



REGULAR ASSEMBLY MEETING 2024-08 AGENDA

April 01, 2024 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. August 21, 2023 Regular Assembly Meeting Minutes - Draft

F. MANAGER'S REQUEST FOR AGENDA CHANGES

G. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

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

2. Ordinance 2024-04 An Ordinance Establishing Duties of the Tourism Office.

This ordinance establishes the CBJ Tourism Office and allows the manager to assign the Tourism Manager as the project manager or co-project manager for projects with a substantial relationship to tourism. Duties include centralized tourism policy and management; coordination of community planning and projects related to tourism; public relations related to the visitor industry, including contract management and cruise ship schedule coordination; and other duties as assigned by the manager.

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

3. Ordinance 2024-10 An Ordinance Amending Chapter 85.02 Related to the Docks and Harbors Board Roles Related to Tourism.

The Assembly has funded a Tourism Manager position since 2021, who works for the City Manager. This ordinance would clarify the Docks and Harbors Board duties related to tourism management. Notably, Docks and Harbors would maintain and operate the municipal cruise ship docks, and the Tourism Manger would be responsible for cruise-ship based tourism management, including capital projects. There is a companion ordinance, 2024-04, related to Tourism Manager duties. This ordinance would help advance the goals of the Visitor Industry Task Force (VITF) and provide a more direct route for Assembly control of tourism-related projects.

The Assembly most recently discussed this ordinance at the Assembly Committee of the Whole on February 26, 2024, and directed Assembly liaisons to discuss this topic with their empowered boards.

Assemblymember Woll has included a proposed amendment for consideration at the next meeting.

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

4. Ordinance 2023-14(b)(S) An Ordinance Appropriating up to \$ 1,213,423 to the Manager as Local Grant Match for the North Douglas Crossing Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate up to \$1,213,423 for the North Douglas Crossing CIP to fulfill two local grant match requirements:

Rebuilding America’s Infrastructure and Sustainability and Equity (RAISE) Grant Match \$ 866,000

FFY23 Congressionally Directed Spending (CDS) Grant Match \$ 347,423

The RAISE grant’s local match contribution was pledged in Resolution 3019(b) adopted during the January 30, 2024 Regular Assembly meeting. The CDS funding was secured by U.S. Senator Lisa Murkowski in the Consolidated Appropriations Act for Federal fiscal year 2023. These grants will provide funding for community outreach and the design phase of the North Douglas crossing. The Engineering and Public Works Department is currently working with the Alaska Department of Transportation & Public Facilities to confirm whether previously appropriated funds can be used toward the match. Due to the time sensitivity of the project, this request would ensure the grant match funding is available. If previously appropriated funds are approved for the local match, these appropriated general funds would be returned to the General Fund.

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

5. Ordinance 2023-14(b)(AF) An Ordinance Appropriating \$164,000 to the Manager for Tripper Transit Services During Tourist Season; Funding Provided by Marine Passenger Fees.

This ordinance would appropriate \$164,000 of Marine Passenger Fees for Capital Transit’s “tripper” bus service during peak tourist season. The 2023 summer cruise season highlighted significant challenges for Capital Transit in effectively serving both Juneau residents and cruise ship tourists. Due to the volume of cruise ship tourists using the local bus system, hundreds of local bus riders, including people in wheelchairs, were unable to board buses due to no capacity available. This funding would restore the mid-day Valley/Downtown Express Route 8 on weekdays and extend the Valley/Downtown Express Route 8 service to Saturdays and Sundays during April, May, and June. Passenger fee funding for FY25 Tripper bus services is included in the FY25 Manager’s Proposed Budget, pending appropriation by the Assembly.

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

6. Ordinance 2024-03 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2024 Based Upon the Proposed Budget for Fiscal Year 2025.

This ordinance establishes the mill rates for property taxes for 2024, which funds a significant portion of the City and Borough of Juneau’s FY25 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager’s FY25 Proposed Budget that will be reviewed by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies.

For FY25, the operating mill rate is proposed to increase 0.16 mills for a total proposed mill levy of 10.32 mills, the components of which are:

FY2025 Proposed Mill Rate

Areawide: 6.36 (an increase of 0.16 from FY24 Adopted)

Roaded Service Area: 2.45 (flat from FY24 Adopted)

Fire Service Area: 0.31 (flat from FY24 Adopted)

Debt Service: 1.20 (flat from FY24 Adopted)

Total FY25 Proposed Mill Rate: 10.32 (an increase of 0.16 from FY24 Adopted)

An opportunity for public comment on the proposed mill rate will be provided during the Regular Assembly meeting on April 29, 2024.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

7. Ordinance 2024-01 An Ordinance Appropriating Funds from the Treasury for FY25 City and Borough Operations.

This ordinance appropriates \$521,504,900 in expenditure authority for the City and Borough of Juneau's FY25 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$501,565,300 of forecast revenue and transfers-in and decreases fund balances, across all funds, by \$19,939,600. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures. Budgeted expenditures and revenues will be reviewed in detail with the Finance Committee during the budget process in April and May.

The Charter requires that a public hearing be held on the FY25 operating budget by May 1, 2024, and the ordinance be adopted by June 15, 2024.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024

8. Ordinance 2024-02 An Ordinance Appropriating Funds from the Treasury for FY25 School District Operations.

This ordinance will appropriate to the School District an FY25 operating budget of \$85,397,400. This is an overall decrease in the budget of \$10,919,600 from the FY24 Amended Budget. The FY25 school budget is supported with a combination of funding sources including CBJ local funding, and

state and federal funding of \$44,368,300. The local funding consists of \$34,432,000 for general operations (i.e. educational funding) and \$3,690,400 for non-educational programs and activities.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding limits, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2024.

On April 29, 2024, a meeting is scheduled for the Assembly to state, by motion, the amount of local funding to be provided to the School District.

The Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly Meeting scheduled for April 29, 2024.

9. Ordinance 2024-15 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 5 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

In February, JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots (Lot 4 and Lot 5) have been available for purchase from the CBJ since 2017 by over-the-counter sale and have been designated for higher-density residential development. The application states that if the sale is approved, JG Construction will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to USCG, and JG Construction has rented to USCG for 24 years.

The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. On March 11, 2024, the Assembly authorized the CBJ to enter into fair market value negotiations with JG Construction.

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

10. Ordinance 2024-16 An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 4 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

In February JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots have been available for purchase from the CBJ since 2017 by over-the-counter sale. The two lots are located on Jackie Street and were platted as part of the Renninger Subdivision which was completed by CBJ in 2015. JG Construction has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots and proposes to use the property for residential development. The application states that if the sale is approved that they will build 28 apartments total. JG Construction currently rents 18 units, 9 of which are rented to USCG and JG Construction has rented to USCG for 24 years. The LHED Committee reviewed this application and forwarded it to the full Assembly with a motion of support for working with the original proposer. The assembly reviewed the application at the March 11, 2024 meeting and authorized the CBJ to enter into fair market value negotiations with JG Construction.

4/1/2024 Clerk Note: Ordinance Title updated on agenda to reflect lot, location & the ordinance in the packet

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

J. Resolutions**11. Resolution 2986 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.**

This resolution would update the Assembly Rules of Procedure with a number of housekeeping changes, clarify that committees only make recommendations, clarify quorum for four-member committees is three members, and clarify when members may participate remotely.

This item was reviewed by the Assembly Human Resources Committee on March 4, 2024, and by the Committee of the Whole on March 11, 2024, with a recommendation to adopt.

The City Manager recommends the Assembly adopt this resolution.

12. Resolution 3054 A Resolution Accepting a Gift of \$431,870.34 from the Estate of Duane Levi Packer to the Eaglecrest Foundation to Benefit the Eaglecrest Ski Area Maintenance Department.

The Eaglecrest Ski Area is extremely grateful to Duane Packer for bequeathing these funds to the Maintenance Department. The Eaglecrest Ski Area will work with the Eaglecrest Foundation to ensure the funds are disbursed consistent with Mr. Packer's will and CBJ laws.

The Eaglecrest Board of Directors reviewed this topic on December 7, 2023. The Assembly Human Resources Committee reviewed this topic on March 4, 2024, and recommended the Assembly adopt this resolution.

The City Manager recommends the Assembly adopt this resolution.

13. Resolution 3058 A Resolution Authorizing the Manager to Negotiate a Less than Fair Market Sale of a Surplus Fire Engine from Capital City Fire/Rescue.

Capital City Fire/Rescue determined that its 1995 Seagraves 4WD Fire Engine is surplus to its needs. The community of Yakutat has requested to acquire it, and the Fire Chief believes the fair-market value could be over \$50,000. CBJC 53.50.210(b) allows the CBJ to transfer any surplus property to another government or quasi-government unit for items that exceed \$50,000 with Assembly consent. This resolution would allow the Manager to negotiate a less than fair market sale of the surplus fire engine to Yakutat.

The City Manager recommends the Assembly adopt this resolution.

14. Resolution 3052 A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2025 through 2030, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2025.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2025 through 2030, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY25.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 11, 2024 meeting and forwarded the plan to the Assembly .

The City Manager recommends the Assembly introduce this resolution, refer it to the Assembly Finance Committee for further review, and set it for public hearing at the Regular Assembly meeting scheduled for April 29, 2024.

K. Bid Awards**15. BE24-147 Adair Kennedy Baseball Field Improvements**

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No 1	Add. Alt. No 2	TOTAL BID
Dawson Construction, LLC	\$2,629,802.89	\$15,000.00	\$315,000.00	\$2,959,802.89
Coogan Construction Co.	\$2,650,689.89	\$7,500.00	\$25,000.00	\$2,966,189.89
Admiralty Construction, Inc.	\$3,098,265.89	\$25,000.00	\$310,000.00	\$3,433,265.89
North40 Construction Corp.	\$3,108,363.89	\$42,000.00	\$300,000.00	\$3,450,363.89
Engineer's Estimate	\$3,573,537.89	\$50,000.00	\$255,000.00	\$3,878,537.89

The City Manager recommends award of this project, Base Bid and both alternates to Dawson Construction, LLC for the total amount bid of \$2,959,802.89.

L. Transfers

16. Transfer Request T-1073 A Transfer of \$50,000 from CIP B55-086 BRH Deferred Maintenance to CIP B55-084 Hospital CT/MRI Replacement.

This request would transfer \$50,000 from the BRH Deferred Maintenance CIP to the Hospital CT/MRI Replacement CIP. This project is close to completion but requires additional funding for increased construction costs. The primary increased costs that this funding would be contributed toward includes expanding/remodeling the MRI room to meet Facility Guidelines Institute (FGI) requirements and increasing service, replacing the warped MRI room door, and addressing the failed existing magnetic shielding at the MRI room floor. The BRH Deferred Maintenance CIP will retain adequate funding for projects.

The Hospital Finance Committee reviewed this request at the March 8, 2024 meeting. The Public Works and Facilities Committee reviewed this request at the March 11, 2024 meeting. The Hospital Board of Directors approved this request at the March 26, 2024 meeting.

The Manager recommends approval of this transfer.

17. Transfer Request T-1074 A Transfer of \$15,537 from CIP H51-122 Dock Security Stations to CIP H51-123 Weather Monitoring and Communications.

This request would transfer \$15,537 from the Dock Security Stations CIP to the Weather Monitoring and Communications CIP. This project is ongoing, and provides real time current sensor/weather reporting and hosting to the Marine Exchange of Alaska’s website. Funding is provided by a completed project that is ready to be closed.

The Docks and Harbors Board reviewed this request at the March 28, 2024 meeting.

The Manager recommends approval of this transfer.

18. Transfer Request T-1076 A Transfer of \$3,271,560 from Various Wastewater Capital Improvement Projects to CIP U76-112 JDTP New Vector Dump.

This request would transfer \$3,271,560 of Wastewater Funds from various Wastewater CIPs to CIP U76-112 JDTP New Vector Dump. The JDTP New Vector Dump CIP is ready to bid, with estimated project costs amounting to \$7.92 million. In FY23, Transfer Request T-1053 transferred funds from the JDTP New Vector Dump CIP to a higher priority project requiring immediate funds for project work, delaying the work for the JDTP New Vector Dump CIP. This CIP is now the highest priority project for the Wastewater Utility and requires additional funding to go to bid. This project would construct a new receiving station for waste and debris collected by the CBJ’s Vector trucks and replace and upgrade the JDTP’s grit collection equipment with a new high-efficiency, high-capacity

grit removal system, prolonging the life of downstream treatment process pumps and conveyances. Funding is provided by completed projects and ongoing projects that will retain sufficient funding for the next stages of project work.

The Public Works and Facilities Committee reviewed this request at the March 11, 2024 meeting.

The Manager recommends approval of this transfer.

19. Transfer Request T-1077 A Transfer of \$60,000 from CIP P41-097 Sportsfield Repairs to CIP P41-109 Adair Kennedy Lighting.

This request would transfer \$60,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. This funding would provide for the replacement of the 30-year-old ballfield lighting system at Adair Kennedy baseball field with new LED lights. Transfer Request T-1072 recently transferred \$110,000 from the Sportsfield Repairs CIP to the Adair Kennedy Lighting CIP. Since that transfer, bids were received for the project, amounting to \$60,000 more than anticipated. This transfer request would provide the additional funding required to award the bid. The Sportsfield Repair CIP will retain adequate funding for the remaining FY24 priority projects.

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

The Manager recommends approval of this transfer.

M. Liquor/Marijuana Licenses

20. 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: Seasonal Restaurant/Eating Place Tourism License: #15765 Location: 100 N. Franklin St., Juneau

Liquor License - RENEWAL

Licensee: Specialty Imports Inc. d/b/a Specialty Imports

License Type: Wholesale, License: #4943 Location: 540 W. 8th St., Juneau

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

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

N. City/State Project Review

21. CSP2023-0001: City Project Review for Eaglecrest Ski Area's Summer Development Plans

At its February 27, 2024 meeting, the Planning Commission recommended approval of amenities at Eaglecrest Ski area, a municipally owned ski area operated as a special revenue fund of the City and Borough of Juneau.

Proposed amenities include a new aerial conveyance gondola with three stations and supporting tower structures, a Summit House resort lodge, construction access roads, mountain bike trails, Upper Fish Creek bridge crossings, a picnic pavilion near Cropley Lake, and a snow tubing park.

The project received a Conditional Use Permit approval under [USE2023 0009](#).

O. Other

P. PUBLIC HEARING

22. Ordinance 2024-14 A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street.

This ordinance authorizes a summer campground similar to past CBJ summer campgrounds on wooded AJT land, most recently a couple hundred yards past the end of Gastineau Avenue. The ordinance moves that location to a more visible property at 100 Mill Street. At a high level, staff hope a more visible and accessible location will result in a safer experience for campers who choose this option.

The Assembly discussed this item at its March 11 Committee of the Whole meeting and directed staff to prepare this ordinance.

The Manager recommends you hear a staff report from Deputy Manager Barr, hear public testimony, ask questions and discuss, and set this ordinance for public hearing at the next regular Assembly meeting.

23. Ordinance 2023-04(b) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

The City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process for people to report potential violations (CBJC 01.45.110). Although the conflict of interest code overlaps with traditional whistleblower protections, it does not mention the phrase “whistleblower” or explicitly provide protections to whistleblowers. This ordinance would create a whistleblower law for municipal employees, which is modeled off of the Alaska Whistleblower Act (AS 39.90.130).

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024 meeting. The Assembly Human Resources Committee reviewed this at its November 13, 2023 and February 5, 2024 meetings and recommended forwarding to the Assembly for action.

The City Manager recommends the Assembly adopt this ordinance.

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

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

The Parks & Recreation Advisory Committee discussed this ordinance on November 7, 2023 and December 5, 2023, and unanimously recommended that it be adopted. The Systemic Racism Review Committee considered this ordinance at its meeting on February 6, 2024.

The City Manager recommends the Assembly adopt this ordinance.

25. Ordinance 2023-14(b)(Z) An Ordinance Appropriating \$76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

Engineering and Public Works has been awarded \$76,130 in grant funding for the Energy Efficiency and Conservation Block Grant (EECBG) from the U.S. Department of Energy. This funding will be used toward the replacement of a gas-powered utility vehicle with an electric vehicle (EV) truck and the installation of Level 2 EV charging equipment at multiple municipal facilities for CBJ EVs. These investments will reduce community Greenhouse Gas emissions in the near term and will allow the CBJ to assess the cold weather resilience for potential future EV truck purchases. No local match is required for this funding.

Juneau Commission on Sustainability (JCOS) has been consulted and is supportive of this request. The Public Works and Facilities Committee approved this request at the January 29, 2024 meeting. The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024 meeting.

The City Manager recommends the Assembly adopt this ordinance.

26. Ordinance 2023-14(b)(AE) An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project.

105 vehicles have been removed from the River Road property, with costs amounting to approximately \$155,000. CBJ has been reimbursed \$105,000 of that amount. As of December 2022, it was estimated that there are approximately 228 vehicles still located at the River Road property. In FY23, Ordinance 2022-06(b)(Z) appropriated \$250,000 to the RecycleWorks operating budget to cover the costs for the removal of the remaining vehicles. Due to lengthy court process and safety concerns for CBJ staff, the removal of the remaining vehicles is pending. Due to the multi-year nature of this work, staff requests to transfer the \$250,000 from the RecycleWorks FY24 operating budget to the capital budget to cover the costs of the removal of the remaining vehicles on the property when the project is able to resume.

The Systemic Racism Review Committee reviewed this ordinance at its March 5, 2024 meeting and had the following comment for the Assembly: *This ordinance funds a private property cleanup and is worded in a manner which perhaps unintentionally obscures the use of public funds for the purpose of private property cleanup, even if the city hopes to recoup the costs from the owner. The private property cleanup was identified through a code-enforcement report by community members. The committee discussed how public funds used for this purpose may be better served by other projects which could better serve a broader segment of the community. Enforcement based solely on reports by community members has the potential to further systemic racism.*

The City Manager recommends the Assembly adopt this ordinance.

Q. UNFINISHED BUSINESS

27. 2024 Export Manufacturing Exemption Applications

The Assessor's Office received the following 2024 Export Manufacturing Exemption Applications for business personal property used in manufacturing: Alaska Glacier Seafood Inc., AKBEV Group LLC, Forbidden Peak Brewery and Devils Club Brewing Co. The Assembly must approve any export manufacturing exemption for real or business personal property, CBJ 69.10.020(1)(c).

This request was reviewed at the March 7, 2024 Assembly Finance Committee and forwarded to the full Assembly for approval.

The property owners listed above have had Assembly approval in the past. It is recommended their new applications be approved.

R. NEW BUSINESS

28. Ruschmann Request to Purchase CBJ Property

In August 2023 Chris Ruschmann applied to acquire CBJ property adjacent to his property which is located at 15700 Auke Rec Bypass Road. This CBJ property is located outside of the sewer service boundary and is not served by municipal water. The applicant's property is served by municipal water

and if this application moves forward, there is an opportunity to negotiate an access and utility easement through the applicant’s property to provide municipal drinking water to the remaining CBJ parcel. Access to municipal water would increase the value and developability of the remaining CBJ property in a way that makes this proposal beneficial to the CBJ.

According to 53.09.260, the Assembly shall determine “whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals”. If the Assembly provides a motion to negotiate with the original proposer on these two lots, and if the negotiations are successful, ordinances with terms and conditions of the sales will be introduced prior to a public hearing. The LHED Committee reviewed this application at the March 11, 2024 meeting and passed a motion of support for working with the original proposer.

The Manager recommends the Assembly pass a motion of support to work with the original proposer in accordance with City Code 53.09.260.

[29.](#) Addition of an Assembly Goal under "Economic Development," specifically: "Collaborate with USCG and other partners to clear local hurdles in Icebreaker homeporting efforts"

S. STAFF REPORTS

30. Update on Draft MOA on Daily Passenger Limits

[31.](#) Update on Municipal Way office space and staffing

T. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

32. APL 2023-AA01 Hart v. Planning Commission & Huna Totem Corporation

In the summer of 2023, the Planning Commission issued a conditional use permit for a new cruise ship dock at the Juneau Subport. Ms. Hart filed a timely appeal. The State Office of Administrative Hearings held oral argument on January 24, 2024. The Hearing Officer issued a draft decision to the parties. Huna Totem Corp. filed an objection and Ms. Hart filed a letter of support. The Hearing Officer is considering those pleadings and will have a final draft decision for the Assembly to consider at the regular Assembly meeting on April 29, 2024. Notably, no public testimony allowed on this topic.

There is no action for the Assembly at this time.

U. ASSEMBLY COMMENTS & QUESTIONS

V. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

W. EXECUTIVE SESSION

X. SUPPLEMENTAL MATERIALS

Y. ADJOURNMENT

Z. INSTRUCTION FOR PUBLIC PARTICIPATION

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

Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

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

REGULAR ASSEMBLY MEETING 2023-21

DRAFT MINUTES

August 21, 2023 at 7:00 PM



Assembly Chambers/Zoom Webinar/YouTube Livestream

Meeting No. 2023-21: The Regular Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Mayor Beth Weldon at 7:00pm.

