structures;
 - (B) Elevation to which any structure has been floodproofed;
 - (C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;

- (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - (E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and
 - (F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.
- (f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:
- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;
 - (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
 - (4) Control filling, grading, dredging, and other development that may increase flood damage; and
 - (5) Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.
- (g) *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:
- (1) *Anchoring.*
 - (A) Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).
 - (B) A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
 - (C) An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.
 - (2) *Construction materials and methods.*
 - (A) Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.
 - (B) Use methods and practices that minimize flood damage for new construction and substantial improvements.
 - (C) Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - (D) Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.
 - (3) *Utilities.*

- (A) Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.
 - (B) Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
 - (C) Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.
- (4) *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:
- (A) Be designed to minimize flood damage;
 - (B) Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;
 - (C) Provide adequate drainage to reduce exposure to flood damage; and
 - (D) Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.
- (5) *[Floodplain development permit requirements.]* Review of floodplain development permits must include:
- (A) Review of the flood insurance rate map and flood insurance study for flood zone determinations for new or substantially improved structures;
 - (B) For new or substantially improved structures:
 - (i) Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.
 - (ii) Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and
 - (iii) Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).
 - (C) In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.
 - (D) Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.
- (6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.
- (7) *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to

issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.

- (h) *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:
 - (1) *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:
 - (A) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (B) Height of the bottom of all openings must be no higher than one foot above grade; and
 - (C) Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.
 - (2) *Residential construction.* New construction and substantial improvement of any residential structure:
 - (A) Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; or
 - (B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.
 - (3) *Manufactured homes.* New or substantially improved manufactured homes must:
 - (A) Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevated to, or above, the base flood elevation, and comply with subsection (g); or
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; and meet the provisions of subsection (g)(1).
 - (4) *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:
 - (A) Situated on the site for fewer than 180 consecutive days;
 - (B) Fully licensed, operational, and approved for road use; or
 - (C) Meet the requirements of subsection (h)(3).
 - (5) *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:
 - (A) Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; or
 - (C) Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:
 - (i) The structure and utility and sanitary facilities are watertight with walls substantially impermeable to the passage of water;

- (ii) Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - (D) A floodproof structure must be designed by an engineer or architect licensed in the State of Alaska, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on the engineer's or architect's development or review of the structural design, specifications, and plans. Certification must be provided to the director;
 - (E) Applicants proposing to floodproof nonresidential buildings must be notified at the time of floodplain development permit application that flood insurance premiums are based on rates that are one foot below the floodproofed level.
- (6) *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:
- (A) Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.
 - (B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.
 - (C) Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.
 - (D) Establishment of sanitary landfills in floodplains is prohibited.
- (7) *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:
- (A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or
 - (B) By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.
- (i) *Additional provisions in floodways.*
- (1) Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.
 - (2) Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.
 - (3) Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.
- (j) *Additional provisions in zones VE and V.*

- (1) New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:
 - (A) The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and
 - (B) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review the structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.
 - (C) The use of fill for structural support of buildings is prohibited.
- (2) In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.
- (3) In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
- (4) Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:
 - (A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and
 - (B) The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.
 - (C) Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.
- (k) *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

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(Supp. No. 145)

49.70.410 Exceptions.

- (a) The planning commission shall hear all applications for an exception from the provisions of this article, and are limited to the powers granted in this article and those necessarily implied to ensure due process and to implement the policies of this article.
- (b) In passing upon such application, the planning commission must consider all technical evaluations, relevant factors, standards specified in other sections of this article, and:
 - (1) The danger that materials may be swept onto other lands and cause injury to other persons or property;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (c) Exceptions may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subsections (b)(1)—(b)(11) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the exception increases.
- (d) Upon consideration of the factors of subsection (b) of this section and the purposes of this article, the commission may deny or grant the application and may attach such conditions to the grant of an exception as it deems necessary to further the purposes of this article.
- (e) Exceptions may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.
- (f) Exceptions must not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (g) Exceptions must only be issued upon a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief.
- (h) Exceptions must only be issued upon:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the exception would result in exceptional hardship to the applicant; and
 - (3) A determination that the granting of an exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances or conflict with existing local laws or ordinances.
- (i) Reserved.
- (j) Warning and disclaimer of liability. The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected,

Pre-Application Conference Final Report

can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, § 10, 1990; Serial No. 2021-06, § 3, 4-26-2021, eff. 5-24-2021)

Presented by: The Manager
Introduced: 09/12/2005
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2005-29(am)

An Ordinance Relating to the Seawalk in the Area
Encompassed by the Long Range Waterfront Plan.

WHEREAS, the Assembly has adopted the Long Range Waterfront Plan; and

WHEREAS, that plan includes a seawalk extending along the entire downtown waterfront to provide a useable transportation corridor; and

WHEREAS, the CBJ Land Use Code currently requires property owners developing or redeveloping their property to construct the seawalk and dedicate an easement for it; and

WHEREAS, having the City and Borough construct the seawalk will facilitate development of a coherent, useable corridor; and

WHEREAS, the LID process can be used to provide for construction of the seawalk along properties not under development.

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

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

Section 2. Amendment of Subsection. CBJ 49.70.960 Special waterfront areas, is amended at subsection (c)(6) to read:

...

(6) Seawalk. A pedestrian access easement and walkway intended to provide a continuous pedestrian path along the entire downtown waterfront area, shall be included with all future development or redevelopment along the downtown waterfront shoreline. This walkway, to be known as the seawalk, shall be a continuous path along the entire downtown waterfront as depicted in the Long Range Waterfront Plan. In lieu of constructing the required seawalk, property owners developing or redeveloping property along the waterfront shoreline within the area encompassed by the Long Range Waterfront Plan shall pay a fee to the City and Borough equal to twenty percent of the final project cost for a seawalk constructed to public assembly standards for the section abutting their property. Unless the alignment of the seawalk requires otherwise, owners of property along

the waterfront shoreline within the area encompassed by the Long Range Waterfront Plan developing or redeveloping their property shall dedicate all easements necessary for construction of a seawalk sixteen feet in width.

(A) *Reserved.*

(B) *Reserved.*

(C) The seawalk shall not be required for existing buildings located along the water's edge until additions or alterations, or both, in excess of 50 percent of the gross square footage of the existing structure are proposed or undertaken within a 36-month period as determined by the City and Borough building division. General maintenance or repair work is exempt from this requirement.

(D) *Reserved.*

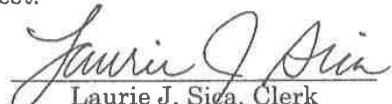
...

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

Adopted this 10th day of October, 2005.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk



522 West 10th Street, Juneau, Alaska 99801 907.586.1070 jensenyorbawall.com

Designing Community Since 1935

Date: June 19, 2023
Re: Aak'w Landing (JYW No. 21021)
Zoning and Planning Study

Total Project Area

475,377 sf.

Discussion: Area of Uplands and Dock are combined for the Conditional Use Permit and to show the total size of the project. The two portions of the project are considered individually below.

Uplands Portion of Project

Parcel: 1C060-K01-0031 (C-1)
Area: 125,377 sf (2.88 Acres)

Property Zoning: MU2
Maximum Lot Coverage: 80% (100,302 sf)
Minimum Vegetative Cover: 5% (6,269 sf)
Maximum Height (Permissible Uses): 45'
Minimum Setbacks: 5' (0' where property line is adjacent to tidelands)
Allowable Uses:

- Phase 1:
- Visitor, Cultural Facilities Related to the Site: 3
- Storage and Display of Goods with greater than 5,000 sf: 1,3
- Restaurants & Bars without Drive-Through Service: 3
- Seasonal Open Air Food Service: 1,3
- Open Space: 1
- Automobile Parking Garage: 1,3
Future Phases:
- Offices Greater than 2,500 sf: 1,3
- Libraries, Museums, Art Galleries: 1,3
- Theaters from 201 - 1,000: 1

(1. Department approval requires the department of community development approval only.
1, 3. Department approval required if minor dev., conditional use permit required if major development.
3. Conditional use permit requires planning commission approval.)

Discussion: The project will comply with all zoning requirements, including the height restriction. The footprint of the building is larger than the Maximum Lot Coverage area by approximately 2,800 sf, but since almost 50,000 sf of the building is to be covered in a landscaped and publicly-accessible Park, it is believed this will comply with requirements.

Proposed Phase 1 Development: Parking Structure with Park above. Retail both at Seawalk and Upper Plaza (Park) level. 103,100 sf footprint

- 150,000 sf total developed area, including:
 - One-story bus parking and loading garage
 - Two-story car parking garage
 - 34,000 sf Retail, including:
 - 4,700 sf Whittier Street-facing (Seawalk Level)
 - 19,300 sf Seawalk-facing (Seawalk Level & Mezzanine)
 - 10,000 sf Welcome Center (Upper Plaza Level)
- 1+ acre of Park and Plaza over bus and vehicle garage

Proposed Future Phase Development: Additional Retail and Use TBD facilities at Upper Plaza (Park) level

- 9,000 sf additional Retail (43,000 sf total, including Phase 1)
- 40,000 sf Future Phase, Use TBD

Parking

Parking Provided. Phase 1 development will have 93 passenger vehicle parking stalls in the garage and 24 coach, bus, and van parking stalls, for a total of 117 bus and car stalls. Alternate “Off-Hours” striping in the bus garage will allow for passenger car parking after-hours or off-season for a total of 79 car stalls (plus the Circulator) in this area of the garage for a building total of 172 car stalls.

Discussion: CBJ Codes calculations are based on car-sized parking stalls. Given the large capacity of the buses, using the “Off-Hours” striping stall total to determine parking capacity seems reasonable. However, the proposed development is allowable even if parking capacity is determined with bus stalls counted as a single stall.

<u>Phase 1 Parking Required:</u>	34,000 sf Retail (1 stall per 750 sf):	46 stalls required
<u>Future Total Parking Required:</u>	43,000 sf Retail (including Phase 1):	57 stalls required
	40,000 sf of Use TBD	
	If Cultural (1 stall per 1,500):	27 stalls required
	If Retail (1 stall per 750 sf):	53 stalls required
	If Housing (32 one-bedroom):	<u>13 stalls required</u>
		70-110 stalls required total

CBJ Parking Requirement:

- Commercial/Retail 1 per 750 sf
- Restaurants 1 per 750 sf
- Museum 1 per 1,500
- Recreational Space 1 per 10 seats
- Housing, 400 sf Eff. .3 spaces per
- Housing, 1-bedroom .4 spaces per
- Housing 2-bedroom .6 spaces per

Discussion: Given the amount of parking available, future phase development options are almost certainly going to be restricted by height or other considerations, not parking.

Dock Portion of Project

Parcel: 1C100-K83-0032 (CBJ Tidelands) and unlabeled adjacent Alaska State Tidelands
Project Area: 350,000 sf (125,000 sf on CBJ Tidelands, 225,000 sf on State Tidelands).

Discussion: Project Area is only a portion of the much larger CBJ- and State-owned parcels. Project Area includes area physically occupied by the Dock structures, the “shadow” of the 360-meter long cruise ship floating above, and approximately 20% additional space around the dock and ship to ensure compliance.

Property Zoning: MU2 (taken from adjacent C-1 Lot Zoning)
Maximum Lot Coverage: 80% (280,000 sf)
Minimum Vegetative Cover: 5% (17,500 sf)
Maximum Height (Permissible Uses): 45’
Minimum Setbacks: 5’ (0’ where property line is adjacent to tidelands)

Discussion: Dimensional standards and requirements listed are for MU2 zoning. Not clear how all standards—particularly vegetative cover—apply to tideland lots which are entirely over water. However, the project will comply with a strict reading of all requirements:

- *The constructed Dock takes up an area much smaller than the allowable Maximum Lot Coverage (143,960 sf vs the allowable 280,000 sf)*
- *The Park on the Uplands is large enough to fulfill Minimum Vegetative Cover requirements (50,000 sf vs. the required 23,769 sf for the Uplands and Dock together)*
- *The Dock height will be lower than the 45’ Maximum Height as determined from the datum on the Uplands.*

Allowable Uses:

- Private Moorage: 1,3 (49.25.300, 10.520)
- (1, 3. Department approval required if minor dev., conditional use permit required if major development.)*

Proposed Development: Floating Dock with access ramps to the adjacent C-1 parcel. No occupiable buildings are proposed in this portion of the development.

Parking: As noted above, all parking is being provided on the Uplands portion of the project.

Discussion: Parking requirements for the project have been determined by the Uplands development areas without modifiers—i.e., the parking calculations assume that all visitors to the Uplands facilities—even the Welcome Center—arrive via personal vehicle and not on the cruise ship. As noted above, the project provides 172 parking stalls for a total build-out requirement of 70-110 stalls.

Parking requirements for the vehicles serving the cruise ship and dock itself are not defined by code. The project includes more parking areas for buses, vans, and coaches than are currently provided at the other cruise ship docks. (For example, the AJ Dock facility provides 21 dedicated coach and bus stalls, the proposed Aak’w Landing project proposes 24 dedicated coaches and bus stalls).

Other Planning Considerations

Circulation: The project has been designed to prioritize safe and efficient movement of pedestrians and vehicles. The goal is to create a high-quality experience both for visitors arriving to Juneau for the first time via the adjacent cruise ship dock and for local residents who want to enjoy the publicly-accessible Park and view areas or waterfront retail / restaurant facilities on the site.

Cruise Ship Arrival

- Pedestrian traffic to and from the cruise ship arrives onto the site via the Dock SkyBridge, which connects at the Upper Plaza (Park) level. This will provide a location for large groups of newly-arrived visitors to get sorted and organized in an area away from the more linear Seawalk-level retail areas below. This level will be entirely pedestrian, with all vehicles located a level or two below.
- The curving Skybridge will provide orienting views to and through the upper-level buildings before visitors arrive at the Upper Plaza. Major pedestrian routes are marked with large canopies supported by totem pole columns and other artwork.
- Directly in front of a visitor arriving at the Upper Plaza is a 10,000 sf Welcome Center—a unique facility for any dock in Juneau. Visitors can walk around or through the Welcome Center to be sorted into tours or provided maps and suggestions for independent activities.
- The slowly rising SkyBridge arcs over the dining Deck and gives visitors a view of the Seawalk-level retail and other enticing attractions below. The large dining Deck and SkyBridge act as visual markers to orient visitors when they return to the site.

Tour Departure

- To the rear of the Welcome Center, two separate sets of escalators and stairs take visitors to the loading islands on the parking level below. Electronic and static signage helps separate and efficiently guide the visitors to their tour departure areas.
- In the parking garage, visitors are loaded and unloaded from raised loading islands. Pedestrians do not ever cross bus or car traffic lanes on foot in the garage.
- Buses and commercial traffic have a separate entrance and traffic patterns from passenger vehicles. During on-hours, commercial traffic and passenger vehicles are entirely separate.

Park and Upper Plaza

- Over half of the upper level of the project is devoted to Park and open Plaza spaces. The Park gently slopes towards Egan Drive and the sidewalk to provide easy pedestrian access to this very prominent feature.
- The Park will be heavily landscaped with a variety of activity and leisure spaces such as: performance stages for music and dance, open areas for play and gathering, landscaped natural areas to display native art, covered seating areas with hook-ups for food trucks and carts, etc.

Pedestrian Traffic and Seawalks

- Based on current predictions, the majority of visitors will leave the site via commercial vehicles as described above. However, pedestrians to and from the Upper Plaza will have number of clear and attractive walking options.
- Pedestrians descending through the Park towards Egan will be routed either to the NE corner (Whitter/Egan signalized intersection) or to the NW corner and onto the Egan sidewalk walking towards Gold Creek. The landscaped berm at the rear of the Park will not allow pedestrian traffic at random locations down to the Egan sidewalk.

- A large stair and elevator are located at the open SW corner of the Upper Plaza to take pedestrians down towards the dining Deck and Seawalk-level retail below. This corner of the site is open to the Tidelands and is one of the only portions of the site which will always have open waterfront views.
- The large (75- 95’ deep) dining Deck is located on the “flagpole” portion of the site and will also always be open to the waterfront to the south.
- Adjacent to the dining Deck, a 16’ wide Seawalk will take pedestrians along retail spaces as they walk east towards Whittier. The corner retail space at the SE corner of the site will have stairs and elevators which can take visitors back up to the Upper Plaza Level.
- Pedestrians on Whittier can proceed either to the wide sidewalks and signalized intersection / pedestrian crossing at Whittier/Egan, or they can proceed down Heat Street towards downtown. CBJ improvements to Heat Street to create an attractive extension of the Seawalk from downtown would enhance the visitor’s walking experience but are not seen as a critical or immediate need.
- A portion of 16’+ Seawalk is planned at the SW corner of the project along the adjacent Tidelands property. The Seawalk is shown as a possible future project along the west side of the project on CBJ Lot 1A, but this project will depend on CBJ plans for this property. A Seawalk here would link the Seawalk near the SW dining Deck back to Egan, but is not required since pedestrians can route up to the Upper Plaza and along the west side of the Park down to Egan.

Emergency Access

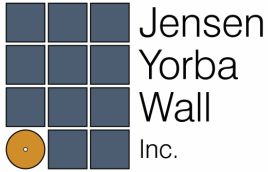
- Emergency vehicles can access the site from Egan and Whittier and will have complete access to the parking levels.
- A controlled vehicle access lane through the parking level, onto the SW Seawalk and to an at-grade vehicle bridge to the cruise ship dock will allow for emergency vehicle access to the entire dock. This route is not anticipated to be used for non-emergency vehicles.
- It is hoped to develop the Park access ramps and walkways such that food trucks and service vehicles could be brought to the Upper Plaza level without needing a driveway off Egan. Such access ramps would allow for emergency vehicle access to the Upper Plaza, although such access is not required by code.

