



ASSEMBLY COMMITTEE OF THE WHOLE AGENDA

February 24, 2025 at 6:00 PM

Assembly Chambers/Zoom Webinar

Assembly Committee of the Whole Worksession - *No Public Testimony Taken*

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

A. CALL TO ORDER

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. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES

1. February 12, 2024 Assembly COW Meeting Minutes - Draft

2. March 11, 2024 Assembly COW Meeting Minutes - Draft

F. AGENDA TOPICS

3. Huna Totem Corporation Dock Presentation & Discussion

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

5. Burns Building Update

6. Marie Drake Options

7. Ordinance 2025-20 - Tax Exemptions Spanning Multiple Construction Seasons

G. STAFF REPORTS

H. NEXT MEETING DATE

March 17, 2025 at 6:00 p.m. Assembly Chambers/Zoom

I. SUPPLEMENTAL MATERIALS

8. RED FOLDER - Aak'w Landing Traffic Analysis Summary

9. RED FOLDER - Huna Totem Dock Navigation Study

10. RED FOLDER: Memo re: Structure for debate on proposed Huna Totem lease

J. ADJOURNMENT

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

SPECIAL ASSEMBLY COMMITTEE OF THE WHOLE **DRAFT** MINUTES

February 12, 2024, at 5:30 PM



Assembly Chambers/Zoom Webinar

A. CALL TO ORDER

Deputy Mayor Michelle Hale called the Special Committee of the Whole meeting to order at 5:33pm.

B. LAND ACKNOWLEDGEMENT

Mr. Smith read the land acknowledgement.

C. ROLL CALL

Assemblymembers present: Greg Smith, Alicia Hughes-Skandijs, Wade Bryson, Christine Woll, 'Wáahlaal Gidaag, Paul Kelly, Ella Adkison, Deputy Mayor Michelle Hale, Mayor Beth Weldon

Assemblymembers absent: None

Staff present: Deputy City Manager Robert Barr, City Attorney Robert Palmer, Engineering/Public Works Director Denise Koch, City Clerk Beth McEwen, Deputy City Clerk Andi Hirsh, Lands Manager Dan Bleidorn, Community Development Director Jill Lawhorne, Engineering Associate Nick Druyvestein, Chief CIP Engineer John Bohan, Environmental Project Specialist Dianna Robinson, Tourism Manager Alexandra Pierce, Assistant Municipal Attorney Nicole Lynch, Assistant Municipal Attorney Sherri Layne, Recycleworks Operations Manager Stuart Ashton

D. APPROVAL OF AGENDA – Agenda approved as presented.

E. APPROVAL OF MINUTES

1. **May 22, 2023, Assembly COW Draft Minutes** – Agenda approved with correction for a typo.

F. AGENDA TOPICS

2. Telephone Hill Redevelopment Study Update

Nick Druyvestein, project manager with Engineering and Public Works, gave an update on the Telephone Hill redevelopment study. He said they have been working on public outreach for the last several months, including a public online survey that received over 2400 responses and multiple in-person meetings.

He said the feedback received was that people preferred a denser multifamily housing development and wanted to avoid temporary housing such as a hotel or short-term rentals. He said the survey included four different density housing options and there was not a statistically significant favorability difference between several of the options, but that people preferred the options that had between 60 to 200 units.

Mr. Kelly asked about a no-build option. Mr. Druyvestein said the purpose of the survey was to find out what kind of housing people would prefer if development happened. Mr. Druyvestein said one piece of feedback on the survey was that some people picked Option D (retaining some current homes and adding apartments) as the closest to a no-build option but others chose that option because they were confused about why existing homes would be torn down to build new housing.

Mr. Bryson asked a clarifying question around the legality of the Assembly maintaining the property as-is. Mr. Palmer said that there are code provisions and constitutional standards that require CBJ to rent or lease property at fair market value, with some exemptions like government entities. Mr. Druyvestein noted that the current properties are leased at fair market value but when people move out, the properties have been left vacant.

Mr. Druyvestein said they have been working on a culture and historic review report and an update to the 1984 site and structure survey. He said these two documents are the first major step in a formal Section 106, which would identify factors that contribute to historic significance. Then that document would go to the State Historic Preservation Office (SHPO) for review and concurrence. He said should this process occur, any modifications on Telephone Hill would need to go through SHPO first.

Ms. Hale said the Assembly needed to provide two pieces of information for staff: which option to refine for the development of Telephone Hill and whether to continue further in the Section 106 review process.

Mr. Kelly asked about currently vacant and occupied houses. Mr. Bleidorn said there are currently four vacant units: one 2-unit duplex, one full house, and a part of a duplex. In total there are 6 houses and a five-unit apartment on Telephone Hill.

Ms. Hughes-Skandijs asked for clarification on what refinement meant. Mr. Druyvestein said they would be looking at site preparation, subdivision design, cost estimation, and possible building layout or preliminary floor plans. He said the last portion was included to give them a realistic number of how many dwelling units would be added.

MOTION by Mayor Weldon to have staff proceed with refining design concept C as presented in the survey. In speaking to her motion, Mayor Weldon said that the concept can be refined by comments from the public, such as removing the hotel. She reminded the Assembly that if the houses are left there the people who are currently living in them may not stay in them, as the houses would be sold at fair market value. She said with the land and the view, some of the houses may sell for something like \$900,000.

Clerk's Note: *Design concept C consisted of four mid-rise apartment buildings, two extra floors on the parking garage, and a hotel. It had the highest density housing out of the options presented, with the potential to provide 100-200 new housing units.*

OBJECTION by Mr. Kelly. He said the survey presented was not statistically significant and while here seems to be a preference to have higher density housing, he was hesitant to ask people currently living there to leave. He said he supported the option that filled in new apartment buildings around existing structures.

Ms. Woll asked about the cost estimate. Mr. Druyvestein said there will not be too much variability in the cost estimation, as a primary piece of it is the site preparation and getting the area ready for new buildings. He said this would likely be presented in a unit price. Ms. Hale said the Assembly had discussed selling the property to be developed, not doing the development themselves.

Mr. Bleidorn said that this motion allows staff to gather more information, such as how the properties could be subdivided, what kind of parking would be needed, and road alignment. He said this motion does not lock the Assembly into any course of action.

Mr. Bryson said he would hate for the Assembly to take action that would stop economic growth for a small group of individuals.

Ms. Adkison asked about other significant feedback received. Mr. Druyvestein said there was concern about the configuration and size of new buildings.

Ms. Hughes-Skandijs said she supported the mayor's motion because Juneau's lack of housing was at crisis levels. Ms. Woll agreed with Ms. Hughes-Skandijs and said the Assembly picked the highest density housing option because they are committed to dealing with the housing crisis.

Mr. Kelly asked if staff could look at keeping some of the original housing in the plan. Mr. Bleidorn said no, as any work moving forward would look at the entire site. He said the Assembly would have to provide a motion to work towards preservation if that was what they wanted.

Ms. Hale said the public survey shows that approximately 70% of respondents chose a lower density housing option, between 32-66 units, compared to the highest density housing option of 100-200 units. Ms. Hale said if

they are looking at modifying the current option, they should look at ways to bring in elements of the other options as well. Ms. Hughes-Skandijs said surveys give the Assembly information, but ultimately the Assembly acts as decisionmakers who need to serve the entire community.

Roll Call Vote:

Yeas: Mr. Smith, Ms. Hughes-Skandijs, Mr. Bryson, Ms. Woll, 'Wáahlaal Gidaag, Ms. Adkison, Mayor Weldon, Deputy Mayor Hale

Nay: Mr. Kelly

Motion passed, 8 yeas to 1 nay.

MOTION by Mayor Weldon to consider the Historic Review Process complete.

OBJECTION by Mr. Kelly.

Roll Call Vote:

Yeas: Mr. Smith, Ms. Hughes-Skandijs, Mr. Bryson, Ms. Woll, 'Wáahlaal Gidaag, Ms. Adkison, Mayor Weldon, Deputy Mayor Hale

Nay: Mr. Kelly

Motion passed, 8 yeas to 1 nay.

Mayor Weldon said that she understands the significance of this neighborhood and hoped the Museum or Lands Division would historically or photographically document this.

3. Mendenhall River Glacier Outburst Flood Update

Denise Koch, Engineering and Public Works Director, provided an update about the Mendenhall Glacier Lake Outburst Flood (GLOF). She focused on three topics: natural disaster assistance fund, storm drain overflow, and outside expertise CBJ was seeking to mitigate future potential floods.

She said CBJ does not have a program for natural disaster assistance, but the State of Alaska does. She said Senator Kiehl was working on a bill to increase the individual assistance from \$21,000 to \$50,000 and to add flexibility to allow that assistance to go to condo association owners. She clarified that individual condo owners were currently eligible, but that condo associations were not and therefore had to pay for riverbank armoring without assistance. She recommended that CBJ support this bill.

Ms. Koch said that storm drains did not cause most of the impact of the 2023 GLOF. She said that some storm drains at the time of the August 2023 flood had backflow preventers, but there were eight areas prone to flooding that did not have backflow preventers. She said they are pursuing quotes for materials and installation and think the cost might be in the \$400,000-450,000 range. Ms. Hale asked about funding in the budget. Ms. Koch said there were some funds in the areawide drainage funds CIP, some funds in the budget for glacial flooding, and they were looking into potential grant funds. She said this would not replace the entire storm drains but would retrofit them to prevent backflow. She said the estimate she provided was on the high end.

Ms. Koch highlighted several federal agencies and programs they were working with. CBJ partnered with the Southeast Alaska Watershed Council to submit a Transformational Habitat Restoration and Coastal Resilience Grant from NOAA. CBJ has a proposal in to the US Army Corps of Engineers (USACE), in collaboration with the Alaska Department of Transportation (ADOT) and NOAA, for a flood mapping study that would do predictive modeling.