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

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

C. ROLL CALL

Assemblymembers Present: Mayor Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, Greg Smith, Loren Jones, Alicia Hughes-Skandijs and Wade Bryson

Assemblymembers Absent: Christine Woll, 'Wáahlaal Gídaag

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Airport Manager Patty Wahto, Eaglecrest Manager Dave Scanlan, Finance Director Angie Flick, Assistant City Attorney Emily Wright, Parks & Recreation Director George Schaaf, Lands Manager Dan Bleidorn, Senior Planner Irene Gallion, Assistant City Attorney Nicole Lynch, Engineering & Public Works Director Katie Koester

D. SPECIAL ORDER OF BUSINESS

1. Senior Citizens Day Proclamation

Mayor Weldon read a proclamation honoring Senior Citizens and the important work they do for our community, including unpaid work as caregivers, participation in the labor force, acting as keepers of family and community memory and more. Ms. Hale commented that the seniors in our community act as a bedrock, supporting the rest of the community, and that the Assembly needs to continue thinking about how to support seniors more.

2. Instruction for Public Participation

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

E. APPROVAL OF MINUTES

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

MOTION by Ms. Hale to approve the June 26, 2023, Special Assembly meeting minutes and asked for unanimous consent. **Hearing no objection, motion passed.**

F. MANAGER'S REQUEST FOR AGENDA CHANGES - None

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

Bill Leighty, from downtown Juneau, urged the Assembly to think of the extraordinary opportunity they have to craft a new resolution or other vehicle to restrict cruise ship emissions. He asked how we can organize a community conversation around various options, including limiting the number or size of ships, taxes on fuel or carbon emissions, or shutting down the entire industry until ships are carbon neutral or greenhouse gas emissions free, or accelerating the green corridor. Mr. Leighty said he was on the Advisory Committee for the Pacific Northwest Hydrogen Hub, where he advised them there may be a large potential market in Southeast Alaska to convert cruise ships to a clean fuel, such as liquid hydrogen or methanol. He asked the Assembly to think about how to facilitate a community conversation about reducing greenhouse gas emissions. Ms. Gladziszewski asked for an update about the Pacific Northwest Hydrogen Hub. Mr. Leighty said he was on the advisory committee for their application for \$1.25 billion of federal money for a grant to build a hydrogen hub which was submitted April 6 or 7 and no decision has been made by the Department of Energy.

H. CONSENT AGENDA

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

Assembly Request for Consent Agenda Changes

Mr. Jones requested that item 7, Resolution 3035 A Resolution Approving the Issuance of the Public Finance Authority Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation) in a Maximum Aggregate Par Amount Not to Exceed \$250,000,000 be pulled from the consent agenda.

Mayor Weldon requested that item 6, Resolution 3030 A Resolution Amending the Accessory Apartment Grant Incentive Program Criteria, be pulled from the consent agenda to allow for public hearing.

Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda, as amended with the removal of Resolution 3035 and Resolution 3030 and asked for unanimous consent. ***Hearing no objection, motion passed.***

I. Ordinances for Introduction

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

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

RALLY (JSD Fund 399) \$ 789,810

AWARE (JSD Fund 348) \$ 601,007

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

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

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

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

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

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

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

Total Changes \$ 3,680,701

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

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

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

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

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

J. Resolutions

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

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

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

The City Manager recommends the Assembly adopt this resolution.

This item was removed from the consent agenda.

Public Comment – None

Assembly Action

MOTION by Mr. Bryson to adopt Resolution 3030 A Resolution Amending the Accessory Apartment Grant Incentive Program Criteria and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for purposes of an amendment.

AMENDMENT #1: Ms. Gladziszewski proposed changing the requirements to read “Record a deed restriction agreeing not to rent the resulting unit as a short-term rental for **five (5) three (3) years** from the date of issuance of the Certificate of Occupancy;”

OBJECTION by Ms. Hale. Ms. Hale said communities that have a lot of rules and restrictions on building housing are less successful at getting housing built. She said the Assembly needs to accelerate housing rather than put more requirements in place.

Mr. Bryson agreed with Ms. Hale and said that he thought the three-year limitation was a better answer than the five-year limitation.

Mr. Jones suggested the Assembly might want to revisit any level of short-term rental restrictions in the future depending on the level of demand for this grant.

Ms. Gladziszewski noted that the first whereas clause of the resolution states that the goal is to create more housing for young families, workers, and seniors and not to create short-term rentals.

Roll Call Vote on Amendment #1:

Yeas: Ms. Gladziszewski, Ms. Hughes-Skandijs, Mr. Smith, Mr. Jones and Mayor Weldon

Nays: Mr. Bryson, Ms. Hale

Amendment #1 passed with 5 yeas, 2 nays.

Hearing no objection, Resolution 3030 as amended passed by unanimous consent.

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

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

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

This item was removed from the consent agenda.

Public Comment – None

Assembly Action

Mayor Weldon asked Ms. Layne to provide an update. Ms. Layne said the Anchorage Assembly passed a similar resolution, with an amendment, and provided a sample of a similar amendment for the Juneau Assembly. The amendment read "Nothing in this resolution shall be construed as creating for the City and Borough of Juneau an affiliation with, or an endorsement of, the Public Finance Authority, its agents, or financial products."

Mr. Jones noted that he was not part of the Assembly in June when they discussed this; and stated the purpose of the TEFRA act was to allow the public an opportunity to weigh in on whether a public benefit (tax exemption) should be allowed for this purpose. Mr. Jones said he did not see a public benefit outlined in the packet or resolution. He asked if a public purpose or benefit should be in the resolution. Mr. Jones also asked if the public portion of the TEFRA hearing was met, as no member of the public attended. Mr. Watt said that this meeting tonight, which included an opportunity for public comment, met the requirements but acknowledged that this is an unusual matter of business for CBJ. Mr. Watt said that, in terms of public purpose, the question is whether it is plausible that a statewide nonprofit would be more beneficial to the citizens of Juneau in providing oncology services than multiple small independent for-profit businesses. Mr. Watt answered that it is plausible that it would.

MOTION by Ms. Hughes-Skandijs to adopt Resolution 3035 A Resolution Approving the Issuance of the Public Finance Authority Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation) in a Maximum Aggregate Par Amount Not to Exceed \$250,000,000 and asked for unanimous consent.

OBJECTION by Ms. Gladziszewski for purposes of an amendment.

AMENDMENT #1: Ms. Gladziszewski proposed adding a Section 3 which read “Nothing in this resolution shall be construed as creating for the City and Borough of Juneau an affiliation with, or an endorsement of, the Public Finance Authority, its agents, or financial products.” and renumbering the following section numbers and asked for unanimous consent.

OBJECTION by Mr. Smith for purposes of a question. He asked what this amendment would change from the original resolution. Ms. Layne said it adds an additional layer of protection. Mr. Smith removed his objection.

Ms. Gladziszewski said she thought there had been an additional clause in a previous version of this resolution. Mr. Watt said there was a clause in the version at the COW that they neglected to include in this version, which was similar to the amendment being discussed.

OBJECTION by Mr. Jones for purposes of a question. He asked if this would create an issue with the Stark Law (federal law that prohibits kickbacks and improper compensation in health care). Ms. Layne answered that the BRH attorney, who works for CBJ under contract, did not see an issue with the Stark Law. Mr. Jones asked if this amendment changes anything in that analysis. Ms. Layne said this amendment is neutral. Mr. Jones removed his objection.

Hearing no objection, Amendment #1 passed with unanimous consent.

MOTION by Ms. Gladziszewski to add Amendment #2.

AMENDMENT #2: Ms. Gladziszewski proposed re-adding the language previously left out “Whereas, the Assembly has been asked by Aurora Integrated Oncology Foundation, a Delaware not for profit corporation (the “Borrower”) for assistance related to the issuance of certain TEFRA revenue bonds. The statements of fact made in this Resolution are based upon representations made by the Borrower, upon which the Assembly has relied.”

OBJECTION by Mr. Jones for purposes of a question. He asked if these two amendments create any conflict with each other. Ms. Layne said there was no conflict. Mr. Jones removed his objection.

Hearing no objection, Amendment #2 passed by unanimous consent.

Hearing no objection, Resolution 3035, as amended, passed by unanimous consent.

K. Transfers

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

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

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

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

The Manager recommends approval of this transfer.

L. Liquor/Marijuana Licenses

9. Liquor & Marijuana License Actions

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

Liquor License - Renewals

License Type: Restaurant/Eating Place, License #2541

Licensee: Spice LLC d/b/a Spice

Location: 112 N. Franklin St., Juneau

License Type: Beverage Dispensary, License #644

Licensee: Ronald Martin Burns d/b/a Salt

Location: 200 Seward St., Juneau

Marijuana License - Renewals

License Type: Retail Store, License: #13217

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

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

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

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

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

License Type: Retail Store, License: #13222

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

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

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

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

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

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

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

MOTION by Mr. Jones to approved Ordinance 2022-06(b)(AZ) An Ordinance Appropriating \$134,526 to the Manager for the Design Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and asked for unanimous consent. **Hearing no objection, Ordinance 2022-06(b)(AZ) passed.**

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

This ordinance would appropriate \$1,795,266 in Airport Improvement Program grant funding for the Gate 5 Passenger Boarding Bridge CIP. This request would provide for the acquisition, construction, and installation of a new passenger boarding bridge, replacing a 21-year-old, inoperable jet bridge. The final grant award documentation was received, and the final grant award amount is \$1,795,266, \$1 less than the amount expected during the introduction of this ordinance. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Gate 5 Passenger Boarding Bridge CIP.

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

MOTION by Mr. Smith to adopt Ordinance 2023-14(b)(H) An Ordinance Appropriating \$1,795,267 to the Manager for the Construction Phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and asked for unanimous consent. **Hearing no objection, Ordinance 2023-04(b)(H) passed.**

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

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

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

MOTION by Ms. Hale to adopt Ordinance 2023-14(b)(I) An Ordinance Appropriating up to \$19,000,000 to the Manager for the Construction Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant and asked for unanimous consent.

OBJECTION by Ms. Gladyszewski for the purposes of a question. She asked if the airport already had an overnight ramp and if this would be a replacement or new feature. Ms. Wahto, Airport Manager, answered that they do not currently have an overnight ramp and that the airport has more jets that stay overnight than there are gates, so the excess jets need a hard stand. Ms. Gladyszewski removed her objection.

Mr. Jones said he thought that the airport had put a hard pad in 2 or 3 years ago for overnight planes. Ms. Wahto said the hard pad is for foreign object debris containment, compared to the hard stand that they need. Mr. Watt defined a hard stand as a concrete and steel structure that keeps heavy jets from sinking into the pavement.

Hearing no objection, Ordinance 2023-14(b)(I) passed.

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

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

MOTION by Ms. Gladziszewski to adopt Ordinance 2023-14(b)(A) An Ordinance Appropriating \$60,000 to the Manager for the Mount Bradley Trail Reroute and Restoration Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration, Federal Lands Access Program and asked for unanimous consent. **Hearing no objection, Ordinance 2023-14(b)(A) passed.**

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

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

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

Public Comment - None

Assembly Action

Ms. Gladziszewski asked why the Assembly should delay adoption of this ordinance. Mr. Barr said that CBJ has received verbal notice that the grant has been awarded but has not received the actual grant documents. Ms. Gladziszewski asked if there would be any harm in passing this now. Mr. Barr said that the Assembly could pass this tonight and that it was perhaps an overly cautious move to delay.

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

OBJECTION by Mr. Jones for purposes of a question. Mr. Jones said that his understanding is that this money must be spent in this fiscal year, and thus CBJ money already appropriated for childcare would move to future fiscal years. Mr. Jones asked if they would de-appropriate or lapse funds. Mr. Barr said they had a de-appropriation ordinance prepared that would come before the Assembly to move funds to next fiscal year as soon as the grant funds are in hand. Mr. Jones removed his objection.

Hearing no objection, Ordinance 2023-14(b)(B) passed.

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

This ordinance would appropriate \$850,215 for the Hank Harmon Rifle Range Improvements CIP. This funding would provide for a series of safety, accessibility, and longevity improvements that will address deferred maintenance needs. The improvements will comply with National Rifle Association Standards and will ensure that all Juneau-area hunting and recreational shooters will have continued year-round access to this free facility. The local match requirement will be met through previously appropriated funds in the CIP.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2023-14(b)(C) An Ordinance Appropriating \$850,215 to the Manager for the Hank Harmon Rifle Range Improvements Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game and asked for unanimous consent. **Hearing no objection, Ordinance 2023-14(b)(C) passed.**

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

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

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

CCFR Response Van Modifications - \$45,000

Community Health Needs Assessment - \$50,000

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

Warming Shelter - \$132,340

The Manager recommends the Assembly adopt this ordinance.

Public Comment

Nano Brooks, from Auke Bay, asked what the van modifications were. Mayor Weldon replied that this time was for public testimony.

Assembly Action

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

OBJECTION by Mr. Jones for the purposes of a question. Mr. Jones asked if the \$50,000 for the community needs assessment was in addition to previous funding as it would not cover the entire project. Mr. Barr answered that the community health needs assessment (CHNA) was a request that came from the Division of Public Health. He said that CBJ is currently working on a request for proposal (RFP) and they expect that this funding will only cover the first stage of a CHNA.

Mr. Jones asked if the employee mental health training would include the police in addition to CCFR. Mr. Barr answered that this training is part of what is required for the Mobile Integrated Health team to do their mobile behavioral health response which would replace some police response. He said that some responses would be co-responded to with JPD, but that would be per dispatch protocols.

Ms. Gladziszewski asked for an update on the warming shelter. Mr. Barr said that the provider they worked with the previous year, Resurrection Lutheran Church (RLC), narrowly voted against continuing to provide that service. Mr. Barr said they are talking with RLC about possible amendments that may allow for the warming shelter to pass their vote, but that CBJ is also working on various backup plans. Those plans include a potential collaboration with Tlingit and Haida, or as a last choice option, idling a public bus overnight.

Mr. Bryson asked about the response van modifications. Mr. Barr said that he did not have the details on that at this time and would follow up but thought that the modifications were most likely to enable easier loading of patients when inebriated.

Mr. Jones removed his objection.

Hearing no objection, Ordinance 2023-14(b)(D) passed.

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

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

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

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

OBJECTION by Mayor Weldon for purposes of a question. Mayor Weldon asked who would be doing the analysis. Ms. Koester said that a consultant would be used.

Mr. Jones asked if the Fred Meyer intersection would be included in the analysis. Ms. Koester said that it is a comprehensive safety analysis so all intersections will be included. She said the State of Alaska was not eligible for the grant, but they are an important partner since many safety issues are on state roads.

Mayor Weldon removed her objection.

Hearing no objection, Ordinance 2023-14(b)(J) passed.

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

In May 2022, the City Manager received an application to acquire City property from Jon and Susanne Reiswig, the owners of 11260 North Douglas Highway. The application is for roughly 3,000 square feet of City property adjacent to the applicant's 11.6-acre property and the request is being made in order to secure more road frontage on North Douglas Highway. The City property is a large 92-acre parcel, transected by North Douglas Highway. The requested property is managed by the Lands Division and the 2016 Land

Management Plan designated this property as retain/dispose. The Plan also states that this property could be utilized for a future residential subdivision.

The LHED Committee reviewed this request at the May 2, 2022 meeting and forwarded the application to the Assembly with a motion of support for disposal. The Planning Commission reviewed this application at the September 13, 2022 meeting and recommended approval of this disposal. The Assembly provided a motion in favor of working with Jon and Susanne Reiswig towards the disposal of City property at the June 12, 2023 meeting. An appraisal was complete in March 2023 which valued the property at \$7,600.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment – None

Assembly Action:

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

OBJECTION by Mayor Weldon for the purposes of a question. Mayor Weldon asked why a property of 11.6 acres needed another 3000 square feet and would granting this property prevent CBJ from building next to them. Mr. Watt answered that the remainder adjacent property has road frontage. He said there is a benefit to the City if this land disposal goes through as they are surveying property.

Mayor Weldon asked if there was any condition that the applicants build housing if the land is sold to them. Mr. Watt said that if the land disposal goes through it would require a re-subdivision so that a new lot is created but that the property owners were not required to build.

Roll Call Vote on Ordinance 2023-27

Yeas: Ms. Hale, Mr. Bryson, Ms. Gladziszewski, Ms. Hughes-Skandijs, Mr. Smith and Mr. Jones

Nays: Mayor Weldon

Ordinance 2023-27 passed with 6 yeas, 1 nay.

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

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

The Manager recommends the Assembly adopt this ordinance.

Public Comment - None

Assembly Action:

MOTION by Ms. Gladziszewski to adopt Ordinance 2023-34 An Ordinance Authorizing the Eaglecrest Ski Area to Enter into a Franchise Agreement with Evan and Kaitlin Morgan, Doing Business as Pittman’s Pub for Beer and Wine Sales and asked for unanimous consent.

OBJECTION by Mr. Jones for purposes of a question. Mr. Jones said that the ordinance that allows Eaglecrest to sell alcoholic beverages required the licensed vendor to hold a valid liquor license from the State of Alaska. He asked if Pittman’s Pub had a license. He also asked about the difference between a franchise agreement and a lease. Mr. Watt said that, at the direction of Mr. Palmer, entering into an agreement of an exclusive use for an area required a franchise and not a lease. He said they use the commercial permit process when entering into a non-exclusive use at Eaglecrest. Mr. Watt said the licensing was a bit of a chicken and egg problem, and that the Alcohol and Marijuana Control Office (AMCO) would not approve a proposal until CBJ agreed to do business with them. Mr. Watt said that after the applicant goes to AMCO it will come back to the Assembly for approval.

Mr. Jones asked where in the agreement it says it will come back to the Assembly. Ms. McEwen clarified the liquor license process for the Assembly. She said that once the city gets notified by AMCO, the city then has a 60-day window to protest the issuance of the license. She said that protest is most often triggered by staff, but it could be by an Assemblymember or member of the public. Mr. Jones expressed displeasure at the process.

Mr. Bryson noted that initially only two parties were interested, and after getting more details only the current applicants were interested. He said he supported this proceeding.

Roll Call Vote on Ordinance 2023-34

Yeas: Ms. Hale, Mr. Bryson, Ms. Gladziszewski, Ms. Hughes-Skandijs, Mr. Smith and Mayor Weldon

Nays: Mr. Jones

Ordinance 2023-34 passed with 6 yeas, 1 nay.

N. NEW BUSINESS

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

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

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

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

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

Mayor Weldon recused herself on this item, stating that she had a conflict of interest as a family member works for Dawson Construction.

Assembly Action

MOTION by Mr. Bryson to award BE22-202 Bid Award for JNU Gate 5 Passenger Boarding Bridge Replacement to Dawson Construction and asked for unanimous consent. **Hearing no objection, BE22-202 was awarded to Dawson Construction, LLC.**

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

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

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

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

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

Assembly Action:

MOTION by Ms. Hughes-Skandijs to award BE23-243 Bid Award for JNU Rehabilitation Part 121/135 Apron and RON Parking Apron to Colaska dba SECON and asked for unanimous consent. **Hearing no objection, BE23-243 was awarded to Colaska dba SECON.**

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

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

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

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

MOTION by Ms. Gladziszewski to accept Betty Hallum, Cynthia Hudson, Gerald Bennett, Hernando Dumaop, James Hammond, Josel Carrillo, Juliet Carrillo-Magallanes, Mark Hildebrand, Rita George, Robert McVey, Tessie Balles, Tessie Llanto, Theodor Mecklenburg, Melanie Melvin for the Hardship List and Beverly Agler, Bryan Olson, Carolyn Martin, Curtis Clothier, Dayton Canaday, Donald Sjostedt, Erna Carothers, Gregory McLaughlin, Harold Henriksen, Harriet Moore, Janet Madsen, Jerry Rounsley, Kathleen Lea, Rebecca Orford, Ruby Lamphere, Susan Burnes, Timony Adams for the Late File Senior and Disabled Veteran Exemption List and refer them to the Assessor's for action and asked for unanimous consent. **Hearing no objection, motion passed.**

23. Grant Creek Homes Request for a Land Trade

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

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

Public Comment – None

Assembly Action:

MOTION by Ms. Hughes-Skandijs to pass a motion of support to work with Grant Creek Homes toward the disposal of City property in accordance with City Code 53.09.260 and asked for unanimous consent. **Hearing no objection, motion passed.**

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

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

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

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

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

If you decide to send the appeal to a hearing officer, the Assembly may waive its right to reject or modify the hearing officer's decision, rendering the hearing officer's decision final and appealable to Superior Court without Assembly comment. Additionally, in this situation the Assembly is not prohibited from discussing the case, as you are not sitting in a quasi-judicial capacity, nor are you reviewing the decision of the hearing officer.