Snow Storage and Drainage: All vehicle traffic on the site is inside the covered parking garage, with covered canopies over the access drive lanes from Whittier. Canopies over the south-facing Seawalk protect walking traffic and the majority of the retail spaces are accessible directly from the interior parking garage. Snow removal at the non-canopy covered Seawalks and at the Park / Upper Plaza is anticipated to be intermittent with no off-site snow storage required. Snow will not be pushed off the site into the water.

Drainage off the site will be internally collected and routed to the channel. Catch basins in vehicle traffic areas will have oil-water separators as required.

FEMA and Floodplain Requirements: All retail and permanently-occupied spaces at the lower Seawalk Level have floors above the flood plain level. The rear portion of the parking garage slopes below the floodplain and this portion of the garage will be engineered to withstand flooding and tidally-caused uplift pressures.

Lighting: Exterior lighting—both on the buildings and in the exterior spaces--will comply with code requirements.



Date: May 17, 2023
 Re: Aak'w Landing (JYW No. 21021)
Architectural Narrative for CBJ Conditional Use Application

The Aak'w Landing uplands project will be a concrete Bus Staging and vehicle Garage topped by a landscaped Park sloping up from Egan Drive. The project will include 34,000 sf of Retail spaces in the first phase with future phases adding 9,000 sf of additional Retail and 40,000 sf of facilities with a use yet to be determined. Total square footages are approximate at this initial design stage, but as shown on the Zoning and Parking Study, the target square footages are well below what would be allowed on the site by zoning or parking.

Exceptional Cruise Ship Visitor Pedestrian Traffic Flow. The Aak'w Landing concept provides the surges of pedestrian traffic flow off the cruise ships with a unique and greatly enhanced experience—an experience we believe will set our facility apart from any other cruise ship port. The dock, architecture and landscape will all be designed to guide visitors efficiently through the site while providing an abundance of opportunities for views, shopping, and cultural activities.

- The passenger Gangway from the ship will gently ascend so visitors will enter the site at the Upper Plaza elevation, 20' above grade and the Seawalk below. By bringing the visitors onto the site at this elevation, we will be able to curate and direct their initial experience on the Plaza. The length of the Gangway will allow this elevation gain to occur gradually, without becoming a full ADA ramp requiring landings and constricting guardrails.
- The Gangway will curve around the bow of the ship with view areas providing unique perspectives and photo opportunities during embarking and disembarking.
- The Gangway will arc over the dining and activities on the Seawalk below, enticing visitors to further explore the entire Aak'w Landing area.
- The Gangway and Welcome Center building will direct the flow of passengers around the southeast corner of the Plaza. The flow will be efficient and clear, but will not directly lead to an exit, providing a large amount of retail frontage and opportunities.
- Large Canopies around the Welcome Center and Retail buildings will provide pooling locations for the visitors where orientation and sorting will occur. Once on the north side of the Welcome Center, passengers will be directed towards one of two large stair/escalators to the Bus Staging below, or down further into the Park to cultural events and walking tours, or down the large West Stair to independent exploration of the Seawalk.
- Passengers descending West Stair will be routed to the wide curving Seawalk across the south-facing side of the building. This walk will provide 300' of south-facing waterfront Restaurant and Retail frontage.

Efficient, Ample, Safe, and Hidden Vehicular Traffic. We recognize that maximizing vehicular access and parking will be key to successfully moving visitors to and through Aak'w Landing. Our concept proposes a parking and bus staging plan focusing on efficiency and safety.

- Bus and vehicle parking is maximized while still remaining hidden. By raising the Plaza to 20' above grade, two levels of passenger vehicles totaling about 93 stalls are available in the Garage. Two separate pedestrian islands surrounded by angled loading stalls will allow for up to 24 coaches and busses in the Bus Staging area. Preliminary design includes: (13) 45' coaches, (7) 35' busses, (3) 25' busses, and a large Circulator trolley/bus.
- Bus Staging access lanes and the lower level of the parking Garage are level with Whittier Ave. This will provide easy and friendly vehicular access to the building and eliminate steep ramp transitions. The level access lanes will also allow vehicle passage through the building to the CBJ Tideland Lots to the west if this is desired in the future.
- The entire Bus Staging area descends downward from the level access lane towards the rear of the building. This will allow the Park above to slope down towards Egan Drive while still providing easy-to-navigate and accessible walking and driving paths in the Bus Staging area.
- Visitor pedestrian traffic flows never cross the vehicle traffic lanes. Visitors descend stairs/escalators directly to protected islands in Bus Staging, or out to the Seawalk away from the vehicle area altogether.
- Bus and passenger vehicle traffic are entirely separated. Individual entrances to Bus Staging and the vehicle parking Garage are located off Whittier Ave.
- The vehicle areas are entirely hidden from view from most pedestrians. Grade-level Retail spaces front the building along Whittier Ave. and the Seawalk, while the sloping Park and flat Plaza roof the entire vehicle areas below.

A Vibrant, Engaging, Landmark Park and Plaza. The preliminary design includes 1.14 acres (49,513sf) of landscaped park and public performance area, as well as .68 acres (29,694sf) of public plaza at the upper (Park) elevation, and .48 acres (22,559sf) of public area at the lower (Seawalk) elevation.

- The Park gently climbs from the north edge along Egan Drive with a series of flat hardscaped outdoor spaces throughout for year-round activities. Wide walkways with vehicle-control bollards will allow food trucks and equipment access to activate the park with pop-up activities and events.
- After the Park rises to the Upper Plaza elevation, it levels out to become a wide Plaza where the Welcome Center will be located. Visitors at this level can get unimpeded views out over Gastineau Channel to the south and west as well as access to and from the Gangway to the ship.

Art Integration Throughout the Project. Because of our team's cultural focus, we view art as an opportunity to tell the story of Aak'w Landing both subtly and overtly throughout the project.

- From the moment they step off the ship, visitors will be shown they are in a special and unique place. Art will be integrated with the dock structure itself with large dock supports and pilings wrapped in graphics and art to recall traditional house posts and totems. Other smaller items such as railings and guards will incorporate art and sculpture.
- Shop and Cultural buildings on the Plaza will be designed in conjunction with local artists to incorporate Alaskan Native forms and materials. Art will be integrated into the architecture and structure as well as displayed on the buildings.

- Local Indigenous Native art will inform the macro layout of the landscaped Park as well as the specific planting and landscaping. An initial idea being worked out by the artists and designers on our team is to have the plan of the walkways, landscaping and hardscaping form an image of Raven Stealing the Sun.

Cruise Ship Dock.

- 500' x 70' steel floating dock of similar construction to that utilized at Icy Strait Point Berth II and Ward Cove Cruse Facility with an 8-foot-high constant freeboard.
- Able to accommodate a single 240,000 Gross Tons, 360-meter-long design vessel during cruise season weather conditions.
- The dock will be fitted with foam filled floating fenders suitably designed for the cruise fleet.
- The floating berth shall be accessed with a 140-foot-long gangway rated for port of call standard equipment.
- Mooring locations to be equipped with electric capstans for line handling and will be accessible by catwalks.
- The dock includes basic facility lighting, electrical service, and wash down water from the abutment seaward.
- The proposed design includes the cable trays and structure for integrating future shore power connections once the municipal feed is available.

Project Summary

Aak'W Landing Conditional Use Permit Application

The project proposes a phased development of mixed use, including retail, food and beverage, community park, docking, and associated parking. Phase 1 includes a total of 24,800 square feet of retail and food and beverage operations, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 117 cars.

External lighting is to be developed.

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The pier portion of the project will utilize a proven steel float solution that will be built with a deck up to 70-feet wide and 500 feetlong, allowing for the best facility layout and passenger handling solution.

Drawings for the above project are attached.



522 West 10th Street, Juneau, Alaska 99801 907.586.1070 jensenyorbawall.com

Designing Community Since 1935

Date: May 17, 2023
Re: Aak’w Landing (JYW No. 21021)
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Cruise Ship Dock.

- 500' x 70' steel floating dock of similar construction to that utilized at Icy Strait Point Berth II and Ward Cove Cruise Facility with an 8-foot-high constant freeboard.
- Able to accommodate a single 240,000 Gross Tons, 360-meter-long design vessel during cruise season weather conditions.
- The dock will be fitted with foam filled floating fenders suitably designed for the cruise fleet.
- The opposite side of the dock from the cruise ship berth will not be constructed to take the structural loads of large ships, but could be configured for tour day boat, tenders and other small watercraft such as canoes or kayaks.
- The floating berth shall be accessed with a 140-foot-long gangway rated for port of call standard equipment.
- Mooring locations to be equipped with electric capstans for line handling and will be accessible by catwalks.
- The dock includes basic facility lighting, electrical service, and wash down water from the abutment seaward.
- The proposed design includes the cable trays and structure for integrating future shore power connections once the municipal feed is available.



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

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

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

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

Property Address: 0 Egan Drive

Legal Description: Juneau Subport Lot C1

Parcel Code No.: 1C060K010031

Hearing Date: July 11, 2023

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

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

Huna Totem Corporation
 File No: USE2023 0003
 July 20, 2023
 Page 2 of 3

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

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

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

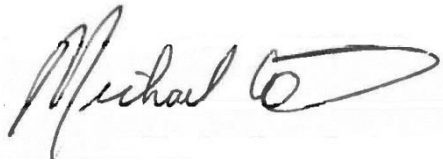
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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

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

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


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



Michael LeVine, Chair
Planning Commission

July 19, 2023

Date



Filed With City Clerk

July 20, 2032

Date

cc: Plan Review

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

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Presented by: The Manager
Presented: 3/3/2025
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3098

A Resolution in Support of the City and Borough of Juneau’s Application to Acquire Tideland from the State of Alaska.

WHEREAS, the City and Borough of Juneau (CBJ) currently manages much of the Downtown waterfront, tidal, and submerged lands; and

WHEREAS, the CBJ has patented submerged lands in excess of 50 acres in ATS 3 including a four-hundred-foot swath seaward of the Coast Guard Dock and Subport; and

WHEREAS, in August 2022, Huna-Totem Corporation (HTC) acquired the upland parcel at the Subport from Norwegian Cruise Line Holdings; and

WHEREAS, Huna-Totem Corporation desires to construct a cruise ship dock adjoining its property at the Subport Lot and to continue the Seawalk along their property; and

WHEREAS, in October 2022, the CBJ received an application from Aak’w Landing LLC (“Aak’w”), wholly owned subsidiary of HTC, to lease CBJ-owned tidelands; and

WHEREAS, in order to construct the Huna-Totem Corporation dock as envisioned, Huna-Totem Corporation will need to acquire an interest in certain tidelands, which includes the CBJ swath of tidelands and an additional contiguous parcel of approximately 8 acres of unsurveyed tidelands currently owned by the State of Alaska; and

WHEREAS, the CBJ has applied for conveyance of the additional contiguous parcel area from the Alaska Department of Natural Resources (ADNR); and

WHEREAS, the requested parcel is depicted on Exhibit A; and

WHEREAS, if the conveyance is approved, the CBJ will fund and conduct a tideland survey of the area to provide legal boundaries; and

WHEREAS, a navigation study of the proposed cruise ship dock is a necessary condition for the Conditional Use Permit approved by the CBJ Planning Commission.

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

Section 1. The Assembly of the City and Borough of Juneau intends to receive and requests that the State of Alaska Department of Natural Resources approve the CBJ's application to acquire the additional tidelands depicted in Exhibit A.

Section 2. In conformity with AS 38.08.825 for application of the requested tidelands from the ADNR, the following is true:

- A. The requested parcel is contiguous to the boundaries of the municipality;
- B. The use of the requested parcel will not unreasonably interfere with navigation or public access;
- C. The CBJ has applied to the Commissioner of ADNR for conveyance of the land under section AS 38.05.825;
- D. The requested parcel is not subject to a shore fishery;
- E. The lands are classified for waterfront development under the CBJ Long Range Waterfront Plan, as amended;
- F. The requested parcel is required to accomplish the CBJ's vision to manage the Juneau waterfront at the local level, is a necessary step in the process of leasing the tidelands to Huna-Totem Corporation, and toward completing the Seawalk.

Section 3. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

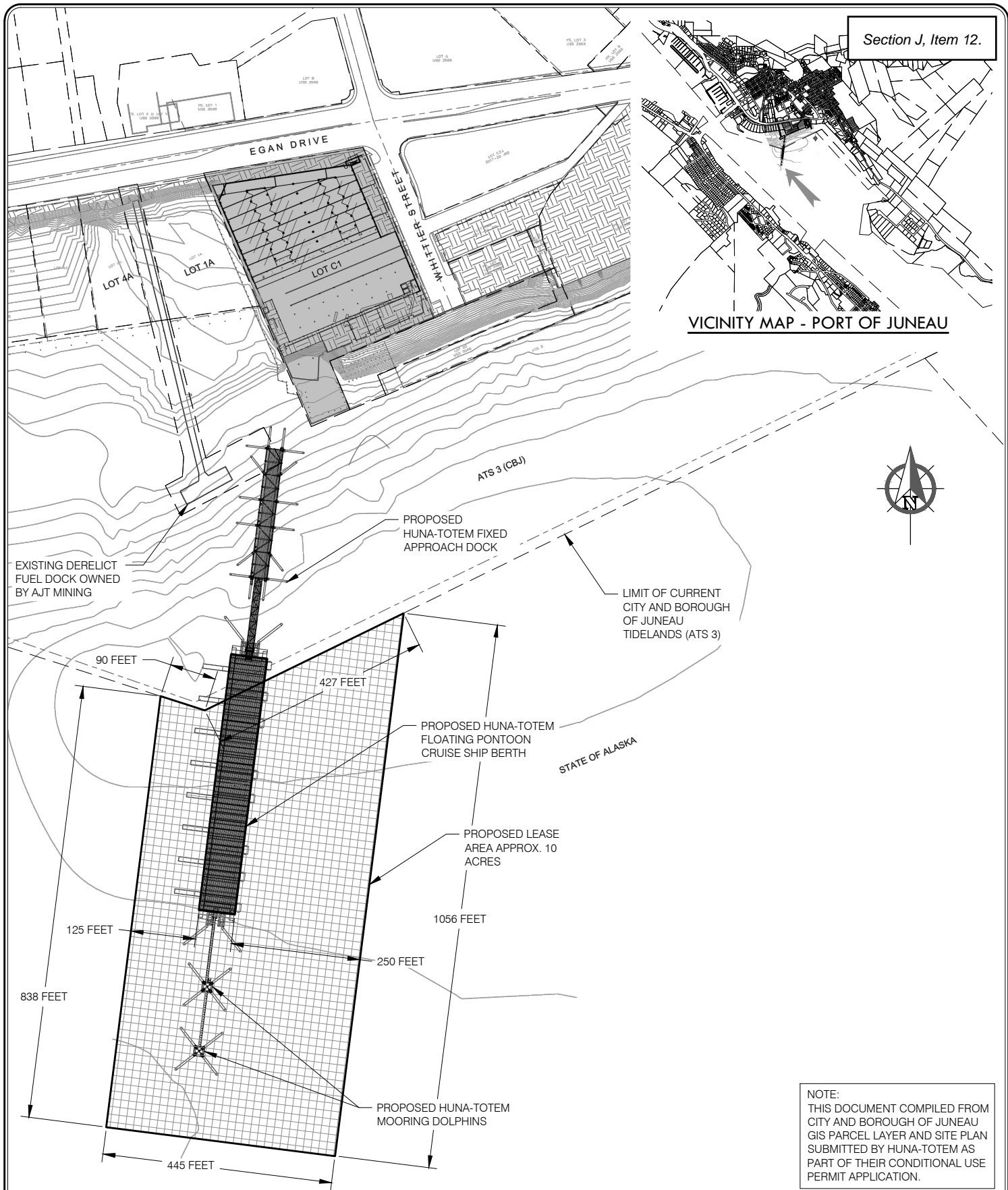
Attest:

Elizabeth J. McEwen, Municipal Clerk

Section J, Item 12.



VICINITY MAP - PORT OF JUNEAU



NOTE:
THIS DOCUMENT COMPILED FROM
CITY AND BOROUGH OF JUNEAU
GIS PARCEL LAYER AND SITE PLAN
SUBMITTED BY HUNA-TOTEM AS
PART OF THEIR CONDITIONAL USE
PERMIT APPLICATION.



CITY AND BOROUGH OF JUNEAU
DOCKS & HARBORS DEPT.
155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801
PHONE: 907-586-0398

REQUESTED LEASE AREA
HUNA-TOTEM DOCK TIDELANDS LEASE

DESIGN:	MS	DATE:	AUGUST 16, 2024
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APPROVED:	CU	JOB NO.	PAGE 1 OF 1

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Presented by: The Manager
Presented: 03/03/2025
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3093

A Resolution Authorizing the Manager to Apply For, and Enter Into, a Loan Agreement of up to \$7,830,000 with the Alaska Department of Environmental Conservation, Clean Water Nonpoint Source Loan State Revolving Fund, for the Phase 1 HESCO Barrier Project.