CBJ requested assistance from USACE for a study under the Emergency Streambank and Shoreline Protection program. She said this program is just for public and nonprofit infrastructure; it would not cover private homes or businesses. She said the first step of this program is a federal interest determination, where the USACE decides if this program would be a good fit and a rough estimate of cost, and does not obligate CBJ to provide funding. She

said if USACE thought GLOF flood prevention a good fit for the program, CBJ would be obligated to a 50% cost share of a feasibility study and 35% of total project costs should it move forward. USACE estimated that it typically takes them 5-7 years to complete these projects and they do not require congressional approval.

CBJ requested assistance from the National Resources Conservation Service (NRCS) under their Watershed Protection and Flood Prevention program for technical and financial assistance. She said this program would benefit both public and private property. She said that no community in Alaska had received funding through this program, so to remedy that NRCS had essentially put out a call for proposals and had received 18 project nominations. This happened before the August 2023 flood, so CBJ was not included in that queue. She said they would be included in the next round of project requests. Ms. Koch said that there was no cost for the first phase of the project, a study, but that future match requirements depended on study results. She said congressional approval is required for projects over \$25 million, which would be likely for any solution on the Mendenhall River. She estimated that the timeline for completion would be at least 7 years.

CBJ has been working with ADOT to get LIDAR mapping of the river. She said this will help in the creation of new inundation maps of the Mendenhall River area which are needed for FEMA flood insurance purposes and updated disaster planning. She said the snow needs to melt before LIDAR can be effective.

CBJ has been working with Team Rubicon, a veteran non-profit group that helps with natural disaster cleanup. They plan to coordinate removal of household and non-natural debris on CBJ land along the river while water levels are low. Mr. Bryson asked about their familiarity with cold water navigation. Ms. Koch said they are a highly trained group and will also receive assistance from Capital City Fire and Rescue.

4. CBJ Transportation Options for Cruise Tourists

Alix Pierce, Tourism Manager, and Ms. Koch presented on transportation options for cruise ship tourists. Ms. Pierce said the idea of a downtown circulator has been present for decades and CBJ currently runs a free bus transit route in the downtown area. She said they used Marine Passenger Fees to commission a study on transportation options. She asked the Assembly to give direction to staff on how to move forward.

Ms. Pierce said the consultants recommended two potential options: the first is a Capital Transit Tripper Service to the Mendenhall Glacier and the second was to create a downtown circulator that included the Downtown Library, the City Museum, and Overstreet Park.

Mayor Weldon asked about the current free service offered. Ms. Koch said that Capital Transit has a ride free zone in the downtown core that starts with the Downtown Library and ends at the Downtown Transit Center (DTC) happening about every 30 minutes. She said everyone is required to exit the bus at the DTC.

Mayor Weldon asked if the proposed circulator would compete with any private entities. Ms. Pierce said the Trolley that currently exists is not a hop-on-hop-off option; she noted that some businesses may be interested in contracting with CBJ should they choose to issue an RFP.

Ms. Pierce said stakeholder outreach included Downtown Business Association members, bus operators who work downtown and at the Mendenhall Glacier, community organizations, and the 2022 resident survey.

Ms. Pierce, talking about cruise ship visitors using public buses to access the Mendenhall Glacier at levels high enough to crowd out locals, said that Capital Transit is a public service who has a duty to serve all customers. She said it is not legal to charge out-of-town visitors a higher pass or deny them service on the bus. She proposed a tripper service, going directly from the DTC to the closest bus stop to the Mendenhall Glacier that would operate during high-volume tourist days. She noted that the Forest Service was not in favor of Capital Transit having a bus stop at the glacier as that would interfere with their permitting system.

Ms. Hale asked if Capital Transit was ready to implement the tripper service for 2024. Ms. Koch said yes. She said they unofficially ran extra trips in 2023 as staffing and money allowed, but that for 2024 they put in a request for Marine Passenger Fees (MPF) to help pay for more consistent service. She said if they do not receive MPF they will

run a similar service as last year. Ms. Pierce said there were sufficient funds in the MPF balance to pay for the beginning of the summer (FY24), and the MPF request was for FY25.

Mayor Weldon asked about staffing. Ms. Koch said the labor market has gotten a little bit better and they've recently been more successful in recruitments.

Mr. Bryson asked about cuts to the Lemon Creek bus route. Ms. Koch said there would be no changes to that route. She said part of the rationale behind those cuts was due to low ridership numbers. She said they try to provide the most resources to the highest number of passengers. Ms. Hughes-Skandijs asked about bus service to North Douglas. Ms. Koch said that route was discontinued due to only having four riders a day.

Mr. Kelly asked if CBJ would need to purchase additional buses. Ms. Koch said the tripper service could be provided with the buses that CBJ already owns. She said that if the Assembly wanted to institute the downtown circulator, they would require more buses. She said CBJ would not be competitive for federal grants for tourism-oriented bus services.

Ms. Woll asked what problem the downtown circulator solved. Ms. Pierce said she did not know if it would help downtown congestion but that it may help redistribute people through downtown more.

Mr. Smith asked about expected costs for either service. Ms. Koch said estimates for the downtown circulator ranged between \$230,000 to \$470,000 based on the level of service provided, but suspected that if they went out for an RFI the quotes would be higher. She noted that the study assumed a higher fare level for the downtown circulator but there were legal questions on whether they could charge different amounts for different routes. She said the tripper service was scalable. She said Capital Transit requested \$900,000 which would allow for service every 15 minutes, 7 days a week, but that could easily be scaled back to service every 30 or 60 minutes. Mayor Weldon asked about flexibility in the tripper service and reducing service to not compete with private companies. Ms. Koch said they could be flexible operationally but expected large numbers of tourists to use the public bus to get to the Mendenhall Glacier. She said in 2023 they documented hundreds of people left at bus stops because of lack of space and that she expected that to continue to be a problem until at least 2026 when the Forest Service might expand their permits. Ms. Pierce said that instead of an express route they could also treat the tripper service as additional buses on the existing route.

Mr. Bryson asked about moving the start of the route somewhere else, like the Federal Building. Ms. Koch said that bus drivers need a place to use the bathroom, eat, and take their breaks, which is the Downtown Transit Center.

MOTION by Mayor Weldon to bring the concept of the capital tripper service, with funding provided by Marine Passenger Fees, to the full assembly and asked for unanimous consent. She said she wanted to get public feedback.

OBJECTION by Ms. Hughes-Skandijs for purposes of a question about timing. **After receiving an answer, she removed her objection.**

Hearing no further objections, the motion passed by unanimous consent.

MOTION by Mayor Weldon to continue discussion on the downtown circulator in the Committee of the Whole and to direct staff to issue an RFI for downtown circulator service for 2025.

OBJECTION by Ms. Hughes-Skandijs. She said the downtown circulator does not seem to match CBJ's mission and that they already provide a free downtown loop.

Mr. Smith said he is interested in revisiting this concept in the Committee of the Whole. Mr. Bryson said that if a private business saw profitability in a downtown circulator, then it would already be in operation.

Mayor Weldon WITHDREW her motion.

MOTION by Mayor Weldon to advertise the current fare free service provided in the downtown area and asked for unanimous consent.

OBJECTION by Mr. Kelly for purposes of a question. He asked if this motion took the circulator completely off the table to which Mayor Weldon answered yes.

Mr. Smith asked staff for their opinion. Ms. Koch said she had concerns about the downtown circulator, whether run in-house or contracted out, as it was a new program. She thought it would be more expensive to run than the consultant believed and would require a subsidy. She said she was not supportive of the downtown circulator.

Mr. Kelly removed his objection.

Hearing no further objection, the motion passed by unanimous consent.

5. Zero Waste

Ms. Koch introduced Dianna Robinson, Environmental Project Specialist, who was hired specifically to address Zero Waste initiatives. Ms. Koch said current initiatives extend the life of the landfill but the bigger question before the community is what role CBJ should play in the future of waste management. She said the community needed to make some decisions in the next couple of years and that to have some level of control would be a big, expensive project, but if the community does not want to make those decisions then the private sector will.

Ms. Robinson reiterated the question of what role does CBJ want to play in the future of trash in our community. She said the landfill has approximately 10-15 years left. She said the community could build a new landfill or invest in an incinerator or thermal solution which would be expensive and timely to implement, or ship waste down south like other Southeast Alaska communities which would also be expensive.

Ms. Robinson summarized the current waste landscape with waste hauling being run by Alaska Waste and regulated by the Regulatory Commission of Alaska (RCA), the landfill being owned by Waste Management (WM) and being regulated by the State Department of Environmental Conservation (DEC) and the Environmental Protection Agency (EPA), and a recycling center, junk vehicles, and household hazardous waste (HHW) being run by CBJ. She said there were other small companies that specialized in some amount of waste removal. She said the Recycling Center diverts an average of about 5-7% of the landfill's annual volume and HHW diverts about 3%. Ms. Robinson said they will be doing a waste characterization study in May which will break down what kind of solid waste is produced.

Ms. Robinson said that RecycleWorks was near capacity and that growing recycling would mean large infrastructure investments in a new recycling facility. She said there was room to grow composting. According to the analysis, Juneau Composts diverted about 250 tons in 2022 (approximately 2% of the waste stream) but an EPA national waste characterization study showed about 22% of all waste was food and 12% were yard trimmings. Ms. Robinson said access to carbon would be a limitation of large-scale composting.

Ms. Robinson said that a zero-waste plan should include creating diversion goals, maximizing existing programs, building new infrastructure or programs, and enacting waste policies. She said all changes must be systemic and enduring. She then provided examples of zero-waste programs in Portland, Oregon and Missoula, Montana. Ms. Robinson said that in 2023 CBJ was awarded \$2.5 million in Congressionally Directed Spending from Senator Murkowski for a municipal composting site. She said this funding will provide a facility design, utilities, an improved road, stormwater drainage, a concrete pad, and a bear-appropriate fence, but not a finished composting facility or equipment. Ms. Robinson reiterated that there is only so much CBJ can do without controlling the public utility for waste hauling or owning the landfill and that all future options such as building a new landfill, running an incinerator, or shipping waste down south will be expensive. She said it will take about 10 years to do any major infrastructure improvements, and the landfill has about 10-15 years of life left at current disposal volumes.