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

An updated memo is in this packet.

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

Assembly Action:

MOTION by Ms. Gladyszewski that the Assembly accept the appeal and asked for unanimous consent.

OBJECTION by Mr. Bryson because he said he disagreed with the issues on appeal.

Ms. Hughes-Skandijs said that in her time on the Assembly if there was a reasonable amount of information which contained a good faith argument, a timely filing, and the fee was paid, the appeal was accepted. She said it would be good precedent to accept this appeal.

Ms. Gladyszewski said this was not about the merits of the appeal. She said the Assembly only had two reasons not to accept an appeal; if there was a failure to comply with the rules or the appeal did not state any grounds. Ms. Gladyszewski said that this appeal followed all the rules and stated grounds, which is why she believed they must accept it.

Mr. Bryson removed his objection.

Hearing no objection, the motion for the Assembly to accept this appeal passed.

MOTION by Ms. Gladziszewski that appeal 2023-AA01 be referred to a hearing officer.

OBJECTION by Ms. Hughes-Skandijs for purposes of a question. Ms. Hughes-Skandijs said she agreed with appointing a hearing officer but wanted clarification about the language in the recommendation that said, “consider waiving final review”. Ms. Wright said the Assembly needed to make three decisions tonight, and that referring to a hearing officer was a separate decision than waiving final review. Ms. Hughes-Skandijs removed her objection.

Hearing no objection, the motion for the Assembly to refer this appeal to a hearing officer passed.

MOTION by Ms. Hale that the Assembly waive final review under CBJC 01.50.140(c) and asked for unanimous consent.

Ms. Hale, in speaking to her motion, said that the Assembly has not been free to discuss the Huna-Totem Dock because of the appeal. She said the public deserves information and conversation around this project, which they can do if they waive their final review and accept what the hearing officer decides.

OBJECTION by Mr. Jones and Mayor Weldon.

The Assembly discussed whether to waive their right to a final review, focusing primarily on whether or not it would change the timeline of other decisions, whether any past Assembly’s had waived their rights before, and whether or not the Assembly could discuss the project.

Ms. Hale removed her motion.

The Assembly retained the right for final review of the hearing officer’s decision under CBJC 01.50.140(c).

O. STAFF REPORTS

25. Mendenhall River Flood Report

Mr. Watt said this was a tough event for the community, where a lot of people lost property, homes, and economic value. He said we should be proud of the way that neighbors and the city rallied to help people. He said CBJ should be proud of the way they stood up the Emergency Operation Center and provided information and communication with the public. Mr. Watt cautioned that CBJ is not the solution to all problems, and that it is not a bank, insurance agent, or disaster funding entity and does not have the financial wherewithal to help everybody with everything. Ms. Koester provided a detailed presentation about what CBJ has done, continues to do, and is able to do. She touched on permitting, agreements with the State and Federal government, applying for grants, trash pickup, coordinating volunteers, and getting more scientific information about jökulhlaups.

The Assembly gave direction that they would like future updates at Committee of the Whole meetings instead of at Public Works and Facilities Committee meetings.

P. ASSEMBLY REPORTS

Mayor's Report

Mayor Weldon recommended that people go see Hamilton in Anchorage. She said that on Tuesday August 24, Bartlett Regional Hospital is having their opening of the Hospice and Healthcare facility. She said that Southeast Conference is September 19-21. Mayor Weldon attended the Alaska Municipal League (AML) summer conference in Homer, where one of the topics of conversation was the letter the Juneau School District received from DEED. She met with Secretary Buttigieg, along with senior city staff, about transportation for about an hour.

Committee and Liaison Reports

Committee of the Whole – Ms. Gladziszewski said the previous Committee of the Whole meeting was on August 7 where they heard about energy financing, accessory dwelling units, tourism, Juneau school district funding, and childcare. She said the next meeting will be Monday, August 28.

Finance Committee – *No report*

Public Works and Facilities Committee – Mr. Bryson said the last Public Works and Facilities Committee meeting was cancelled; the next one will be Monday, August 28.

Lands, Housing, and Economic Development Committee – Mr. Byson said he chaired the last Lands Committee meeting where they discussed a foreclosure, a request for gravel, the expansion of the food bank, and hazard maps.

Human Resources Committee – Mr. Smith said that the Human Resources Committee, which met earlier this evening, discussed the annual report from the Juneau Commission on Sustainability, paid parental leave policy, and recommendations on appointments.

MOTION by Mr. Smith to appoint Josh Anderson to the PRAC Representative seat and Phillip Heubschen to the JAHC Representative seat to the Youth Activities Board for terms beginning immediately and ending August 31, 2025, *and* to reappoint Tom Rutecki and Elizabeth Balstad and to appoint Misuri (Missouri) Smyth all to public seat terms beginning September 1, 2023 and ending August 31, 2026 and asked for unanimous consent. **Hearing no objection, motion passed.**

MOTION by Mr. Smith to reappoint David Teal and James Powell to the Juneau Commission on Sustainability for terms beginning immediately and ending June 30, 2026, and asked for unanimous consent. **Hearing no objection, motion passed.**

Joint Assembly School Board Facilities Committee – Ms. Hale said the next meeting in September 26.

Mr. Bryson said he attended the Docks & Harbors Board meeting where Mr. Etheridge was reappointed to the Chair. Mr. Byson said he attended the last Campus Council meeting where he learned that enrollment is up 15% at UAS. He said he got to take a jetboat tour up the Mendenhall River on the Tuesday after the jökulhlaup with Senator Murkowski, Representative Hannan, and Representative Story. He said he participated in the River Road Neighborhood Association meeting. Mr. Bryson said he attended the Glory Hall meeting where they are doing a taskforce to find out what to do about people who are non-compliant and causing issues in the neighborhood.

Ms. Hughes-Skandijs attended the Eaglecrest board meeting, which discussed the franchise agreement, recruitment issues, and gondola designs. She attended the Chamber of Commerce meeting where they discussed the hiring of Ms. Koester as the next City Manager, tourism in general, and tourism's impact on city buses. Ms. Hughes-Skandijs also attended the River Road Neighborhood Association meeting, and praised Tom Mattice, CBJ Emergency Program Manager, for his compassion during that meeting. Ms. Hughes-Skandijs attended the Alaska Municipal League summer session in Homer. She also attended the Telephone Hill meeting. Ms. Hughes-Skandijs wanted to make a comment, saying that they have received several comments from the public requesting a do-nothing option for Telephone Hill. She said she wanted to make it clear that they want community input, but that a do-nothing option was not on the table.

Mr. Jones said he spent the last two weeks as the Red Cross representative of the CBJ Emergency Operation Center, where he said that Ms. Koester did a masterful job as head of the EOC. He said he also attended the River Road Neighborhood Association meeting; and he thinks CBJ has done the best it could without setting too much precedent for the next disaster.

Mr. Smith attended the first meeting of the new Parks & Recreation Advisory Committee, where they appointed Mr. Mertl as Chair. They have an upcoming retreat on September 16. He said he was unable to attend the recent Juneau Commission on Housing and Homelessness retreat.

Ms. Hale said she attended many meetings of the Bartlett Regional Hospital Board. She attended the Airport Board meeting on August 10, where they discussed many of the projects that went before the Assembly tonight, and that estimates for projects had come in higher than actual bids. Ms. Hale attended the Juneau Commission on Aging meeting on August 15, where discussion took place on how best the Assembly should receive their advice.

Ms. Gladyszewski said she is on the Alaska Municipal League Board and attended the summer conference in Homer. She was not able to attend the Commission on Sustainability’s meeting, but they provided a packet to the Human Resources Committee.

Presiding Officer Reports - None

Q. ASSEMBLY COMMENTS & QUESTIONS – *noted under Committee and Liaison reports*

R. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

S. EXECUTIVE SESSION - None

T. SUPPLEMENTAL MATERIALS - None

U. ADJOURNMENT

With no more business to come before the Assembly, meeting 2023-21 adjourned at 9:38pm.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: COW
Presented: 04/01/2024
Drafted by: E. Wright

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-04

An Ordinance Establishing Duties for the Tourism Office.

WHEREAS, the Assembly initially funded a tourism manager position with Ordinance 2021-08(b)(am)(C) (adopted Aug. 23, 2021); and

WHEREAS, the City Manager has broad authority over departments like the Parks and Recreation Department and the Library Department, which provide many facilities and services to tourists; and

WHEREAS, the Eaglecrest Ski Area enterprise department is developing summer operation plans that include a gondola dependent on cruise ship tourism, for which the City Manager has limited authority over without this ordinance; and

WHEREAS, the Docks and Harbors enterprise department has admirably managed the cruise ship docks and the cruise ship industry while the recent increases in cruise ship tourism necessitates the Assembly to authorize the City Manager with more control of tourism management; and

WHEREAS, this ordinance would help clarify the tourism manager’s duties especially related to enterprise departments, for which the City Manager would otherwise have limited authority.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 03.15 is amended by creating a new section to read:

03.15.060 Tourism Office.

- (a) City Manager Authority. The manager may create and maintain the tourism office by appointing a tourism manager. The tourism manager shall report to the manager.
- (b) Duties. The tourism office is responsible for tourism management borough-wide, including but not limited to the following: centralized tourism policy and management; coordination of community planning and projects related to tourism; public relations related to the cruise ship industry, including contract management and schedule coordination; and other duties as assigned by the manager.
- (c) Department consultation. Department directors, or designees, including enterprise departments, are expected to take direction from the tourism office when a project, change in operation, change in policy, or similar action would likely alter or impact tourism management. The tourism manager, or designee, is expected to consult with department directors when a tourism management issue would likely alter or impact a department’s project, operation, policy, or similar action. The tourism manager is expected to provide reports and be available to advise department directors, boards, and committees related to tourism management.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(d) Project Management. The manager may assign the tourism manager as the client department or as a co-project manager for any project with a substantial relationship to cruise-ship originating tourism even if an enterprise department would otherwise manage the project. If the manager invokes this project management authority for an enterprise department project, the manager shall provide written notice to the enterprise department governing body and to the Assembly or Assembly committee; the Assembly may repeal such project management authority assigned to the tourism manager on a case-by-case basis via motion.

(e) Rates and fees. The manager or the manager's designee is authorized to adopt and enforce regulations under chapter 01.60 regarding the rates and fees related to cruise ships and passengers after consulting with the port director and presenting the proposal to the Docks and Harbors Board.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.
Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



MEMORANDUM

DATE: March 27, 2024
TO: Assembly and Docks & Harbors Board
FROM: Alexandra Pierce, Tourism Manager
SUBJECT: Clarification on Title 85 and Title 3 Revisions

The Assembly process around code revisions to clarify roles and responsibilities related to tourism has raised several persistent questions that need to be addressed. This memo provides a brief overview of how each situation would be handled under the new structure. The common thread is that collaboration between departments is essential to successful infrastructure and tourism management.

Long-Range Planning: Departments and empowered boards conducting long-range planning related to tourism will work collaboratively with the Tourism Office to ensure that the Assembly's goals and overall tourism management strategy are incorporated. The Tourism Office will play a coordinating role on long-range planning projects related to tourism and involving multiple departments.

Capital Improvement Projects: The Tourism Office will continue to be responsible for the Marine Passenger Fee Budget. The Tourism Office will also be a stakeholder in projects affecting the Maritime Industry Zones (zones A & B) as delineated in the 2019 settlement agreement between CBJ and CLIA. The client departments for Seawalk projects directly connected to the cruise ship docks will be the Tourism Office and Docks & Harbors. The client departments for Seawalk projects beyond the cruise ship docks will be the Tourism Office and Parks & Rec. As always, staff in all three departments will work closely to ensure that waterfront projects are successful.

Whale Watching: Decisions about whale watching industry management and regulation will be within the purview of the Tourism Office. All operational decisions and functions at Statter Harbor will be made by Docks & Harbors. The departments will work together on any regulations affecting Docks & Harbors-managed facilities.

Intermediate Vessel Float and Small Cruise Ships: Scheduling and management of the Intermediate Vessel Float and small cruise ship facilities will continue to be managed by Docks & Harbors.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: COW
Presented: 04/01/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-10

An Ordinance Amending Chapter 85.02 Related to the Docks and Harbors Board Roles Related to Tourism.

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. CBJ 85.02.060 General powers, is amended to read:

85.02.060 General powers.

(a) Subject to state laws and City and Borough ordinances, the City and Borough Docks and Harbors Board shall generally exercise all powers necessary and incidental to operation of all port and harbor facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board shall:

- (1) Be responsible for the operation, development and marketing of municipally owned and operated port and harbors, including such facilities as boat harbors, ~~docks,~~ ~~ferry terminals,~~ boat launching ramps, and related facilities except as designated by the ~~manager~~ assembly by resolution. The board shall additionally be responsible for the day-to-day operation and maintenance of the municipal cruise ship docks, including collection and enforcement of cruise ship and passenger related rates and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

fees; but not for rate and fee setting, scheduling or policy issues affecting the cruise ship industry, or for issues related to the interface between industry and citizens of Juneau, including the impacts of tours.

(2) Prior to February 1 of each year, the Board shall direct the port director to submit a budget necessary for the duties outlined in this section to the manager for inclusion in the municipal budget submission to the Assembly. If the manager proposes a reduced budget to the assembly or if the assembly reduces the board’s proposed budget, then the board shall inform the assembly within 30 days of the operational impact of such reductions.

(3) (2) Adopt pursuant to CBJ 01.60 and enforce regulations necessary for the administration of the facilities under its management.

(4) (3) Prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation.

(5) (4)

(A) Within the docks and harbors appropriation and in conformity with the rates of pay established for municipal positions of similar responsibility, establish, and may amend, the pay plan for harbor employees.

(B) The Docks and Harbors Department shall conform to the City and Borough Personnel Management Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the manager's policies relating to personnel. The Docks and Harbors Department shall utilize the services of the Human Resources and Risk Management Department when hiring or terminating any employee, when responding to grievances, in labor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

agreement negotiation, and in substantial disciplinary matters. The City and Borough Human Resources and Risk Management Director shall annually certify that the Harbor Department Classification Plan conforms to that utilized for employees of the manager.

(6) ~~(5)~~ Administer and dispose of City and Borough tideland, submerged land, and other land as provided by the assembly, subject to the following limitations:

- (A) No sale, purchase, or trade of land shall be made without prior review by the assembly lands, housing, and economic development committee and approval by the assembly.
- (B) Unless otherwise designated in advance by the assembly, any lease of land shall be limited to marine-related uses, and those uses accessory to tenancy on the boat harbor or use of the port.
- (C) All land transactions by the board in accordance with this section shall be consistent with the land management plan.
 - (i) Land shall be leased as provided in title 53, provided that the provisions of section 53.20.020 relating to a declaration of availability and identification in the land management plan shall not apply.
 - (ii) For purposes of applying title 53 pursuant to this subsection (C), any action required by title 53 of the manager may be performed by the port director.

(7) ~~(6)~~ Shall administer the design and construction of all capital improvements on lands managed by the docks and harbors board unless otherwise specified by the assembly by resolution. The board may propose capital improvement projects to and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

apply for funding from state and federal agencies; provided, that such requests shall be subject to prioritization by the assembly with other municipal capital improvement funding requests prior to application for funds. The board shall, no later than November 30 each year advise the assembly of its recommendations for capital improvements to be included in the six-year capital improvement plan prepared by the manager.

(8) ~~(7)~~

(A) Shall enter into memoranda of understanding and similar agreements with public agencies for port or harbor purposes. Notwithstanding chapter 53.50, the City and Borough Docks and Harbors Board may negotiate and enter into contracts for goods and services; provided, that all legal services shall be provided by, or under the supervision of, the City and Borough Attorney, and further provided that all purchases shall be consistent with the requirements set forth in CBJ 53.50. All services provided by a City and Borough agency other than the City and Borough Attorney shall be pursuant to a memorandum of understanding or other instrument providing for payment or such other settlement as the manager and the board may approve.

(B) Contracts for public improvements and, whenever practicable, other purchase of supplies, materials, equipment, and services, except professional services and services of officers and employees of the municipality, shall be subject to the competitive bidding and property standards and procedures established in chapter 53.50, provided that the board may, for all contracts,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

a class of contracts, or a particular contract, specify prior to issuance of a public solicitation that for purposes of applying chapter 53.50, all actions required thereby of the manager or the purchasing officer shall be performed by the port director, and provided further that any appeal of any protest of a contract so administered shall be from the bidding review board to the docks and harbors board and thereafter to the superior court.

(C) All contracts and purchases exceeding \$100,000.00 shall require prior assembly approval.

...

Section 3. Amendment of Section. CBJ 85.02.065 Limitation on authority, is repealed and reserved:

85.02.065 Reserved. ~~Limitation on authority.~~

~~The Board of Directors of the City and Borough Docks and Harbors Board may commit the City and Borough to long range port development or capital improvement plans or projects only as authorized in advance by the assembly by ordinance or resolution.~~

Section 4. Amendment of Section. CBJ 85.02.090 Duties and responsibilities of port director, is amended to read:

85.02.090 Duties and responsibilities of port director.

(a) The port director is responsible for the overall supervision and direction of the operation of the municipal port and harbors. The authority and duties of the port director shall include the following:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (1) To be responsible for carrying out all applicable laws, ordinances, rules, and regulations.
- (2) To be responsible for carrying out policies established by the board of directors.
- (3) In consultation with the City and Borough Personnel Director and consistent with that utilized by other City and Borough departments, to prepare and submit a plan of organization and a job classification plan for the personnel employed in the docks and harbors department to the docks and harbors board for approval.
- (4) To prepare an annual budget as required by City and Borough ordinance.
- (5) To select, employ, control, and discharge all port and harbor employees and such other employees as the assembly by ordinance hereafter places under the supervision of the port director subject to the provisions of the City and Borough personnel ordinance.
- (6) To prepare such reports as may be required on any phase of harbor activity.
- (7) To attend all meetings of the board of directors and of standing committees except where otherwise authorized by the board.
- (8) To perform any other duty that may be necessary in the interest of the port and harbor area.
- (9) Consistent with the limitations of authority on cruise ship tourism in 85.02.060(a)(1), the port director shall take direction from the city manager, or designee.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

1 **Ord 2024-10 Amendment _____ (via Assemblymember Woll)**

2 Motion: I move to amend Ordinance 2024-10 as follows to clarify that Docks and Harbors would
3 still share waterfront planning responsibilities with the Tourism Manager and the City Manager
4 can decide who leads a project:

5
6 1. Amend Section 3 as follows:

7
8 **“Section 3. Amendment of Section. CBJC 85.02.065 is amended to read:**

9
10 **85.02.065 Long-Range Port Development and Capital Improvement Project Coordinantion.**

11 **Limitation on Authority.**

12 The Board of Directors of the City and Borough Docks and Harbors Board may commit the City
13 and Borough to long-range port development or capital improvement plans or projects only
14 after consultation with the manager as authorized in advance by the assembly by ordinance or
15 resolution. The manager may assign the tourism manager as the client department or as a co-
16 project manager for any project with a substantial relationship to cruise-ship originating
17 tourism.

18 Legal reference – CBJC 03.15.060(d).”

Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating up to \$1,213,423 to the Manager as Local Grant Match for the North Douglas Crossing Capital Improvement Project; Funding Provided by General Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$1,213,423 as local grant match for the North Douglas Crossing Capital Improvement Project (D12-096).

Section 3. Source of Funds

General Funds \$ 1,213,423

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$164,000 to the Manager for Tripper Transit Services During Tourist Season; Funding Provided by Marine Passenger Fees.

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 \$164,000 as funding for Tripper transit services during tourist season.

Section 3. Source of Funds

Marine Passenger Fees \$164,000

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 1, 2024
Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2024-03

**An Ordinance Establishing the Rate of Levy for Property Taxes
for Calendar Year 2024 Based Upon the Proposed Budget for Fiscal Year 2025.**

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Rates of Levy. The following are the rates of levy on taxable property within the City and Borough of Juneau for the Calendar Year beginning January 1, 2023, based upon the proposed budget for Fiscal Year 2025 beginning July 1, 2024.