WHEREAS, the adoption of Resolution No. 3093 would authorize the City and Borough of Juneau (CBJ) Manager to submit a loan application and enter into a loan agreement with the State of Alaska Department of Environmental Conservation (ADEC) to provide funding for the following project:

Project: Phase 1 HESCO Barrier Project
Funding amount: \$7,830,000; and

WHEREAS, due to the unique geographic topography of the Mendenhall Valley and the ongoing recession of the Mendenhall Glacier, the Juneau valley is threatened by annual glacial outburst floods (also known as jökulhlaups) from a side basin (Suicide Basin or K'óox Kaadí Basin) of the Mendenhall Glacier above Juneau, Alaska; and

WHEREAS, jökulhlaups have taken place since at least 2011 on an annual basis, with the last two years resulting in significant damage to homes and infrastructure in the Mendenhall Valley; and

WHEREAS, on August 6, 2024, the CBJ issued a local disaster declaration, on August 12, 2024, Governor Dunleavy issued a State disaster declaration, and on October 17, 2024, President Biden issued a federal declaration of emergency, in response to the glacial outburst floods; and

WHEREAS, on February 3, 2024, the CBJ passed Ordinance 2024-40am, which formed a Local Improvement District (LID) for the purposes of constructing Phase 1 of the HESCO barrier project, responding to the ongoing annual glacial outburst floods; and

WHEREAS, the estimated cost of Phase 1 is up to \$7,830,000, with \$4,698,000 (60%) to be borne by the CBJ and \$3,132,000 (40%) to be borne by the properties within the LID boundary and any costs over \$7.83M to be borne by the CBJ, subject to Assembly appropriation. To pay for these costs, CBJ appropriated \$2,000,000 in Restricted Budget

42 Reserve, with the balance of the estimated \$4,698,000 of CBJ's 60% cost responsibility to be
43 appropriated from the general fund; and
44

45 WHEREAS, ADEC is offering a Clean Water Nonpoint Source Loan State Revolving
46 Fund (SRF) loan program with 50% in loan forgiveness for designated disadvantaged
47 communities; a designation which includes communities with a federally declared disaster;
48 and
49

50 WHEREAS, the CBJ seeks to obtain the necessary financial assistance for the project;
51 and
52

53 WHEREAS, the loan of up to \$7,830,000 would be repaid over no more than a 10-year
54 term, with a finance rate calculated pursuant to State of Alaska 18 AAC 76.225; and
55

56 WHEREAS, in order for CBJ Engineering and Public Works to apply for the SRF loan,
57 the Assembly must pass a resolution to (1) authorize the SRF loan application process, and
58 (2) authorize a designated representative of the local government to execute the loan
59 agreement; and
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61 WHEREAS, the Public Works and Facilities Committee, at its regular meeting on February
62 24, 2025, recommended the drafting of this resolution; and
63

64 WHEREAS, upon receiving the loan agreement document, Assembly authorization will be
65 required by ordinance to borrow the money.
66
67

68 BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:
69

70 **Section 1.** That the Manager is authorized to submit a loan application to the
71 State of Alaska Department of Environmental Conservation, which will become a binding
72 obligation in accordance with its terms when signed by both parties. The Manager is
73 authorized to execute the loan agreement with the State of Alaska for Phase 1 HESCO
74 Barrier Project, in an amount not to exceed \$7,830,000:
75

76 **Section 2.** The Manager is authorized to carry out the City and Borough's
77 responsibilities under the loan agreement. The Manager is authorized to delegate
78 responsibility to appropriate CBJ staff to carry out technical, financial, and administrative
79 activities associated with the loan agreement.
80

81 **Section 3. Effective Date.** This resolution shall be effective immediately upon
82 adoption.
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85 Adopted this _____ day of _____ 2025.
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Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk



MEMORANDUM

DATE: February 24, 2025
TO: Chair Hughes - Skandijs and Public Works and Facilities Committee
FROM: Denise Koch, Engineering and Public Works Director
SUBJECT: Resolution for Phase 1 HESCO Barrier Project Clean Water State Revolving Fund (SRF) Loan

The CBJ Engineering and Public Works Department seeks Assembly authorization for and acceptance of up to \$7,830,000 in financial assistance in the form of a Clean Water Nonpoint Source Loan from the Alaska Department of Environmental Conservation (ADEC) [State Revolving Fund](#) (SRF) to fund the Phase 1 HESCO barrier project and associated costs. The loan would include a 50% subsidy (forgiveness).

The estimated cost of Phase 1 is up to \$7,830,000, with \$4,698,000 (60%) to be borne by the CBJ and \$3,132,000 (40%) to be borne by the properties within the LID boundary and any costs over \$7.83M to be borne by the CBJ, subject to Assembly appropriation. To pay for these costs, CBJ appropriated \$2,000,000 in Restricted Budget Reserve, with the balance of the estimated \$4,698,000 of CBJ's 60% cost responsibility to be appropriated from the general fund.

ADEC is offering a Clean Water Nonpoint Source loan program with 50% in loan forgiveness for designated disadvantaged communities - a designation that includes communities with a federally declared disaster. If awarded, the finance rate for the \$7,830,000¹ loan would be determined by the to-be-decided repayment terms (either 5 years or 10 years) and the bond market rate published on the day the department signs the agreement time in conformance with State regulations (18 AAC 76). For context, the finance rate for a 5-year loan term is estimated to be 1.73% (1.23% interest plus 0.5% admin fee), and the estimated 10-year finance rate is 2.25% (1.78% plus 0.5% admin fee). The interest rate for Central Treasury loans fluctuates but has been in the 4.28% to 4.78% range recently. Interest accrual begins one year from the date of the first disbursement and there is no penalty for early repayment. A subsidy will be applied at 50% for each disbursement.

For CBJ to apply for the Clean Water Nonpoint Source SRF loan, the Assembly must pass a resolution to (1) authorize the SRF loan application process, and (2) authorize a designated representative of the local government to execute the loan agreement. If awarded, an appropriating ordinance will be required to receive loan disbursements. The Assembly will need to decide in the future (i.e. during the finalization of the assessment roll or during the process to appropriate the loan funds) to determine the allocation of the loan forgiveness between CBJ and property owners.

Action Requested

Staff request a resolution be forwarded to the full Assembly for adoption, which authorizes the City Manager to 1.) apply to the Alaska Department of Environmental Conservation (ADEC) for a loan not to exceed \$7,830,000 from the SRF for the Juneau Barrier Phase 1 Project, and 2.) execute the loan agreement.

¹ With 50% of loan funds disbursed forgiven, CBJ's responsibility for the remaining 50% would be \$3,915,000

Presented by: The Manager
Introduced: 03/03/2025
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3097

A Resolution Authorizing the Manager to Apply For, and Enter Into, a Loan Agreement of Up to \$1,955,000 with the State of Alaska Department of Environmental Conservation, State Revolving Fund, for the Design of a Pyrolysis Unit at the Mendenhall Wastewater Treatment Plant.

WHEREAS, the City and Borough of Juneau (CBJ) Utilities Division has spent over \$2M per year during the last two years to safely dispose of residual biosolids from its waste treatment facilities into secure landfills with diminishing capacity and seeks to eliminate this recurring cost; and

WHEREAS, the CBJ Utilities Division seeks to add to its waste treatment systems the capacity to process residual biosolids that currently require expensive shipment and disposal at a secure landfill; and

WHEREAS, the CBJ Utilities Division, in pursuit of its objectives for advanced treatment of residual biosolids, has identified technology appropriate for this purpose and has successfully solicited funding from the State of Alaska Department of Environmental Conservation (ADEC) SRF program to advance a design phase of this initiative; and

WHEREAS, the adoption of this resolution would authorize the City Manager to submit a loan application and enter into a loan agreement with the ADEC to provide funding for the following project:

Project: Design of a Pyrolysis Unit at the Mendenhall Wastewater Treatment Plant
State Revolving Fund Loan
Funding amount: \$1,955,000
Forgiveness: 100%; and

WHEREAS, in order for the CBJ Engineering and Public Works Department to apply for the SRF loan, the Assembly must pass a resolution to (1) authorize the SRF loan application process, and (2) authorize a designated representative of the local government to execute the loan agreement; and

WHEREAS, the Public Works and Facilities Committee, at its regular meeting on January 27, 2025, recommended adoption of this resolution; and

WHEREAS, upon receiving the loan agreement document, Assembly authorization will be required by ordinance to borrow the money.

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

Section 1. That the Manager is authorized to submit a loan application to the State of Alaska Department of Environmental Conservation, which will become a binding obligation in accordance with its terms when signed by both parties. The Manager is authorized to execute the loan agreement with the State of Alaska for the Design of a Pyrolysis Unit at the Mendenhall Wastewater Treatment Plant, not to exceed \$1,955,000.

Section 2. The Manager is authorized to carry out the City and Borough’s responsibilities under the loan agreement. The Manager is authorized to delegate responsibility to appropriate CBJ staff to carry out technical, financial, and administrative activities associated with the loan agreement. The CBJ Utility and Public Works Department is established as the agent for the City and Borough for administration of this project.

Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 03/03/25
Drafted by: Bond Counsel

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution No. 3092

A Resolution Providing For Interest Rates For The Harbor Revenue Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.

WHEREAS, on December 16, 2024, the Assembly of the City and Borough of Juneau, Alaska (the “City and Borough”), passed Ordinance Serial No. 2024-42, as amended by Ordinance Serial No. 2025-12 passed on February 3, 2025, authorizing the issuance and sale of its Harbor Revenue Refunding Bond (the “Authorized Bond”) in order to refinance the City and Borough’s Harbor Revenue Refunding Bond, 2015 in the original principal amount of \$8,910,000 (the “2015 Harbor Bond”); and

WHEREAS, pursuant to Section 2 of said Ordinance Serial No. 2024-42, as amended, the City Manager of the City and Borough or his/her designee shall be authorized to negotiate the sale of the Authorized Bond (hereinafter defined as the Bond) to the Alaska Municipal Bond Bank (the “Bond Bank”); and

WHEREAS, Section 10.2(b) of the Charter of the City and Borough provides that the Assembly shall by resolution prescribe the rate or rates of interest on the Bond;

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

Section 1. Bond Sale. The sale of the Authorized Bond is hereby authorized and approved under the terms prescribed in this resolution (the “Bond”). The Bond shall be designated as the Harbor Revenue Refunding Bond, 2025. Capitalized terms in this resolution which are not

otherwise defined shall have the meanings given such terms in Ordinance Serial No. 2024-42 of the Assembly, as amended by Ordinance Serial No. 2025-12 (collectively, the “Bond Ordinance”).

Section 2. Bond Date, Maturity; Payments; Designation. The Bond shall be dated the date of delivery, expected to be April 8, 2025, shall mature in the principal amounts prescribed on Schedule A attached hereto and by this reference made a part hereof and shall bear interest payable on December 1, 2025 and semiannually thereafter on the first days of each June and December at the rates prescribed on Schedule A. At the time of sale of the Bond, the City Manager or his/her designee may increase or decrease the estimated principal amounts for each series on Schedule A within the parameters specified in the Bond Ordinance, and may decrease the interest rates for each series shown on Schedule A depending upon orders received for particular maturities, so long as a reduced debt service on the 2015 Harbor Bond is achieved. The authority granted to the City Manager and his/her designee pursuant to this Section shall be effective from the date of adoption of this resolution until May 3, 2025. If the Bond Bank has not made a final offer of terms approved by the City Manager or his/her designee consistent with the prescriptions of this resolution by May 3, 2025, the authority granted by this resolution shall be rescinded. Both principal of and interest on the Bond shall be paid as provided in the Bond Ordinance and in the Amendatory Loan Agreement between the Bond Bank and the City and Borough.

Section 3. Delivery of the Bond. The proper officials of the City and Borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of the Bond in definitive form to the Bond Bank.

Section 4. Continuing Disclosure Undertaking. The City and Borough acknowledges that, under the Rule, the City and Borough may now or in the future be an “obligated person” with respect to the Bond Bank Bonds. In accordance with the Rule and as the Bond Bank

may require, the City and Borough shall undertake to provide certain annual financial information and operating data as shall be set forth in the Amendatory Loan Agreement. The City Manager or his/her designee is hereby directed and authorized to review, approve and execute a continuing disclosure undertaking if required by the Bond Bank.

Section 5. Ratification. All actions taken by the City Manager or his/her designee relative to the sale of the Bond are hereby in all respects ratified and confirmed. The City Manager of the City and Borough or his/her designee is hereby authorized to do all things necessary for the prompt execution, issuance and delivery of the Bond and for the proper application and use of the Bond proceeds; is hereby authorized to review and approve on behalf of the City and Borough portions of the final Official Statement relative to the Bond and the City and Borough with such additions and changes as may be deemed necessary or advisable; and his/her approval of portions of the Preliminary Official Statement is ratified and confirmed.

Section 6. Severability. The covenants contained in this resolution shall constitute a contract between the City and Borough and the owner of the Bond. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bond.

Section 7. Effective Date. This resolution shall be effective immediately upon adoption.

ADOPTED this 3rd day of March, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau (herein called the “City and Borough”) DO HEREBY CERTIFY:

1. That the attached Resolution No. 3092 (herein called the “Resolution”) is a true and correct copy of a resolution of the City and Borough as adopted at a meeting of the Assembly of the City and Borough (the “Assembly”) held on March 3, 2025 and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of March, 2025.

Elizabeth J. McEwen, Municipal Clerk
City and Borough of Juneau

Schedule A

**City and Borough of Juneau, Alaska
Harbor Revenue Refunding Bond, 2025**

Prescribed Maturity Schedule

<u>Maturity Years (December 1)</u>	<u>Principal Amounts</u>	<u>Coupon Interest Rates</u>	<u>Maximum Effective Interest Rates</u>
2025	\$ 475,000	5.50%	3.83%
2026	495,000	5.50	3.91
2027	520,000	5.50	3.96
2028	545,000	5.50	4.01
2029	575,000	5.50	4.06
2030	605,000	5.50	4.10
2031	625,000	5.50	4.14
2032	660,000	5.50	4.25

Presented by: The Manager
Introduced: 03/03/25
Drafted by: Bond Counsel

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution No. 3094

A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (Non-AMT) Being Issued Through The Alaska Municipal Bond Bank.

WHEREAS, on December 16, 2024, the Assembly of the City and Borough of Juneau, Alaska (the “City and Borough”), passed Ordinance Serial No. 2024-42, as amended by Ordinance Serial No. 2025-12 passed on February 3, 2025, authorizing the issuance and sale of its Port Revenue Refunding Bond (the “Authorized Bond”) in order to refinance the City and Borough’s Port Revenue Bond, 2014A (Non-AMT) in the original principal amount of \$6,055,000 (the “2014A Port Bond”); and

WHEREAS, pursuant to Section 2 of said Ordinance Serial No. 2024-42, as amended, the City Manager of the City and Borough or his/her designee shall be authorized to negotiate the sale of the Authorized Bond (hereinafter defined as the Bond) to the Alaska Municipal Bond Bank (the “Bond Bank”); and

WHEREAS, Section 10.2(b) of the Charter of the City and Borough provides that the Assembly shall by resolution prescribe the rate or rates of interest on the Bond;

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

Section 1. Bond Sale. The sale of the Authorized Bond is hereby authorized and approved under the terms prescribed in this resolution (the “Bond”). The Bond shall be designated as the Port Revenue Refunding Bond, 2025A (Non-AMT). Capitalized terms in this resolution which are not otherwise defined shall have the meanings given such terms in Ordinance Serial

No. 2024-42 of the Assembly, as amended by Ordinance Serial No. 2025-12 (collectively, the “Bond Ordinance”).

Section 2. Bond Date, Maturity; Payments; Designation. The Bond shall be dated the date of delivery, expected to be April 8, 2025, shall mature in the principal amounts prescribed on Schedule A attached hereto and by this reference made a part hereof and shall bear interest payable on December 1, 2025 and semiannually thereafter on the first days of each June and December at the rates prescribed on Schedule A. At the time of sale of the Bond, the City Manager or his/her designee may increase or decrease the estimated principal amounts for each series on Schedule A within the parameters specified in the Bond Ordinance, and may decrease the interest rates for each series shown on Schedule A depending upon orders received for particular maturities, so long as a reduced debt service on the 2014A Port Bond is achieved. The authority granted to the City Manager and his/her designee pursuant to this Section shall be effective from the date of adoption of this resolution until May 3, 2025. If the Bond Bank has not made a final offer of terms approved by the City Manager or his/her designee consistent with the prescriptions of this resolution by May 3, 2025, the authority granted by this resolution shall be rescinded. Both principal of and interest on the Bond shall be paid as provided in the Bond Ordinance and in the Amendatory Loan Agreement between the Bond Bank and the City and Borough.

Section 3. Delivery of the Bond. The proper officials of the City and Borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of the Bond in definitive form to the Bond Bank.

Section 4. Continuing Disclosure Undertaking. The City and Borough acknowledges that, under the Rule, the City and Borough may now or in the future be an “obligated person” with respect to the Bond Bank Bonds. In accordance with the Rule and as the Bond Bank

may require, the City and Borough shall undertake to provide certain annual financial information and operating data as shall be set forth in the Amendatory Loan Agreement. The City Manager or his/her designee is hereby directed and authorized to review, approve and execute a continuing disclosure undertaking if required by the Bond Bank.

Section 5. Ratification. All actions taken by the City Manager or his/her designee relative to the sale of the Bond are hereby in all respects ratified and confirmed. The City Manager of the City and Borough or his/her designee is hereby authorized to do all things necessary for the prompt execution, issuance and delivery of the Bond and for the proper application and use of the Bond proceeds; is hereby authorized to review and approve on behalf of the City and Borough portions of the final Official Statement relative to the Bond and the City and Borough with such additions and changes as may be deemed necessary or advisable; and his/her approval of portions of the Preliminary Official Statement is ratified and confirmed.

Section 6. Severability. The covenants contained in this resolution shall constitute a contract between the City and Borough and the owner of the Bond. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bond.

Section 7. Effective Date. This resolution shall be effective immediately upon adoption.

ADOPTED this 3rd day of March, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau (herein called the “City and Borough”) DO HEREBY CERTIFY:

1. That the attached Resolution No. 3094 (herein called the “Resolution”) is a true and correct copy of a resolution of the City and Borough as adopted at a meeting of the Assembly of the City and Borough (the “Assembly”) held on March 3, 2025 and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of March, 2025.