Mr. Byson noted that every change moving forward will cost more than what is currently being paid right now. He said that both Tlingit and Haida Central Council and Goldbelt have expressed interest in businesses related to waste stream diversion. He said that profit margins were what drives commercial recycling.

Ms. Koch said she believes that CBJ needs to spend staff time and money to look at the big picture of what will happen to the community when the landfill is full. She asked the Assembly to direct staff to contract a study about solid waste control and disposal options, to be paid for out of the zero-waste CIP. Ms. Hughes-Skandijs asked for more details. Ms. Koch said she was hoping to hire a contractor to look at different waste control and disposal options, including cost estimates and potential locations, to be presented back to the Assembly to help have future policy discussions. Ms. Koch said this would be a different use of the zero-waste CIP fund, so she wanted to make sure it was approved by the Assembly.

MOTION by Mayor Weldon to direct staff to contract a study for solid waste planning, specifically analyzing solid waste control and disposal options, funding from the zero-waste CIP, and asked for unanimous consent. In speaking to her motion, she wanted to see updated information.

OBJECTION by Ms. Woll. She said this issue was complex and she was not prepared yet to have this discussion. She said she was worried that this effort would take away from dealing with systemic issues in the community regarding reducing the waste stream.

Ms. Hughes-Skandijs asked about the size of the CIP. Ms. Koch said there was an existing zero-waste CIP with approximately \$200,000, with more money being added in the next budget cycle. She estimated that the study would cost approximately \$75,000. Ms. Koch said there was only one CBJ staff member to work on solid waste planning efforts, so this would allow that staff member to work on projects such as municipal composting or a potential tire shredder.

Roll Call Vote:

Yeas: Mayor Weldon, 'Wáahlaal Gidaag, Ms. Adkison, Mr. Kelly, Mr. Smith, Mr. Bryson, Ms. Hale

Nays: Ms. Woll, Ms. Hughes-Skandijs

Motion passed, 7 yeas to 2 nays.

G. STAFF REPORTS

H. NEXT MEETING DATE

I. SUPPLEMENTAL MATERIALS

6. Supplemental Materials: Telephone Hill Reports/Documents as referenced in the 2/12/2024 memo above.

- Telephone Hill Survey Final Results
- Historic Building Survey Update
- Telephone Hill CR Desktop Redacted Final report
- Historic Resources Advisory Committee (HRAC) letter to the Assembly 12/11/2023

7. Supplemental Materials: Juneau Circulator Plan Final Report - February 8, 2024

J. ADJOURNMENT

Having no more business to come before the Assembly Committee of the Whole, the meeting adjourned at 9:30pm.

ASSEMBLY COMMITTEE OF THE WHOLE MINUTES - **DRAFT**

March 11, 2024, at 6:00 PM



Assembly Chambers/Zoom Webinar

A. CALL TO ORDER

Deputy Mayor Hale called the Assembly Committee of the Whole Worksession in the City Hall Assembly Chambers and online to order at 6:05 p.m.

B. LAND ACKNOWLEDGEMENT – *read by Assemblymember Woll*

C. ROLL CALL

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

Absent: Alicia Hughes-Skandijs

Staff/Others in Attendance: Acting City Clerk Di Cathcart, City Manager Katie Koester, City Attorney Rob Palmer, Deputy City Manager Robert Barr, Deputy Clerk Andi Hirsh, Tourism Manager Alexandria Pierce, Port Director Carl Uchytel, Port Engineer Matthew Sill, and AEL&P President & CEO Alec Mesdag

D. APPROVAL OF AGENDA – *agenda approved as presented*

E. APPROVAL OF MINUTES – *minutes approved as presented*

1. February 26, 2024, Assembly COW DRAFT Minutes

F. AGENDA TOPICS

2. Dock Electrification

Tourism Manager Alix Pierce said CBJ Docks & Harbors and Alaska Electric Light and Power Company (AEL&P) signed a Memorandum of Agreement for AEL&P to manage the design process for shore power, expected to take about a year to complete. She said the timeline for starting construction will be based on lead time on ordering some items. She said that staff were continuing to seek funding for these very expensive projects and applying for every grant possible. Ms. Pierce said there was about \$5.7 million in a CIP with an additional \$5 million in the Marine Passenger Fee budget; and that \$10.7 million would be enough for the design phase and to start construction.

AEL&P President and CEO Alec Mesdag walked the Assembly through his PowerPoint presentation. In speaking to dock electrification, he said they needed to swap out a transformer that serves the South Franklin dock, as it currently does not have the ability to make voltage adjustments. Mr. Mesdag walked the Assembly through all the items and infrastructure necessary to connect a cruise ship to shore power. He reminded the Assembly that because the main energy source was hydropower, the availability of energy varied based on weather conditions and that AEL&P prioritized firm customers over interruptible customers. He said that various upcoming projects, like a penstock replacement, could provide additional increased energy from the same amount of water. He said they have about 100 megawatts of hydro capacity when everything is online.

Mr. Bryson asked if the penstock was related to the city water supply. Mr. Mesdag said it wasn't the main supply of drinking water, and the project wasn't scheduled to start until next year. He said AEL&P is planning to replace one-third of the section at a time to be less impactful. He said it was also the water supply for DIPAC Hatchery and AEL&P wanted to complete the work during the time of year when there was the lowest water needed.

Mr. Kelly asked when CBJ would have the ability to supply electricity to three cruise ships at one time. Mr. Mesdag replied that it depended on maintenance needs and temperature. He said that firm customers, like residential

housing, use more electricity when it is cold out. He said they may need to adjust from three ships down to two or one on cold days or when facilities are down for maintenance.

Mr. Mesdag said there were a lot of different projects going on all the time. He said that AEL&P has five different hydro plants, diesel plants, and at any given time crews are moving through and performing regular maintenance on one or more of those plants. He said it was about matching loads and resources to the extent possible and they plan maintenance in conjunction with Greens Creek Mine and other large users to better manage usage.

Chair Hale asked if Docks and Harbors was looking collectively at future power and infrastructure needs on the waterfront, such as the Coast Guard icebreaker or a potential Huna Totem dock. Carl Uchtyl, CBJ Docks and Harbors Director, said this MOA is specifically for the cruise ship docks owned by CBJ but they would be involved in the planning process and would be planning for future uses as well.

3. CWES/Mill Campground – Update from Deputy City Manager Barr

Mr. Barr walked the Assembly through the packet memo, noting this was a challenging topic and that Dave Ringle, St. Vincent de Paul Executive Director (SVDP) was in attendance if there were additional questions related to the Cold Weather Emergency Shelter (CWES). Mr. Barr said in the fall of 2023, the CWES was set up at the CBJ Thane Warehouse and that SVDP staffed the shelter. He said the CWES saw roughly 40-50 clients per night and ran from October to April. He said CBJ anticipated a contract extension with SVDP for the 2024-2025 CWES. Mr. Barr said that staff safety was an issue, because as Juneau's lowest barrier shelter, the population being served presented more behavioral and safety-related challenges.

Mr. Barr talked about the dedicated campground CBJ has managed since the early 2000's. He said when the campground was at the Thane Road location CBJ provided an onsite caretaker and utilized CBJ staff for trash removal. He said due to an unfortunate incident at the campground in 2010, CBJ stopped maintaining a caretaker. He said the campground moved to its current location at the end of Mill Street near Gastineau Avenue after that incident and services were handled through the Parks & Recreation Park Ranger including maintaining platforms, collecting needles and trash, port-a-potties, and end of season clean up.

Mr. Barr said the overall tenor of the campground deteriorated over the last couple of seasons. He said neighbors met with CBJ last season to talk about mitigating the many issues with the current location which AEL&P leases to CBJ. He said during end of season clean-up, 74 tons of solid waste, and 19 gallons of needles were cleaned up, and a handful of transmission poles were discovered to have been burned or cut on. He said expenses related to the campground were \$70,000 last year.

Mr. Barr said rates of homelessness have increased in many places throughout the country and the impact of homelessness was disproportionate, with people of color overrepresented. He said while CBJ has been expanding service, that service expansion has not kept up with the increase of people needing services. He said CBJ spent under \$500,000 in this area in FY13 and in the current fiscal year spending was over \$5 million. He noted that money was representative of Assembly grants to organizations like St. Vincent de Paul, the Glory Hall, Housing First and many others through the Juneau Community Foundation Social Service grant process.

Mr. Barr ran through the four options the Assembly could take, outlined in his memo.

Option 1 was to move the campground next to the CWES on 100 Mill Street, with same scope of services. He said this was the most status quo option. He said this would make the campground easier to access, allowing for more frequent clean ups (once per month instead of end of season only) and more accessible for EMS and service providers. He also said the campground would be significantly more visible and would create a larger public impact, shifting the same concerns from the Gastineau Ave. area to the Rock Dump area.

Option 2 was to discontinue the campground support campers through existing local services. He said this would lead to a greater amount of dispersed camping throughout the borough. He said that operationally CBJ would tolerate illegal camping on public property until safety concerns and/or impediment to typical public use reached a subjective critical point, at which time the camp would be cleaned up and closed. He said this option was likely

safer for some individuals (smaller camps) and less safe for others (harder to reach for EMS). He said they would expect clean-up costs to increase but did not know if the costs would exceed Option 1.

Option 3 was to operate the same as last year. He said this was not the preferred option for staff and CBJ would need to care for protecting AEL&P property.