<u>Operation Mill Rate by Service Area</u>	<u>Millage</u>
Roaded Service Area	2.45
Fire Service Area	0.31
Areawide	6.36
Operating Total	9.12
<u>Debt Service</u>	<u>1.20</u>
Total	10.32

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 1, 2024
Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2024-01

**An Ordinance Appropriating Funds from the Treasury
for FY25 City and Borough Operations**

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau, excluding the Juneau School District, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:	
State Support	\$ 21,420,900
Federal Support	4,426,100
Taxes	146,159,800
Charges for Services	188,455,900
Licenses, Permits, Fees	12,682,300
Fines and Forfeitures	393,700
Rentals and Leases	6,193,000
Investment & Interest Income	8,095,600
Sales	852,300
Other Revenue	3,261,200
Total Revenue	391,940,800
General Governmental Fund Balance Decrease	7,244,100
All Other Funds Fund Balance Decrease	12,695,500
Support From Other Funds	109,624,500
Total Estimated Funding Sources	\$ 521,504,900

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

General Governmental Funds:

Mayor and Assembly	\$	11,292,100
Administration:		
City Manager		3,599,500
City Clerk		942,900
Information Technology		4,680,800
Fire/Emergency Medical Services		15,199,300
Community Development		4,406,800
Finance		7,429,200
Human Resources		993,700
Law		2,677,500
Libraries		4,199,800
Parks and Recreation:		
Parks and Landscape		3,495,300
Administration and Recreation		5,510,200
Aquatics		2,975,100
Centennial Hall (Visitor Services)		695,000
Police		21,886,200
Public Works & Engineering:		
General Engineering		402,000
RecycleWorks		2,421,500
Streets		6,990,400
Transit		9,138,100
Support to Other Funds:		
School District <i>(\$1,650,405 previously appropriated by Ord. 2024-01(b)(A))</i>		38,122,400
All Other Funds		1,166,000
Interdepartmental Charges		(6,338,900)
Capital Projects Indirect Cost Allocation		(600,000)
Total		141,284,900

Special Revenue Funds:

Sales Tax		1,542,900
Hotel Tax		94,500
Tobacco Excise Tax		79,900
Pandemic Response		-
Affordable Housing		286,700
Downtown Parking		764,700
Eaglecrest		4,198,000
Lands		1,367,600
Marine Passenger Fee		20,100
Port Development		20,100
Support to Other Funds		102,443,200
Total		110,817,700

Debt Service Funds	10,411,200
Special Assessment Funds:	
Special Assessment	139,200
Support To Other Funds	6,100
Total	145,300
Jensen-Olson Arboretum	109,200
Enterprise:	
Juneau International Airport	13,060,400
Bartlett Regional Hospital	150,101,300
Harbors	5,375,200
Docks	2,845,900
Water	4,687,100
Wastewater	15,527,700
Support to Other Funds	5,900,000
Interdepartmental Charges	(40,200)
Total	197,457,400
Internal Service Funds:	
Facilities Maintenance	4,637,600
Fleet and Equipment Reserve	16,738,800
Public Works Fleet Maintenance	2,685,500
Risk Management	35,289,600
Interdepartmental Charges	(49,083,300)
Total	10,268,200
Capital Projects:	
Capital Projects	47,725,000
CIP Engineering	3,286,000
Total	51,011,000
Total Appropriation	\$ 521,504,900

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

Adopted this ___ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 1, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-02

**An Ordinance Appropriating Funds from the Treasury
for FY25 School District Operations**

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau School District, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:

State Support	37,390,200
Federal Support	6,978,100
User Fees, Permits, and Donations	2,907,100
Student Activities Fundraising	1,650,000
Total Revenue	<u>48,925,400</u>

TRANSFERS IN:

General Governmental Fund School District Support:	
Operations	34,432,000
Special Revenue	3,690,400
Total Transfers In	<u>38,122,400</u>

Less: Fund Balance Increase **1,650,400**

Total Estimated Funding Sources **\$ 85,397,400**

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

APPROPRIATION:

General Operations	67,827,400
Special Revenue	17,570,000

Total Appropriations **\$ 85,397,400**

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

Adopted this __ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: The Manager
Presented: 04/01/2024
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2024-15

An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 5 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

WHEREAS, in February 2024, JG Construction (“Purchaser”) applied to purchase a fraction of Lot 5, Renninger Subdivision from the City and Borough of Juneau (“CBJ”); and

WHEREAS, Lot 5, Renninger Subdivision has been available for purchase from the CBJ since 2017 by over-the-counter sale (CBJC 53.09.240); and

WHEREAS, Lot 5, Renninger Subdivision has been available for purchase as a negotiated sale since 2017 with the advertised price equivalent to \$2.00 per square foot; and

WHEREAS, Lot 5 is currently 190,873 square feet and JG Construction requests to purchase the amount required to build up to 16 apartments; and

WHEREAS, the CBJ is conveying the property on the express condition that it be developed as multi-unit apartment buildings; and

WHEREAS, lot size and dimensions will be finalized by a surveyor upon approval and review of the minor subdivision by the Community Development Department; and

WHEREAS, the Lands, Housing, and Economic Development Committee reviewed this proposed CBJ land disposal at the meeting on February 26, 2024, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property for fair market value; and

WHEREAS, the Assembly reviewed this application as New Business at the meeting on March 4, 2024, and passed a motion authorizing the Manager to enter into negotiations with JG Construction towards the disposal of CBJ property for fair market value; and

WHEREAS, the Manager has determined the fair market value of the CBJ property to be \$2.50 per square foot, which was determined as the current over-the-counter sale price per square foot as advertised in the 2019 sales brochure; and

WHEREAS, because housing is needed on this parcel and it has been on the market for more than five years, the Purchaser may receive a \$0.50 per square foot discount on the

1 purchase price if the Purchaser receives certificates of occupancy for four housing units prior to
2 July 1, 2029.

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

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

6 **Section 2. Authorization to Convey.** The Manager is authorized to negotiate and
7 execute the sale of a fraction of Lot 5, Renninger Subdivision, Juneau Recording District, First
8 Judicial District, State of Alaska, constituting 1.08 acres or 47,189 square feet more or less, as
9 shown on the attached Exhibit A.

10 **Section 3. Essential Terms.** The following are essential terms of this purchase and
11 sale:

- 12 a. The purchase price shall be fair market value, which has been determined to be
- 13 \$2.50 per square foot.
- 14 b. The payment of \$2.00 per square foot will be due at closing.
- 15 c. The remaining balance of \$0.50 per square foot will be due on or before July 1,
- 16 2029, and the Manager is authorized to determine the appropriate security for
- 17 future payment (loan, lien, etc.). However, the remaining balance of \$0.50 per
- 18 square foot will be forgiven and the purchase price fully satisfied if the Purchaser
- 19 receives certificates of occupancy for four housing units prior to July 1, 2029.
- 20 d. JG Construction is responsible for subdividing this property prior to closing. The
- 21 final lot dimensions will be approved by the Manager with the intention of
- 22 maximizing density.
- 23 e. The Manager must include an express condition that the Purchaser agrees to
- 24 develop this lot with multi-unit apartment buildings, and the Manager is
- 25 authorized to determine the appropriate security, restrictions, and processes to
- ensure such performance.
- f. CBJ will grant an access and utility easement serving Lot 5 through the panhandle
- of Lot 1.

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

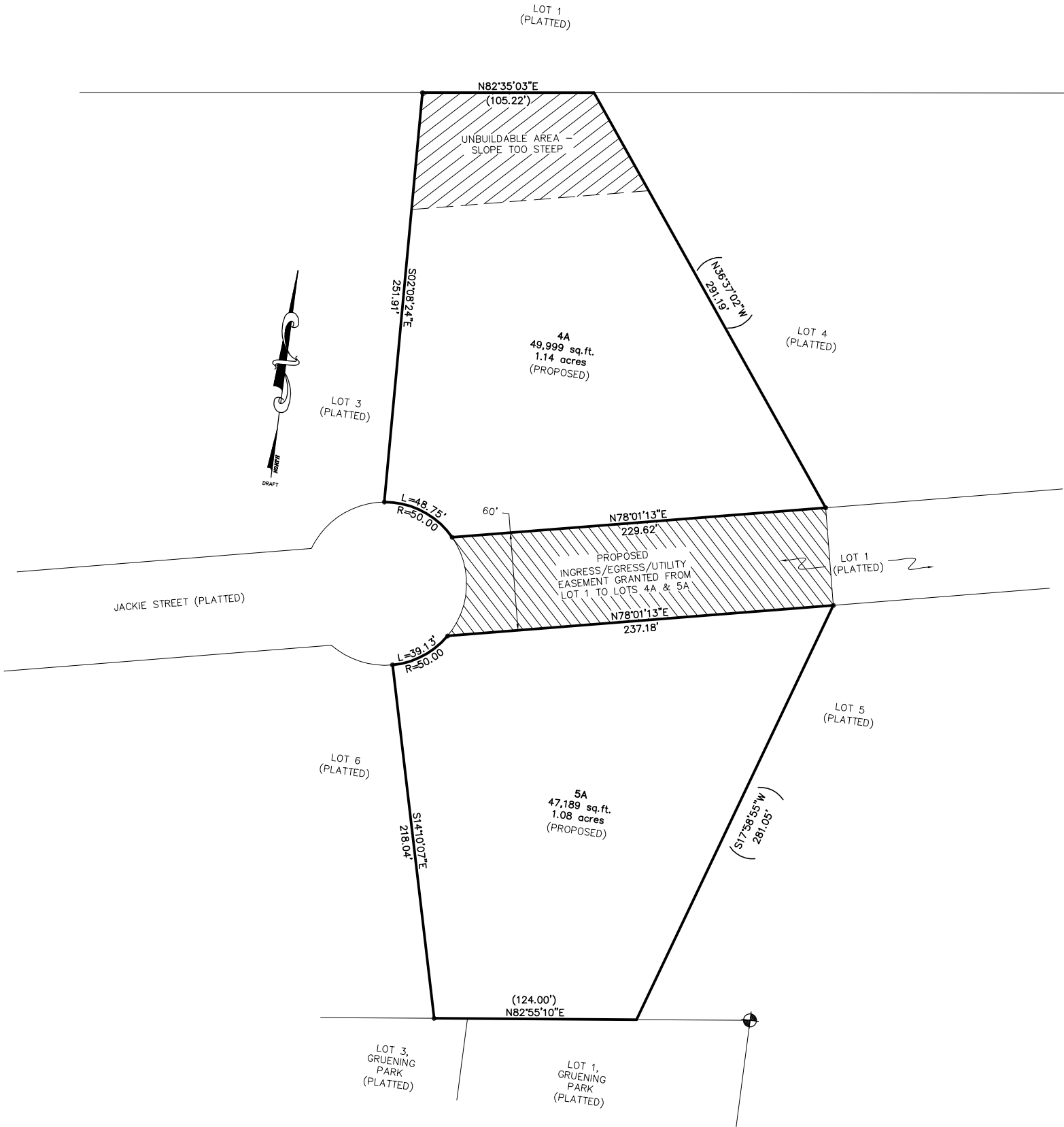
22 **Section 5. Effective Date.** This ordinance shall be effective 30 days after its adoption.

23 Adopted this _____ day of _____, 2024.

24 _____
Beth A. Weldon, Mayor

25 Attest:

Elizabeth J. McEwen, Municipal Clerk



NOTE: DIMENSIONS SHOWN WITHIN PARENTHESIS ARE PROPOSED; ALL OTHERS ARE OF RECORD PER PLAT #2015-47

SCALE: 1" = 80'

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 Heritage Way Juneau, Alaska 99801
Dan.Bleidorn@juneau.gov
(907) 586-5252

TO: Alicia Hughes-Skandijs, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Request to Purchase City Property
DATE: February 21, 2024

In December 2023, John Geary with JG Construction contacted the Lands and Resources Office and requested information on the two CBJ lots located on Jackie Street. In February JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots have been available for purchase from the CBJ since 2017, first by sealed bid (53.09.250) and then by over-the-counter sale (53.09.240). See attached Ordinance 2017-26.

The final plat for the Renninger Subdivision was completed in 2015. In 2016 the Lands Committee directed staff to advertise for letters of interest regarding the development of Renninger Subdivision. The outcome of that process was the fair market disposal of lot 6 and lot 7 to the Alaska Housing Development Corporation. The Assembly also authorized the disposal of lot 3 to the Juneau Housing Trust for 50% of fair market value which is being utilized for the JSD and UAS home building program site. The houses built on lot 3 will remain under the ownership of the Juneau Housing Trust. In 2017 Alaska Housing Development Corporation purchased lot 2 at fair market value through the negotiated sale process.

The applicant has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots. The applicant proposes to use the property for residential development and the application states that if the sale is approved that they will build a maximum of 28 apartments. Lot 4 is the northern most lot and has challenging topography and steep slopes. Lot 5 is the southern lot which has challenges associated with the wetlands located on this property. Lot 4 is currently 164,858 square feet and the applicant has requested approximately 43,725 square feet. Lot 5 is currently 190,873 square feet and the applicant has requested approximately 39,000 square feet.

The applicant has requested that the Assembly consider the valuation approach as outlined in the attached application. Standard practice for a negotiated sale or lease is to have an applicant hire an appraiser to determine fair market value. The applicant's justification for this valuation is based on the fact that these properties have been on the market for a number of years and have received no applications for purchase. If

this application moves forward, fair market value would be negotiated and approved by the Assembly.

The next step in this process will be for the Assembly to review this application as a new business topic and determine "whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land." If the Assembly provides a motion to negotiate with the original proposer and the negotiations are successful, an ordinance with terms and conditions of the sale will be introduced prior to a public hearing.

Staff request that the Lands, Housing and Economic Development Committee provide a motion to the Assembly on whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals in accordance with CBJ 53.09.260

Attachments:

1. Application
2. Ordinance 2017-26
3. Maps

Presented by: The Manager
Presented: 04/01/2024
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-16

An Ordinance Authorizing the Manager to Convey a Fraction of Renninger Lot 4 Located near 6200 Jackie Street to JG Construction for Fair Market Value.

WHEREAS, in February 2024, JG Construction (“Purchaser”) applied to purchase a fraction of Lot 4, Renninger Subdivision from the City and Borough of Juneau (“CBJ”); and

WHEREAS, Lot 4, Renninger Subdivision has been available for purchase from the CBJ since 2017 by over-the-counter sale (CBJC 53.09.240); and

WHEREAS, Lot 4, Renninger Subdivision has been available for purchase as a negotiated sale since 2017 with the advertised price equivalent to \$2.50 per square foot; and

WHEREAS, Lot 4 is currently 164,858 square feet and JG Construction requests to purchase the amount required to build up to 16 apartments; and

WHEREAS, the CBJ is conveying the property on the express condition that it be developed as multi-unit apartment buildings; and

WHEREAS, lot size and dimensions will be finalized by a surveyor upon approval and review of the minor subdivision by the Community Development Department; and

WHEREAS, the Lands, Housing, and Economic Development Committee reviewed this proposed CBJ land disposal at the meeting on February 26, 2024, and passed a motion of support to the Assembly to direct the Manager to negotiate the sale of the CBJ property for fair market value; and

WHEREAS, the Assembly reviewed this application as New Business at the meeting on March 4, 2024, and passed a motion authorizing the Manager to enter into negotiations with JG Construction towards the disposal of CBJ property for fair market value; and

WHEREAS, the Manager has determined the fair market value of the CBJ property to be \$3.00 per square foot; and

WHEREAS, because housing is needed on this parcel and it has been on the market for more than five years, the Purchaser may receive a \$0.50 per square foot discount on the purchase price if the Purchaser receives certificates of occupancy for four housing units prior to July 1, 2029.

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

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

4 **Section 2. Authorization to Convey.** The Manager is authorized to negotiate and
5 execute the sale of a fraction of Lot 4, Renninger Subdivision, Juneau Recording District, First
6 Judicial District, State of Alaska, constituting 1.14 acres or 47,189 square feet more or less, as
7 shown on the attached Exhibit A.

8 **Section 3. Essential Terms.** The following are essential terms of this purchase and
9 sale:

- 10 a. The purchase price shall be fair market value, which has been determined to be
- 11 \$3.00 per square foot.
- 12 b. The payment of \$2.50 per square foot will be due at closing.
- 13 c. The remaining balance of \$0.50 per square foot will be due on or before July 1,
- 14 2029, and the Manager is authorized to determine the appropriate security for
- 15 future payment (loan, lien, etc.). However, the remaining balance of \$0.50 per
- 16 square foot will be forgiven and the purchase price fully satisfied if the Purchaser
- 17 receives certificates of occupancy for four housing units prior to July 1, 2029.
- 18 d. JG Construction is responsible for subdividing this property prior to closing. The
- 19 final lot dimensions will be approved by the Manager with the intention of
- 20 maximizing density.
- 21 e. The Manager must include an express condition that the Purchaser agrees to
- 22 develop this lot with multi-unit apartment buildings, and the Manager is
- 23 authorized to determine the appropriate security, restrictions, and processes to
- 24 ensure such performance.
- 25 f. CBJ will grant an access and utility easement serving Lot 4 through the panhandle
- of Lot 1.

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

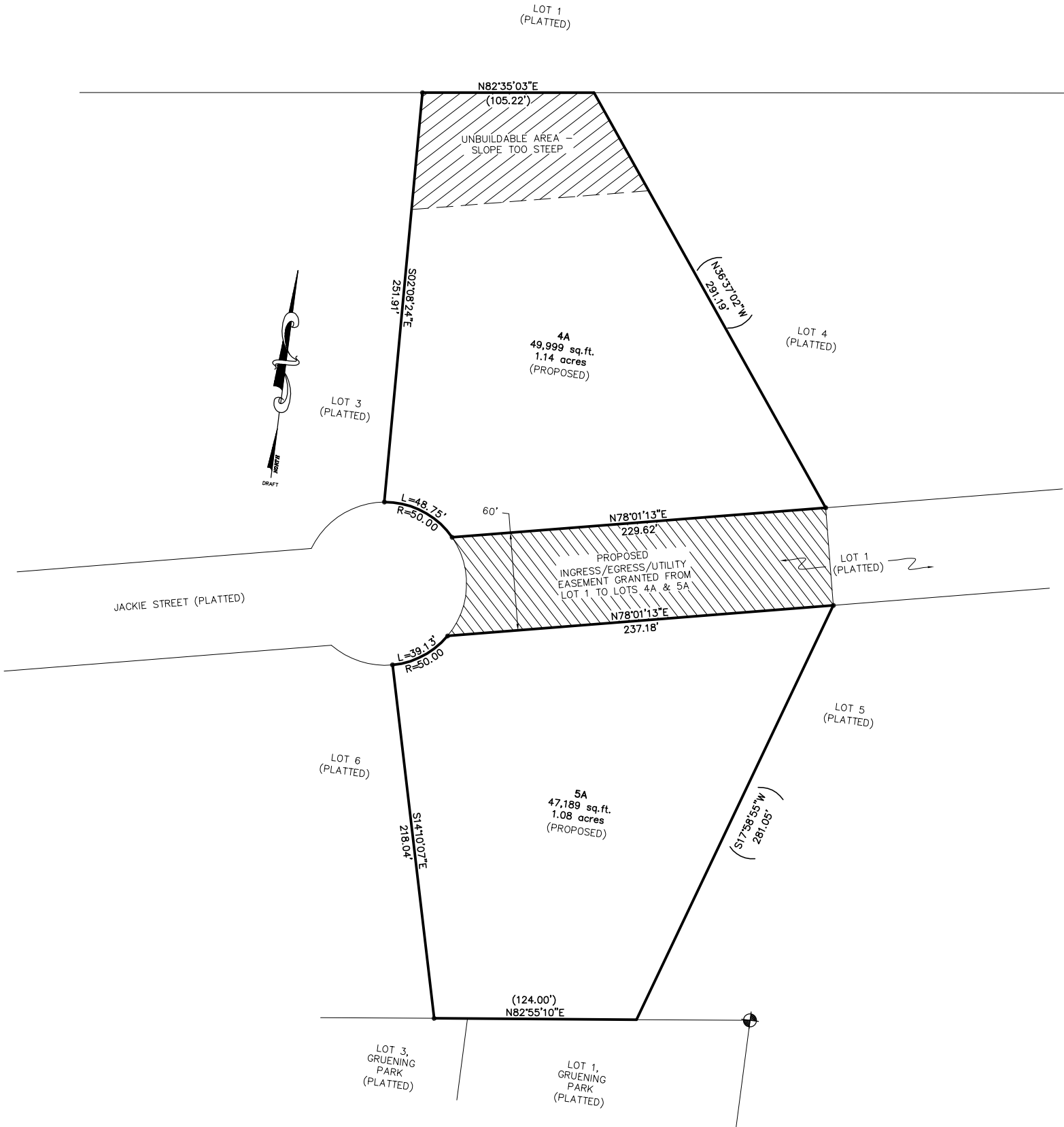
20 **Section 5. Effective Date.** This ordinance shall be effective 30 days after its adoption.