Elizabeth J. McEwen, Municipal Clerk
City and Borough of Juneau

Schedule A

**City and Borough of Juneau, Alaska
Port Revenue Refunding Bond, 2025A (Non-AMT)**

Prescribed Maturity Schedule

<u>Maturity Years (December 1)</u>	<u>Principal Amounts</u>	<u>Coupon Interest Rates</u>	<u>Maximum Effective Interest Rates</u>
2025	\$ 175,000		
2026	200,000		
2027	215,000		
2028	225,000		
2029	235,000		
2030	245,000		
2031	260,000		
2032	270,000		
2033	285,000		
2034	300,000		
2035	315,000		
2036	330,000		
2037	345,000		
2038	365,000		

Presented by: The Manager
Introduced: 03/03/25
Drafted by: Bond Counsel

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution No. 3095

A Resolution Providing For Interest Rates For The Port Revenue Refunding Bond (AMT) Being Issued Through The Alaska Municipal Bond Bank.

WHEREAS, on December 16, 2024, the Assembly of the City and Borough of Juneau, Alaska (the “City and Borough”), passed Ordinance Serial No. 2024-42, as amended by Ordinance Serial No. 2025-12 passed on February 3, 2025, authorizing the issuance and sale of its Port Revenue Refunding Bond (AMT) (the “Authorized Bond”) in order to refinance a portion of the City and Borough’s Port Revenue Bond, 2015 (AMT) in the original principal amount of \$20,595,000, as partially refinanced by the City and Borough’s Port Revenue Refunding Bond, 2021 (AMT Forward Delivery) (the “2021 Port Bond”); and

WHEREAS, pursuant to Section 2 of said Ordinance Serial No. 2024-42, as amended, the City Manager of the City and Borough or his/her designee shall be authorized to negotiate the sale of the Authorized Bond (hereinafter defined as the Bond) to the Alaska Municipal Bond Bank (the “Bond Bank”); and

WHEREAS, Section 10.2(b) of the Charter of the City and Borough provides that the Assembly shall by resolution prescribe the rate or rates of interest on the Bond;

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

Section 1. Bond Sale. The sale of the Authorized Bond is hereby authorized and approved under the terms prescribed in this resolution (the “Bond”). The Bond shall be designated as the Port Revenue Refunding Bond, 2025B (AMT). Capitalized terms in this resolution which

are not otherwise defined shall have the meanings given such terms in Ordinance Serial No. 2024-42 of the Assembly, as amended by Ordinance Serial No. 2025-12 (collectively, the “Bond Ordinance”).

Section 2. Bond Date, Maturity; Payments; Designation. The Bond shall be dated the date of delivery, expected to be April 8, 2025, shall mature in the principal amounts prescribed on Schedule A attached hereto and by this reference made a part hereof and shall bear interest payable on December 1, 2025 and semiannually thereafter on the first days of each June and December at the rates prescribed on Schedule A. At the time of sale of the Bond, the City Manager or his/her designee may increase or decrease the estimated principal amounts for each series on Schedule A within the parameters specified in the Bond Ordinance, and may decrease the interest rates for each series shown on Schedule A depending upon orders received for particular maturities, so long as a reduced debt service on the 2021 Port Bond is achieved. The authority granted to the City Manager and his/her designee pursuant to this Section shall be effective from the date of adoption of this resolution until May 3, 2025. If the Bond Bank has not made a final offer of terms approved by the City Manager or his/her designee consistent with the prescriptions of this resolution by May 3, 2025, the authority granted by this resolution shall be rescinded. Both principal of and interest on the Bond shall be paid as provided in the Bond Ordinance and in the Amendatory Loan Agreement between the Bond Bank and the City and Borough.

Section 3. Delivery of the Bond. The proper officials of the City and Borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of the Bond in definitive form to the Bond Bank.

Section 4. Continuing Disclosure Undertaking. The City and Borough acknowledges that, under the Rule, the City and Borough may now or in the future be an “obligated

person” with respect to the Bond Bank Bonds. In accordance with the Rule and as the Bond Bank may require, the City and Borough shall undertake to provide certain annual financial information and operating data as shall be set forth in the Amendatory Loan Agreement. The City Manager or his/her designee is hereby directed and authorized to review, approve and execute a continuing disclosure undertaking if required by the Bond Bank.

Section 5. Ratification. All actions taken by the City Manager or his/her designee relative to the sale of the Bond are hereby in all respects ratified and confirmed. The City Manager of the City and Borough or his/her designee is hereby authorized to do all things necessary for the prompt execution, issuance and delivery of the Bond and for the proper application and use of the Bond proceeds; is hereby authorized to review and approve on behalf of the City and Borough portions of the final Official Statement relative to the Bond and the City and Borough with such additions and changes as may be deemed necessary or advisable; and his/her approval of portions of the Preliminary Official Statement is ratified and confirmed.

Section 6. Severability. The covenants contained in this resolution shall constitute a contract between the City and Borough and the owner of the Bond. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bond.

Section 7. Effective Date. This resolution shall be effective immediately upon adoption.

ADOPTED this 3rd day of March, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau (herein called the “City and Borough”) DO HEREBY CERTIFY:

1. That the attached Resolution No. 3095 (herein called the “Resolution”) is a true and correct copy of a resolution of the City and Borough as adopted at a meeting of the Assembly of the City and Borough (the “Assembly”) held on March 3, 2025 and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of March, 2025.

Elizabeth J. McEwen, Municipal Clerk
City and Borough of Juneau

Schedule A

**City and Borough of Juneau, Alaska
Port Revenue Refunding Bond, 2025B (AMT)**

Prescribed Maturity Schedule

<u>Maturity Years (December 1)</u>	<u>Principal Amounts</u>	<u>Coupon Interest Rates</u>	<u>Maximum Effective Interest Rates</u>
2025	\$ 1,065,000	5.50%	4.52%
2026	1,120,000	5.50	4.52
2027	1,175,000	5.50	4.56
2028	1,240,000	5.50	4.64

Presented by: The Manager
Introduced: March 3, 2025
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-2508

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$1,406,317 be transferred:

From: CIP

H51-108 Statter Harbor Improvements Phase III \$ (1,406,317)

To: CIP

H51-132 Statter Harbor Wave Attenuator \$ 1,406,317

The \$1,406,317 consists of:

General Funds \$ 1,406,317

Moved and Approved this _____ day of _____, 2025.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk



January 21, 2025

City and Borough of Juneau

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

License Type:	Restaurant or Eating Place	License Number:	16527
Licensee:	Devil's Club Brewing LLC		
Doing Business As:	Devil's Club Brewing Company		
Premises Address	100 N. Franklin St, Juneau 99801		
Endorsement(s):	none		

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 305.085(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

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

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

Sincerely,
Kristina Serezhnikov, Regulations Specialist/Acting Local Government Specialist
For,
Lizzie Kubitz, Acting Director
amco.localgovernmentonly@alaska.gov



January 21, 2025

City and Borough of Juneau

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

License Type:	Beverage Dispensary	License Number:	1166
Licensee:	Triangle Syndicate Llc		
Doing Business As:	Triangle Club		
Premises Address	251 Front Street, Juneau 99801		
Endorsement(s):	none		

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

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

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 305.085(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

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

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

Sincerely,
Kristina Serezhenkov, Regulations Specialist/Acting Local Government Specialist
For,
Lizzie Kubitz, Acting Director
amco.localgovernmentonly@alaska.gov

From: [Sawyer, Jane Preston \(CED\)](#)
To: [Di Cathcart](#); [City Clerk](#)
Cc: [AMCO Local Government Only \(CED sponsored\)](#)
Subject: PSDE App. ID 1560. Master Lic. 271 Alaska Cache Liquor
Date: Tuesday, January 21, 2025 8:01:13 AM
Attachments: [image001.png](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

January 21, 2025

Dear Local Government,

Attached is an application for Package Store Delivery Endorsement.

A Package Store Delivery Endorsement (PSDE), AS 04.09.470 <https://www.akleg.gov/basis/statutes.asp#04.09.470> and 3 AAC 305.340 <https://www.akleg.gov/basis/aac.asp#3.305.340> authorizes the holder of a Package Store License (PSL) to delivery alcoholic beverages to the location of a social event in response to an order.

A Package Store Delivery Endorsement is subject to the 60-day protest period under AS 04.11.480. This is your official notice of a complete endorsement application.

- Licensee’s name: Alaka Cache Liquor, Inc.
 Application ID: 1560
 Master License: Alaska Cache Liquor. Lic. 271
 Location: 156 S Franklin Street, Juneau
 Contact: Paul J Thomas at akcacheliqor@gmail.com

Please let us know if you have any questions.

Respectfully,
Jane

Jane P. Sawyer
Program Coordinator 2
DCCED-Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0490





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

January 15, 2025

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

Licensee: Devil's Club Brewing LLC DBA: Devil's Club Brewing Company VIA email: beer@devilsclubbrewing.com; evan@devilsclubbrewing.com CC: None Local Government 1: City and Borough of Juneau Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Community Council: n/a Via Email: n/a

Re: Brewery Manufacturer License #5517 Combined Renewal Notice

Table with 2 columns: Field Name and Value. Fields include License Number, License Type, Licensee, Doing Business As, Physical Address, Designated Licensee, Phone Number, and Email Address.

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and the required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **February 4th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above-listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsements, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

We have received a completed renewal application for the above-listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above-referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding the review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Lizzie Kubitz, Acting Director



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

January 15, 2025

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

Licensee: Devil's Club Brewing LLC DBA: Devil's Club Brewing Company VIA email: beer@devilsclubbrewing.com; evan@devilsclubbrewing.com CC: None Local Government 1: City and Borough of Juneau Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Community Council: n/a Via Email: n/a

Re: Winery Manufacturer License #5801 Combined Renewal Notice

Table with 2 columns: Field Name and Value. Fields include License Number, License Type, Licensee, Doing Business As, Physical Address, Designated Licensee, Phone Number, and Email Address.

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and the required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **February 4th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above-listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsements, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

We have received a completed renewal application for the above-listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above-referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding the review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Alysha Pacarro, Licensing Examiner II
For
Lizzie Kubitz, Acting Director



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

January 8, 2025

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

Licensee: Costco Wholesale Corporation DBA: Costco Wholesale #107 VIA email: pharmacylicenses@costco.com CC: None Local Government 1: City & Borough of Juneau Local Government 2: Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Re: Package Store #3352 Combined 2025-2026 Renewal Notice

Table with 2 columns: Field Name, Value. Fields include License Number, License Type, Licensee, Doing Business As, Physical Address, Designated Licensee, Phone Number, and Email Address.

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **February 4th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Lizzie Kubitz, Acting Director



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

January 17, 2025

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

Licensee: Thibodeau's Market Inc.

DBA: Percy's Liquor Store

VIA email: sbb@alaska.net

CC: None

Local Government 1: City & Borough of Juneau

Local Government 2:

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

Re: Package Store #849 Combined 2025-2026 Renewal Notice

Table with 2 columns: Field Name, Value. Fields include License Number (#849), License Type (Package Store), Licensee (Thibodeau's Market Inc.), Doing Business As (Percy's Liquor Store), Physical Address (214 Front St, Juneau, AK 99801), Designated Licensee (Thibodeau's Market Inc.), Phone Number ((907) 957-7676; (907) 586-3561; (907) 209-4409), and Email Address (sbb@alaska.net).

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **February 4th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Lizzie Kubitz, Acting Director



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

January 17, 2025

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

Licensee: Thibodeau's Market Inc.

DBA: Thibodeaus Douglas Depot

VIA email: sbb@alaska.net

CC: None

Local Government 1: City and Borough of Juneau

Local Government 2:

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

Re: Package Store #828 Combined 2025-2026 Renewal Notice

Table with 2 columns: Field Name and Value. Fields include License Number (#828), License Type (Package Store), Licensee (Thibodeau's Market Inc.), Doing Business As (Thibodeaus Douglas Depot), Physical Address (1017 3rd St, Douglas, AK 99824), Designated Licensee (Thibodeau's Market Inc.), Phone Number (907-957-7676; 907-586-3561; 907-209-4409), and Email Address (sbb@alaska.net).

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **February 4th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email amco.localgovernmentonly@alaska.gov.

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

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Lizzie Kubitz, Acting Director



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

February 10, 2025

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

Licensee: Bullwinkle's, Inc. DBA: Bullwinkle's Pizza VIA email: bullwinkles1@gci.net; mitch@bullwinklespizza.com CC: None Local Government 1: City and Borough of Juneau Local Government 2: Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Re: Restaurant Eating Place #188 Combined 2025-2026 Renewal Notice

Table with 2 columns: Field Name, Value. Rows include License Number (#188), License Type (Restaurant Eating Place), Licensee (Bullwinkle's, Inc.), Doing Business As (Bullwinkle's Pizza), Physical Address (318 Willoughby Ave, Juneau, AK 99801), Designated Licensee (Bullwinkle's, Inc.), Phone Number ((907) 463-5252), and Email Address (bullwinkles1@gci.net; mitch@bullwinklespizza.com).

[X] License Renewal Application [] Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

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

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Kevin Richard, Director



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

February 10, 2025

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

Licensee: Bullwinkle's, Inc.
DBA: Bullwinkle's Pizza
VIA email: bullwinkles1@gci.net; mitch@bullwinklespizza.com
CC: None
Local Government 1: City and Borough of Juneau
Local Government 2:
Via Email: di.cathcart@juneau.gov; city.clerk@juneau.gov

Re: Restaurant Eating Place #1690 Combined 2025-2026 Renewal Notice

License Number:	#1690
License Type:	Restaurant Eating Place
Licensee:	Bullwinkle's, Inc.
Doing Business As:	Bullwinkle's Pizza
Physical Address:	9108 Mendenhall Mall Rd Juneau, AK 99801
Designated Licensee:	Bullwinkle's, Inc.
Phone Number:	907-463-5252
Email Address:	bullwinkles1@gci.net; mitch@bullwinklespizza.com

License Renewal Application Endorsement Renewal Application

Dear Licensee:

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **April 15th, 2025** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the Alcohol.licensing@alaska.gov email address if you have any questions.

Dear Local Government:

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

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

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email Alcohol.licensing@alaska.gov

Sincerely,
Kyle Helie, Licensing Examiner II
For
Kevin Richard, Director

FY2026 DRAFT Legislative Capital Priorities Rankings

FY26 Assembly Scoring (1 - 19)	FY25 Adopted Priority Ranking	Project Name:	Amount Requested:	Total Project Cost:	Funding Already Secured:
1	New	Glacial Outburst Flood Response, Mitigation & Preparedness	\$30M+	\$TBD	\$6.155M (CBJ funds)
2	1	Juneau Douglas North Crossing	\$2M	\$300M-\$550M	\$2M for PEL; \$2.1M CBJ; \$7M CDS; \$16.45 RAISE
3	4	Mendenhall Wastewater Treat. Plant Compliance: Fats, Oil, and Grease & Grit Removal	\$6.3M	\$6.3M	\$0
4	2	Telephone Hill Redevelopment	\$2M	~\$10M (placeholder)	\$600,000 (\$500k 1% Sales Tax; \$100k GF)
5	3	Pederson Hill Housing Development	\$1.5M	\$5-\$15M	\$1.5M (1 % Sales Tax)
6	9	Bartlett Emergency Department (ED) Renovation/Expansion	\$2M	\$10-20M	\$4M Bartlett Reserves; \$4M CDS
7	6	Aak'w Village District Parking (formerly N. SOB parking garage)	\$38M	\$50M+	\$5M SOA; \$5M CBJ Voter Approved Sales Tax
8	13	JSD-Wide Security and Safety Upgrades	\$2M	\$2M	\$0
9	8	Lemon Creek Multimodal Path	\$12M	\$15M	\$740k USDOT grants; \$1.5M (1 % Sales Tax)
10	18	Statter Harbor Wave Attenuator (Formerly "Auke Bay New Breakwater")	\$5M	~\$50M+ (placeholder)	\$1.8M CBJ commitment, (\$500k pending CDS)
11	New	Aurora Harbor Drive Down Float	\$1.4M	\$14M	\$11.1M PIDP Grant (MARAD)
12	14	Shore Power at Dock 16B	\$20M	\$54.25M	\$10M (MPF)
13	15	Eaglecrest Employee & Tourism Workforce Housing	\$12M	\$12M	\$0
14	11	Capital Civic Center	\$10M, SOA; \$35M Federal Delegation	\$45M	\$8M CBJ funds for design and matching funds; \$10M commitment from CLIA for MPFs; \$6.5M in Partnership Resources
15	19	Jackie Renninger Park Development & Pipeline Skatepark Improvements	\$7M	\$8.075M	\$1,075,000
16	16	Waterfront Juneau Douglas City Museum	\$2M	\$12M	\$2M in 1% CBJ Voter approved sales tax
17	17	West Douglas Extension	\$4M	\$7.5M	\$0
18	20	North Douglas Boat Ramp Expansion	\$250k	\$20M	\$0
19	21	Off-Road Vehicle (ORV) Park Development	\$5.7M	\$6M	\$450,000 (CBJ funds and RTP grant)

Presented by: The Manager
Introduced: February 3, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AD)

An Ordinance Appropriating \$50,000 to the Manager for the Departure Lounge ADA Elevator Capital Improvement Project; Funding Provided by Airport Revolving Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$50,000 as funding for the Departure Lounge ADA Elevator Capital Improvement Project (A50-115).

Section 3. Source of Funds

Airport Revolving Funds \$ 50,000

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: February 3, 2025
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-01(b)(AE)

An Ordinance Appropriating \$3,000,000 to the Statter Harbor Improvements Phase III Capital Improvement Project; Funding Provided by Docks Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$3,000,000 as funding for the Statter Harbor Phase III Capital Improvement Project (H51-108).