Option 4 was to operate the CWES year-round as an Emergency Shelter. He said that SVDP did not have the capacity to do this work year-round and that many winter shelter clients would likely choose not to utilize this option in the summer due to rules around use. He said funding was also an issue.

‘Wáahlaal Gídaag asked about timing related to Option 1. Mr. Barr responded that staff would need a decision at tonight’s meeting but felt they could get the campground up and running before the CWES closed.

Mr. Kelly asked if transportation would be an issue. Mr. Barr stated that historically transportation services were only provided during the winter months due to snow, ice, and safety in getting to the CWES.

Ms. Woll asked what public process looked like if the Assembly moved forward with Option 1. Mr. Barr replied that staff would look to the Assembly for a Title 49 exemption due to timing.

Ms. Adkison asked if it would be harder on staff if the campground was not a centralized location. Mr. Barr agreed that yes, under Option 2 there would be more campgrounds in harder to reach locations.

Mayor Weldon asked if under Option 1 the Mill Campground would close and AEL&P would trespass anyone camping in that area. Mr. Barr said that was correct. He said that under Option 1 CBJ would do a bit more clean-up to the proposed area, which would be an added cost and look at paving the location in the future.

MOTION: By Mayor Weldon to direct staff to enter into negotiations with AEL&P for the use of their property at Thane Road and Mill Street for a summer campground and to prepare a code ordinance for introduction at the next regular Assembly meeting authorizing the use of said property in line with Option 1 in the memo and to care for broad public notice to the community and direct notice to the neighboring property owners and asked for unanimous consent. **Hearing no objection, motion passed.**

4. 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.

MOTION: by Mr. Bryson to move Resolution 2986 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure to the full Assembly for action and asked for unanimous consent. **Hearing no objection, motion passed.**

5. City Hall - Space Planning

City Manager Koester posed two questions to the Assembly; does City Hall need to remain and does the Assembly want to continue exploring lease options. She noted she didn’t need a motion but was requesting feedback from the Assembly on how they would like to move forward once they heard the latest updates related to City Hall and space issues.

Ms. Koester said that CBJ had issued a Request for Information (RFI) and received three responses which the Assembly reviewed at the January Committee of the Whole meeting; Ricker Real Estate for the Burns Building, Dawson Construction for the Bill Ray Center renovation or building a purpose-built facility, and owners of commercial buildings in the valley that lease office and housing space. She said CBJ also spoke with Central Council Tlingit & Haida Indian Tribes of Alaska (CCTHITA) who expressed interest in constructing a purpose-built facility; she said that, and the Dawson Construction request looked too much like a new City Hall, which was voted down at the last municipal election.

Ms. Koester said on February 22, 2024, the Juneau School District adopted its final reorganization plan, which released Floyd Dryden Middle School, the Marie Drake building and School District Administrative Office building back to CBJ effective July 1, 2024.

Ms. Koester then walked Assemblymembers through current troublesome office spaces in the various buildings highlighting changes that have occurred since first discussed at the beginning of the year. The Marine View Building had flooding occur in three office spaces which also damaged some GIS equipment. The Municipal Way building is an active construction zone and becoming very challenging to work in that environment. The current City Hall building continues to have issues. She said CBJ staff continue to look at how to move staff out of Municipal Way and into City Hall or one of the recently released buildings from the School District. The Marine View building lease is up in July and staff will look at moving to a month-to-month lease.

Ms. Koester outlined the pros and cons of each potential building, and overall citizen preferences on whether to keep City Hall in the Downtown area or move to a Valley location. She said it was important to have a central location for people doing business with City Hall, one-stop shopping for payments, permitting, and attending public meetings, as well as a reduction in the number of departments spread out into multiple buildings.

She said the Burns Building, downtown location, currently housed the Permanent Fund Corporation (PFC). She said CBJ could lease part of the building not in use by PFC and that it was a nice facility, 43,000+ square feet available now and an additional 15,000 square feet possibly available in early 2025. She said the Burns Building has a large room and kitchenette that could be utilized as the Assembly Chambers. Parking would be tight but workable and the Burns Building option would also utilize the JSD Administration Building a block away as additional office space. Funds would be needed for outfitting the building with furniture, cubicle style, and sound equipment for the Chambers.

Ms. Koester said that Marie Drake School, downtown location, was 70,000 square feet with very limited parking, which created a challenge for both employees and the public. She said it would take roughly \$16.8 million in basic renovation costs to remove asbestos, replace carpets, furniture, and renovate from classrooms to office space. There is a commons area, with low ceilings, that could be renovated into an Assembly Chambers area.

Ms. Koester said that Floyd Dryden School, valley location, was 75,000 square feet with plenty of parking. She said there was an interior lunchroom area that could be converted into the Assembly Chambers. She said the large building could house most of City Hall and have the gym and other areas open for community events.

Ms. Koester noted that both schools may be better suited for community use, such as childcare or another type of community center and that the Assembly Public Works and Facilities Committee will take up the conversation on what to do with the buildings soon to be turned over from the Juneau School District.

‘Wáahlaal Gídaag commented that parking was one of the biggest issues for her and she didn’t think it was necessary that City Hall be downtown. She said she was leaning towards Floyd Dryden because of all the good parking and that with the consolidation of high schools, parking downtown will get even tighter in the Marie Drake area. She said the public let the Assembly know they don’t want a new City Hall built.

Mr. Smith commented that he didn’t like any of the options for one reason or another. He felt that City Hall should be downtown or in an area that can capture some of the economic activity of City Hall. He said that Floyd Dryden was away from any commercial services in the Valley but does have ample parking for employees and the public, and Marie Drake was further away from the downtown core, with fewer commercial services, and limited parking. He said he was not sure of the community buy-in for leasing the Burns Building if CBJ will now potentially have empty facilities we own, however those buildings have costs associated with them as well.

Ms. Adkison felt that City Hall should be downtown, and that it would affect downtown businesses, tourism, and the city budget. She said it seemed premature to discuss leasing a building when there were facilities CBJ owned vacant. She noted that both schools were not cost-neutral options but was skeptical of the proposed Burns Building lease.

Mr. Bryson stated that he attended the tours of the JSD Administration building, Marie Drake building and the Floyd Dryden building with City Manager Koester and Deputy City Manager Barr. He said removing City Hall from downtown meant that tourism could take over more of downtown, including possibly the current City Hall building. He noted that it would cost just as much to renovate either of the schools as to build a new, purpose-built City Hall which was not what voters wanted. He said there were many great options that Floyd Dryden could be used for, childcare, senior center, community center utilizing the sports facilities at Adair Kennedy Park. He said he preferred the Burns Building lease option because it allowed for more options in the future.

Mr. Kelly agreed that there was no perfect option among these choices. He liked the availability of parking at Floyd Dryden but was not supportive of moving out of downtown. He thought CBJ should own the facility verses leasing. He said his preference was to make Marie Drake usable for employees.

Ms. Woll said that voters did not want to spend \$35 million on a new City Hall. She said she would prefer a downtown location for City Hall but was open to moving to the Valley. She said it was important to make the building a place where people wanted to work, which included having accessible parking options. She said in the short term they needed to get people out of the Marine View and Municipal Way building and into better work environments. She said their long-term options would take a while to figure out.

Mayor Weldon said she leaned towards keeping City Hall and staff downtown to help keep the area economically vital. She noted that some staff would have to commute to the Capitol more often, such as attorneys going to court. She said she favored owning the building, which was why she leaned towards Marie Drake over the Burns Building. She said it was important for the Assembly Chambers to be welcoming to the public, with a good sound system. She said she thought Floyd Dryden was a better facility for community use, and suggested childcare and animal control as potential uses. She thanked CCHITA and Dawson Construction for coming forward with options to do a design build but that it was too close to what the community recently voted down.

Deputy Mayor Hale said she supported City Hall remaining downtown. She said that Floyd Dryden had lots of parking but was in the middle of a residential area with no commercial services to walk to. She said the parking issue at Marie Drake was huge and would impact the general public and staff. She said her preferred choice would be to lease the Burns Building; she said she liked the lower upfront capital cost and noted that the Burns Building solution does not tie CBJ into using the space forever.

Ms. Koester said she would bring back some type of amortization table to the Assembly to look at capital verses operating expenditures, scheduling site visits, and looking at parking solutions. She said it sounded like a parallel conversation for Floyd Dryden community uses needed to happen though the Public Works and Facilities Committee.

G. STAFF REPORTS - None

H. NEXT MEETING DATE

April 15, 2024, at 6pm Assembly Chambers/Zoom

I. SUPPLEMENTAL MATERIALS

City Manager Koester included a slideshow presentation showing the potential City Hall options noted in her memo to the Assembly Committee of the Whole.

J. ADJOURNMENT

There being no further business to come before the Committee of the Whole, the meeting adjourned at 8:08 p.m.



City and Borough of Juneau
 City & Borough Manager's Office
 155 Heritage Way
 Juneau, Alaska 99801
 Telephone: 907-586-5240 | Facsimile: 907-586-5385

TO: Mayor Weldon and Borough Assembly
 FROM: Katie Koester, City Manager
 DATE: February 20, 2025
 RE: Huna Totem Tideland Lease

The purpose of this memo is to summarize the attached documents for consideration for the Huna Totem Corporation (HTC) lease and facilitate assembly discussion.

Process and Timing

Passage of this ordinance allows the City Manager to negotiate and execute a lease for CBJ submerged tidelands. There will be an accompanying resolution authorizing CBJ to apply for SOA tidelands (not yet transferred). Essential terms and conditions of the lease are included in the document; however, the full lease document is more extensive. After introduction, staff recommends referring Ordinance 2025-XX for scheduling and final adoption for the April 28th Assembly meeting. Once the ordinance passes, CBJ will apply for transfer of state tidelands (the State wants concurrence from the local government before initiating the transfer). We do not know how long the transfer will take; Huna Totem staff are optimistic the Dunleavy Administration can turn this around quickly. In the past (Franklin dock) it has taken up to 4 years for a tidelands transfer. The City Manager will not sign a lease until CBJ has possession of all the tidelands. The Assembly has requested to review HTC's navigability and traffic studies. Both are included in the packet.