21 Adopted this _____ day of _____, 2024.

22 _____
23 Beth A. Weldon, Mayor

24 Attest:

25 _____
Elizabeth J. McEwen, Municipal Clerk



NOTE: DIMENSIONS SHOWN
 WITHIN PARENTHESIS ARE
 PROPOSED; ALL OTHERS ARE OF
 RECORD PER PLAT #2015-47

SCALE: 1" = 80'

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
 155 Heritage Way Juneau, Alaska 99801
Dan.Bleidorn@juneau.gov
 (907) 586-5252

TO: Alicia Hughes-Skandijs, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Request to Purchase City Property
DATE: February 21, 2024

In December 2023, John Geary with JG Construction contacted the Lands and Resources Office and requested information on the two CBJ lots located on Jackie Street. In February JG Construction applied to acquire fractions of two CBJ lots through a negotiated sale process. These two lots have been available for purchase from the CBJ since 2017, first by sealed bid (53.09.250) and then by over-the-counter sale (53.09.240). See attached Ordinance 2017-26.

The final plat for the Renninger Subdivision was completed in 2015. In 2016 the Lands Committee directed staff to advertise for letters of interest regarding the development of Renninger Subdivision. The outcome of that process was the fair market disposal of lot 6 and lot 7 to the Alaska Housing Development Corporation. The Assembly also authorized the disposal of lot 3 to the Juneau Housing Trust for 50% of fair market value which is being utilized for the JSD and UAS home building program site. The houses built on lot 3 will remain under the ownership of the Juneau Housing Trust. In 2017 Alaska Housing Development Corporation purchased lot 2 at fair market value through the negotiated sale process.

The applicant has requested fractions of lot 4 and lot 5, which are the two remaining CBJ owned lots. The applicant proposes to use the property for residential development and the application states that if the sale is approved that they will build a maximum of 28 apartments. Lot 4 is the northern most lot and has challenging topography and steep slopes. Lot 5 is the southern lot which has challenges associated with the wetlands located on this property. Lot 4 is currently 164,858 square feet and the applicant has requested approximately 43,725 square feet. Lot 5 is currently 190,873 square feet and the applicant has requested approximately 39,000 square feet.

The applicant has requested that the Assembly consider the valuation approach as outlined in the attached application. Standard practice for a negotiated sale or lease is to have an applicant hire an appraiser to determine fair market value. The applicant's justification for this valuation is based on the fact that these properties have been on the market for a number of years and have received no applications for purchase. If

this application moves forward, fair market value would be negotiated and approved by the Assembly.

The next step in this process will be for the Assembly to review this application as a new business topic and determine "whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land." If the Assembly provides a motion to negotiate with the original proposer and the negotiations are successful, an ordinance with terms and conditions of the sale will be introduced prior to a public hearing.

Staff request that the Lands, Housing and Economic Development Committee provide a motion to the Assembly on whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals in accordance with CBJ 53.09.260

Attachments:

1. Application
2. Ordinance 2017-26
3. Maps

1
2
3
4

Presented by: The Manager
Presented: 04/01/2024
Drafted by: R. Palmer III

5 **RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

6 **Serial No. 2986**

7 **A Resolution Repealing and Reestablishing the Assembly Rules of**
8 **Procedure.**
9

10 WHEREAS, the Assembly relies on its committees to generate, review, and mature
11 policies for later consideration by the Assembly, including committees that include all nine
12 Assemblymembers; and

13
14 WHEREAS, the scope of Assembly committee power and the binding effect of votes taken
15 by committees with all nine Assemblymembers is complicated because of Robert’s Rules of
16 Order; and

17
18 WHEREAS, the following general rule of parliamentary law is expressed in various
19 Robert’s Rules: “During the session in which the Assembly has decided a question, another
20 main motion raising the same or substantially same question cannot be introduced.”
21 (136:26-28); and

22
23 WHEREAS, Robert’s Rule 52, as applied to a body with less than 50 members like the
24 Assembly, considers a vote taken at a Committee of the Whole a formal decision of the
25 Assembly that is not voted on again (531:2-4); and

26
27 WHEREAS, while Robert’s Rule 52 clearly applies to the Committee of the Whole, it does
28 not explicitly apply to the other nine-member committees like the Finance Committee; and

29
30 WHEREAS, application of Robert’s Rule 52 creates unnecessary complexities because the
31 City and Borough of Juneau Charter 5.3(a) requires public comment opportunities when an
32 ordinance is up for public hearing, which can be late in the development of a policy and
33 public comment can enlighten a policy issue that necessitates amendments or renewal of
34 previously decided motions without going through the cumbersome process to suspend the
35 Assembly Rules or other procedural escape valves; and

36
37 WHEREAS, upon balancing the timing of public comment and the Assembly’s scarce
38 meeting time, the Assembly amends the Assembly Rules of Order to reconcile the

39 unnecessary complexities created by Robert’s Rule 52 on the Committee of the Whole and
40 any other nine-member Assembly committee with the public comment requirement of
41 Charter 5.3(a) while recognizing occasionally a motion previously decided by a committee
42 may be renewed at the Assembly without being treated as dilatory; and
43

44 WHEREAS, the following additional amendments would clarify the rules and make
45 necessary changes to maximize public engagement, public body deliberations, and meeting
46 efficiency.
47

48 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
49 JUNEAU, ALASKA:
50

51 **Section 1. Rules of Procedure.** The following rules of procedure are adopted:
52

53 **RULE 1. AGENDA.**

54 A. Order of Business. At all regular meetings the order of business shall be:

- 55 I. Call to Order
- 56 II. Flag Salute
- 57 III. Land Acknowledgment
- 58 IV. Roll Call
- 59 V. Special Order of Business
- 60 VI. Approval of Minutes
- 61 VII. Manager’s Requests for Agenda Changes
- 62 VIII. Public Participation on Non-agenda Items (Not to Exceed a Total of 20
63 Minutes, Nor More than ~~Five~~ Three Minutes for Any Individual)
- 64 IX. Consent Agenda
 - 65 A. Public Requests for Consent Agenda Changes, Other than Ordinances
66 for Introduction
 - 67 B. Assembly Requests for Consent Agenda Changes
 - 68 C. Assembly Action
- 69 X. Ordinances for Public Hearing
 - 70 A. Administrative or Committee Reports
 - 71 B. Public Hearing
 - 72 C. Assembly Action
- 73 XI. Unfinished Business
 - 74 A. Administrative or Committee Reports
 - 75 B. Public Hearing
 - 76 C. Assembly Action
 - 77 D. Potential Issues for Reconsideration
- 78 XII. New Business
 - 79 A. Administrative or Committee Reports
 - 80 B. Public Hearing
 - 81 C. Assembly Action
- 82 XIII. Staff Reports

- 83 XIV. Assembly Reports
- 84 A. Mayor’s Report
- 85 B. Committee, Liaison Reports, Assemblymember Comments and
- 86 Questions
- 87 C. Presiding Officer Reports
- 88 ~~XV. Assembly Comments and Questions~~
- 89 XV. Continuation of Public Participation on Public Participation on Non-agenda
- 90 Items
- 91 XVI. Executive Session
- 92 XVII. Supplemental Materials
- 93 XVIII. Adjournment

94 B. Agenda Preparation. The agenda shall be prepared by the Manager subject to
 95 review and revision by the Mayor. The Mayor or the Manager shall brief the Assembly as to
 96 any revisions. Other matters may be considered under administrative reports, unfinished
 97 business, or new business as applicable.

- 98 C. Consent Agenda. The Manager shall include under the consent agenda:
- 99 1. Ordinances for introduction;
 - 100 2. Resolutions;
 - 101 3. Bid awards requiring Assembly concurrence; and
 - 102 4. Other items requiring Assembly action which do not involve substantial public
 - 103 policy questions.

104 The Manager shall include with the agenda such supplemental material or reports as may
 105 be necessary to explain each item on the consent agenda and shall include a specific
 106 recommendation for Assembly action on each item. Material, reports, and recommendations
 107 submitted in writing to each member present and which are available for public inspection
 108 prior to the Assembly meeting need not be read aloud, but the minutes shall reflect the
 109 Manager’s recommendation on each consent agenda item adopted. Upon adoption of a
 110 motion to adopt the consent agenda, all consent agenda items subject to the motion are
 111 adopted as recommended by the Manager. The motion to adopt may not be amended;
 112 provided, upon the request of any member, an item on the consent agenda shall be removed
 113 from the consent agenda and placed under the appropriate regular agenda item for
 114 Assembly action. A notice or motion for reconsideration or a motion to rescind a consent
 115 agenda motion shall contain reference to the specific consent agenda item which is the
 116 subject of the notice or motion and only that item shall be affected by the notice or motion.

117

118 **RULE 2. MEETINGS.**

119 A. Date and Time of Regular Meetings. The Assembly shall regularly meet at 7:00
 120 p.m. every third Monday according to a schedule approved by the Assembly and published
 121 by the Clerk’s office. The Assembly may by motion or otherwise change the date of a
 122 meeting as may be necessary or convenient.

123 B. Place of Regular Meetings. Regular Assembly meetings shall be held in the
 124 Assembly Chambers at the Municipal Building at 155 Heritage Way ~~South Seward Street~~,

125 Juneau, Alaska. However, the location of a regular meeting may be changed (a) up to 24
126 hours in advance of the meeting (a) by the Assembly, at a preceding regular or special
127 meeting, by motion or otherwise, upon designating a different place for a particular meeting;
128 or (b) if the meeting was previously noticed with remote participation, by the Mayor, the
129 committee chair, or any three Assemblymembers due to extenuating circumstances (i.e.
130 public health requirement, equipment or facility problem in Assembly Chambers, inability
131 to get a quorum in-person, weather) to hold the meeting virtually with only remote
132 participation (i.e. video conferencing technology).

133 C. Special Meetings. Special meetings may be called and held as provided by the
134 Charter.

135 D. Time of Adjournment. Meetings will adjourn at 11:00 p.m. unless extended by a
136 vote of at least six members.

137 E. Public seating area. People in a meeting room must comply with all laws, including
138 occupancy and public health requirements.

139

140 **RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.**

141 A. Excused Absences. Any absence of an Assemblymember from a regular meeting of
142 the Assembly shall be deemed to be unexcused unless the Assemblymember is absent from
143 the meeting as a result of attending to official business on behalf of the City and Borough of
144 Juneau, for extenuating medical reasons, or for other significant cause, in which case the
145 absence shall be deemed to be excused.

146 B. Attendance Report. Upon request of the Human Resources Committee, the
147 Manager shall direct the Clerk to provide to the Assembly quarterly reports on attendance
148 at regular Assembly meetings.

149

150 **RULE 4. LEGISLATION.**

151 A. Drafting. The Attorney shall draft ordinances and resolutions:

- 152 1. For presentation to the Assembly only
 - 153 (a) by vote or consensus of the Assembly,
 - 154 (b) by vote of a standing or ad hoc Assembly committee,
 - 155 (c) by request of the Mayor, the Manager, or any member, or
 - 156 (d) on the Attorney’s own initiative to correct errors not otherwise correctable
157 in any section or to make amendments to Title 01.45 the Conflict of
158 Interest Code, Title 01.50 the Appellate Code, Title 01.60 the Regulation
159 Procedures Code, Title 03.30 the Code Enforcement Code, Title 42 the
160 Penal Code, or any section imposing duties on the Attorney.
- 161 2. For presentation to a standing or ad hoc Assembly committee only by vote of the
162 committee, request of its chair, or by direction of the Assembly.

163 B. Procedure. Upon presentation of an ordinance, any member may move that it be
164 introduced and set for public hearing, referred to committee, deferred, or rejected as
165 provided in Charter section 5.3. If the motion is for referral to committee, the Mayor shall
166 refer the ordinance to the appropriate committee. The Mayor’s referral may be changed by a
167 majority vote of the members of the Assembly. If the motion is for introduction, the motion
168 shall set a date for the public hearing. All such motions may be amended.

169
170

RULE 5. COMMITTEES.

- 171 A. Standing Committees. The Assembly shall have the following standing committees:
- 172 1. Committee of the Whole
- 173 2. Finance Committee
- 174 3. Human Resources Committee
- 175 4. Lands, Housing, and Economic Development Committee
- 176 5. Public Works and Facilities Committee
- 177 6. Joint Assembly/School Facilities Committee (per Charter 13.8)

178 Any member of the Assembly may sit with any committee at all times; such member shall
179 have the right to participate in committee discussion except that members of the committee
180 shall have priority in obtaining the floor and only committee members may vote. Standing
181 committee meetings are work sessions without public testimony unless otherwise noticed at
182 the time of packet publication, or earlier, by the committee chair. Reasonable opportunity
183 for the public to be heard shall be allowed at committee meetings other than those
184 designated as work sessions.

185 B. Special Committees. The Assembly shall have such special committees as may be
186 considered necessary. Special committees automatically terminate upon completion of the
187 committee’s assignment.

188 C. Selection, Process, and Duties of Committees of the Assembly.

- 189 1. Standing Committees.
 - 190 (a) With the exception of the Committee of the Whole, the Finance Committee,
 - 191 and the Human Resources Committee in proceedings pursuant to Rule
 - 192 5(C)(2)(f), there shall be not more than four Assemblymembers appointed
 - 193 to each standing committee of the Assembly. Each Assemblymember will
 - 194 be appointed to at least one, but not more than three, standing committees,
 - 195 in addition to the Finance Committee and the Committee of the Whole.
 - 196 (b) Nominations for standing committee appointments and for the position of
 - 197 chair of each such committee shall be made by the Mayor, and shall be
 - 198 subject to ratification by the Assembly. In making nominations for
 - 199 committee appointments, the Mayor shall strive to ensure, to the extent
 - 200 reasonably possible, that there is a balance and diversity of opinion,
 - 201 viewpoints, and perspective among the Assemblymembers nominated for
 - 202 committee membership, and that there is at least one Assemblymember

- 203 nominated for appointment to each committee who has expertise in the
 204 areas assigned to the committee.
- 205 (c) Each year following the regular municipal election, all Assemblymembers
 206 will be given an opportunity to indicate in writing which of the standing
 207 committees they request to serve on. At least two of the nominations for
 208 appointment for each standing committee shall be made from those
 209 Assemblymembers, if any, who have requested to serve on the committee
 210 for which the appointments are to be made. The nomination for
 211 membership and chair positions shall be made by the Mayor and ratified by
 212 the Assembly within seven days of the second ~~first~~ meeting after the
 213 certification of the regular municipal election each year. All committee
 214 members shall be appointed to serve for a term expiring upon ratification
 215 by the Assembly of the committee appointments following the next regular
 216 municipal election. All committee members serve at the pleasure of the
 217 Assembly.
- 218 (d) A standing committee may at the call of its chair or the vote of its
 219 membership take up any matter within the scope of its charge established
 220 by these rules and not pending as legislation authorized by the Assembly.
 221 Matters not within the scope of any standing committee, or within the
 222 scope of more than one standing committee shall be assigned by the Mayor.
- 223 (e) Each committee shall refer information to and coordinate activities with
 224 other appropriate committees. Issues referred to another committee and
 225 any directions to the Manager must have the concurrence of a majority of
 226 the committee members.
- 227 2. Human Resources Committee. The Human Resources Committee may take up
 228 issues relating to the health and well-being of Juneau citizens and their
 229 participation in local government. The duties of the Human Resources
 230 Committee shall include:
- 231 (a) Nominating citizens to all CBJ boards and commissions. Appointment to
 232 such bodies shall be made by the full Assembly;
- 233 (b) Making recommendations to the full Assembly regarding the issuance,
 234 renewal or transfer of liquor licenses, restaurant designation permits, and
 235 marijuana licenses;
- 236 (c) Reviewing and proposing amendments to these Rules;
- 237 (d) Reserved.
- 238 (e) Reserved. ~~Overseeing Juneau's relations with its sister cities;~~
- 239 (f) Membership for Certain Appointments. The full Human Resources
 240 Committee shall meet as needed to recommend appointments to the
 241 Planning Commission, the Hospital Board, the Ski Area Board, the Docks
 242 and Harbors Board, and the Airport Board, ~~and the Systemic Racism~~
 243 ~~Review Committee.~~ The Mayor and all Assemblymembers shall serve as

- 244 members of the full Committee and the Human Resources chair shall serve
 245 as chair at these meetings.
- 246 3. Finance Committee. The Finance Committee may take up issues relevant to
 247 the fiscal status of the CBJ. The Mayor and all Assemblymembers shall serve as
 248 members of the Finance Committee. ~~Finance Committee meetings will be~~
 249 ~~conducted as work sessions unless public testimony is permitted by call of the~~
 250 ~~Chair at least 24 hours in advance of the meeting.~~ The duties of the Finance
 251 Committee shall include:
- 252 (a) Review of the Manager's proposed budget and recommendations to the
 253 Assembly for a final budget;
 - 254 (b) Review of the fiscal policies of the CBJ as deemed necessary by the
 255 committee.
- 256 4. Committee of the Whole. The Committee of the Whole may take up those issues
 257 within the jurisdiction of multiple committees and those warranting detailed
 258 review prior to consideration by the Assembly. The Mayor and all
 259 Assemblymembers shall serve as members of the Committee of the Whole.
 260 Generally, the rules of the Assembly shall be followed in the Committee of the
 261 Whole, provided that, at the discretion of the chair, the rules may be relaxed
 262 and the rules relating to participation by the presiding officer and the number
 263 of times a member may speak shall not be in effect unless otherwise ordered by
 264 a majority of the committee. In preparing the committee agenda the chair shall
 265 consult with the Mayor. ~~Committee of the Whole meetings will be conducted as~~
 266 ~~work sessions unless public testimony is permitted by call of the Chair at least~~
 267 ~~24 hours in advance of the meeting.~~
- 268 5. Lands, Housing, and Economic Development Committee. The Lands, Housing,
 269 and Economic Development Committee may take up issues relevant to the
 270 lands, housing, economic development, water or air within the City and
 271 Borough. The duties of the Lands, Housing, and Economic Development
 272 Committee shall include recommendations to the Assembly regarding:
- 273 (a) The preparation and revision of a land management plan and the
 274 acquisition and disposal of CBJ lands;
 - 275 (b) The administration of the lands fund and the mineral holdings of the CBJ;
 - 276 (c) Implementation of the Long Range Waterfront Development Plan, and
 277 issues relating to use and development of the CBJ waterfront;
 - 278 (d) Promotion of improved housing availability in the City and Borough; and
 - 279 (e) Promotion of a vibrant and diverse local economy.
- 280 6. Public Works and Facilities Committee. The PWFC may take up issues
 281 relevant to the infrastructure of CBJ, including transportation and utilities.
 282 The duties of the PWFC shall include:

- 283 (a) Making recommendations to the Assembly regarding the capital
284 improvement program required by Charter section 9.2 and other capital
285 improvement plans and lists;
- 286 (b) Advising each newly elected Assembly of unfinished capital projects to be
287 continued;
- 288 (c) Making recommendations to the Assembly regarding the preparation and
289 revision of an areawide transportation plan;
- 290 (d) Making recommendations related to energy efficiency, renewable resources,
291 waste reduction and recycling, global warming, and green building.

292 7. Special Committees. Nominations for special committee appointments and the
293 chair position of each special committee shall be made by the Mayor, and shall
294 be subject to ratification by the Assembly. In making nominations for special
295 committee appointments, the Mayor shall strive to ensure, to the extent
296 reasonably possible, that there is a balance of opinion, viewpoints, and
297 perspective among the Assemblymembers nominated for committee
298 membership, and that there is at least one Assemblymember nominated for
299 appointment to each such committee who has expertise in the areas assigned to
300 the committee. All members shall serve at the pleasure of the Assembly.

301 D. Scope of Committees. Committees, including the Committee of the Whole and the
302 Finance Committee, are empowered to only make recommendations. No vote taken at an
303 Assembly committee, including at the Committee of the Whole or at the Finance Committee,
304 is binding on the Assembly. At the Assembly, an Assemblymember is free to move the
305 Assembly to amend a prior adopted motion and renew a failed motion from a committee, and
306 such motions can pass by five votes in favor. Reserved.

307 E. Quorum of Committees. For the Committee of the Whole and the Finance
308 Committee, a majority of the membership shall constitute a quorum. For committees with
309 seven or eight members, four of the membership shall constitute a quorum, for committees
310 with four, five, or six members, three of the membership shall constitute a quorum. ~~For~~
311 ~~committees with four or fewer members, two of the membership shall constitute a quorum~~
312 ~~for the transaction of business.~~

313 F. Voting. The minimum vote required to take official action shall be the same as that
314 constituting a quorum; provided, however, that in the case of a tie vote, the action fails.

315 G. Role of Board Liaison. Board liaisons shall be recommended by the board to the
316 Assembly for approval. Any board liaison to an Assembly committee should sit with the
317 committee at all times. A board liaison may have the right to participate in committee
318 discussions at the pleasure of the chair of the Assembly committee except that Assembly
319 members of the committee shall have priority in obtaining the floor. Only Assembly
320 members on the committee may vote.