Section 3. Source of Funds

Docks Funds \$ 3,000,000

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

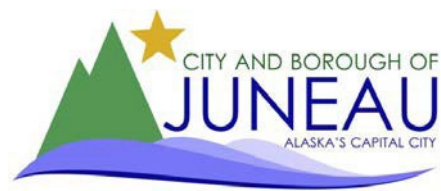
Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM



155 Heritage Way
One Sealaska Plaza
Suite 202
Juneau, AK 99801
Phone: (907) 586-5242

DATE: February 24, 2024
TO: Assembly
FROM: Law Department
SUBJECT: Ordinance 2025-09 Amending the City and Borough Code Relating to Assessing standards of Property Tax.

Ordinance 2025-09 amends the CBJ code in response to Senate Bill 179 (SB 179) passed by the 33rd Alaska State Legislature in its second regular session and signed into law by Governor Dunleavy on August 13, 2024.

SB 179 increases guardrails on how local governments assess the value of real estate, allows local governments to exempt farm structures from property tax, and outlaws taxes on real estate sales.

The areas of the bill impacting CBJ code are designed to make the property assessment process fairer and more transparent for property owners. Based on the changes to statute in SB 179 the following changes to CBJ code have been made:

Sec 2.

- SB 179 amends AS 29.45.110 to require that a municipal assessor have a level 3 certification from the Alaska Association of Assessing Officers (AAAO) or to work under the supervision of an individual with that level of certification. This ordinance modifies CBJC 15.05.010 Definitions, so the duly appointed City and Borough Assessor has at least a level 3 certification from the Alaska Association of Assessing Officers.
- The definition of “full and true value” from AS 29.45.110(a) has been added to CBJC 15.05.010. The reference has been retained and the statute citation corrected at the end of CBJC 15.05.020.

Sec. 3.

- SB 179 require the assessor to determine full and true value according to standards adopted by the International Association of Assessing Officers (IAAO). The phrase “to the extent practicable given the unique characteristics and prevailing circumstance in the City and Borough” has been removed because it creates the ability to diverge from full and true value. The State is at a higher level of government than the City and Borough so when there is a conflict between a statute and a city code the statute controls and preempts the city code. Since the State statute now says “shall”, requiring that the assessor only determine full and true value as provided in the specified standards, CBJ’s language “to the extent practicable...” conflicts with that mandate and is therefore preempted by the new statutory language. For this reason, the language has been removed in the proposed ordinance.
- The language in CBJC 15.05.020 was modified to make the assessment at full and true value clearly be consistent with the AAAO and IAAO standards. This change in statute, and corresponding change in CBJ code, provides consistent standards throughout the state.

Sec. 4.

- SB 179 amends AS 29.45.180(a) to provide an opportunity for all state citizens to meet with their assessor or designee to discuss that person’s property assessment, and that such meetings may be in person, virtual, or telephonic. This language was added to CBJC 15.05.130 to ensure consistency and transparency of an individual’s right to meet with the assessor.

Sec. 5.

- This section was added by amendment at the February 5, 2025 AFC meeting. It provides that upon request, property owners can ask for and receive a copy of the parcel post report and sales data used in determining the applied neighborhood adjustment.

Sec. 6

- SB 179 amends AS 29.45.210(b) to remove the ability of the board of equalization to raise the assessment if they find the valuation is too low, unless the appellant requests the assessment be raised. CBJC 15.05.190(c)(5) and (9) were modified accordingly to remove the ability of the Board of Equalization to increase an assessment unless requested by the appellant.
- SB 179 added language that if the appellant provides a long form fee appraisal to support their valuation and the board of equalization does not find in the appellant's favor, the board must make specific findings on the record to support that decision. A long-form fee appraisal is a comprehensive report that provides detailed analysis of a property's value. The amended language is designed to require a Board of Equalization to state with specificity on the record why they rejected such evidence. The proposed ordinance adds this requirement to CBJC 15.05.190(c)(9).

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Presented by: The Manager
Presented: 01/08/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-09am

An Ordinance Amending the City and Borough Code Relating to Assessing Standards of Property Tax.

WHEREAS, to conform with Senate Bill 179 which was signed into law on August 13, 2024.

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 15.05.010, Definitions, is amended to read:

15.05.010 Definitions.

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

Assessor means the duly appointed City and Borough assessor with at least a level 3 certification from the Alaska Association of Assessing Officers or his or her authorized representative.

Full and true value means the estimated price a property would bring on the open market and under the then prevailing market conditions in a sale between a willing seller and a willing buyer both conversant with the property and with the prevailing general price levels.

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Section 3. Amendment of Section. CBJC 15.05.020, Assessment of property, is amended to read:

15.05.020 Assessment of property.

All taxable property in the City and Borough shall be assessed at its full and true value in money as of January 1 of the assessment year. Assessment at full and true value will be informed by knowledge of the local real estate market. ~~To the extent practicable given the unique characteristics and prevailing circumstances in the City and Borough, the~~ The assessment at full and true value will be ~~based on and reflect~~ consistent with the Technical Standards of the Alaska Association of Assessing Officers (AAAO) and the International Association of Assessing Officers (IAAO).

State Law reference— Full and true value, ~~AS 29.45.100~~ AS 29.45.110.

Section 4. Amendment of Section. CBJC 15.05.130, Corrections by assessor, is amended to read:

15.05.130 Corrections by assessor.

The assessor may correct an error or supply an omission in the assessment roll at any time before the board of equalization hearing. Every person receiving a notice of assessment shall advise the assessor of any error or omission in the assessment of his or her property. If requested by the person, the assessor or designee shall meet with the person and answer reasonable questions related to the methods used to assess the person’s property. The meeting required under this section may be virtual or telephonic.

Section 5. Amendment of Section. CBJC 15.05.140, Reserved, is amended to read:

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15.05.140 ~~Reserved~~ Parcel cost report.

At the request of a property owner, or upon receipt of an appeal for a residential property, the city assessor shall provide a copy of the parcel cost report and sales data used to determine the applied neighborhood adjustment. The parcel cost report shall include the improvement description, quantity, cost, and other factors used to determine the properties total improvement value.

Section 6. Amendment of Section. CBJC 15.05.190, Board of equalization hearing of appeal, is amended to read:

15.05.190 Board of equalization hearing of appeal.

(c) *Conduct of hearings; decisions.* Except as otherwise provided in this chapter, hearings shall be conducted by each panel of the board of equalization in accordance with the following rules:

(5) *Burden of proof.* The appellant bears the burden of proof. The only grounds for adjustment of an assessment are proof of unequal, excessive, improper, or under valuation based on facts that are stated in a valid written appeal or proven at the appeal hearing. ~~If the valuation is found to be too low, the~~
The board may not raise the assessment in the current year unless requested to do so by the appellant. The board should sustain the original assessed value if the relevant documentary evidence or briefing is not

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timely submitted to the assessor's office within 15 days from the close of the 30-day appeal period absent a good faith attempt at compliance.

(9) *Decisions.* At the conclusion of the hearing the board shall determine, based solely on the evidence submitted, whether the assessment is unequal, excessive, improper, or an under valuation. The board may not raise the assessment in the current year unless requested to do so by the appellant. The board ~~shall~~ should issue findings of fact and conclusions of law clearly stating the grounds upon which the board relied to reach its decision when the board does not find in favor of the appellant and advising all parties of their right to appeal the decision to superior court. In cases where the appellant provides a long-form fee appraisal to support the appellant's valuation, the board must speak to that evidence in their decision.

Section 7. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager
Presented: 02/03/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-14

An Ordinance Amending the City and Borough Title 29 Code Relating to Elections Processes and Procedures.

WHEREAS, the City and Borough of Juneau seeks to establish election policies and rules of procedures that are understandable and easily accessible to the citizens; and

WHEREAS, the City and Borough of Juneau seeks to create processes that allow elections to adapt to changes in technology while remaining secure; and

WHEREAS, the City and Borough of Juneau seeks to remove redundancies and unnecessary complexities that may limit citizen participation in its election system.

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 Chapter. Chapter 29.07, Election Procedures, is amended as follows:

Chapter 29.07 ELECTION PROCEDURES

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29.07.005 Election policies established and rules of procedure.

The election official shall establish election policies and rules of procedure in writing and post them on the City and Borough website at least 40 days before an election to expedite the process and to guarantee the integrity of the election. Election policies and rules of procedures may not be changed at any point within 40 days of the election through the final certification of the election, and will remain in effect until superseded by any updated version. Election policies and rules of procedures will be governed by CBJ Charter and Codes, except when superseded by Alaska Statute.

29.07.010 Election times; notice.

- (a) ~~{Election method.}~~ The Election Official will conduct all elections by mail, unless otherwise directed by the Assembly.
- (b) *Time of regular elections.* Annually, on the first Tuesday of October of each year, a regular election shall be held in the City and Borough of Juneau for the election of vacant City and Borough of Juneau offices, and for the determination of other matters as may regularly be placed on the ballot.
- (c) *Time of special elections.* Except as provided in CBJ Charter Section 7.10(b), the assembly, by motion, resolution, or adoption of an ordinance, may call a special election at any time. Unless the assembly has set a date for a required special election, the election official shall call a special election when required by law, charter, or ordinance, to place an initiative, referendum, recall, or other question before the voters.
- (d) *Voting hours.* On election day, vote centers, or precinct locations in a poll-based election, ~~precinct locations~~, will be open from 7:00 a.m. to 8:00 p.m. Ballots must be ~~received by the election official~~, placed in an officially designated ballot drop box, or received at a

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2 vote center ~~all~~ by 8:00 p.m. on election day, or be postmarked by the post office on or
3 before election day. Any voter waiting in line at a vote center, polling precinct, or
4 officially designated ~~Any ballots cast by a voter present in line awaiting the opportunity~~
5 ~~to vote at a vote center or to drop a ballot into one of the secure ballot drop box boxes~~ at
6 8:00 p.m. on election day will be considered to have as having been voted in a timely
7 manner.

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9 (e) *Notice of election.* The City and Borough of Juneau Election Official shall publish ~~cause~~
10 ~~to be published~~ a notice of election during three consecutive calendar weeks, once in each
11 week, ~~in a newspaper of general circulation~~ in the City and Borough of Juneau. The first
12 ~~such~~ publication, ~~and the posting,~~ shall be accomplished at least 30 days before the
13 election.

14 (f) *Contents of election notices.* ~~Notices of election shall state how the election is to be~~
15 ~~conducted; by mail or poll-based.~~ For each election, the notice of election published
16 pursuant to CBJC 29.07.010(e), shall include:

- 17
18 (1) The date and type of the election, regular or special, and the method by which the
19 election is being conducted, by mail or poll-based;
20 (2) Qualifications of voters as established in Charter § 6.3;
21 (3) The offices to be filled, the propositions submitted to the electors, and the full text
22 of any proposed charter amendment; ~~and~~
23 (4) An explanation that in-person voting will be available at vote centers on election
24 day, but no polling places will be in operation;
25 (5) The date by which ballots will be mailed to voters;

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- (6) Instructions to voters who will not be at their current mailing addresses when the ballots are to be mailed or who do not receive their ballot through the mail;
- (7) A listing of vote center and officially designated ballot drop box locations and hours; and
- (8) An explanation of by mail voting deadlines; or
- (9) If conducted as a poll-based election, in addition to (1) through (3), the location and hours of precinct polling places for early voting and regular in-person voting on election day.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Charter reference— Date of regular elections, § 6.1; date of special elections, § 6.2; 30-day notice of election required, §§ 6.1, 6.2; bond elections, § 10.1 et seq.

29.07.020 Election officials.

(a) The City and Borough of Juneau Municipal Clerk is the City and Borough of Juneau Election Official. Any properly authorized assistant to the City and Borough of Juneau Municipal Clerk ~~or other person designated by the manager~~ shall be an assistant City and Borough of Juneau Election Official and may perform any functions set out in this chapter or the election polices and rules of procedure as a function of the City and Borough of Juneau Election Official.

- (1) The election official may contract, without obtaining competitive bids, any portions of the election process with the State of Alaska Division of Elections, other governmental entity or agency, or contractor to ensure the timely and secure conduct of a particular election.

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(2) Each election worker must be a qualified voter of Alaska, or a youth aged 16 or 17 providing assistance to election officials in accordance with election policies and rules of procedure.

(b) Before each election, the election official shall appoint a minimum of two election workers in each precinct or vote center ~~to constitute the election team for that precinct or vote center.~~ The election official may assign additional election workers at any vote center or precinct polling place as necessary to conduct an orderly election.

(c) If any election worker fails or refuses to attend and serve, the election official shall appoint a person eligible under this section to serve in the absentee's place.

(d) Before beginning their duties, all election workers shall take and subscribe the following oath:

"I _____ do solemnly swear (or affirm) that I will support the constitutions of the United States and State of Alaska, and the laws of the City and Borough of Juneau, and the State of Alaska, and that I will faithfully, honestly, and promptly perform the duties of the office of _____."

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Oath, AS 15.15.110.

29.07.040 Multimember races ~~Candidate districts.~~

29.07.050 **Candidates; nomination; write-in.**

(a) Nominations for elective officers shall be made only by petition accompanied by a signed acceptance. Each voter signing a petition shall state on the petition information

~~sufficient to determine whether the voter is a qualified Juneau voter. the voter's place of residence, by street and number, lot and block, or other sufficient means.~~

(b) Nominating petitions shall meet the following requirements:

~~(1) Petitions must include a certification providing:~~

~~"We the undersigned qualified voters of the City and Borough of Juneau, in the State of Alaska, hereby nominate and sponsor _____, whose residence is _____ for the office of _____, to be voted for at the election to be held on the _____ day of _____. We individually certify that we are qualified to vote for a candidate for the office this candidate seeks, and that we have not signed other nominating petitions for this (district) (office) exceeding in number the vacancies in this (district) (office) to be filled in this election."~~

~~(2) Qualified voters signing the petition shall provide their printed name, signature, residence address, one identifier which can be either the last four digits of the voter's registration identification number, the last four digits of the voter's driver's license or state identification number, the last four digits of the Social Security number, or the year of birth and the date of signing the petition.~~

~~(1)(3)~~ Nominating petitions shall have a minimum of 25 signatures of registered voters from within the City and Borough.

~~(2)(4)~~ The nominating petition shall contain a signed declaration of candidacy by any candidate wishing to run for office, which shall be executed under oath before an officer authorized to take acknowledgments, and must state the candidate of the candidate's qualification for the office, acceptance of nomination, and agreement to serve if elected.

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~~(5) Upon receipt of the nominating petition, the election official shall indicate on the petition the date and hour of filing, the name and address of the person filing the petition, and place the signature of the person receiving the petition on the document.~~

(c) Nominating petitions must be completed and filed with the election official, accompanied by any required state financial disclosure forms, not earlier than ~~85~~ 81 days, nor later than 4:30 p.m. of the ~~74th~~ 71st day, before the election.

(d) Within four days after the filing of a nominating petition packet, which includes the declaration of candidacy, the City and Borough of Juneau Election Official shall notify the candidate named in the petition and the person who filed the petition packet whether it is in proper form and signed by 25 qualified voters. If not, the City and Borough of Juneau Election Official immediately shall return it, with a statement certifying wherein the petition packet is deficient, to the person who filed it. A petition packet correcting the deficiencies for the same candidate may be filed no later than 4:30 p.m. of the ~~74th~~ 71st day, before the election.

(e) Any candidate nominated may withdraw their nomination not later than 4:30 p.m. of the ~~70th~~ 67th day before the election.

(f) A write-in candidate shall, not earlier than ~~70~~ 67 days, nor later than 4:30 p.m. of the seventh (~~7th~~) day before the election, file with the election official a letter of intent or declaration of candidacy form in substantially the same format as the declaration of candidacy forms filed in accordance with (b)(2) of this section, including any required state financial disclosure forms. Write-in candidates will not be required to provide the

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signatures of 25 qualified voters with their letter of intent or declaration of candidacy form, stating:

- ~~(1) — The full name of the candidate;~~
- ~~(2) — The full residence address of the candidate and the date on which residency at that address began;~~
- ~~(3) — The full mailing address of the candidate;~~
- ~~(4) — The office that the candidate seeks;~~
- ~~(5) — The date of the election at which the candidate seeks election;~~
- ~~(6) — The length of residency in the City and Borough;~~
- ~~(7) — The name of the candidate as the candidate wishes it to be written on the ballot by the voter;~~
- ~~(8) — That the candidate will meet the specific age requirements of the office for which the person is a candidate by the time that the candidate, if elected, is sworn into office;~~
- ~~(9) — That the candidate is a qualified voter as required by law; and~~
- ~~(10) — That the candidate is not a candidate for any other office to be voted on at the election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.~~

(g) Votes for a write-in candidate may not be counted unless that candidate has filed a letter of intent or declaration of candidacy in accordance with (f) of this section. ~~The letter of intent or declaration of candidacy form submitted by a write-in candidate must be accompanied by any required state financial disclosure forms.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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Charter reference— Nominations, § 6.4.

29.07.055 Official candidate statement.

(a) The election official shall publish online an official candidate statement submitted by the candidate. ~~The information will be obtained from candidate responses to a questionnaire prepared by the election official.~~ Online publication on the municipal website of candidate statements will take place at least 30 days prior to the election and will not include write-in candidates.