Summary of Ordinance 2025-XX

- In addition to authorizing the manager to negotiate and execute a lease agreement, this ordinance includes intent language capturing community desire for year-round businesses and honoring negotiated agreements with industry. These items are captured in intent language because there is no good way to enforce the through a lease. CBJ's only enforcement mechanism would be to cancel the lease. CBJ has other levels to enforce negotiated agreements, chief among them restricting access to CBJ docks. The community's desire for shore power is also reinforced in a whereas clause. CBJ is currently in design for shore power on the City docks. There needs to be a holistic approach to port electrification to prioritize the most feasible project(s), recognizing that shore power projects are complex and have long lead times. CBJ has also added intent language around further collaboration and cooperation on all negotiated agreements between CBJ and the cruise industry.
- The ordinance includes by reference the conditions outlined in the Conditional Use Permit (CUP) established by the Planning Commission. Enforcement of these conditions would be through Community Development Division code enforcement. These include:
 - Construction of a Seawalk that will be transferred to CBJ by easement
 - Installation of shore power infrastructure at Huna Totem's expense within 24 months of an appropriately sized power line within 25 feet of the property line. It is important to note that getting cable that close to the project will only happen with a large project that is willing to pay significant expense to bring in power – which could take time, unless CBJ
 - Maintenance of their uplands (parks and landscaping)
 - Navigability Study (require before a building permit is issued)
- The ordinance also includes items required in the CUP that are strengthened by the Assembly. The Assembly cannot remove CUP requirements; however, they can add requirements that make Planning Commission requirements more stringent. For example, the CUP allows lightering for small ships; Ordinance 2025-XX further restricts lightering by only allowing it in the case of an emergency.
- The term of the lease is 35 years at which time it can be renewed by ordinance for an additional 35 years.
- The ordinance sets annual rent at fair market value, adjusted every 5 years. For reference, the value of the Franklin Dock tidelands lease is \$75,900 annually. These funds will go into the Lands fund and be used for expenditures like developing CBJ property for housing.

Recommendation: Discuss terms and conditions of lease with Huna Totem for tidelands. Assembly can make CUP terms more restrictive, add conditions, and/or add intent language. Refer ordinance 2025-XX, after any amendments, to the full Assembly for adoption.

Enc:

Ordinance 2025-XX

Resolution 2025-XX

CBJ Tidelands Lease Application – HTC

Planning Commission Notice of Decision USE2023-0003

HTC Navigability Study

HTC Traffic Study

Public Comment – CBJ Meetings January 22-23, 2025

DRAFT VERSION #1

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Presented by: The Manager
Presented:
Drafted by: Law Department

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. XXXX

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

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

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

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

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

WHEREAS, in October 2022, the CBJ received an application from Huna-Totem
Corporation, dba Aak’w Landing LLC, to lease CBJ-owned tidelands; and

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

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

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

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

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

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

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

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

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

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

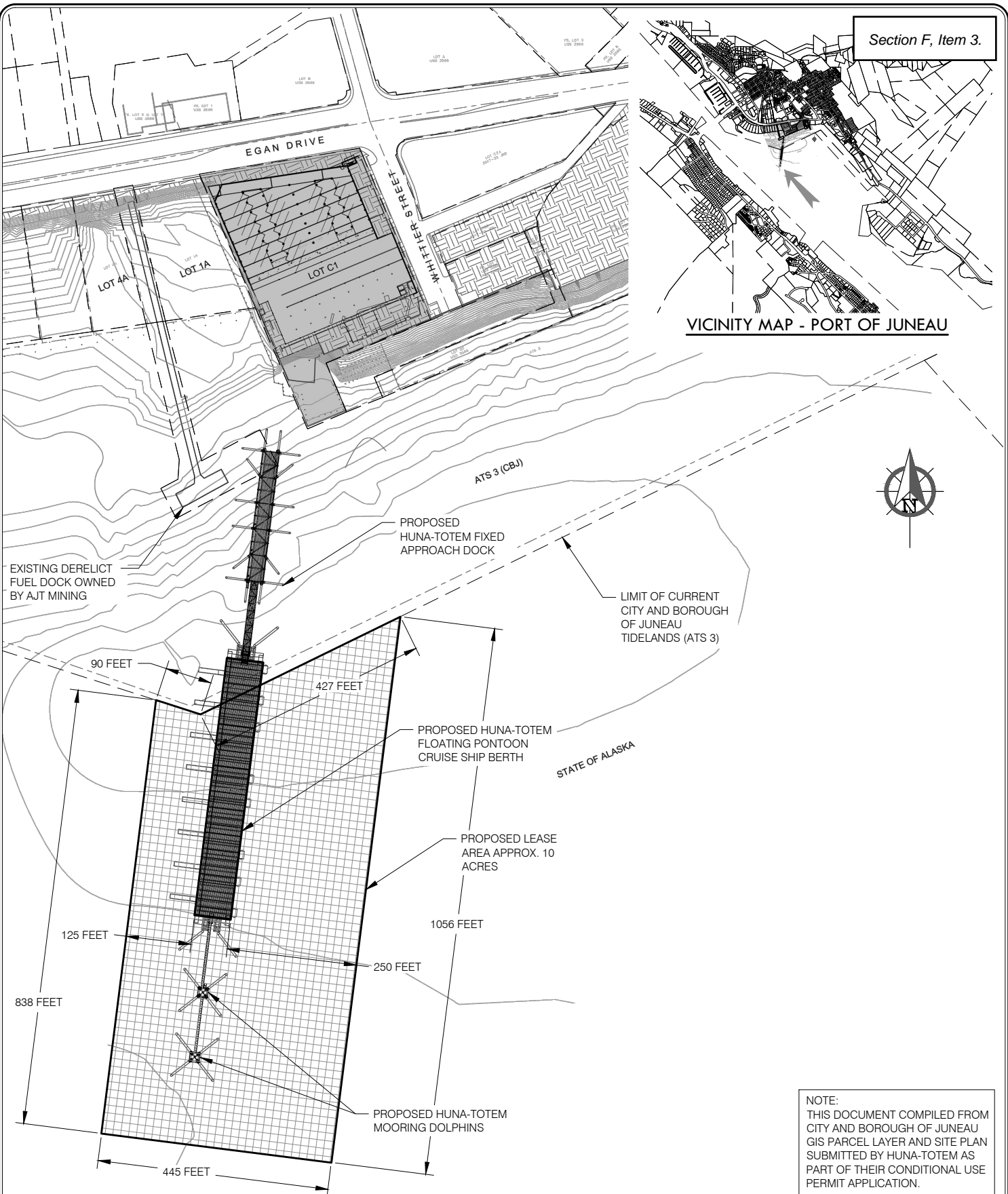
Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

VICINITY MAP - PORT OF JUNEAU



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



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

REQUESTED LEASE AREA
HUNA-TOTEM DOCK TIDELANDS LEASE

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

Presented by: The Manager
Presented:
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-XX

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

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

WHEREAS, in September 2022, Aak'w Landing LLC applied to lease tidelands owned by
the City and Borough of Juneau for the purpose of building a cruise ship dock; and

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

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

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

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

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

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

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

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

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

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

- 14 (A) This lease signing is conditioned upon the conveyance of State tidelands south
15 of the Subport to the City and Borough of Juneau from ADNRR;
16
17 (B) This lease is conditioned upon an appraisal providing legal boundaries and fair
18 market value as required by CBJC 53.20.040 and 05 CBJAC 50.050;
19
20 (C) The leased property shall be used by HTC for waterfront commercial activities
21 consistent with the application submitted to the Community Development
22 Department January 25, 2023, Attachment 1;
23
24 (D) The lease shall be for a maximum term of 35 years (CBJC 53.20.080) effective
25 upon signing of the lease by CBJ; the parties, upon mutual agreement and by
ordinance, may execute one additional lease for a maximum term of 35 years;

(E) The annual lease rent for the first five-year period of the term shall be not less
than fair market value plus sales tax. The annual rent due is divided into

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

- (F) HTC shall be responsible for obtaining all necessary permits and approvals for its use and development of the leased property;
- (G) HTC shall indemnify, defend, and hold harmless the City and Borough and its officers and employees for any claims related to or arising out of the HTC’s use, operation, or maintenance of the leased property, equipment, and improvements, or any further development of the leased property or improvements by the HTC; and
- (H) The lease shall include all provisions of the standard CBJ land lease form not in conflict with ordinance, any other provisions that the Manager determines to be in the public interest, and all conditions and parameters outlined in Conditional Use Permit, USE2023 0003, approved by the Planning Commission July 20, 2023, Attachment 2.
- (I) Additional Conditions:
 - a. The dock may be used in case of emergency outside the specified CUP terms;
 - b. The dock may only accommodate lightering from a cruise ship at anchor in the case of an emergency, no matter what size the ship is.

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

Adopted this _____ day of _____, 2025.