321

322 **RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.**

323 A. Appointment of Liaisons. The Mayor shall nominate one member of the Assembly
324 to serve as the liaison to each of the following City and Borough boards and commissions:

- 325 Planning Commission
- 326 Hospital Board
- 327 Docks and Harbors Board
- 328 Airport Board
- 329 School Board
- 330 Ski Area Board
- 331 ~~Aquatics Board~~

332 The nominations shall be subject to ratification by the Assembly. Liaisons to other entities
333 may be appointed from time to time.

334 B. Role of Assembly Liaison. Assembly liaisons serve as a link between the Assembly
335 and the board or commission to establish and maintain communication between the bodies
336 on issues, projects, and other matters of mutual concern and interest. Assembly liaisons
337 should regularly attend appointed board or commission meetings. Assembly liaisons shall
338 not have the power to vote on the board or commission and are not to be counted in
339 determining whether a quorum of the board or commission is present, unless specifically
340 identified as voting members in the governing legislation of a particular board. An Assembly
341 liaison may participate in board or commission discussions when invited by the board chair.

342 C. Other Meetings. The Assembly encourages its members to attend meetings of other
343 boards, commissions, and citizen groups and inform the Assembly on the activities of those
344 bodies and the issues before them, as appropriate.

345

346 **RULE 7. DEBATE.**

347 A. Speaking on the Question. A member or the Manager may speak more than once to
348 the same question at the same stage of proceedings provided that priority of access to the
349 floor shall be given to members who have not spoken on the question. Members shall
350 endeavor to provide the body with relevant facts and arguments and shall strive to avoid
351 redundancy.

352 B. Asking Questions. After obtaining recognition from the chair, a member may ask
353 direct questions of another member of the Assembly or to a person appearing before the
354 Assembly. The questions should not be argumentative.

355 C. Decorum. Members shall not question the motives, competency, or integrity of any
356 person except as necessary to decide an appeal, personnel evaluation, contract award, or
357 other matter in which such issues are clearly relevant. The chair shall admonish any
358 member violating this rule and if violations are severe or repeated, may without a vote
359 declare a recess not to exceed ten minutes.

360

361 **RULE 8. RULES OF PUBLIC PARTICIPATION.**

362 When permitted by Rule 14, public participation during hearings on ordinances and
363 matters other than appeals will be conducted according to the following rules, which will be
364 posted in the Assembly Chambers and at www.juneau.gov:

365 A. The hearing will be conducted by the Mayor as chair.

366 B. The Mayor will open the hearing by summarizing its purposes and reemphasizing
367 the rules of procedure.

368 C. The Mayor may set a time limit for public testimony, for individual speakers, or
369 both if it appears necessary to gain maximum participation and conserve time, and may for
370 the same reason disallow all questions from the Assembly to members of the public. The
371 time limit may be extended by a majority of the Assembly. The time limit for individual
372 speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not
373 have the right to transfer their unused time to other speakers, but the Mayor may grant
374 additional time to a person speaking on behalf of a group.

375 D. People are encouraged to submit written presentations and exhibits to the
376 Municipal Clerk and the Assembly via email (boroughassembly@juneau.gov
377 boroughassembly@juneau.org).

378 E. The Mayor will set forth the item or subject to be discussed and will rule non-
379 germane speech out of order. A member of the public may not be stopped for speaking
380 because of the viewpoint being expressed. However, a person may be stopped for disrupting,
381 disturbing, or impeding the meeting when speaking longer than the time limit, when being
382 unduly repetitious, or when discussing or presenting irrelevant matters. Such non-germane
383 speech disrupts, disturbs, or impedes public meetings when the Assembly is prevented from
384 accomplishing its business in a reasonably efficient manner or when the speech interferes
385 with the rights of other speakers. A person stopped for non-germane speech during a
386 meeting is welcome to submit a writing, presentation, recording, and exhibit to the
387 Municipal Clerk and to the Assembly via email (boroughassembly@juneau.gov
388 boroughassembly@juneau.org).

389 F. All speakers, public, and members of the Assembly will be recognized by the chair
390 by surname.

391 G. Members of the public will precede their remarks by stating their names and,
392 unless otherwise allowed by the Mayor, the area of town in which they reside.

393 H. Members of the Assembly will not direct questions to each other or to the chair
394 during public participation except as to the conduct of the hearing.

395 I. Members of the Assembly may direct questions to members of the public only to
396 obtain clarification of material presented. The questions should not be argumentative, nor
397 may they have the purpose or effect of unreasonably extending any time limit applicable to
398 public speakers.

399 J. The public may direct questions to the Assembly or the administration.

400 K. The public may direct questions to the chair only as it pertains to the conduct of the
401 hearing.

402 L. The Manager may participate in the same manner as the members of the Assembly.

403 M. There shall be an opportunity for public participation on non-agenda items at each
404 regular meeting of the Assembly. Such public participation shall be limited to no more than
405 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed ~~five~~
406 three minutes. Assemblymembers may ask questions of the speaker, but should not
407 deliberate at that time on matters raised, or answer questions directed to the members.

408 N. Members of the public that want to provide oral public comment via remote
409 participation must notify the Municipal Clerk prior to the meeting (i.e. call the Municipal
410 Clerk Office or register online, when available). A person is not required to notify the
411 Municipal Clerk prior to the meeting when providing in-person oral public comments.

412 O. Reasonable accommodations are available upon request. To the extent allowed by
413 law (i.e. A.S. 15.13.040 and A.S.15.13.145), a spokesperson designated by a person with a
414 disability wishing to provide oral public testimony should advise the Municipal Clerk.
415 Please contact the Clerk's office prior to any meeting, preferably 36 hours ahead, so
416 arrangements can be made if other accommodation requests like closed captioning or sign
417 language interpreter services are desired. The Clerk's office telephone number is 586-5278,
418 TDD 586-5351, e-mail: city.clerk@juneau.gov -~~city.clerk@juneau.org~~.

419

420 **RULE 9. MOTIONS.**

421 A. Seconds. Seconds to motions are not required.

422 B. Renewal of Defeated Motions. Defeated motions may be renewed only under
423 suspension of the rules.

424 C. Priority of Privileged Motions. Privileged motions shall have the following priority:

- 425 1. Fix time to adjourn
- 426 2. Give notice of reconsideration
- 427 3. Adjourn
- 428 4. Recess
- 429 5. Question of privilege of the body
- 430 6. Question of personal privilege

431

432 **RULE 10. CLERICAL ERRORS.**

433 Clerical errors that do not affect the substance of an ordinance or resolution, such as
434 errors in numbering or errors in spelling, may be corrected by the Attorney upon discovery
435 of the error.

436

437

438 **RULE 11. VOTE REQUIRED.**

439 The affirmative vote of five members of the Assembly shall be sufficient to take any
440 action except as otherwise provided by Charter or ordinance and except in the following
441 instances, which require the affirmative vote of at least six members:

- 442 A. Limiting, extending, or closing debates
- 443 B. Suspension of the rules
- 444 C. Setting of or postponement of special orders
- 445 D. Objection to consideration of question
- 446 E. Motion for immediate vote (previous question)
- 447 F. Rescind
- 448 G. To take up a motion for reconsideration at the meeting at which the action to be
449 reconsidered was taken

450

451 **RULE 12. PARLIAMENTARIAN.**

452 The Attorney shall act as the parliamentarian with the Municipal Clerk to act as
453 parliamentarian in the absence of the Attorney.

454

455 **RULE 13. SESSIONS.**

456 Each regular or special meeting of the Assembly constitutes a session for purposes of
457 the rules.

458

459 **RULE 14. PUBLIC PARTICIPATION ~~CONFINED TO THAT AGENDA ITEM.~~**

- 460 A. Public participation shall be permitted on all items on the agenda, except public
461 participation is not allowed on the following:
 - 462 i. for committee meetings advertised as work sessions only;
 - 463 ii. items before the body for information purposes only;
 - 464 iii. quasi-judicial items (i.e. appeals) after the body decided to accept the quasi-
465 judicial item for further consideration (CBJC 01.50.030(e)(1)). Public
466 participation—including by named parties—is authorized to aid the body in
467 deciding whether to accept an appeal, but public participation—including by
468 parties—is prohibited after the body makes the acceptance decision. This limited
469 public participation rule is necessary to protect the due process rights of the
470 parties.
- 471 B. Despite the prohibitions in Rule 14.A, the committee chair or majority of the body
472 may authorize public participation on a specific agenda item when in the best
473 interest of the community.
- 474 C. Public participation shall be permitted on a motion to recess into executive session
475 prior to the vote on such a motion.

476 D. When public participation is provided, public participation is confined to that agenda
477 item. No person except a member or the Manager may participate in Assembly proceedings
478 except as provided in the agenda item for public participation. However, the Attorney or
479 Municipal Clerk may comment on professional or procedural aspects.
480

481 ~~No person except a member or the Manager may participate in Assembly proceedings~~
482 ~~except as provided in the agenda item for public participation and except that the Attorney~~
483 ~~or Clerk may comment on professional or procedural aspects. Public participation shall be~~
484 ~~permitted on a motion to recess into executive session prior to the vote on such a motion.~~
485 ~~Public participation shall be permitted on all items on the agenda, except for meetings~~
486 ~~advertised as work sessions only, but shall not be permitted on items before the body for~~
487 ~~information or scheduling purposes except to the extent such public participation concerns~~
488 ~~scheduling only.~~

489

490 **RULE 15. RECONSIDERATION.**

491 A. What May Be Reconsidered. Main motions, amendments to main motions,
492 privileged motions involving substantive questions, and appeals are subject to
493 reconsideration. Procedural motions may not be reconsidered.

494 B. Who May Reconsider. Any member, whether or not that member voted on the
495 prevailing side, may give notice of or move for reconsideration.

496 C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all
497 action on the subject of the notice until a motion for reconsideration is made and acted upon
498 or until the time within which the motion for reconsideration may be made and acted upon
499 has expired.

500 D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires
501 unless a motion for reconsideration is made and acted upon prior to adjournment of the next
502 regular meeting succeeding the meeting at which the action to be reconsidered occurred.

503 E. Successive Reconsideration. There may be only one reconsideration even though
504 the action of the Assembly after reconsideration is opposite from the action of the Assembly
505 before reconsideration.

506 F. Precedence. A motion for reconsideration has precedence over every main motion
507 and may be taken up at any time during the meeting when there is no other motion on the
508 floor.

509 G. Effect. A motion for reconsideration completely cancels the previous vote on the
510 question to be reconsidered as though the previous vote had never been taken.

511

512 **RULE 16. REMOTE PARTICIPATION.**

513 When a meeting is conducted entirely remotely (i.e. video conferencing technology), then
514 all members are expected to attend remotely. The following apply to meetings that are held
515 completely in-person or as a hybrid (partially in-person and partially remotely):

516

517 A. A member may participate remotely in an Assembly meeting, or an Assembly
518 Committee meeting, if the member declares that circumstances prevent physical attendance
519 at the meeting. If the Mayor chooses to participate remotely, the Deputy Mayor shall
520 preside. If a committee chair chooses to participate remotely, they should designate an
521 alternative committee member to chair the meeting unless the entire meeting is held
522 remotely.

523 B. ~~Reserved. No more than the first three members to contact the Clerk regarding~~
524 ~~remote participation in a particular meeting may participate remotely at any one meeting.~~

525 C. The member shall notify the Clerk and the presiding officer, if reasonably
526 practicable, at least four hours in advance of a meeting which the member proposes to
527 attend remotely by and shall provide the physical address of the location, the telephone
528 number, and any available facsimile, email, or other document transmission service.

529 D. At the meeting, the Clerk shall establish the remote connection technology when
530 the call to order is imminent.

531 E. A member participating remotely shall be counted as present for purposes of
532 quorum, discussion, and voting.

533 F. The member participating remotely shall make every effort to participate in the
534 entire meeting and must have video turned on except during breaks. From time to time
535 during the meeting the presiding officer shall confirm the connection.

536 G. The member participating remotely may ask to be recognized by the presiding
537 officer to the same extent as any other member.

538 H. To the extent reasonably practicable, the Clerk shall provide backup materials to
539 members participating remotely.

540 I. If the remote technology connection cannot be made or is made then lost, the
541 meeting shall commence or continue as scheduled and the Clerk shall attempt to establish
542 or restore the connection, provided that if the member participating remotely is necessary to
543 achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the
544 remote connection is established or restored.

545 J. Meeting times shall be expressed in Alaska time regardless of the time at the
546 location of any member participating remotely.

547 K. Participation remotely shall be allowed for regular, special, and committee
548 meetings of the Assembly.

549 L. Remarks by members participating remotely shall be transmitted so as to be
550 audible by all members and the public in attendance at the meeting, provided that in
551 executive session the remarks shall be audible only to those included in the executive
552 session.

553 M. Any member of the public present with the member participating remotely shall be
554 allowed to speak to the same extent the person was physically present at the meeting.

555

556 N. As used in these rules, “remote” means any system for synchronous two-way voice
557 communication (i.e. telephone) or video conferencing technology. If a member needs to
558 participate remotely, video conferencing technology is preferred. “Mayor” includes the
559 Acting Mayor or any other member serving as chair of the meeting.

560 O. Regular and special meetings of the following entities must be recorded and live
561 broadcast in a manner that is reasonably calculated to provide meaningful remote public
562 observance and participation, when allowed, of the public meeting:

- 563 i. Assembly
- 564 ii. Assembly Standing Committees
- 565 iii. Planning Commission
- 566 iv. Hospital Board
- 567 v. Docks and Harbors Board
- 568 vi. Airport Board
- 569 vii. Ski Area Board
- 570 viii. Systemic Racism Review Committee

571 Any other board, commission, or committee meeting with anticipated substantial public
572 interest should be recorded and live broadcast in a manner that is reasonably calculated to
573 provide meaningful remote public observance and participation, when allowed, of the public
574 meeting.

575

576 **RULE 17. ADOPTION OF ROBERT’S RULES OF ORDER.**

577 The conduct of the meetings of Assembly shall be governed by the Mayor according to
578 the current edition of Robert’s Rules of Order, 11th Edition, except as otherwise provided by
579 Charter, law, or these rules.

580

581 **Section 2. Repeal of Resolution.** Resolution No. 2976 is repealed.

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

584

585 Adopted this _____ day of _____ 2024.

586

587

588

589

590

591

592

593

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Presented by: The Manager
Presented: 04/01/2024
Drafted by: S. Layne

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3054

A Resolution Accepting a Gift of \$431,870.34 from the Estate of Duane Levi Packer to the Eaglecrest Foundation to Benefit the Eaglecrest Ski Area Maintenance Department.

WHEREAS, Duane Levi Packer included in his Last Will and Testament, dated October 26, 2017, a gift to “Eaglecrest Ski Area, Juneau, Alaska (Maintenance Department)”; and

WHEREAS, the decedent also intended his bequests be made to organizations qualifying under Section 501(c)(3), charitable organizations, of the Internal Revenue Code; and

WHEREAS, the Eaglecrest Foundation is an entity qualifying under Section 501(c)(3); and

WHEREAS, on December 6, 2023, the First Judicial District, Superior Court for the State of Alaska Probate Court issued an order in case 1JU-22-00160PR, for funds to be distributed to the “Eaglecrest Foundation to benefit Eaglecrest Ski Area, Juneau, Alaska (Maintenance Department)”; and

WHEREAS, the amount of \$431,870.34 has been accepted by the Eaglecrest Foundation, and will benefit Eaglecrest Mountain Maintenance as needed, with conditions; and

WHEREAS, Eaglecrest and the Assembly thank the Estate of Duane Levi Packer for this generous gift of \$431,870.34 for Eaglecrest Mountain Maintenance expenses.

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

Section 1. Eaglecrest Ski Area, Juneau, Alaska (Maintenance Department) accepts the bequest of \$431,870.34 from the Estate of Duane Levi Packer via the Eaglecrest Foundation.

Section 2. Any expense or purchase from this bequest equal to or exceeding the amount of \$5,000.00 shall be approved by the Eaglecrest Board of Directors prior to spending the funds.

Section 3. All items purchased with funds from this bequest shall be the property of the City and Borough of Juneau, will only be spent on Eaglecrest Mountain Maintenance

44 expenses, and Eaglecrest will submit documentation to the City and Borough of Juneau
45 Purchasing Division for all expenditures, regardless of cost.

46
47 **Section 4. Effective Date.** This resolution shall be effective immediately after its
48 adoption.

49
50 Adopted this _____ day of _____ 2024.

51
52
53
54 _____
Beth A. Weldon, Mayor

55 Attest:
56
57
58 _____
59 Elizabeth J. McEwen, Municipal Clerk

60
61
62
63
64
65
66

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

Presented by: The Manager
Presented: 04/01/2024
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3058

A Resolution Authorizing the Manager to Negotiate a Less than Fair Market Sale of a Surplus Fire Engine from Capital City Fire/Rescue.

WHEREAS, Capital City Fire/Rescue has determined that its 1995 Seagraves 4WD Fire Engine (Lic. # XXU329) presently held by the department is surplus to its needs; and

WHEREAS, the Fire Chief believes the fair-market value of this engine may be over \$50,000; and

WHEREAS, the community of Yakutat has submitted a request to the Manager for the surplus of this engine; and

WHEREAS, CBJC 53.50.210(b) provides that upon a determination by the manager that the best interests of the public would be served, the manager may transfer any surplus City and Borough property to another government or quasi-governmental unit, or to a charitable, civic or non-profit organization, except where the estimated value of the property to be transferred exceeds \$50,000, the transfer may be made only after approval by the assembly by resolution.

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

Section 1. The Assembly authorizes the Manager to negotiate a less than fair market sale, from Capital City Fire/Rescue for the 1995 Seagraves 4WD Fire Engine (Lic. # XXU329) to the community of Yakutat. CBJC 53.50.210(b). The community of Yakutat will be responsible for transportation costs.

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

Adopted this _____ day of _____ 2024.

Attest: _____
Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Presented by: The City Manager
 Introduced: April 1, 2024
 Drafted by: Engineering & Public Works Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3052

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2025 through 2030, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2025.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2025 through Fiscal Year 2030, and has determined the capital improvement project priorities for Fiscal Year 2025.