(b) A candidate for elected office under section 29.07.050 may provide the election official with a written statement, as set forth in the election policies and rules of procedures ~~biographical information of not more than 150 words, a recent photo of the candidate, and a candidate's advocacy statement of not more than 250 words,~~ for publication on the municipal website. All information must be received by the election official no later than 50 days prior to the election. A candidate may not make a change to the candidate's biographical information or advocacy statement after the deadline. ~~An article such as "a", "and" and "the" will be counted as one word. Any words included in the biographical information or candidate's advocacy statement beyond the allowed word counts will not be published.~~

~~(c) A candidate may submit any of the candidate's following biographical information:~~

- ~~(1) Name as it appears on the ballot;~~
- ~~(2) Residence address;~~
- ~~(3) Mailing address;~~
- ~~(4) Office sought;~~
- ~~(5) Electronic mail address;~~

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- ~~(6) Website address;~~
- ~~(7) Age at the date of the election;~~
- ~~(8) Place of birth;~~
- ~~(9) Occupation;~~
- ~~(10) Spouse or domestic partner's name;~~
- ~~(11) Children's names;~~
- ~~(12) Length of Juneau residency;~~
- ~~(13) Communities lived in and dates of residence;~~
- ~~(14) Education, such as high school, technical and vocational school, college, university or postgraduate, including dates attended and degree or certificates earned;~~
- ~~(15) Military service, listing the branch, length of service, rank and awards earned;~~
- ~~(16) Political and government work;~~
- ~~(17) Business and professional work;~~
- ~~(18) Service organization memberships;~~
- ~~(19) Special interests; and~~
- ~~(20) Any other information the candidate considers appropriate.~~

~~(d) For purposes of a candidate's advocacy statement, a candidate may include comments about the candidate in the following areas:~~

- ~~(1) The candidate's skills; and~~
- ~~(2) The candidate's position on municipal issues.~~

~~(c)(e) The election official may reject any portion of an official candidate statement containing obscene, libelous, profane, slanderous, or defamatory material.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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29.07.060 Ballots; form.

- (a) The names of all offices and candidates to be voted upon shall be printed on the ballot. The title of each office to be filled shall be followed by the printed names of the candidates for such office, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. Written instructions will be provided on how to mark the ballot for each race. The words "Vote for not more than _____" with the appropriate number replacing the blank shall be placed before the list of candidates for each office. The names of candidates shall be printed as they appear upon the petitions filed with the City and Borough of Juneau Election Official except that any honorary or assumed title or prefix shall be omitted.
- (b) The order for placement on the ballot will be established by random drawing by the election official. A drawing will be held for each race. The results of each drawing will be recorded and preserved by the election official. Ballot placement of candidates shall be determined according to the following procedures:
 - (1) ~~The order for placement on the ballot will be established by random drawings of the letters of the alphabet by the election official. A drawing will be held for each race. The results of each drawing will be recorded and preserved by the election official.~~
 - (2) ~~The names of candidates in each race will be placed on the ballot based on the alphabetical order drawn for that district.~~
 - (3) ~~If two or more candidates have last names starting with the same letter, they will be placed relative to each other on the ballot according to the second letter of the~~

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~~last names, if the second letters are the same, then according to the third letter, and so on. If two or more candidates have the same last name they shall be placed relative to each other on the ballot according to their first given names, and if those start with the same letter, then as specified for last names, and if those are the same, according to subsequent middle names. For the purposes of this section, the name of the candidate used to determine ballot placement shall be the candidate's name as found on the voter registration rolls.~~

(c) Following the names of the offices and candidates, there shall be placed on the ballot all propositions and questions to be voted upon. The words "Yes" and "No" or "For" and "Against," as appropriate, shall be placed below the statement of each proposition and question. The form of statement and title of the proposition or question shall be as determined by the election official except as may be otherwise required by the assembly or applicable law. When directed by the assembly, there shall be placed on the ballot as part of a proposition or question a brief, neutral, and succinct explanation of the proposition or question. Such explanations must be approved as to content by the assembly or the attorney.

(d) The ballot shall be printed on ballot stock, ~~plain white paper through which printing and writing cannot be read. The ballots shall be numbered in series, a number being placed on one corner of each ballot within an area set off by perforations which may conveniently be removed from the remainder of the ballot.~~

(e) ~~On the ballot, placed so as to be clearly visible, shall appear the~~ The words "Official Ballot" and the date of the election shall appear in large print on the ballot. ~~in large print and the date of the election.~~

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(f) The layout and form of ballots may be modified by the election official to accommodate the voting system used for the election, including, but not limited to, electronic ballots, provided a paper version of the ballot can be printed and used for tabulation and ballot accountability.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.070 Ballots; preparation and distribution.

The election official may contract for the preparation and printing of the ballots without obtaining competitive bids and shall require ballots to be mailed to voters in accordance with CBJC 29.07.100. The election official shall require possession of the remaining printed ballots for use at the vote centers and the ballot processing center at least 15 days before the election. Sufficient ballots shall be delivered before the opening of the vote center or polling places. ~~The election official shall keep a record of the numbers of the ballots delivered to each election team, the signature of the person to whom each group of ballots is delivered, and the date of each delivery.~~ Ballots shall be secured by election workers according to chain of custody protocols established in the election policies and rules of procedures.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.080 Election materials; preparation and distribution.

(a) The election official shall equip each vote center or precinct polling places with sufficient materials and supplies needed for the election, ~~including those required by this section,~~ before the opening of the polls.

(b) The election official shall ~~publish~~ provide instructions explaining to voters how ballots are issued, how to correctly mark a ballot, how to obtain information from election workers, and how to obtain new ballots to replace those destroyed or spoiled. These

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instructions shall be prominently displayed. The election official shall have sample ballots, identical in form to the ballots to be used in the election, printed in a manner that is clearly distinguishable from the official ballot ~~and may include as a part of a proposition or question a brief, neutral, and succinct explanation of the proposition or question, approved as to content by the assembly or attorney.~~ The election official shall provide booths at each vote center or precinct polling place, with appropriate supplies and conveniences to enable each voter to mark the voter's ballot screened from observation. Ballot boxes shall be placed outside the voting booths within plain view of the election workers, clerks, voters, and other persons at the polling places.

(c) Officially designated ~~B~~ballot drop boxes locations will be ~~located in locations~~ identified by the election official where voters may deposit voted by mail ballots ~~up to the close of polls on election day.~~ The drop slot opening of each ballot drop box shall be available to accept ballots 24 hours a day beginning no later than 10:00 a.m. on the 15th day before election day and closed at 8:00 p.m., the time designated for the close of the polls on election day.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.100 Voting procedure.

(a) When the election official conducts an election by mail, the election official shall mail a ballot to each person whose name appears on the voter registration list prepared under AS 15.07.125 for that election. The ballot shall be sent to the address stated on the official registration list unless the voter has notified the election official in writing of a different address to which the ballot should be sent. The election official is not required to mail a ballot to any voter who does not have a valid residence address or is in the

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condition of purge notice (PN), undeliverable (UN), list maintenance (LM), or list maintenance undeliverable (LU, UC), as described in AS 15.07.130. Any qualified voter not mailed a ballot will not later be refused a ballot when requested, but may be required to vote a questioned ballot. The election official shall send ballots by first class, non-forwardable mail, on or before the 18th ~~19th~~ day before the election.

(b) ~~The election official shall enclose a privacy envelope and a return envelope to each voter eligible under subsection (c) above. The return envelope shall have printed upon it a certification by which the~~ The voter shall sign a statement declaring ~~declare the voter's~~ their qualifications to vote, that ~~the voter~~ they have ~~has~~ not voted in any other manner in this election, and shall provide ~~a space for the voter to include~~ at least one personal identifier. Specific instructions for voting a by mail ballot and a list of the vote center(s) and hours shall be included with the ballot.

(c) In a by mail election, regardless of whether a voter has received a ballot by mail, a voter may cast a ballot:

- (1) By mail as provided in the instructions from the election official;
- (2) In person ~~at the election official's office or~~ at a vote center; ~~or~~
- (3) By fax or electronic transmission. The voter must submit a written and complete application for a fax or electronic transmission ballot to the election official's office no later than 5:00 p.m. the day before election day for the ballot to be counted. A ballot that is completed and returned by the voter by fax or electronic transmission must contain the following statement: "I understand that by using fax or electronic transmission to return my marked ballot, I am voluntarily

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waiving a portion of my right to a secret ballot to the extent necessary to process my ballot, but expect that my vote will be held as confidential as possible; or

(4) By personal representative. A qualified voter who is unable to go to the polling place or vote center on election day due to age, illness, or disability, may appoint a personal representative to obtain a ballot for the voter on or after the 15th day before an election, up to and including election day.

~~(d)(3)~~ Under the following, absentee Absentee voting procedures will be set forth in the election policies and rules of procedures and are which would also be the same methods followed if the election was being held as a poll-based election. The election official shall provide ballots for use as absentee ballots at least 15 days prior to the election. The election official shall issue rules and instructions to absentee voters to aid them in casting their ballots. The election official shall prescribe the form of and prepare the voter's certificate, envelopes, and other materials used in absentee voting.

~~(A) At any election, a qualified voter may vote a ballot from a temporary address for any reason.~~

~~(B) The election official may designate a person as a permanent absentee voter if the person is a qualified voter, and if the voter is registered with the State of Alaska Division of Elections as a permanent absentee voter within the City and Borough.~~

~~(C) A person designated as a permanent absentee voter under subsection (b) of this section will be sent a ballot by mail at the permanent mailing address stated on the voter's current registration record unless the voter submits~~

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~~an application for a ballot to be mailed to a temporary address or an electronic transmission ballot.~~

~~(D) — A qualified voter may submit the application and vote from a temporary address. However, nothing in this section limits the voter's eligibility to vote in person at a polling place or vote center, in person before an election official, or absentee through a personal representative.~~

~~(E) — The election official shall provide ballots for use as absentee ballots at least 15 days prior to the election. The election official shall issue rules and instructions to absentee voters to aid them in casting their ballots. The election official shall prescribe the form of and prepare the voter's certificate, envelopes, and other materials used in absentee voting. The election official shall enclose a privacy envelope and a return envelope to each absentee voter. The return envelope shall have printed upon it a certification by which the voter shall place the voter's signature declaring that the voter is a qualified voter, that the voter has not voted in any other manner in this election, and a space for the voter to include at least one personal identifier.~~

~~(F) — The application for an absentee ballot shall show the qualified voter's place of residence, clearly indicate the qualified voter's right to an absentee ballot, and be signed by the qualified voter.~~

~~(i) — Absentee application for voting from a temporary address.~~

~~Beginning on January 1 of each election year, a qualified voter may in person, by mail, by facsimile machine, or by electronic~~

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~~transmission, file a written application for an absentee ballot at a temporary address with the election official. A complete application for a ballot to be mailed to a temporary address must be received in the office of the election official not less than seven days before election day.~~

~~(ii) Absentee application for voting by fax or electronic transmission. A qualified voter who has submitted an application to receive an absentee ballot by fax or electronic transmission will be issued an electronic ballot package beginning the day the ballots are available from the election official and through the close of the polls on election day. The voter must submit a written and complete application for a fax or electronic transmission ballot to the election official's office no later than 5:00 p.m. the day before election day in order for the absentee ballot to be counted. An absentee ballot that is completed and returned by the voter by fax or electronic transmission must contain the following statement: "I understand that by using fax or electronic transmission to return my marked ballot, I am voluntarily waiving a portion of my right to a secret ballot to the extent necessary to process my ballot, but expect that my vote will be held as confidential as possible."~~

~~(iii) Absentee voting by personal representative. A qualified voter who is unable to go to the polling place or vote center on election day due to age, illness, or disability, may appoint a personal representative~~

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~~to obtain a ballot for the voter on or after the 15th day before an election, up to and including election day.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Ballot preparation, AS 15.20.030; absentee voting in offices of election supervisors, AS 15.20.048; absentee voting in person, AS 15.20.061; electronic transmission, AS 15.20.066, 15.20.081; personal representative, AS 15.20.071; mail, AS 15.20.081.

29.07.120 Vote center, ballot drop boxes, and polling place; procedures.

This section applies to voters casting their ballots in person at a vote center, or in person voting during a poll-based election.

- (a) Before processing any ballots ~~election workers~~ ~~the election team~~ must, in the presence of any persons assembled at the vote center or polling place, open and exhibit the ballot box to be used at that location on that day. Thereafter the box shall be sealed with the security seal provided and not be opened again until after the vote center or polling place closes for the day ~~the polls finally close at the end of each day and the vote center or polling place is open~~. At the end of each day, ballot envelopes containing voted ballots will be counted and sealed with the security seals that will be recorded on the daily transmission log and prepared for transport to election central or the ballot processing center as required by written directive of the election official for transportation from the vote centers, post office box, officially designated ballot drop boxes, or polling places.
- (b) A voter shall give the election worker the voter's name and place the voter's signature by the voter's name in the register ~~registration book~~ unless the qualifications of the voter are questioned.

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(c) Every election worker shall question, and every watcher and any other person qualified to vote in the precinct or vote center, may question a person attempting to vote if the questioner has good reason to suspect that the questioned person is not qualified to vote. All questions regarding a person's qualifications to vote shall be made in writing setting out the reason the person has been questioned. A questioned person, before voting, shall subscribe to a declaration in a form provided by the election official attesting to the fact that, in each particular, the person meets all the qualifications of a voter, that the person is not disqualified, that the person has not voted at the same election, and certifying that the person understands that a false statement on the declaration may subject the person to prosecution for a misdemeanor under this title, under state law, or both. The election official shall provide a register ~~registration book~~ for questioned voters to sign. If the questioned person refuses to execute the declaration, the person may not vote.

(d) A voter who casts a questioned ballot shall vote the ballot in the same manner as prescribed for other voters in accordance with the instructions set out in the election policies and rules of procedure. ~~The voter shall insert the ballot into a secrecy sleeve and then put the secrecy sleeve into an envelope on which the statement the voter previously signed is located. The envelope shall be sealed and deposited in the ballot box. When the ballot box is opened, the envelopes shall be segregated, counted, compared to the voting list, and delivered to the official or body supervising the election. The merits of the question shall be determined by this official or body in accordance with election policies.~~

(e) If the voter is not questioned, the voter shall be given one ballot and shall proceed to the voting booth or to the electronic ballot marking device to mark their ballot. ~~There the voter, without undue delay, shall mark the ballot.~~ A voter may write in the name of a

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2 candidate or candidates, ~~of the voter's choice~~ but must also mark the ballot in the area
3 provided for that purpose in order ~~for the voter's indication~~ to be counted as a vote ~~for~~
4 ~~such candidate~~. ~~Upon the voter's determination that the voter has satisfactorily marked~~
5 ~~the ballot, the voter shall place the ballot within the secrecy sleeve and voter certification~~
6 ~~envelope provided and deposit the ballot in the ballot box.~~

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8 (f) A voter who ~~by accident or mistake mutilates or spoils the voter's ballot~~ makes a mistake
9 shall be given another ballot after returning the old one to election workers, ~~upon~~
10 ~~returning the same to the election workers, be given another ballot,~~ up to a maximum of
11 three ballots. The worker shall record the number of ballots spoiled, void the spoiled
12 ballot, and without examining it, place it in the spoiled ballot envelope for final ballot
13 accountability.

14 (g) The voter may choose to use an electronic ballot marking device as provided at a vote
15 center or polling place in accordance with instructions provided by the election officials.
16 Alternatively, a voter who cannot read, mark the ballot, or sign their ~~the voter's~~ name,
17 may be assisted in doing so by an election worker, or not more than two willing persons
18 of the voter's choice if the voter requests such assistance. If any person other than an
19 election worker assists the voter in reading or marking the ballot, such person shall state
20 upon oath before the election worker that such person will not reveal the vote cast by the
21 assisted voter.
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23 (h) On election day, 15 minutes before the closing of the election polls, ~~and at all other~~
24 locations where ballots may be cast, including officially designated ballot drop boxes, an
25 election worker shall proclaim to any persons present, the time remaining before the
~~polls~~ location closes. When the location polls are closed, that fact shall be similarly

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proclaimed, and thereafter no ballots shall be received except those of people qualified
~~voters~~ already present and waiting to vote at the vote centers, officially designated ballot
drop boxes, ~~election official's office~~, or the precinct polling location in a poll-based
election. Ballots must be ~~provided to an election official~~, received by the vote center,
placed in an officially designated ballot drop box, or received at a polling place in a poll-
based election, by 8:00 p.m. on election day, or be postmarked by the post office on or
before election day. ~~Any ballots cast by a voter present in line awaiting the opportunity
to vote at a vote center, or to drop a ballot into a ballot drop box, or present in line
awaiting the opportunity to vote at a polling place, for a poll-based election, at 8:00 p.m.
on election day, will be considered as having voted in a timely manner.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Similar provisions, AS 15.15.210, 15.15.215, 15.15.230, 15.15.250,
15.15.240, 15.15.310, 15.15.320.

29.07.130 Unused ballots.

All ballots issued to vote centers or polling places not voted shall be accounted for and
sealed by the election workers after recording the numbers of the unvoted ballots in accordance
with the election policies and rules of procedure. Workers will follow chain of custody
procedures outlined by election officials. ~~sealed by the election workers after recording the
numbers of the unvoted ballots. Election workers shall return the sealed unused ballots and
stubs of ballots in an envelope provided by the election official, to the election official, who shall
give a receipt therefor, and keep a record of the numbers of the returned stubs indicating when
and by which worker each was returned.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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29.07.150 Ballot envelope review and signature verification.