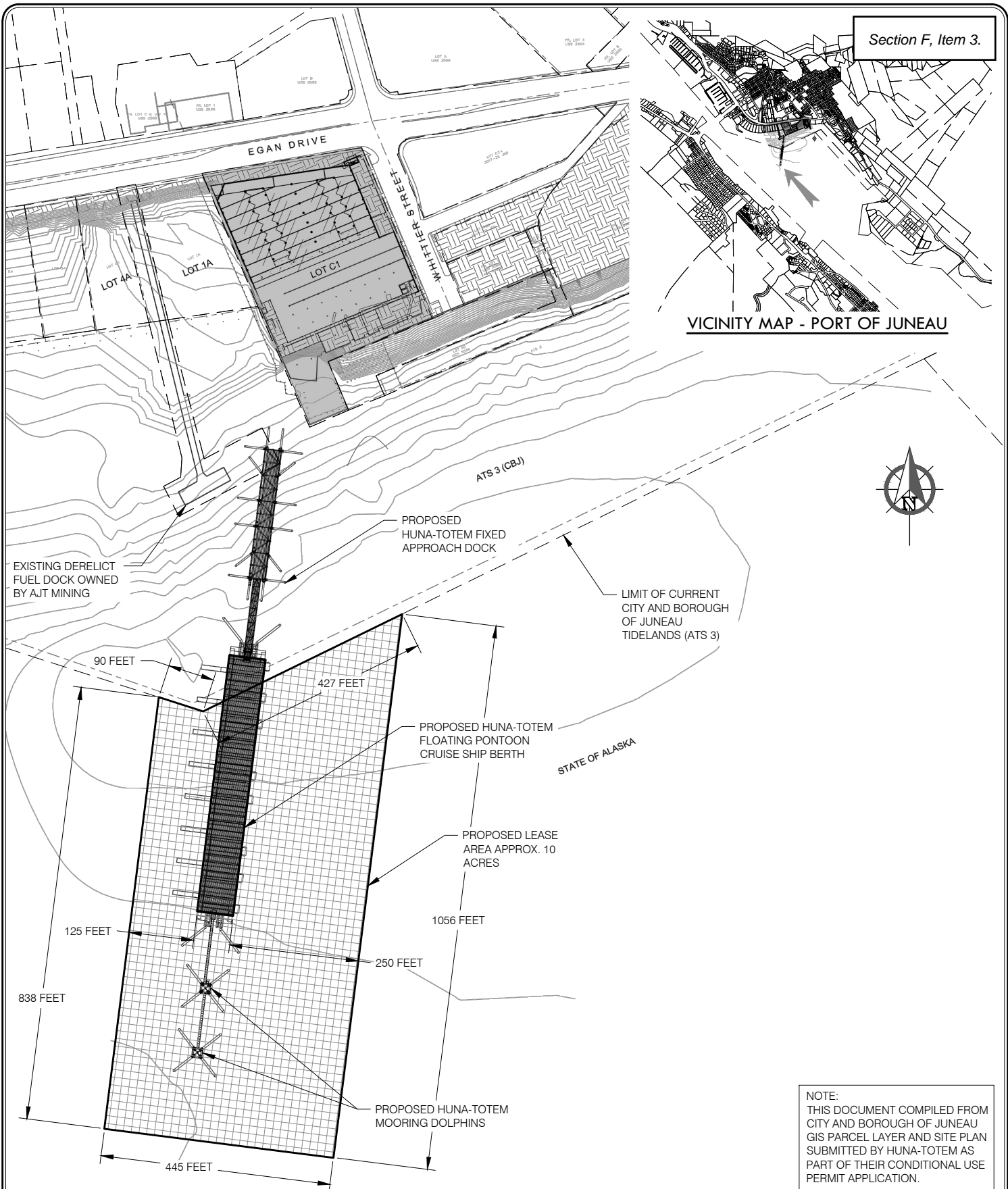
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Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

DRAFT



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

REQUESTED LEASE AREA

HUNA-TOTEM DOCK TIDELANDS LEASE

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



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

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

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

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

Property Address: 0 Egan Drive

Legal Description: Juneau Subport Lot C1

Parcel Code No.: 1C060K010031

Hearing Date: July 11, 2023

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

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

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

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

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

Hyperlink to below referenced Memorandum from Irene Gallion - 7/11/2023 PC Meeting

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

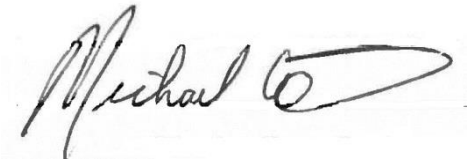
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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

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

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

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



Michael LeVine, Chair
Planning Commission

July 19, 2023

Date



Filed With City Clerk

July 20, 2032

Date

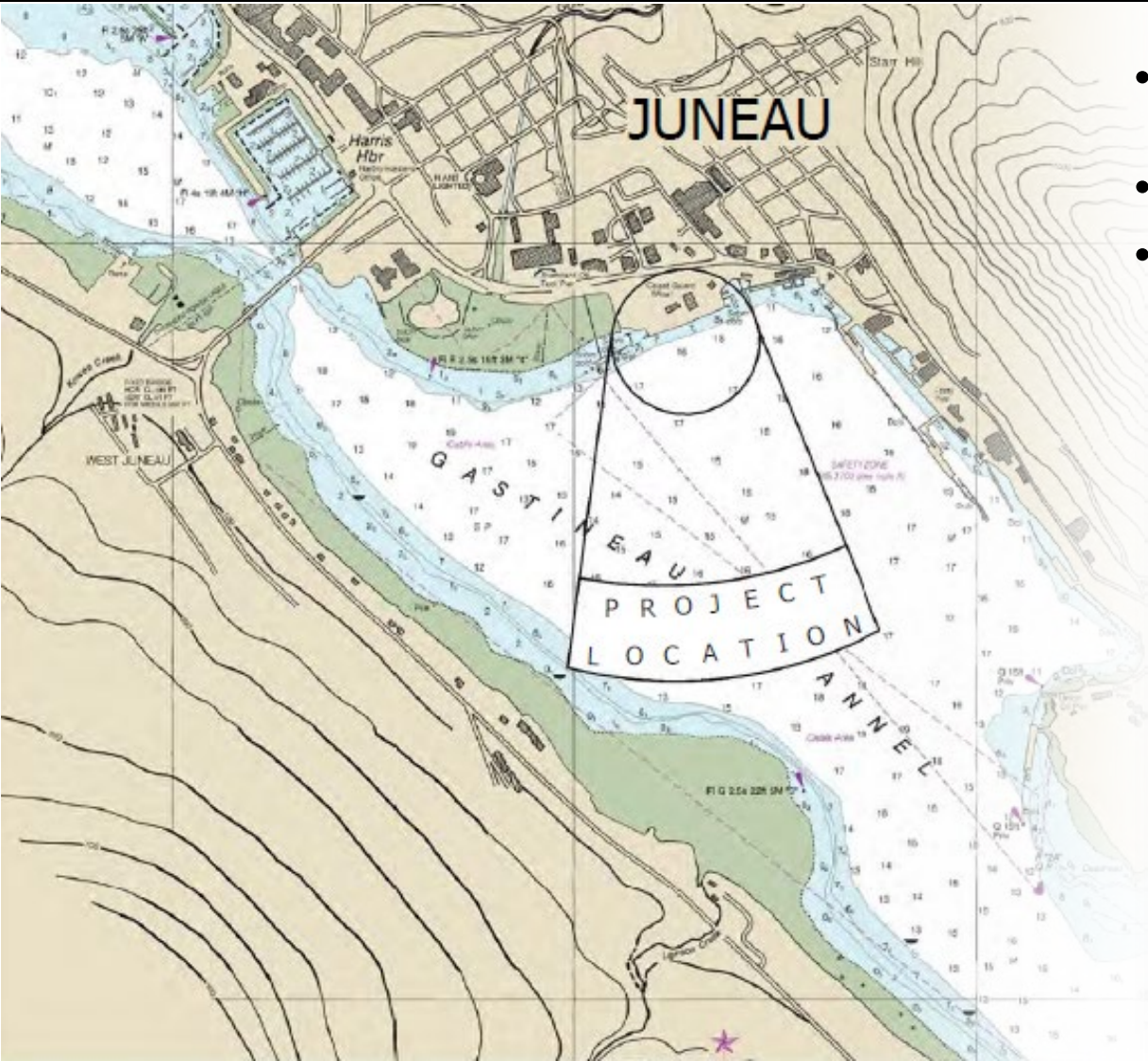
cc: Plan Review

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

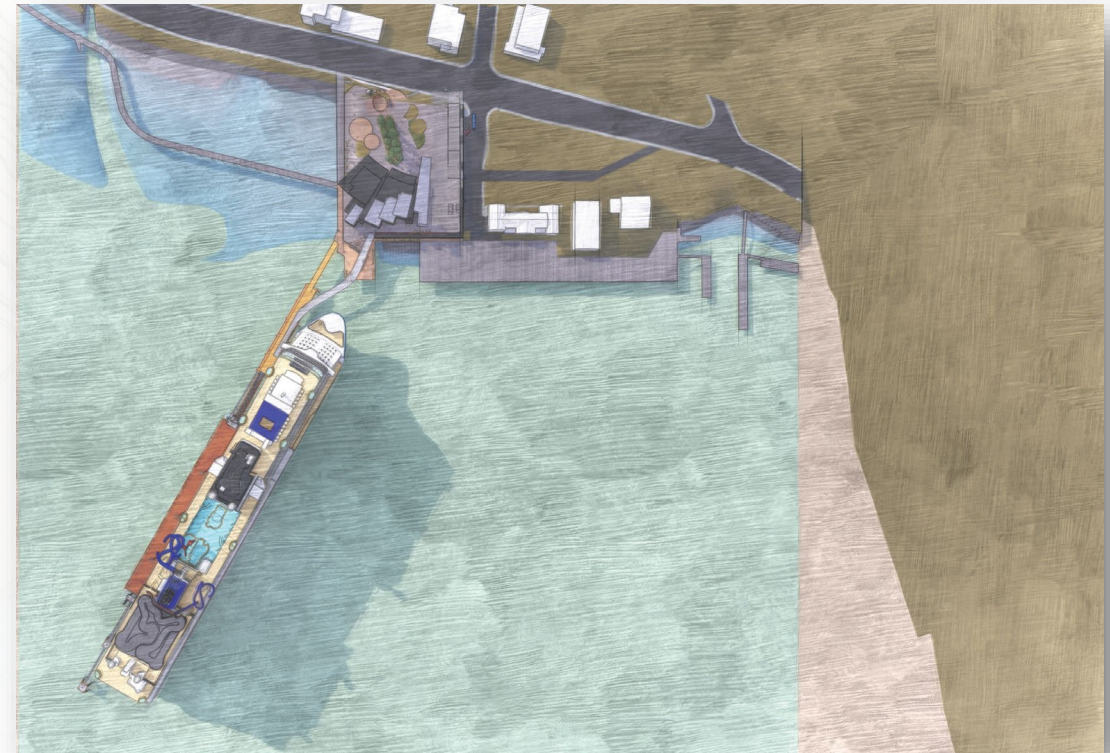


HUNATOTEM
CORPORATION

Áak'w Landing



- Welcome Center, retail, dining, public park, and underground parking
- Indigenous knowledge, science, and cultural center
- Floating dock