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

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2025-2030," dated **June 1, 2024**, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2025 - 2030," are pending capital improvement projects to be undertaken in FY25:

FISCAL YEAR 2025		
GENERAL SALES TAX IMPROVEMENTS		
DEPARTMENT	PROJECT	FY25 BUDGET
Eaglecrest	Deferred Maintenance /Mountain Operations Improvements	\$ 350,000
Manager's Office	Public Safety Communication Infrastructure	450,000
Manager's Office	Zero Waste	125,000
Manager's Office	Outburst Flooding Improvements and Agency Coordination	150,000
Manager's Office	Juneau Renewable Energy Strategy	25,000
Manager's Office	Public Safety Communication Infrastructure	6,000,000
Manager's Office	Title 49 Re-Write	3,000,000
P& R - Facilities		
Maintenance	Deferred Building Maintenance	1,000,000
Parks & Recreation	Park & Playground Deferred Maintenance and Repairs	275,000
Parks & Recreation	Trail Improvements	50,000
Parks & Recreation	Sports Field Resurfacing & Repairs	425,000
Parks & Recreation	Off-Road Vehicle (ORV) Park Development [35 Mile]	150,000
General Sales Tax Improvements Total		\$ 12,000,000

**FISCAL YEAR 2025
AREAWIDE STREET SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY25 BUDGET
Street Maintenance	Vintage Boulevard and Clinton Drive Reconstruction	\$ 2,400,000
	<i>Vintage Boulevard and Clinton Drive Reconstruction Water</i>	
<i>Water Utility</i>	<i>Infrastructure</i>	549,000
	<i>Vintage Boulevard and Clinton Drive Reconstruction Sewer</i>	
<i>Wastewater Utility</i>	<i>Infrastructure</i>	194,000
Street Maintenance	Pavement Management	1,449,000
Street Maintenance	Sidewalk & Stairway Repairs	200,000
Street Maintenance	Areawide Drainage Improvements	150,000
Street Maintenance	F St, W 8th St drainage and roadway improvements	2,000,000
Street Maintenance	Poplar Ave improvements (Mendenhall Blvd to Dogwood)	1,200,000
	<i>Poplar Ave improvements (Mendenhall Blvd to Dogwood)</i>	
<i>Water Utility</i>	<i>Water Infrastructure</i>	346,000
	<i>Poplar Ave improvements (Mendenhall Blvd to Dogwood)</i>	
<i>Wastewater Utility</i>	<i>Sewer Infrastructure</i>	292,000
Street Maintenance	Eyelet Court Improvements	900,000
<i>Water Utility</i>	<i>Eyelet Court Improvements Water Infrastructure</i>	280,000
<i>Wastewater Utility</i>	<i>Eyelet Court Improvements Sewer Infrastructure</i>	184,000
Street Maintenance	Gold Creek Flume Rehabilitation	600,000
Capital Transit	FTA Grant Match - Bus Barn Electric Bus Charging	
Manager's Office	Infrastructure, Security, Safety, Repairs and Upgrades	756,000
Manager's Office	Juneau Douglas North Crossing (JDNC)	250,000
Manager's Office	Zero Waste	\$50,000
Areawide Street Sales Tax Priorities Total		<u>\$ 11,800,000</u>

**FISCAL YEAR 2025
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/23 - 09/30/28**

DEPARTMENT	PROJECT	FY25 BUDGET
P & R - Facilities		
Maintenance	Deferred Building Maintenance	\$ 2,500,000
Managers	Affordable Housing Fund	500,000 *
Managers	Childcare Funding	500,000 *
Parks and Recreation	Jackie Renninger Park Renovation	1,000,000
School District	JSD Buildings Facility Maintenance	1,000,000
Managers	Telephone Hill Redevelopment	1,000,000
Street Maintenance	7 Mile Heavy Equipment Shed	2,000,000
Harbors	Aurora Harbor Reconstruction Grant Match	\$3,500,000
Temporary 1% Sales Tax Priorities Total		<u>\$ 12,000,000</u>

* Operating Budget Funding

**FISCAL YEAR 2025
GENERAL FUND PRIORITIES**

DEPARTMENT	PROJECT	FY25 BUDGET
Parks and Recreation	Park & Playground Deferred Maintenance and Repairs	\$ 136,000
General Fund Priorities Total		<u>\$ 136,000</u>

**FISCAL YEAR 2025
PORT DEVELOPMENT FEE PRIORITIES**

DEPARTMENT	PROJECT	FY25 BUDGET
Parks and Recreation	Marine Park Improvements	\$ 2,000,000
Manager's Office	Archipelago Museum	500,000
Port Development Fee Priorities Total		<u>\$ 2,500,000</u>

**FISCAL YEAR 2025
STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY25 BUDGET
Docks	Shore Power	\$ 5,000,000
Parks and Recreation	Overstreet Park and Canoe Statue Lighting	550,000
Parks and Recreation	Downtown Bearproof Garbage Cans	100,000
Parks and Recreation	Warner's Wharf Beautification	200,000
Manager's Office	Triangle Project (Claw Back)	2,500,000 *
Manager's Office	Public Wi-Fi	1,000,000
State Marine Passenger Fee Priorities Total		<u>\$ 9,350,000</u>

* Operating Budget Funding

**FISCAL YEAR 2025
DOCKS AND HARBORS FUND**

DEPARTMENT	PROJECT	FY25 BUDGET
Harbors	Aurora Harbor Improvements	\$ 1,500,000
Harbors	Cost Share with ACOE for Statter Breakwater Feasibility Study	500,000
Docks and Harbors Fund Total		<u>\$ 2,000,000</u>

**FISCAL YEAR 2025
LANDS & RESOURCES FUND**

DEPARTMENT	PROJECT	FY25 BUDGET
Lands & Resources	Pits and Quarries Management, Infrastructure Maintenance and Expansion	\$ 400,000
Lands & Resources	Pederson Hill Development	350,000
Lands & Resources	Tee Harbor Access Study	75,000
Lands & Resources Fund Total		<u>\$ 825,000</u>

**FISCAL YEAR 2025
WASTEWATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY25 BUDGET
Wastewater Utility	Facilities Planning (Infiltration and Inflow, ABTP long term study, solids digester)	\$ 220,000
Wastewater Utility	JDTP Improvements	100,000
Wastewater Utility	8th and F Street Sewer Reconstruction	468,000
Wastewater Utility	Vintage and Clinton Sewer System Reconstruction	410,000
Wastewater Utility	JDTP SCADA and Instrumentation Upgrades	150,000
Wastewater Utility	Pavement Management Program-Utility Adjustments (frames &lids)	27,000
Wastewater Utility	MWWTP SBR Waste Pump Replacement	25,000
Wastewater Enterprise Fund Total		<u>\$ 1,400,000</u>

**FISCAL YEAR 2025
WATER ENTERPRISE FUND**

DEPARTMENT	PROJECT	FY25 BUDGET
Water Utility	Fritz Cove / Mendenhall Peninsula Area water replacement	\$ 1,000,000
Water Utility	F St and W 8th St Water System Reconstruction	315,000
Water Utility	LCB SCADA & Security Upgrade	100,000
Water Utility	PRV Station Improvements & Upgrades	225,000
Water Utility	Clinton and Vintage Water System Reconstruction	255,000
Water Utility	Egan Drive Water Main Crossings Replacements	500,000
Water Utility	Potable Water Distribution System Instrumentation	105,000
Water Enterprise Fund Total		\$ 2,500,000
ORDINANCE 2024-01 CAPITAL PROJECTS FUNDING TOTAL		\$ 51,011,000
ORDINANCE 2024-01 OPERATING BUDGET FUNDING TOTAL		\$ 3,500,000

**FISCAL YEAR 2025
AIRPORT UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT		
Airport	Design & RA 26 MALSR	\$	1,000,000
Airport	Construct Safety Area Grade; RW Shoulder/NAVAIDs		3,300,000
Airport Unscheduled Funding Total		\$	<u>4,300,000</u>

**FISCAL YEAR 2025
UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT		
	FTA Grants - Bus Barn Electric Bus Charging Infrastructure,		
Capital Transit	Security, Safety, Repairs and Upgrades		3,024,000
Harbors	ADOT Harbors Facility Grant - Aurora Harbor		5,000,000
Harbors	Taku Harbor Dingell-Johnson Sportfish Grant		1,000,000
Harbors	Procurement of Two LTC Dock Electrification Transformers		55,000,000
Manager's Office	Public Safety Communication Infrastructure		13,000,000
	NOAA Transformation Habitat Restoration and Coastal		
Manager's Office	Resilience Grant - Mendenhall River Glacial Outburst		130,000
Parks and Recreation	Dimond Park Field House Elevator		1,000,000
Parks and Recreation	Fish Creek Park ADA Fishing Trail and Access Impvts		250,000
Parks and Recreation	OHV Recreational Trails Program Grant		300,000
Public Works	Upper Jordan Creek Sediment Control		5,000,000
Unscheduled Funding Total		\$	<u>83,704,000</u>

Section 2. Fiscal Year 2025 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY25 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2025 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of **June**, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 HERITAGE WAY, JUNEAU, ALASKA 99801

TO: Katie Koester
City and Borough Manager

DATE: March 8, 2024

FROM: Greg Smith
Contract Administrator

FILE: 2223

SUBJ: BID RESULTS:
Adair Kennedy Baseball Field Improvements
CBJ Contract No. BE24-147

Bids were opened on the subject project on February 22, 2024. The bid protest period expired at 4:30 p.m. on February 27, 2024. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	BASE BID	Add. Alt. No. 1	Add. Alt No. 2	TOTAL BID
<i>Dawson Construction, LLC</i>	<i>\$2,629,802.89</i>	<i>\$15,000.00</i>	<i>\$315,000.00</i>	<i>\$2,959,802.89</i>
Coogan Construction Co.	\$2,650,689.89	\$7,500.00	\$25,000.00	\$2,966,189.89
Admiralty Construction, Inc.	\$3,098,265.89	\$25,000.00	\$310,000.00	\$3,433,265.89
North40 Construction Corp.	\$3,108,363.89	\$42,000.00	\$300,000.00	\$3,450,363.89
<i>Engineer's Estimate</i>	<i>\$3,573,537.89</i>	<i>\$50,000.00</i>	<i>\$255,000.00</i>	<i>\$3,878,537.89</i>

Project Manager: John Nelson

Project Description:

The Base Bid WORK covered in the Contract Documents includes mobilization, supply and installation of synthetic turf field system, clearing and grubbing, tree/stump removal, erosion and sediment control, site demolition, excavation, usable excavation, turf base rock, perimeter nailer board, field drainage system, storm drain system, construction surveying, chain link fencing, gates, signs, fence removal, pitching mats, pitching mounds, portable fences and backstop, foul pole marker posts, batting cage, removal and replacement of electrical conduit, cable and junction boxes for field lighting and electronic scoreboard, AC pavement removal and replacement, concrete field curbs, concrete area drains, concrete dugout slabs and other miscellaneous items of WORK for a complete, turnkey synthetic turf field for baseball and softball at the Adair Kennedy Memorial Park.

Additive Alternate No.1 WORK covered in the Contract Documents includes the drainage repairs to an existing underground turf/track drain system that is failing at the northeast side of the Adair Kennedy Running Track. The WORK includes removal, salvage and reinstallation of existing synthetic turf material and rubber infill material, removal and replacement of underground storm drain piping, cleaning of existing storm drain catch basins and trench drains and other miscellaneous related WORK.

Additive Alternate No. 2 WORK covered in the Contract Documents includes the removal of existing Adair Kennedy baseball field light luminaires on six (6) existing field light poles and replacing with new LED fixtures including new light controls and other miscellaneous WORK.

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 HERITAGE WAY, JUNEAU, ALASKA 99801

Funding Source: Go Bond '23

Total Project Funds: \$5,000,000.00
CIP No. P41-106
Construction Encumbrance: \$2,959,802.89
Construction Contingency: \$300,000.00
In-House or Consultant] Design: \$133,380.00
Contract Administration/Inspection: \$236,785.00
CBJ Administrative costs: \$90,000.00

Staff recommends award of this project, Base Bid and both Alternates to Dawson Construction, LLC for the total amount bid of \$2,959,802.89.

Approved: _____
Katie Koester
City & Borough Manager

Date of Assembly Approval: _____

c: CBJ Purchasing



Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1073

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$50,000 be transferred:

From: CIP

B55-086 BRH Deferred Maintenance \$ (50,000)

To: CIP

B55-084 Hospital CT/MRI Replacement \$ 50,000

The \$50,000 consists of:

Hospital Funds \$ 50,000

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1074

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$15,537 be transferred:

From: CIP

H51-122 Dock Security Stations \$ (15,537)

To: CIP

H51-123 Weather Monitoring and Communications \$ 15,537

The \$15,537 consists of:

Marine Passenger Fees \$ 15,537

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1076

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$3,271,560 be transferred:

From: CIP

U76-119	MWWTP Improvements	\$ (1,237,663)
U76-120	ABTP Improvements	\$ (1,003,460)
U76-109	BioSolids Treatment and Disposal	\$ (538,023)
U76-131	Facilities Planning	\$ (288,268)
U76-106	Treatment Plants Headworks Improvements	\$ (204,146)

To: CIP

U76-112	New Vactor Dump	\$ 3,271,560
---------	-----------------	--------------

The \$3,271,560 consists of:

Wastewater Funds	\$ 3,271,560
------------------	--------------

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: April 01, 2024
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1077

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$60,000 be transferred:

From: CIP

P41-097	Sportsfield Repairs	\$ (60,000)
---------	---------------------	-------------

To: CIP

P41-109	Adair Kennedy Lighting	\$ 60,000
---------	------------------------	-----------

The \$60,000 consists of:

General Sales Tax	\$ 60,000
-------------------	-----------

Moved and Approved this _____ day of _____, 2024.

Katie Koester, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk



February 12, 2024

City of Fairbanks, Fairbanks North Star Borough

License Type:	Seasonal Restaurant/Eating Place Tourism	License Number:	15765
Licensee:	Devil's Club Brewing LLC		
Doing Business As:	Devil's Club Brewing Company		
Premises Address:	100 N. Franklin St., Juneau, AK, United States, 99801		

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

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

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

AS 04.11.491 – AS 04.11.509 provides that the board will deny a license application if the board finds that the license is prohibited 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 in a place within the local government where a local zoning ordinance prohibits the alcohol establishment unless the local government has approved a variance from the local ordinance.

Sincerely,
Joan Wilson Director
amco.localgovernmentonly@alaska.gov



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 21, 2024

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

Re: Notice of 2024/2025 Alcoholic Beverage License Renewal Application

4943	690	Specialty Imports	Wholesale - General	Juneau	540 W 8th Street	907-563-9100
------	-----	-------------------	---------------------	--------	------------------	--------------

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.

Sincerely,

Joan M. Wilson, Director
amco.localgovernmentonly@alaska.gov



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: February 28, 2024

File No.: USE2023 0009

Mr. Dave Scanlan
155 Heritage Way
Juneau, AK 99801

Proposal: Conditional Use Permit for Eaglecrest Ski Area, located in a Rural Reserve (RR) Zone, including a gondola, Summit House lodge, construction access roads, mountain bike trails, Upper Fish Creek bridge crossings, a picnic pavilion near Cropley Lake, and a snow tubing park.

Property Address: 3000 Fish Creek Road

Legal Description: SECTION 31 T 41 S R 67 E CRM

Parcel Code No.: 3D1021000010

Hearing Date: February 27, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 20, 2024, and approved with conditions the Eaglecrest Ski Area development plans to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The minimum required setback from the southern CBJ parcel boundary for the Summit House lodge structure is 25-feet.
2. The maximum allowed height is 45 feet.
3. Expand the Lower Nordic Trail parking lot by a minimum of thirty (30) off-street parking spaces.
4. All exterior lighting fixtures shall be of a "full cutoff" design.
5. Prior to issuance of a Temporary Certificate of Occupancy, ESA shall ensure that all drainage, storm water, and stabilization improvements related to specific features and facilities are completed and functioning.
6. ESA shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, ESA will protect adjacent areas from contamination from storm water runoff and provide a drainage system or structures that will minimize the possibility of sedimentation

Dave Scanlan
File No: USE2023 0009
February 28, 2024
Page 2 of 2

and soil erosion on-site and downstream and maintain or enhance the general stream characteristics of the stream and its receiving waters.

Attachments: February 20, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2023 0009.

February 27, 2024 Additional Materials, Public Comments.

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 risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, February 27, 2024.

Expiration Date: The permit will expire 18 months after the effective date, or August 27, 2026, 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.

mandy cole

Mandy Cole, Chair
Planning Commission

3/25/24

Date

Filed With City Clerk

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.



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: February 28, 2024

File No.: CSP2023 0001

City and Borough of Juneau
CBJ Assembly Members
155 Heritage Way
Juneau, AK 99801

Proposal: City Project Review for Eaglecrest Ski Area, located in a Rural Reserve (RR) Zone, including a gondola, Summit House lodge, construction access roads, mountain bike trails, Upper Fish Creek bridge crossings, a picnic pavilion near Cropley Lake, and a snow tubing park.

Property Address: 3000 Fish Creek Road

Legal Description: SECTION 31 T 41 S R 67 E CRM

Parcel Code No: 3D1021000010

Hearing Date: February 27, 2024

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 20, 2024, and recommended that the Assembly direct CBJ staff to design and build the project in accordance with USE2023 0009.

Attachments: February 20, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding CSP2023 0001.

February 27, 2024, Additional Materials, Public Comments.

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

City and Borough of Juneau
CBJ Assembly
File No.: CSP2023 0001
February 28, 2024
Page 2 of 2

Section N, Item 21.

mandy cole

Mandy Cole, Chair
Planning Commission

3/25/24

Date

Filed With Municipal Clerk

Date

cc: Plan Review

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: The Manager
Presented: 04/01/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2024-14

A Noncode Ordinance Authorizing a Thane Road Campground at 100 Mill Street.

WHEREAS, the City and Borough of Juneau (“CBJ”) has been operating a summer campground in partnership with community organizations in some fashion since the early 2000s; and

WHEREAS, due to the changing nature of the population of campground users and the poor access/visibility of the campground, the location of the campground at the end of Gastineau Avenue has become unsafe for campers and the immediately adjacent neighborhood; and

WHEREAS, staff and community organizations began considering alternative options that will hopefully mitigate some of the concerns experienced last summer by improving access and visibility, without materially changing the nature of the program; and

WHEREAS, 100 Mill Street, immediately adjacent to the Cold Weather Emergency Shelter, became the best option for the campground because it is more visible and accessible, and it is not adjacent to a residential neighborhood; and

WHEREAS, according to CBJC 49.25.300.7.200 (assisted living uses) and to CBJC 49.25.300.21.200 (campground)—a campground intended for people experiencing homelessness would be a hybrid between the 21.200 and 7.200 uses—both are normally prohibited in an industrial zone, like at 100 Mill Street; and

WHEREAS, the Assembly exempts the Planning Commission from reviewing this ordinance (CBJ Charter 3.16(c)); and

WHEREAS, it is reasonable and necessary to temporarily waive the Title 49 use prohibition for the Thane Road Campground to be located at 100 Mill Street upon balancing the public health, safety, and welfare; and

WHEREAS, the intent of a Thane Road Campground is to provide a space and services for people experiencing homelessness in the warmer months, approximately from April through November.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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

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

Section 2. Exempting the Thane Road Campground from Title 49 requirements. The provision of the Thane Road Campground primarily for people experiencing homelessness is an essential public facility/service and is exempt from any and all requirements and prohibitions of Title 49.

Section 3. Location of Thane Road Campground. The Thane Road Campground can be located at 100 Mill Street. After calendar year 2024, the Assembly must approve—by motion at an Assembly meeting—the location of the Thane Road Campground on an annual basis.

Section 4. Five-year Sunset Clause. This ordinance automatically expires and shall have no further effect on and after December 31, 2028.

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

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



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

TO: Mayor Weldon and Borough Assembly
DATE: April 1, 2024
FROM: Robert Barr, Deputy City Manager
RE: Proposed summer campground changes

The Committee of the Whole discussed this topic at its March 11, 2024 meeting and this memo provides an update since the [staff report](#)¹ given at that meeting.

Legally, we've been working with the landowner and our respective attorneys to care for concerns around liability, indemnification, and contract negotiations. While we've made progress on that front and expect a successful conclusion, we don't yet have a contract.

Practically, we've identified a location for the material currently stored at 100 Mill St – the JD Wastewater Treatment Plant – in a large truck turn-around area. We plan to begin the work of moving that material after we finish contract negotiations and receive direction from the Assembly at this meeting. After that work is complete, we will start the work of transforming the site into a campground – removing the existing barbed wire, adding additional entrance/exit points, adding restrooms, potable water, bear/garbage/sharps containers, and tent platforms.

Additionally in the interim between meetings, staff met with the Rock Dump business community to discuss this proposal and hear concerns and alternative ideas. The Assembly has received comment via email from this group and others on this topic. We understand and, generally, find merit in the concerns we've heard. As discussed at the March 11 meeting, the immediate geographic area anywhere we place this campground will see increased negative impacts. The policy call in this case is to balance those impacts with the potential benefits that individual campers would see by having a CBJ sanctioned campground in a more visible and easier to access area. Additional factors exist – dispersed camping will happen regardless, but less dispersed camping will occur if a campground exists.

Some alternative ideas that we have been asked to consider in the interim include:

1. Utilize the "little" rock dump instead of 100 Mill St.
 - Safety – access is via a narrow road shoulder with high-speed traffic immediately adjacent to pedestrians
 - Weather – the little rock dump is highly exposed to the weather – much more so than 100 Mill St. or almost any other conceivable campground location
 - Invisibility – behaviorally, a campground at the little rock dump would likely be similar to the campground last year at the end of Gastineau Ave.
2. Find a different parcel of CBJ owned property, not near a residential or business area
 - While there may be alternative locations, it is unlikely that a location exists in a goldilocks zone where we could balance the need for visibility/access with mitigated or very low impacts or neighboring businesses or residences.
3. Conduct a planning effort to seek a longer-term solution

¹ <https://bit.ly/3x76JRV>

- The last Assembly task force on homelessness was in 2017.
- A task force represents a significant commitment of resources – time for the work of the task force, followed by time and money to implement its recommendations. A great deal has changed since 2017 in this broader arena in Juneau and whether a task force is created or not, a comprehensive review of those changes would likely be beneficial.

Recommendation:

Hear public testimony, discuss, and weigh the balance of the public benefit of a visible campground against the likely and potential negative impacts.

Provide staff direction to continue on the current path by keeping this legislation at the Assembly, currently scheduled for public hearing and adoption at the April 29th meeting; or, change paths and refer this topic to committee for further discussion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: HRC
Presented: 03/04/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-04(b)

An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

WHEREAS, the Alaska Whistleblower Act (AS 39.90.100 – 150) applies to municipalities unless the municipality adopts its own whistleblower act that is substantially similar to the Alaska Whistleblower Act; and

WHEREAS, the City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process to report potential personal and financial conflict of interest violations by employees and by members of the public (CBJC 01.45.110); and

WHEREAS, while the City and Borough of Juneau Conflict of Interest Code overlaps with traditional whistleblower protections, an explicit local whistleblower act would help people more easily locate whistleblower protections and promote accountability in local government.

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 Title. Title 01 - General Provisions, is amended by adding a new chapter to read:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Chapter 01.46 - CBJ WHISTLEBLOWER ACT

01.46.010 Protection for whistleblowers.

(a) The City and Borough of Juneau may not discharge, threaten, or otherwise discriminate against an employee of the City and Borough of Juneau regarding the employee’s compensation, terms, conditions, location, or privileges of employment because:

- (1) The employee, or a person acting on behalf of the employee, reports to a public body or is about to report to a public body a matter of public concern; or
- (2) The employee participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.