- (a) The election official may issue, amend, and rescind election policies and rules of procedure prescribing the manner in which the vote center or precinct review and ballot count is accomplished so as to ensure accuracy in the count and to expedite the process. The election policies and rules of procedure may not be changed 40 days prior to the election through the final certification of the election, and will remain in effect until superseded by any updated version.
- (b) The election team shall account for all ballots and complete a ballot statement as outlined in the election policies and rules of procedure. ~~by completing a ballot statement containing:~~
 - ~~(1) The number of official ballots received;~~
 - ~~(2) The number of official ballots voted;~~
 - ~~(3) The number of official ballots spoiled;~~
 - ~~(4) The number of official ballots unused;~~
 - ~~(5) The team shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted and the numbers shall be included in the ballot statement; and~~
 - ~~(6) The election team shall separately record the number of ballots, including personal representative and other by mail ballots, which were received at that polling place or vote center but not issued by that polling place or vote center.~~
- (c) Ballot review procedure. A team of at least two workers ~~The ballot review team~~ shall examine each ballot envelope and shall determine whether the voter is a qualified voter

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as required under CBJ Charter Section 6.3 and whether the ballot has been properly cast under election policies and rules of procedure established for the review, scanning, and tabulation, ~~and counting~~ of by mail ballots. The ~~ballot review~~ team may begin reviewing and processing by mail ballots prior to election day as part of the election review process to prepare them for scanning ~~counting~~. The ~~counting or~~ tabulation of ballots that would generate any election results will not begin until after 8:00 p.m. on election day. The following standards shall guide the election policies and rules of procedure:

~~(1)~~ A ballot shall not be counted if:

- ~~(A)~~ The voter failed to properly execute the certification on the envelope with a valid signature and personal identifier or the voter's signature and personal identifier cannot be validated in accordance with the process set out in subsection ~~(3)~~ below; or
- ~~(B)~~ Reserved.
- ~~(C)~~ The ballot return envelope, if mailed, is received after election day, has no postmark, and United States Postal Service (USPS) cannot verify the ballot return envelope was mailed on or before election day; or
- ~~(D)~~ The ballot return envelope is not received before the beginning of the canvass review board review process; or
- ~~(E)~~ The voter has already voted in the election.

~~(1)~~(2) A ballot shall be approved for scanning ~~counted~~ if:

- (A) The voter properly executed the certification on the envelope with a valid signature and personal identifier as verified in accordance with the process set out in subsection ~~(2)~~(3) below; and

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- (B) Reserved.
- (C) The ballot return envelope was received via mail, at a voter center, polling place in a poll-based election, or deposited in an officially designated ballot drop box no later than 8:00 p.m. on election day; or
- (D) The ballot return envelope, if mailed, was postmarked or the United States Postal Service (USPS) can verify that the ballot return envelope was mailed on or before election day; and was received by the beginning of the canvass review board process.
- (E) Ballots failing to meet the criteria set out in sections (A) – (D) above, will not be approved for scanning. The ballot return envelope was received before the beginning of the canvass review board review process.

~~(2)~~(3) Signature verification process:

- (A) The voter's signature and personal identifier on the ballot certification must be compared with the signature(s) and personal identifiers in the voter's voter registration file(s) using the standards established in the election policies and rules of procedure developed under CBJ 29.07.005250.
- (B) The election official may designate, in writing, election workers to perform this function. All personnel assigned to the duty of signature verification ~~shall subscribe to an oath administered by the election official regarding the discharge of their duties. Personnel~~ shall be trained in the signature verification process prior to actually comparing any signatures.
- (C) In this section, signature verification process, if all other factors match for voter's eligibility, the election official and/or canvass review board may

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approve the counting of a ballot if it meets the following "fuzzy match" criteria for the personal identifier:

- (i) "Date of Birth" fuzzy match includes ONE of the following:
 - (a) Two dates with the maximum of 1 digit in difference "03/27/1945" and "03/27/1946"; or
 - (b) Transposition of month and day portion of the Date of Birth: "05/11/1935" and "11/05/1935."
- (ii) A "Social Security Number", or Alaska Driver's license, or State ID, or Voter ID fuzzy match includes ONE of the following:
 - (a) Two numbers with a maximum of 2 digits in difference, any number position; or
 - (b) Two consecutive numbers are transposed.

(D) Missing or invalid signature or personal identifier. If a voter's signature or personal identifier is missing or determined to be invalid, the election official shall, within three days of initial processing of the envelope, contact the voter and send a letter to the voter explaining the problem lack of a valid signature and/or personal identifier and provide them an opportunity to cure the issue.

- (i) ~~The letter~~ Letters shall be sent to the address to which the ballot was mailed.
- (ii) ~~The voter may:~~
 - (a) ~~Fill out the form included with the letter and return the form to the address specified on the form; or~~

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~~(b) — Come to the location identified in the letter and present valid identification to an election official and sign a form provided by the election official authenticating the envelope.~~

~~(ii)(iii)~~ If the authentication is still determined to be invalid, the voter shall be notified in writing that their ballot is rejected.

(E) Ballot cure policies and procedures will be established pursuant to the election policies and rules of procedure developed under CBJ 29.07.005250.

~~(3)(4)~~ The ballot review team may begin reviewing, scanning, and processing by mail ballots prior to election day as part of the election review process to prepare them for tabulation counting. The tabulation of ballots will not begin until after 8:00 p.m. on election day.

(d) Multiple and replacement ballots. ~~If the voter is issued a replacement ballot, the~~ The first valid ballot received and reviewed at the ballot processing center is counted. Subsequently received ballots from the same voter are not counted. Subsequent ballot envelopes received from a voter who has already voted shall be ~~marked "rejected,"~~ segregated from approved ballot envelopes, remain unopened, and forwarded to the canvass review board for final adjudication. The voter shall be notified by letter mailed to their mailing address and, if applicable, temporary mailing address.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.160 General procedures for ballot adjudication count.

(a) Adjudication of votes shall ~~be as set forth in~~ use the election policies and following rules of procedure and as follows:

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- (1) A vote shall be counted if the oval preceding the name of the candidate or answer to a proposition question is wholly or partially filled-in.
- (2) A failure to properly mark a ballot as to one or more candidates or proposition questions does not itself invalidate the entire ballot.
- (3) If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.
- (4) If a voter marks more names than there are persons to be elected to the office, the votes for candidates to that office shall not be counted. Marks for both a write-in and a candidate named on the ballot shall not be counted, unless the write-in name is the same as the candidate printed on the ballot marked by the voter.
- (5) Candidates and answers to proposition questions marked with a strikethrough across the oval and name or answer shall be treated as indicating the voter's intent to not vote for the candidate or answer so stricken:

Race

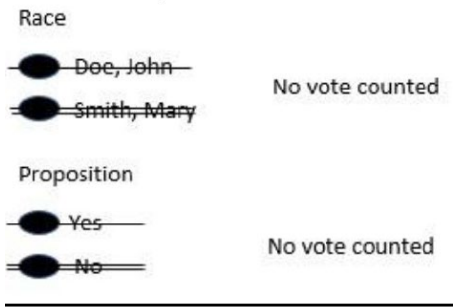
<input checked="" type="radio"/> Dee, John	Valid vote for Mary Smith.
<input checked="" type="radio"/> Smith, Mary	

Proposition 1

<input checked="" type="radio"/> Yes	Valid vote "yes" on Prop 1.
<input checked="" type="radio"/> No	

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(6) To invalidate a vote without making an alternate choice, the voter must vote and strike through more than one oval and name or answer.



(7) ~~Reserved. All other over votes shall not be counted as a vote for any candidate or for an answer to a proposition question, regardless of markings or handwritten notes.~~

(8) The mark specified in (1) of this subsection shall be counted only if it is substantially inside the oval provided, or touching the oval so as to indicate clearly that the voter intended the particular oval to be designated.

(9) Improper marks on the ballots shall not be counted and shall not invalidate marks for candidates or propositions properly made.

(10) Write-in votes shall not be counted unless the candidate has filed a letter of intent as required by subsection 29.07.050(f). If the total number of ballots containing write-in votes in the general election are at least the second highest in number in a race with two or more candidates, the write-in votes will be counted individually, which may be done using an electronic adjudication process when available. In races where a candidate is unopposed, write-ins will be counted individually if they are within 100 votes or less. Write-in votes will be counted after the date of the election, but before the certification of the election in which

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the write-ins occurred. Write-in vote totals that do not fall within either of these two categories will not be individually counted.

(11) In order to vote for a write-in candidate, the voter should:

- (A) Write in the candidate's first and last name in the space provided;
- (B) Mark the oval preceding the write-in candidate's name; ~~in accordance with subsection (a)(1) of this section;~~ and
- (C) Not mark ovals for additional candidates for the same office in excess of the number of offices available, except as otherwise provided in this Code.

(12) A sticker bearing a candidate's name may not be used on the ballot and the vote shall not be counted for that office.

(b) The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot or vote shall not be counted unless marked in compliance with these rules, except that when it can be clearly and convincingly determined how the voter intended to vote it shall be counted accordingly. The rejection of a ballot or vote for counting under these rules is a final determination and only reviewed in an election recount or election contest.

(c) A registered observer may challenge the adjudication of a vote under this section by:

- (1) Requesting a brief pause in adjudication to note the ballot number; and
- (2) Submitting a form to the municipal clerk that sets forth with specificity the rule that has been improperly applied by election officials.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Ballot count, AS 15.15.330 et seq.

29.07.170 Delivery of ballots and other election material.

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2 Upon completion of the counting of ballots at the ballot processing center, the election
3 workers shall secure the counted ballots as directed by the election official in the election
4 policies and rules of procedure. The election official shall preserve them for 90 days unless the
5 election is contested. Ballots and all ~~numbered stubs, registers, tally sheets, and~~ other records
6 of the election shall be similarly returned to the election official as directed ~~in election policies~~.

7 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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10 **29.07.190 Ballot eligibility.**

11 To be counted in the election, ballots must be received by the election official before
12 closing of the polls on the day of the election, ~~if voted in the office of the election official or other~~
13 at a place designated by the election official, or post-marked not later than the day of the
14 election and received by the election official before the review of election returns under section
15 29.07.290. The election official shall mark return envelopes received ~~after such time as~~
16 “Invalid,” and with the time and date of receipt by the election official ~~shall be noted thereon~~
17 and will be brought to the canvass review board for review. Such envelopes shall be retained
18 with other election records and destroyed with them, as provided by this chapter for destruction
19 of ballots. Ballots received before the closing of the polls may be reviewed at any time for voter
20 qualification and may be ~~counted~~ reviewed and adjudicated by one or more ~~counting~~
21 teams appointed by the election official, ~~commencing at the time the polls close on election day~~.

22 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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25 **29.07.210 Boards and teams.**

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The election official shall appoint workers to serve as ~~an election team in accordance with section 29.07.020, a voting system control board, a ballot review team, election officials, elections workers, the logic and accuracy team,~~ and a canvass review board. The election official shall ~~appoint election workers to serve on each board and team and~~ administer the oath prescribed for election workers to ~~chairs and the members of each of the boards and teams~~ said appointees.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.230 Tests and security.

The voting system must be tested in the presence of and to the satisfaction of the logic and accuracy team ~~voting system control board,~~ according to election policies and rules of procedure.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.250 Reserved Election policies established.

~~The election official shall establish election policies in writing at least 20 days before an election so as to expedite the process and to guarantee the integrity of the election.~~

~~(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)~~

29.07.280 Review of election returns.

- (a) ~~The Election worker~~ ballot review teams may begin reviewing and processing by mail ballots prior to election day ~~as part of the election review process~~ to prepare them for tabulation counting. Tabulation, which would generate any form of results, will not

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2 commence until after the polls close on election day. ~~The tabulation of ballots will not~~
3 ~~begin until after 8:00 p.m. on election day.~~ Unofficial results will be published online and
4 updated periodically during the ballot review process according to a schedule established
5 by the election official. The election official will continue to process ballots until the
6 review of the election returns by the canvass review board. The election official and such
7 assistants as may be appointed by the election official shall ~~count~~ tabulate such ballots in
8 accordance with the voting systems determined for use in an election.
9

10 (b) By the second Tuesday after each election, unless the second Tuesday falls on a holiday,
11 in which case by the second Wednesday after each election, the election official shall
12 conduct the review of all election returns with the canvass review board. The review may
13 be postponed for cause from day to day, but there shall be no more than three such
14 postponements. The canvass review board, in full view of those present, shall review any
15 additional ~~absentee or by-mail~~ ballots envelopes that were postmarked by election day
16 and received in the mail as well as any ballots envelopes challenged by ~~the ballot review~~
17 ~~team~~ election workers and determine whether they will be rejected or approved for
18 scanning ~~counted~~. The canvass review board will then add approved ~~those~~ ballots eligible
19 ~~to be counted~~ to the preliminary tabulated results of the election returns and compile the
20 total number of votes cast for each candidate and for and against each proposition and
21 question to determine the final results to be certified by the election official. The election
22 official will then certify the election in accordance with CBJ 29.07.290.
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24 (c) Reserved.

25 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

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29.07.300 Election recounts.

(a) A defeated candidate or ten qualified voters may file an application, within two days after the completion of the review of the election returns, with the election official for a recount of the votes ~~from any particular precinct or precincts and~~ for any particular office, proposition, or question. The date on which the election official receives an application rather than the date of mailing determines whether the application is filed within the time allowed.

(b) The application shall state the particular election, office, proposition, and/or question for which the recount is to be held, and that the person making the application is a candidate or that the ten persons making the application are qualified voters. The candidate or persons making the application may designate by full name, ~~and mailing,~~ and email address, of two persons who may represent the applicant and be present during the recount. Any person may be named representative, including the candidate or any person signing the application. Applications by ten qualified voters shall also include the designation of one of the applicants as chair. The candidate or person making application shall sign the application and shall print or type their full name, ~~and mailing,~~ email address, and phone number.

(c) If the election official determines that the application is substantially in the required form, the election official shall fix the date of the recount to be held within five days after the receipt of an application. The election official shall give the candidate or designated chair signing the application and the two persons appointed to represent the applicant during the recount, notice of the time and place of the recount by certified mail, by email, by facsimile, or by telephone.

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(d) The election official shall appoint a board of at least three qualified voters to conduct the recount of ~~the ballots voted in those precincts stated in the application for recount, and the board shall recount~~ all of the voted ballots ~~for those precincts~~. The election official may appoint additional qualified voters to assist in the recount. The recount shall be completed within three ~~two~~ days.

(e) The election official shall certify results of the election recount.

(f) All expenses of conducting a recount shall be paid by the candidate or voters requesting the recount, provided that in the following circumstances the City and Borough shall pay the expenses:

- (1) Where the candidates or proposition received a tie vote;
- (2) Where the difference between the number of votes cast for each of the candidates or for and against the proposition was ten or less or was less than one-half of one percent of the total number of votes cast for the candidates involved or the proposition;
- (3) Where the results of the election are changed by the recount; or
- (4) Where the vote is determined to be four percent or more in excess of the vote certified by the election official in the election review for the candidate who requested the recount or for or against the proposition as stated in the recount application.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Election recounts, AS 15.20.430 et seq.; tie votes, AS 15.15.460.

29.07.390 Definitions.

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

Ballot means any document provided by the municipal clerk on which votes may be cast for candidates or propositions, including but not limited to, electronic ballots generated by an electronic ballot marking device. As used in this title, the term "ballot" shall mean the official ballot, except where the context clearly indicates it means the sample ballot or both types of ballots.

~~*Ballot drop box or drop box* means a device placed or designated by the municipal clerk for the purpose of receiving voted ballot envelopes.~~

Ballot processing center means the election central location designated by the election official where all election materials are secured, reviewed, and processed.

Clerk and municipal clerk means the clerk of the municipality or an authorized designee.

Election policies means the election policies and rules of procedure ~~instructions for conducting elections~~ issued by the election official in writing at least 40 ~~20~~ days before an election.

Mark means a voter's indication of choice on a ballot in a manner appropriate to the voting system used for the election.

Officially designated ballot drop box or drop box means a device placed or designated by the municipal clerk for the purpose of receiving voted ballot envelopes.

Personal identifiers, as used in this chapter, shall include the following: voter registration identification number, the last four digits of the voter's Social Security number, the voter's date of birth, ~~or~~ the voter's Alaska driver's license number, or Alaska State ID.

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Poll-based elections means those elections conducted primarily using precinct polling places or vote centers for in-person voting on election day.

Polling place, or precinct polling place means a location within each precinct where individuals may go to vote in person on election day for poll-based elections.

Tabulation means the aggregation of the votes cast by individual voters to produce result totals at any level.

Vote center means any location designated by the election official for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.

Voting system means the mechanical, optical, electronic, or other physical systems used for marking, scanning, reviewing, counting, and processing, or tabulating ballots and other election materials.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Section 3. Amendment of Chapter. Chapter 29.10, Initiative and referendum, is amended to read:

Chapter 29.10 INITIATIVE AND REFERENDUM

29.10.010 Purpose.

It is the purpose of this chapter to define and clarify the procedures to be followed in initiative and referendum proceedings authorized under article 7 of the Charter of the City and Borough of Juneau. The initiative and referendum are forms of direct democracy and as such their availability and use to, and utilization by, the public must be facilitated, ~~while, at~~ At the same time, election officials must maintain mechanisms to reduce and prevent fraud. ~~the integrity of the procedures must be maintained through mechanisms which discourage, reduce,~~

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~~and prevent both the occurrence and appearance of fraud. Further, in order to ensure clear, fixed and reliable standards, it is necessary that citizens and those officials charged with the validation of petitions be able to rely on designated official, published maps, plats and records of the municipality and on the published voter registration records of the state.~~

(Serial No. 78-3, § 2, 1978)

29.10.030 Petition format.

(a) The petition form prepared by the election official for issuance to the petitioners' committee shall be structured in accordance with Charter section 7.4 and further defined in the election policies and rules of procedure. The form shall include the full text of the proposed initiative or referred measure and shall require the following: in substantial compliance with this section.

- (1) Name of the person who is circulating the petition; and
- (2) That the petition signers must affix their signatures in ink and shall be followed by the residence address of the person signing along with such information sufficient to determine whether the voter is a qualified Juneau voter as prescribed by election policies and rules of procedures.