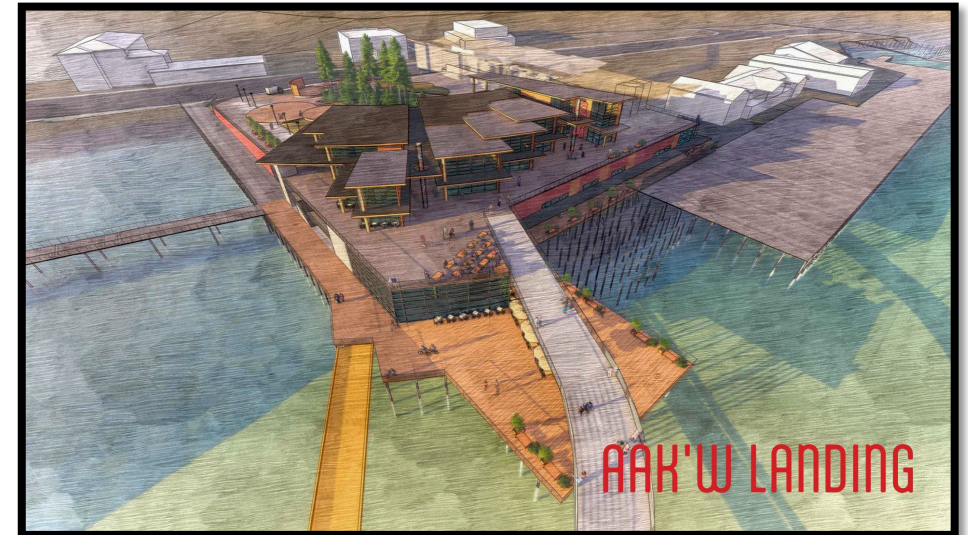
Recent Public Engagement

- November
 - CBJ LHED committee
 - Juneau Gastineau Rotary
 - 58 Innovators Rotary
 - The Group
 - DBA
 - Juneau Rotary Club
- December
 - CBJ COW
- January
 - Juneau Chamber
 - First Things First AK Foundation
 - Capital Civic Center
 - Glacier Valley Rotary
 - KINY Problem Corner
- January cont.
 - DBA Annual Meeting
 - CBJ Open House meetings
 - FTF&K & KINY podcast
- February
 - Capital project committee
 - The Group (update)
 - DBA (update)
 - Juneau Navy League
 - CBJ LHED & COW
 - Huna Totem Open House (Spice)
- Conferences
 - ATIA: cultural tourism panel
 - SE Conf: tourism panel
 - CLIA PNW: indigenous tourism panel



Public and Stakeholder Impacts on Project

- Visitor Industry Task Force recommendations ➡ CUP conditions
 - 1 large ship, no hot berthing, high quality, year-round use, shore power
- Juneau Tourism Surveys
 - Public park, parking, seawalk extension, cultural center
- US Coast Guard
 - Removed “fingers” from dock to optimize use by other vessels, in emergencies, and wind/wave conditions
- Navigability Study
 - Adjusted dock alignment
- AJT Mining Properties
 - Remove derelict dock
- CBJ Open House Meetings (team reviewing ideas now)
 - Year-round use: cultural and educational programs; incorporate all cultures
 - Outdoor spaces: amphitheater, festivals, markets, seamless seawalk, public binoculars, restrooms

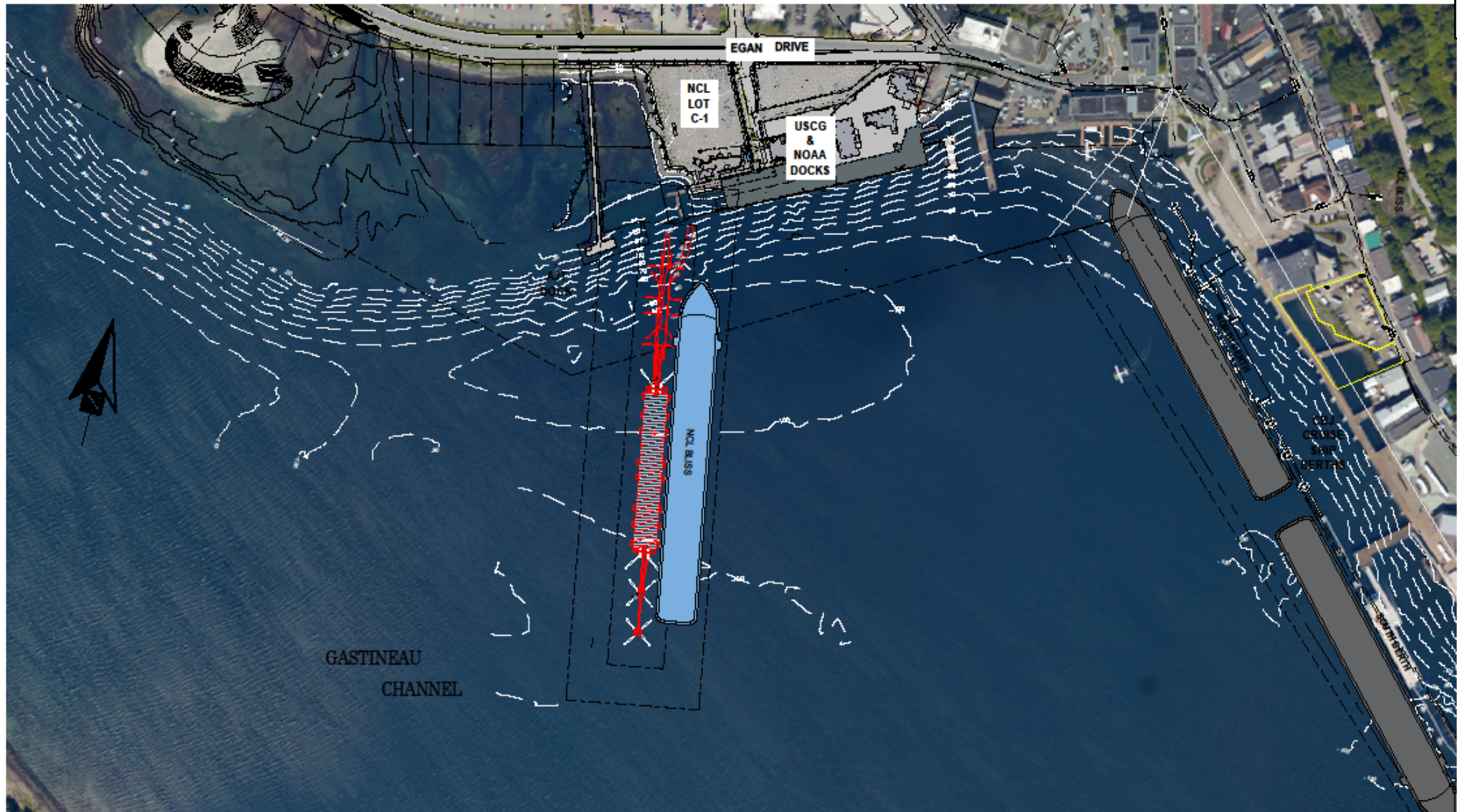


Navigability Study



Navigability Study

- Conducted by Marine Exchange of Alaska (via PND Engineers)
 - Considered various dock orientations
 - Addressed maritime activities (vessel and floatplane) and existing dock infrastructure in the area
- Utilized multiple sources of information
 - Automatic Identification System (AIS) data
 - Currents, weather, and environmental data
 - Stakeholder discussions and information
- Planning navigation simulation
 - Work with experienced vessel pilots and masters



REVISIONS					
REV.	DATE	DESCRIPTION	OWN.	CKD.	APP.

P | N | D
ENGINEERS, INC.