(b) The City and Borough of Juneau may not disqualify an employee or other person who reports a matter of public concern or participates in a proceeding connected with a matter of public concern before a public body or court, because of the report or participation, from eligibility to

- (1) bid on contracts with the City and Borough of Juneau;
- (2) receive land under a City and Borough of Juneau ordinance; or
- (3) receive another right, privilege, or benefit.

(c) The provisions of this chapter do not:

- (1) Require the City and Borough of Juneau to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
- (2) Prohibit the City and Borough of Juneau from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (3) Authorize the disclosure of information that is legally required to be kept confidential; or
- (4) Diminish or impair the rights of an employee under a collective bargaining agreement.

(d) The City and Borough must post notices and use other appropriate means to inform employees of their protections and obligations under this chapter.

State law reference—Alaska Whistleblower Act, AS 39.90.100.

01.46.020 Limitations to whistleblower protections.

- (a) A person is not entitled to the protections under this chapter unless the person
 - (1) reasonably believes that the information reported is or is about to become a matter of public concern; and
 - (2) reports the information in good faith.
- (b) A person is entitled to the protections under this chapter only if the matter of public concern
 - (1) is not the result of conduct by the person seeking protection; or
 - (2) is the result of conduct by the person that was required by the City and Borough of Juneau.
- (c) Before an employee initiates a report on a matter of public concern under this chapter, the employee shall submit a written report concerning the matter to the City and Borough of Juneau manager. However, the employee is not required to submit a written report if the employee
 - (1) believes with reasonable certainty that the activity, policy, or practice is already known to the manager;
 - (2) reasonably believes that an emergency is involved; or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(3) reasonably fears reprisal or discrimination as a result of disclosure.

State law reference—Alaska Whistleblower Act, AS 39.90.110.

01.46.030 Limitations to whistleblower protections.

(a) A person who alleges a violation of this chapter may bring a civil action and the court may grant appropriate relief.

(b) A person who violates or attempts to violate this chapter is also liable for a civil fine of not more than \$10,000.

(c) A person who attempts to prevent another person from making a report or participating in a matter under this chapter with intent to impede or prevent a public inquiry on the matter is liable for a civil fine of not more than \$10,000.

State law reference—Alaska Whistleblower Act, AS 39.90.120.

01.46.040 Definitions.

In this chapter,

(1) “employee” means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied, for the City and Borough of Juneau;

(2) “matter of public concern” means

(A) a violation of a state law; federal law; or municipal law, regulation, ordinance, or formal policy;

(B) a danger to public health or safety;

(C) gross mismanagement, a substantial waste of funds, or a clear abuse of authority;

(3) “public body” includes an officer or agency of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (A) the federal government;
- (B) the state;
- (C) a political subdivision of the state including
 - (i) a municipality;
 - (ii) a school district; and
 - (iii) a regional educational attendance area;
- (D) a public or quasi-public corporation or authority established by state law including the Alaska Railroad Corporation; and
- (E) the University of Alaska.

State law reference—Alaska Whistleblower Act, AS 39.90.140.

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-07

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

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

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

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

67.01.090 Prohibited uses.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

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

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

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

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

03.30.056 Parks and recreation fine schedule.

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

PARKS AND RECREATION FINE SCHEDULE

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

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

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

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by: The Manager
Introduced: March 04, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

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 \$76,130 for the Energy Efficiency and Conservation Block Grant.

Section 3. Source of Funds

U.S. Department of Energy \$76,130

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: March 04, 2024
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup 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. Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$250,000 be transferred:

From:

FY24 RecycleWorks Operating Budget (\$ 250,000)

To: CIP

D16-043 River Road Junk Vehicle Cleanup \$ 250,000

Section 3. Source of Funds

General Funds \$ 250,000

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

Adopted this _____ day of _____, 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM OFFICE OF THE ASSESSOR

155 Heritage Way
Juneau, AK 99801
Phone: (907) 586-5215 Ext 4906
Fax: (907) 586-4520
E-Mail: Mary.Hammond@juneau.gov

Date: February 28, 2024
To: Mayor and Assembly
From: Mary Hammond, Assessor

RE: Economic Development – Export Manufacturing Exemption

The Assessor’s Office received the following 2024 Export Manufacturing Exemption Applications for business personal property used in manufacturing. The Assembly must approve any export manufacturing exemption for real or business personal property, CBJ 69.10.020(1)(c).

The property owners listed below have had Assembly approval in the past. It is recommended that their new applications be approved.

2024	AK GLACIER SEAFOOD INC	AKBEV GROUP LLC	FORBIDDEN PEAK BREWERY	DEVILS CLUB BREWING CO
Total Assessed Value	2,758,926	9,305,463	267,643	210,361
Mandatory Exempt Amount	100,000	100,000	100,000	100,000
Taxable Value	2,658,926	9,205,463	167,643	110,361
Tax Amount @ FY24 Estimated Mill Rate (10.56)	28,078	97,210	1,770	1,165
Prior Years Export Mfg Exempt Value	542,445	1,329,732	163,353	87,854
New Export Mfg Exempt Value	292,978	176,170	4,290	60,533
Total Export Mfg Exempt Value	835,423	1,505,902	167,643	148,387
Taxable Value Before Mandatory Exemption Value	1,923,503	7,799,561	100,000	61,974
Mandatory Exempt Value	100,000	100,000	100,000	61,974
Total Taxable Value after both exemptions	1,823,503	7,699,561	-	-
Total Amount Paid@ FY24 Estimated Mill Rate (10.56)	19,256	81,307	-	-
Total Prior Years Export Mfg Tax Exempt	5,728	14,042	1,725	928
Total New Export Mfg Tax Exempt	3,094	1,860	45	639
Total Tax to be Exempted	8,822	15,902	1,770	1,567

Attached are copies of their applications.

A. Export Manufacturing

CBJ 69.10.020(10) provides for exempting qualifying manufacturing property from assessment and taxation. Qualifying property may receive a declining five-year percentage exemption from the property's market value as follows:

- 100% exemption in year 1
- 80% exemption in year 2
- 60% exemption in year 3
- 40% exemption in year 4
- 20% exemption in year 5

Property owners seeking an exemption must file a request with the Assessor's Office on or before January 31 of each year. The code places the authority for approving the manufacturing exemption requests with the Assembly.

The Assessor's Office has received three property manufacturing exemption requests for the 2024 tax year (FY25 budget year).

1. Alaska Glacier Seafood's, Inc. filed a manufacturing exemption for machinery and equipment totaling \$292,978 (\$3,094 in property tax).

In addition, Alaska Glacier Seafood's has \$542,445.00 in property qualifying from prior years, for a total 2024 assessment exemption of \$835,423 or (\$8,822 in property taxes).

The Assessor's Office has determined that the property exemption request meets the code requirements and recommends approval of this exemption request.

2. Alaskan Brewing Company, LLC filed a manufacturing exemption for machinery, equipment, furniture and fixtures, computers and software, and vehicles totaling \$176,170 (\$1,860 in property tax).

In addition, Alaskan Brewing has \$1,329,732 in property qualifying from prior years, for a total 2024 assessment exemption of \$1,505,902 (\$15,902 in property taxes).

The Assessor's Office has determined that the property exemption request meets the code requirements and recommends approval of this exemption request.

3. Forbidden Peak Brewery has filed a manufacturing exemption for machinery and equipment for the assessment year 2024.

Forbidden Peak Brewery has filed a manufacturing exemption for machinery and equipment totaling \$4,290 (\$45 in property tax).

In addition, Forbidden Peak Brewery has \$163,353 in property qualifying from prior years, for a total 2024 assessment exemption of \$163,353 (\$1,770 in property taxes).

The Assessor's Office has determined that the property exemption request meets the code requirements and recommends approval of this exemption request.

4. Devils Club Brewing CO has filed a manufacturing exemption for machinery and equipment totaling \$60,533 (\$639 in property tax).

In addition, Devils Club Brewing CO has \$87,854 in property qualifying from prior years, for a total 2024 assessment exemption of \$148,387 or (\$1,567 in property taxes).

The Assessor's Office has determined that the property exemption request meets the code requirements and recommends approval of this exemption request.

I recommend approval of these exemption requests.

Mary Hammond
Mary Hammond
Assessor

2/28/2024
Date



Office of the Assessor
155 S Seward Street
Juneau AK 99801

Section Q, Item 27.

Export Manufacturing Exemption Application	
Assessment Year	<input type="checkbox"/> 2017 <input checked="" type="checkbox"/> Other <input type="text" value="2024"/>
Organization Name	Alaska Glacier Seafoods, Inc.
BPP Account #	59811
Parcel ID #	
Name of Applicant	Kristie Erickson
Email Address	kristie@alaskaglacierseafoods.com

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	907-790-3592	Secondary Phone #	907-790-3590
Mailing Address	Box 34363 Juneau, AK 99803	Property Address	13555 Glacier Highway Juneau, AK 99801
Type of Business	Seafood Processing		
Sales Tax Account Number	272728		
Has this property ever been taxed in the CBJ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No How Many? <input type="text" value="98"/>		
Does this business create employment within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	We employ approx 30 year around employees and hire another 100 or so seasonal workers who work within CBJ.		
Does this business generate sales outside the CBJ of goods produced within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	We buy and process fish within CBJ and export approx 96% of it out of CBJ.		
What percent of total production is exported outside the CBJ?	<input type="text" value="96"/> %		
Does this business reduce the importation of goods from outside the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	We buy and process locally caught fish and sell it to local stores and restaurants, which reduces the need for importing fish in to CBJ.		
Has this property been used in the same trade or business in another municipality within the past 6 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)	Total market value to be exempted: \$ <input type="text" value="all allowable"/>		
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:	Date:		
	1/31/2024		
Assessor Approval [] Yes [] No Date: _____ Comments:			

Contact Us: CBJ Assessor's Office			
Phone:	Email:	Website:	Physical Location
Phone # (907) 586-5215 Fax # (907) 586-4520	Assessor_Office@juneau.gov	http://www.juneau.org/finance	155 South Seward St Rm. 114 Juneau AK 99801



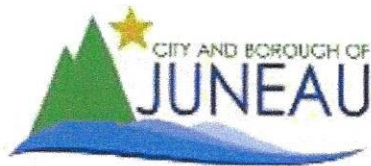
Office of the Assessor
155 S Seward Street
Juneau AK 99801

Export Manufacturing Exemption Application	
Assessment Year	<input checked="" type="checkbox"/> 2023 <input type="checkbox"/> Other _____
Organization Name	AKBEV GROUP, LLC
BPP Account #	521150
Parcel ID #	
Name of Applicant	Alaskan Brewing Company
Email Address	accounting@alaskanbeer.com

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	(907) 780-5866	Secondary Phone #	
Mailing Address	5429 Shaune Drive Juneau, AK 99801	Property Address	Same
Type of Business	Beverage Manufacturing		
Sales Tax Account Number	890135		
Has this property ever been taxed in the CBJ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No How Many? <input type="text" value="92"/>		
Does this business create employment within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<input type="text" value="We currently employ 69 full-time positions located in Juneau"/>		
Does this business generate sales outside the CBJ of goods produced within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<input type="text" value="We ship our products to a total of 25 states including throughout the State of AK"/>		
What percent of total production is exported outside the CBJ?	<input type="text" value="91"/> %		
Does this business reduce the importation of goods from outside the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<input type="text" value="Our locally manufactured products are sold in nearly every bar and liquor store in Juneau, as well as in our brewery tasting room."/>		
Has this property been used in the same trade or business in another municipality within the past 6 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)	Total market value to be exempted: <input type="text" value="\$1,227,280"/>		
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:		Date:	
<input type="text" value="Linda Thomas, CEO"/>		<input type="text" value="1/31/24"/>	
Assessor Approval [] Yes [] No Date: _____ Comments:			

Contact Us: CBJ Assessor's Office			
Phone:	Email:	Website:	Physical Location
Phone # (907) 586-5215 Fax # (907) 586-4520	Assessor_Office@juneau.org	http://www.juneau.org/finance	155 South Seward St Rm. 114 Juneau AK 99801



Office of the Assessor
 155 S Seward Street
 Juneau AK 99801

Export Manufacturing Exemption Application	
Assessment Year	2024
Organization Name	Forbidden Peak Brewery LLC
BPP Account #	911751
Parcel ID #	4B2801030091
Name of Applicant	Skye Stekoll
Email Address	skye@forbiddenpeak.com

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	(907) 209-7348	Secondary Phone #	
Mailing Address	PO Box 211370 Auke Bay, AK 99821	Property Address	11798 Glacier Highway Juneau, AK 99801
Type of Business	Brewery		
Sales Tax Account Number	01003760		
Has this property ever been taxed in the CBJ?	<input type="radio"/> Yes <input checked="" type="radio"/> No		
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?	<input checked="" type="radio"/> Yes <input type="radio"/> No How Many? <u>7</u>		
Does this business create employment within the CBJ?	<input checked="" type="radio"/> Yes <input type="radio"/> No		
Explain:	Our employees all live within the CBJ and our products are sold at our retail establishment and also at other bars, restaurants, and tourism organizations within CBJ		
Does this business generate sales outside the CBJ of goods produced within the CBJ?	<input checked="" type="radio"/> Yes <input type="radio"/> No		
Explain:	We sell our product to various communities throughout Alaska, including Haines, Skagway, Anchorage, and Fairbanks		
What percent of total production is exported outside the CBJ?	<u>1</u> %		
Does this business reduce the importation of goods from outside the CBJ?	<input checked="" type="radio"/> Yes <input type="radio"/> No		
Explain:	Our product replaces imported beverages at local restaurants and bars		
Has this property been used in the same trade or business in another municipality within the past 6 months?	<input type="radio"/> Yes <input checked="" type="radio"/> No		
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)	Total market value to be exempted: \$ <u>40,000</u>		
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:		Date:	
		1/17/24	
Assessor Approval [] Yes [] No Date: _____ Comments: _____			

Contact Us: CBJ Assessor's Office			
Phone:	Email:	Website:	Physical Location
Phone # (907) 586-5215 ext4035 Fax # (907) 586-4520	Assessor.Office@juneau.gov	http://www.juneau.org/finance	155 South Seward St Rm. 114 Juneau AK 99801



Office of the Assessor
 155 S Seward Street
 Juneau AK 99801

Section Q, Item 27.

Export Manufacturing Exemption Application	
Assessment Year	<input type="checkbox"/> 2017 <input checked="" type="checkbox"/> Other <u>2024</u>
Organization Name	
BPP Account #	
Parcel ID #	
Name of Applicant	
Email Address	

In Accordance with CBJ 69.10.020(10) certain Real Property and Business Personal Property may be partially exempt when used in a manufacturing business. Application for this exemption must be submitted to the municipal assessor before January 31 of the applicable tax year.

Primary Phone #	<u>9072098451</u>	Secondary Phone #	
Mailing Address	<u>100 N Franklin St Juneau, AK 99801</u>	Property Address	<u>Same as <</u>
Type of Business	<u>Brewery</u>		
Sales Tax Account Number	<u>904743</u>		
Has this property ever been taxed in the CBJ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is this property used in a trade or business having fewer than 500 annual full-time equivalent employees?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No How Many? <u>15</u>		
Does this business create employment within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<u>We employ cooks, beertenders, managers, brewers.</u>		
Does this business generate sales outside the CBJ of goods produced within the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<u>We export beer and other products to Anchorage and other areas of the state.</u>		
What percent of total production is exported outside the CBJ?	<u>10</u> %		
Does this business reduce the importation of goods from outside the CBJ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Explain:	<u>We manufacture products to be purchased in Juneau.</u>		
Has this property been used in the same trade or business in another municipality within the past 6 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
List detail of real or personal property and the total market value which you are seeking to be exempted. (use attachment if necessary)	Total market value to be exempted: <u>\$see standard de</u>		
Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
Signature and Title of Applicant:	Date:		
<u>Evan Wood</u>	<u>12/20/23</u>		
Assessor Approval [] Yes [] No Date: _____ Comments:			

Contact Us: CBJ Assessor's Office			
Phone:	Email:	Website:	Physical Location
Phone # (907) 586-5215 Fax # (907) 586-4520	Assessor_Office@juneau.gov	http://www.juneau.org/finance	155 South Seward St Rm. 114 Juneau AK 99801

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 Heritage Way, Juneau, Alaska 99801
Dan.Bleidorn@juneau.gov
(907) 586-5252

TO: Alicia Hughes-Skandijs, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Ruschmann Application to Purchase CBJ Property
DATE: March 5, 2024

In August 2023 Chris Ruschmann submitted an application to the Land Office requesting to purchase CBJ property adjacent to the applicant’s property which is located at 15700 Auke Rec Bypass Road. The original application was for up to five acres for the purposes of “High Tunnel Farming and other agricultural resources”. In the time since this application was submitted to the Land Office, the applicant has updated the application stating that they “recently had a house fire and am dealing with my house not being usable for a bit. But it’s got me thinking about a smaller scale land increase. Enough to subdivide and potentially build another house on the back part of my property.”

The CBJ property that is being requested is not currently served by municipal water or sewer. This property is 151 acres and is transected by Glacier Highway and parts are managed by the Parks and Recreation Department as the Aant’iyeik Park and Disc Golf Course. The fraction that is included in this application is managed by Lands and Resources. This property is located outside of the sewer service boundary but also does not have water service because the service out the road is located south of this property on Auke Rec Bypass Road and not on Glacier Highway.



The next step in this process will be for the Assembly to review this application as a new business topic and determine “whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.” If the Assembly provides a motion to negotiate with the original proposer and the negotiations are successful, an ordinance with terms and conditions of the sale will be introduced prior to a public hearing.

The applicant’s property is served by municipal water and is located on the Auke Rec Bypass Road. If this application moves forward, there is an opportunity to negotiate an access and utility easement on the applicant’s property to provide municipal drinking water to the remaining CBJ Parcel. Access to municipal water would increase the value and developability of the remaining CBJ property in a way that makes this proposal beneficial to the CBJ.

Staff request that the Lands, Housing and Economic Development Committee provide a motion of support to the Assembly for working with the original proposer in accordance with CBJ 53.09.260

CBJ Code section 53.09.260

Negotiated sales, leases, and exchanges.

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

(b) *Review and approval process.* Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.





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 CBJ Borough Assembly

FROM: Katie Koester, City Manager *Katie Koester*

Robert Barr, Deputy City Manager

DATE: April 1, 2024

RE: Adding New Assembly Implementing Action "Collaborate with the USCG and other partners on home-porting an icebreaker in Juneau" to 2024 Assembly Goals

During the December 2, 2023 Assembly Retreat the body discussed adding a new assembly implementing action to address home-porting an icebreaker in Juneau under Goal 2, "Economic Development – Assure Juneau has a vibrant, diverse local economy." This item was inadvertently left out of the 2024 Assembly Goals approved at the March 4, 2024 Regular Assembly meeting. The purpose of this memo is to add that goal and give the Assembly an update on potential action items.

The prospect of home-porting an icebreaker in Juneau has gained momentum with the inclusion of \$125 million for a commercially available icebreaker in the FY2024 Homeland Security Appropriations Act. Though there remains much work to be done, it is worth taking a moment to celebrate and thank the Congressional Delegation for their tireless advocacy. I will circulate a thank-you letter from the Mayor and Assembly for signature.

CBJ has meetings scheduled with the USCG to discuss what their needs are and how CBJ can be helpful in laying the groundwork for a successful and expedient welcoming of an icebreaker in Juneau. Staff will bring recommendations to the Committee of the Whole, recognizing the important role community partners such as the newly-formed Navy League and Chamber of Commerce can play, among others.

Recommendation: Add new Assembly Implementing Action: "Collaborate with the USCG and other partners on home-porting an icebreaker in Juneau" to 2024 Assembly Goal 2, Economic Development.



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

TO: Mayor Weldon and Borough Assembly
DATE: April 1, 2024
FROM: Robert Barr, Deputy City Manager
RE: Municipal Way Office Move

Due to ongoing construction activity resulting in a space that is unworkable, we are moving forward with moving staff out of the Municipal Way building into rented space at the Burns Building.

Staff have signed a letter of intent with the Burns Building real estate agent and we've begun contract negotiations. Our targeted lease start date is May 1st and expect to begin moving then or shortly after. The departments impacted are most of Finance, all of HR, and Lands and Resources.

We have an existing lease at the Municipal Way building that we are obligated under through July 1st. The Manager's Proposed FY25 budget removes budget authority for that lease from the Lands and Resources budget and includes temporary funding in the Manager's Office budget for a different short-term lease.

Under this plan, we will be overlapping payment for both spaces for May and June.

Recommendation:

Information only