~~(b) The front of the cover page of the petition shall provide a space for the name of the person who is circulating the petition and shall contain a statement in bold type identifying the petition as a referendum or initiative petition as appropriate, the initiative or referendum request, a space for an impartial summary of the ordinance to be initiated or referred, a statement in bold type that a notice to petition signers is on the back of the cover sheet and that the ordinance to be initiated or referred is inside the~~

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~~first page of the petition, and a petition booklet number. On the back of the cover sheet, the election official shall cause to have printed a notice to the petition signers that signatures must be in ink, the residence address, mailing address and printed name must be legible, that the signer must be a registered voter and have been a resident of the City and Borough for the immediately preceding 30 days, and the acceptable and unacceptable forms of residence address which appear in subsections 29.10.090(b) and (e).~~

~~(e) The second and such subsequent pages as are necessary shall contain a space for the full text of the ordinance to be initiated or referred.~~

~~(b)(d) Following the full text of the ordinance shall be not less than five nor more than ten signature pages. Qualified voters signing the petition shall sign in ink and provide their printed name, signature, residence address and zip code, and one personal identifier as defined in 29.07.390, Definitions. ~~which can be the last four digits of the voter's registration identification number, the last four digits of the voter's driver's license or state identification number, the last four digits of the voter's Social Security number, or the voter's year of birth, length of residence in City and Borough, and date signed.~~ The election official shall number each book and signature page serially in a sequence of numbers which shall be continuous through all booklets issued. ~~Above the column titles shall be the petition request, which shall make reference to the ordinance or measure to be initiated or referred and its location in the booklet. At the bottom of each signature page shall be a statement that to be valid, the signature must be in ink, the name as printed and signed must be in the same form as the name appears on the state voter registration rolls, the printed name, personal identifier, and residence address must be~~~~

legible and the signer must indicate his or her length of address in the City and Borough immediately preceding signing the petition.

(c)(e) The signature page shall contain the affidavit of the circulator as required by section 7.5 of the Charter.

(d)(f) Each booklet shall be assembled by the election official and all pages within each booklet shall be stapled or otherwise fastened together.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, §§ 29, 30, 31, 32, 1998; Serial No. 2001-28, § 2, 6-4-2001; Serial No. 2014-37(c), § 6, 6-30-2014, eff. 7-31-2014; Serial No. 2022-24(am), § 21, 6-13-2022, eff. 7-13-2022)

29.10.060 Submission and receipt of petitions.

(a) The petitioners' committee shall file the petitions as a single instrument. After the filing, no additional petition booklets may be received by the election official for validation whether such additional booklets are submitted before or after the expiration of the petition period. Such late booklets shall be received only for the purpose of preservation for the record.

(b) Filing shall be done during municipal business hours. If the last day of the period falls on a Saturday which is not a City and Borough holiday, the election official shall make arrangements with the petitioners' committee to receive the petitions at the election official's office at or before 4:30 p.m. on that Saturday. If the last day of the period falls on a Sunday or other City and Borough holiday, the petitioners' committee may file the petition not later than 12 p.m. ~~9:00 a.m.~~ on the first weekday which is not a holiday.

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(c) Immediately upon receipt of the petition, and in the presence of the person submitting the petition, the election official shall check each booklet and shall mark as rejected on its face, and the reason for rejection, any petition booklet which:

- (1) Shows evidence of having been disassembled and reassembled;
- (2) Does not contain all pages of the ordinance to be initiated or referred;
- (3) Does not contain the fully completed, signed and notarized affidavit of the circulator.

(d) Due to potential confidential voter information contained in petition booklets, all petition booklets and copies of booklets must be surrendered to the election official within 60 days of issuance.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 35, 1998; Serial No. 2022-24(am), § 23, 6-13-2022, eff. 7-13-2022)

29.10.070 Supplemental petition.

(a) If the election official determines that there is an insufficient number of valid signatures on the petitions filed during the 30-day period, the election official shall send notice of the insufficiency to the petitioners' committee by certified mail, return receipt requested and may also inform them by email or other communication. The petitioners' committee shall have an additional ten days from receipt of the notice to gather additional signatures on petitions supplied to the committee by the election official for that purpose. The petitions supplied by the election official for the supplemental period shall be in the format specified in section 29.10.030, except that the signature page numbering shall not duplicate that used for the initial 30-day period.

(b) Petitions shall be submitted and received in the manner provided in section 29.10.060.

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(c) No signatures obtained on booklets issued during the first 30-day period shall be valid if submitted with the supplemental petition.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 36, 1998)

Charter reference— Supplemental petition, § 7.7.

29.10.080 Validation of signatures.

(a) The election official shall reject the signature of any person who was not a registered Juneau voter on the day they signed the petition ~~whose name does not appear on the voter registration list available from the state elections office and who is determined by the state elections office to be a person who is not registered on the day the election official requests state verification of the voter status of the person.~~

(b) The election official shall reject the signature of any person whose writing is so illegible that they cannot be identified as a registered Juneau voter ~~signed and printed name are so illegible that the election official cannot identify the name; provided, however, the election official may accept an otherwise illegible name if the voter has provided adequate personal identifying information and the legible address information given by the person corresponds to voter registration information of the person registered to the personally identifying information given.~~

(c) The election official shall reject all but one signature of any person who has signed his or her name two or more times to petition booklets.

(d) The election official shall reject the signature of any person whose signature is not executed in ink.

~~(e) The election official shall reject the signature of any person who had not been a resident of Juneau for the 30 days immediately preceding the date the person signed the petition.~~

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~~(e)(f) The election official shall reject the signature of any person who fails to provide a legible and adequate residence address within the City and Borough of Juneau as provided in section 29.10.090.~~

~~(g) The election official shall reject the signature of any person whose petition signature and printed name are not the form in which the person is registered to vote unless the election official is able to determine from the voter's personal identifying information or the address information from the state elections office that the signature is that of a registered voter.~~

~~(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 37, 1998; Serial No. 2014-37(e), § 7, 6-30-2014, eff. 7-31-2014; Serial No. 2022-24(am), § 24, 6-13-2022, eff. 7-13-2022)~~

~~**29.10.090 — Residence address requirements.**~~

~~(a) A residence address for the purpose of initiative and referendum petition requirements is a locatable address where the person lives. A residence address is adequate only if it contains sufficient information to permit the person's place of residence to be found by an ordinary person with no particular knowledge of the City and Borough of Juneau area if such person is given the residence address information which appears on the petition, the official map of the City and Borough of Juneau, the approved house numbering maps of the City and Borough of Juneau, and relevant approved plan maps.~~

~~(b) Notwithstanding the general definition provided in subsection (a) of this section, the following shall be deemed to be adequate residence addresses.~~

- ~~(1) A subdivision name with a lot and block number;~~
- ~~(2) A United States survey number when the smallest recorded subdivision which is applicable to the property is included;~~

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- ~~(3) — A milepost when accompanied by a road or highway name;~~
- ~~(4) — A boat harbor or marina name when the stall, slip, or boat name is also included;~~
- ~~(5) — A hotel or motel if the room number is numbered;~~
- ~~(6) — A trailer court if the space number or street name and number within the trailer court is given;~~
- ~~(7) — A house number with a street or highway name;~~
- ~~(8) — An apartment or condominium name when accompanied by an apartment or unit number.~~

~~(e) — The following types of addresses are inadequate as a residence address:~~

- ~~(1) — A street name without a house number;~~
- ~~(2) — A milepost without a highway or road name;~~
- ~~(3) — A highway or road name without a milepost or house number;~~
- ~~(4) — Alaska, Juneau, Douglas, Auke Bay, Vanderbilt Hill, Pinewood Park, Mendenhaven, Back Loop or any other similar designation by a geographic area or subdivision only;~~
- ~~(5) — A rural route box number;~~
- ~~(6) — A post office box number;~~
- ~~(7) — A street, highway or road intersection;~~
- ~~(8) — Any address which is ambiguous either on its face or becomes ambiguous upon consulting a map or plat to which one would be led from the residence address information;~~
- ~~(9) — An illegible address.~~

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~~(d) If there is a dispute as to the adequacy of a residence address given by a person whose name has been rejected by the election official, the name shall be rejected if it is determined that a house number has been assigned to the place of residence of the person whose name has been rejected unless the assigned street name and house number or an accurate legal description of the property has been used on the petition.~~

~~(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 38, 1998; Serial No. 2001-28, § 2, 6-4-2001)~~

29.10.100 Petition and signature rejection for other reasons.

(a) If any allegation of fraud or misconduct, by persons not involved with conducting the election, including conduct classified under Alaska Statutes 15.56.070 through 15.56.090, is filed with the election official prior to the certification or notice of insufficiency of the petitions, the election official shall immediately investigate such allegations and reject the challenged petitions or signatures if such investigation reveals fraud or other irregularities which warrant rejection.

(b) Any allegation of fraud or misconduct, by persons not involved with conducting the election, including conduct classified under Alaska Statutes 15.56.070 through 15.56.090, filed after certification of the petition which would or may result in the invalidation of a sufficient number of signatures to cause a petition to be insufficient shall be referred immediately to the assembly and the Juneau Police Department. The assembly shall schedule a hearing on the matter and take such action as it deems appropriate with respect to signatures or petitions which are affected by any fraud or misconduct ~~it finds.~~

(c) It shall be fraud sufficient to reject an entire petition booklet if it is shown that a petition circulator has either failed to do any act or had no reasonable basis for a belief to which the petition circulator is required to swear under section 7.5 of the Charter.

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(Serial No. 78-3, § 2, 1978; Serial No. 98-25, §§ 39, 40, 1998)

State Law reference— Petition offenses, AS 15.56.090.

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

Adopted this _____ day of _____, 2025.

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 Borough Assembly
DATE: February 27, 2025
FROM: Katie Koester, City Manager
RE: Memorandum of Understanding for Riverfront Property Owners

The purpose of this memo is to provide the Assembly and the public with a copy of the Notice to Property Owners and Memorandum of Understanding (MOU) we will be sending riverfront property owners who will have HESCO barriers installed on their property. The last time you saw a [draft MOU](#) was at the October 21, 2024 meeting. Many things have evolved since then, chiefly among them approval of a Local Improvement District as a mechanism to pay for the installation of the barriers.

The main difference between the October draft and the copy before you today is the majority of the document is framed as a Notice to Property Owners. The Notice to Property Owners clearly outlines CBJ obligations, such as maintaining and removing the barriers, and our ask of property owners for things like notifying us when a barrier is damaged and requesting them to not alter the barriers. Any unique circumstances that need to be documented, or arrangements that need to be made, can be cared for in the accompanying Memorandum of Understanding.

CBJ staff has had questions from riverfront property owners about how they will be able to engage in negotiating terms and conditions of the MOU. For example, people would like compensation for allowing the barriers on their property and/or a shorter term. These items are not up for negotiation; however, we will make every effort to accommodate unique circumstances homeowners have.

CBJ will send a copy of the Notice to Property Owners and the Memorandum of Understanding to all property owners. Project managers in the field will have copies of the MOU and will work with property owners to document their unique circumstances and conditions. Inquiries about the Notice to Property Owners should be directed to Engineering and Public Works Director Koch.

Project Update. This is an opportune moment to give you an update on the project. The HESCO barriers are on their way and should get here by the end of March. The HESCO barriers, materials and shipping have a combined value of \$2.4M that is essentially an in-kind contribution from USACE to Juneau. CBJ Engineering also had their first meeting with contractors who will be doing the site preparation and installation. We have brought 4 different contractors on board so we can move swiftly. Property owners can expect to see project managers walking the river on Tuesday with contractors. We have also had the opportunity to run hydrological modeling on the alignment and the modeling is showing that the barriers behaving and protect the neighborhoods.

Funding. You have a Resolution tonight authorizing CBJ to apply for a DEC loan for the project that is 50% forgivable. The Assembly does not have to make decisions on how to distribute the forgiveness now; the assessments will go out on property owners on their property tax bills in September.

As of the drafting of this memo we are still waiting for word from USACE on whether the funding included in the American Recovery Act has been selected by the current Administration for the 2025 USACE work plan. I hope to have a verbal update for you on Monday.

Informational Only



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NOTICE TO PROPERTY OWNERS

The CBJ is currently operating under an emergency resolution which declares a local emergency due to historic flooding in the Mendenhall Valley, under CBJC 03.25 and AS 26.23.140.

To implement Phase 1 of advance flood mitigation measures, authorized by Ordinance 2024-40am, CBJ will access Property Owners' land. This will allow CBJ to clear land adjacent to the riverbank, make changes to the land to accommodate the HESCO barriers, and install and maintain HESCO barriers. The CBJ will access property prior to, during, and after installation of the HESCO barriers.

CBJ Responsibilities:

1. The CBJ will control and manage the installation and maintenance of the HESCO barriers; all work will be conducted in a professional and prudent manner by qualified personnel.
2. The CBJ will assess properties and undertake the removal of any materials and appurtenance necessary for the installation of the HESCO barriers. The CBJ will work with the Property Owners to establish a timeline for work, as well as storage or disposal of the materials removed. The CBJ will take detailed before and after photos and video and will document all work completed. A copy will be provided to the Property Owners.
3. The CBJ is responsible for liability insurance for its contractors and staff.
4. The CBJ shall communicate with the Property Owner and provide updates on the project upon reasonable request. CBJ will provide notice to the Property Owner no less than 48 hours before commencing work.
5. Work will not take place before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday, to the extent possible. Work will take place outside standard hours if needed due to an imminent release.
6. The CBJ will manage construction traffic and public access safely. Fencing and other safety measures will be installed as necessary to prevent public access to unsafe areas.
7. The CBJ will inspect and verify that the Property Owner's land is prepared and cleared as required before work begins.
8. The CBJ will ensure that equipment stored on the Property Owners property is confined to a designated area, upon consultation with the Property Owners.
9. The CBJ will remove the HESCO barriers at a time designated by the Manager's Office. As part of the removal, the CBJ will ensure that the area is clear of hazards and non-earthen materials.
10. The CBJ will maintain the HESCO barriers to ensure that they are in good working order.

- 11. The CBJ will work with Property Owners identified in Exhibit C of Ordinance 2024-40am, whose property requires additional bank armoring. A project timeline will be provided to the Property Owners.
- 12. Funding will be set aside to reimburse Property Owners for appurtenance which were removed due to HESCO barrier installation. Property Owners may apply for reimbursement for necessary rebuilds per Ordinance 2024-40am. CBJ will take before and after pictures to document work.

Property Owner Responsibilities:

- 1. The Property Owner will provide the CBJ with access to their property for site review, installation, and maintenance of the HESCO barriers.
- 2. The Property Owner will notify the CBJ of any potential hazards on the property.
- 3. The Property Owner will keep the area surrounding the HESCO barriers free and clear of any obstruction that would interfere with intended mitigation use.
- 4. The Property Owner understands that equipment may be stored on their property during the installation process.
- 5. The Property Owner understands that the barriers may remain installed for up to 10 years, although all parties acknowledge that earlier removal is desired.
- 6. The Property Owner will not modify or alter the barriers in any way. Should an issue arise, the Property Owner will reach out to CBJ for assistance.
- 7. The Property Owner will reach out to CBJ if a HESCO barrier malfunction is observed.
- 8. The Property Owner will reach out to CBJ if ground settling, or barrier slippage is observed.
- 9. The Property Owner will not use the HESCO barrier for any other use or activity other than its intended mitigation.
- 10. The Property Owner will utilize additional flood fighting methods to supplement the HESCO barriers, including, but not limited to, blocking private drains that extend into the river.

Property Rights: No property transfers ownership to CBJ.

Additional Measures: The installation of HESCO barriers are intended to mitigate possible flood damage to home and property; however, there is no guarantee that these barriers will be 100% effective. The Property Owner may need to employ additional methods to protect their home and property, such as sandbags or other flood fighting methods the Property Owner deems necessary to protect their private property. Many properties have private drainpipes (foundation, downspout, sump pumps, floor drains, yard drains etc.) extending into the river that are not protected by the HESCOs; these private drains are solely the responsibility of the Property Owner to block or otherwise protect against the consequences from flooding inundation caused by these private pipes.



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**MEMORANDUM OF UNDERSTANDING
BETWEEN SPECIALLY BENEFITED PROPERTY OWNERS AND
THE CITY AND BOROUGH OF JUNEAU**

PARTIES

This Memorandum of Understanding (“MOU”) is between _____, Specially Benefited Property Owner at _____ Juneau, Alaska 99801 (“Property Owner”) and the City and Borough of Juneau (“CBJ”).

AUTHORITY: The CBJ is currently operating under an emergency resolution which declares a local emergency due to historic flooding in the Mendenhall Valley, under CBJC 03.25 and AS 26.23.140.

PURPOSE: To implement Phase 1 of advance flood mitigation measures, authorized by Ordinance 2024-40am.

MEMORANDUM OF UNDERSTANDING: The Property Owner has been provided a copy of the *Notice to Property Owners* which sets forth roles and responsibilities and is incorporated herein. Due to unique circumstances or property characteristics, the parties memorialize the following additional expectation and understandings.

_____.

Financial: No financial consideration or agreement is established under this MOU, as Ordinance

2024-40am governs the cost and division of payment for the Local Improvement District (LID).

Property Rights: This MOU does not create any new or additional property rights for CBJ or Property Owner. No property transfers ownership to CBJ.

Agreement. All parties mutually agree to the terms of this MOU.

This Memorandum of Understanding is entered into as of the date signed by both parties.

CBJ

Property Owner:

Date: _____

Date: _____

Name: _____

Name: _____

Signature: _____

Signature: _____

DRAFT