1540 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2993
Fax: 907-586-2099
www.pndengineers.com

DESIGN: _____ CHECKED: _____
DRAWN: _____ APPROVED: _____

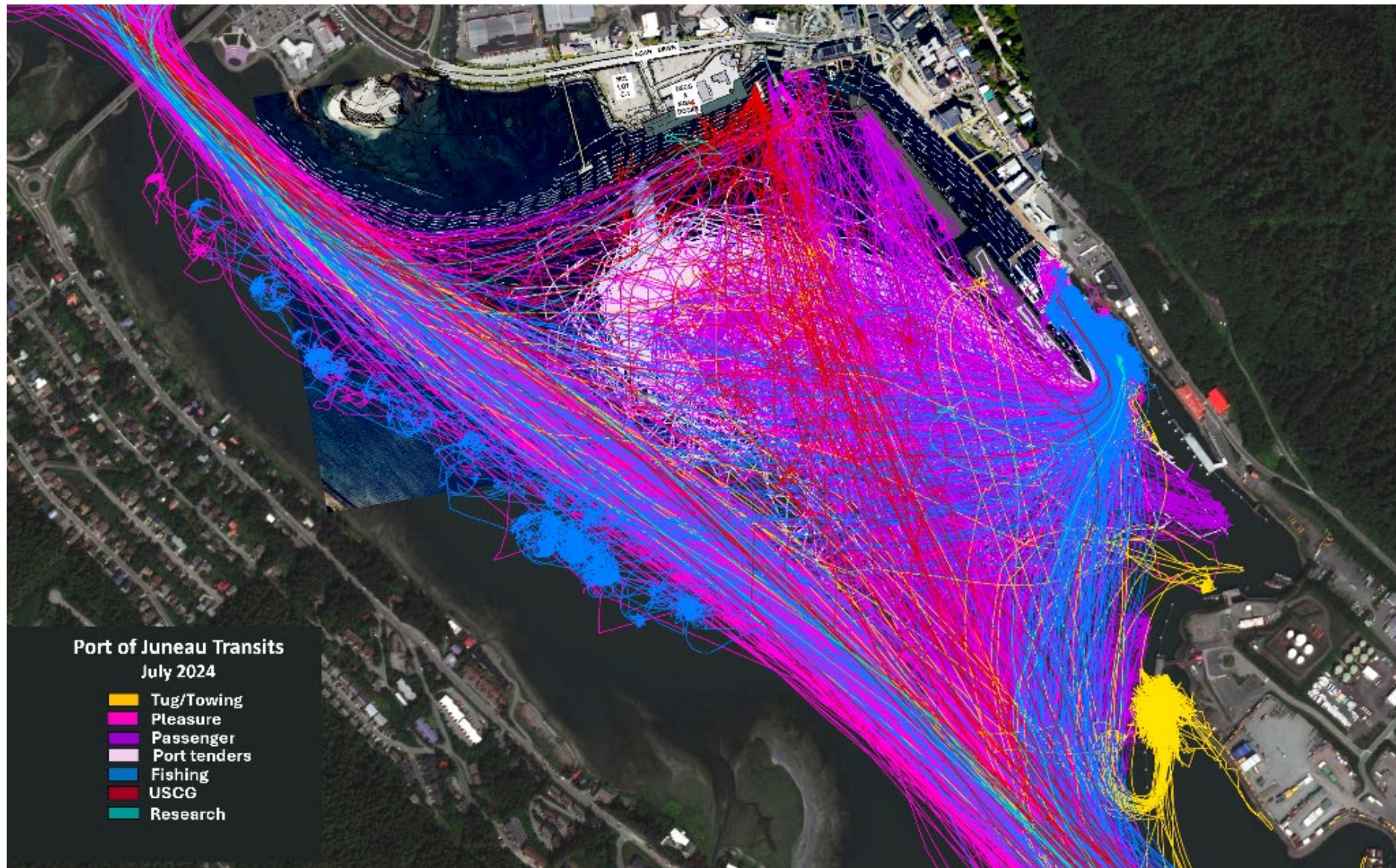
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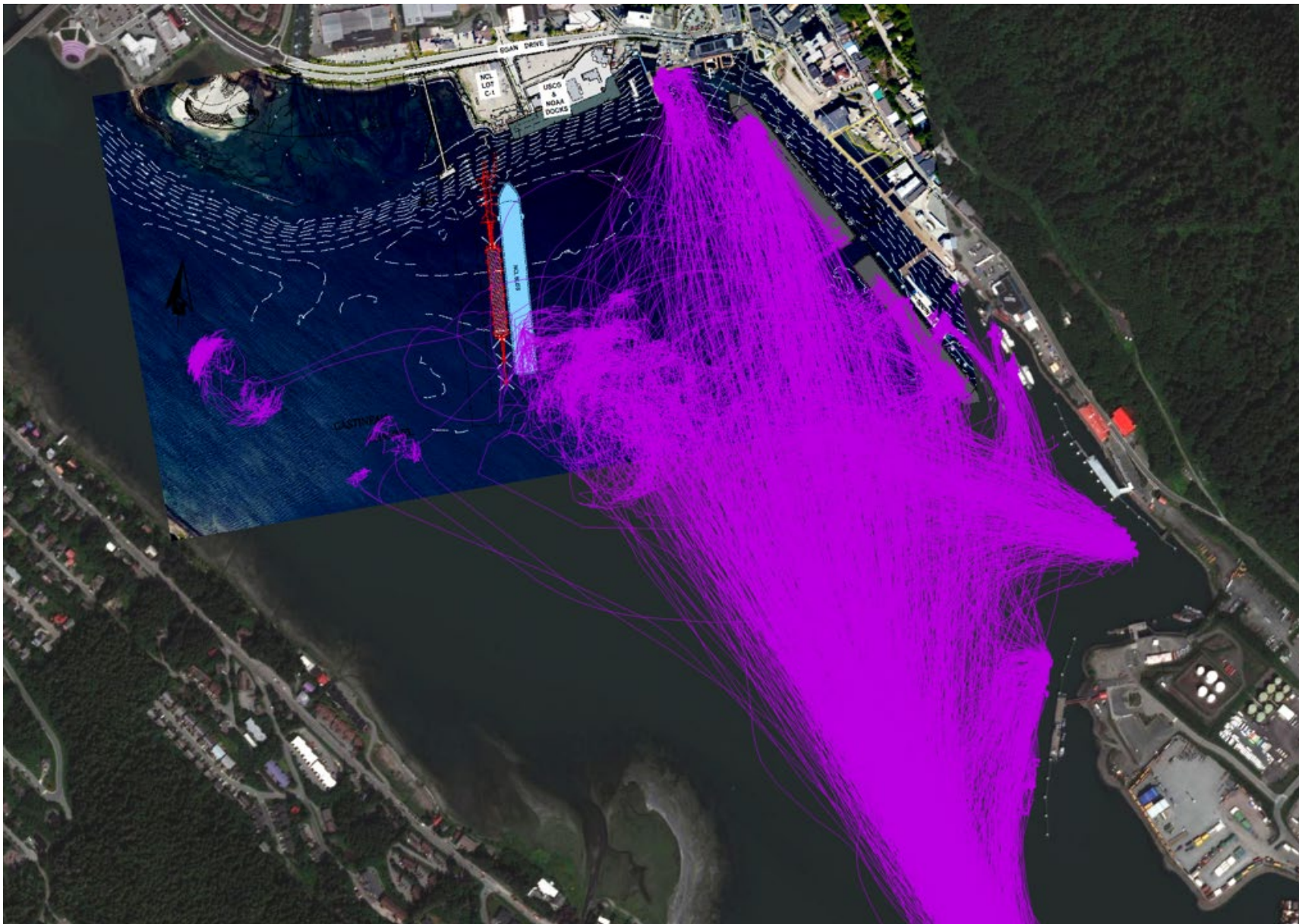
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SHEET TITLE:
CONCEPT 3 REVISED

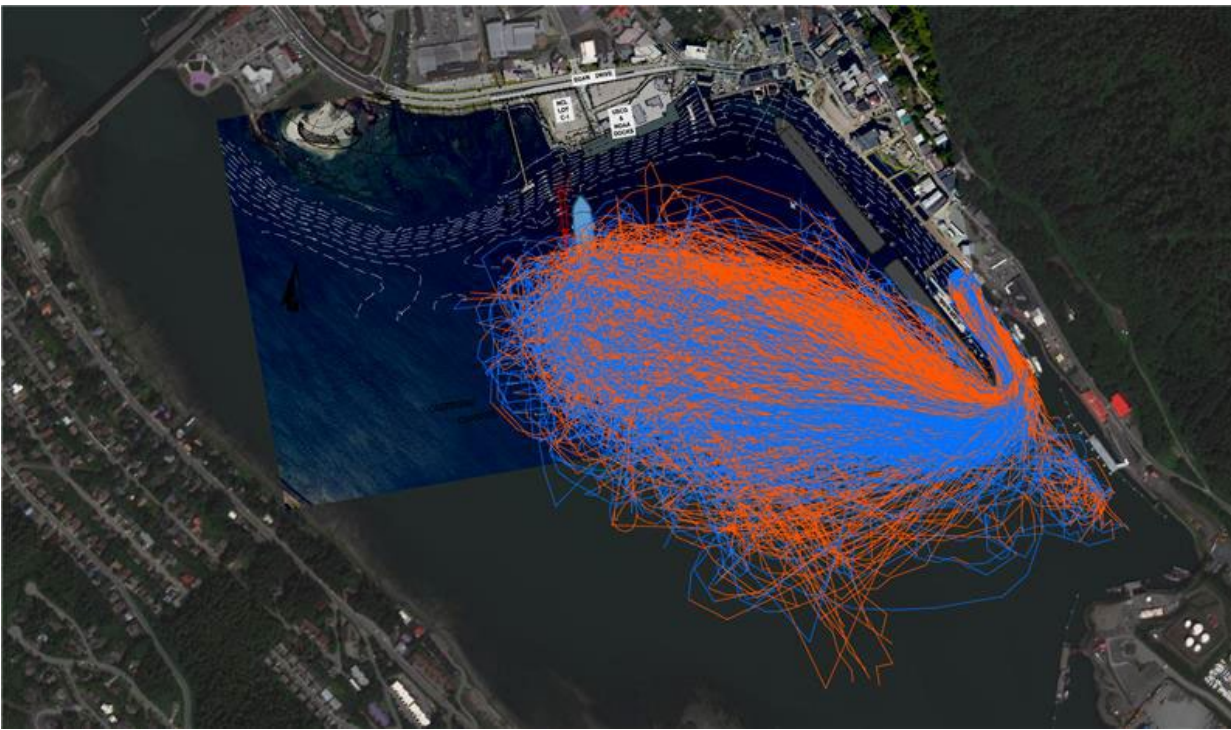
PROJECT NO.: _____ G.A.N. NO.: AECC250



All AIS equipped vessels operating in the port of Juneau during the July 2024 cruise season with the proposed HTD.



AIS tracks of all cruise ships operating in the port of Juneau during the July 2024 cruise season with the HTD overlaid.

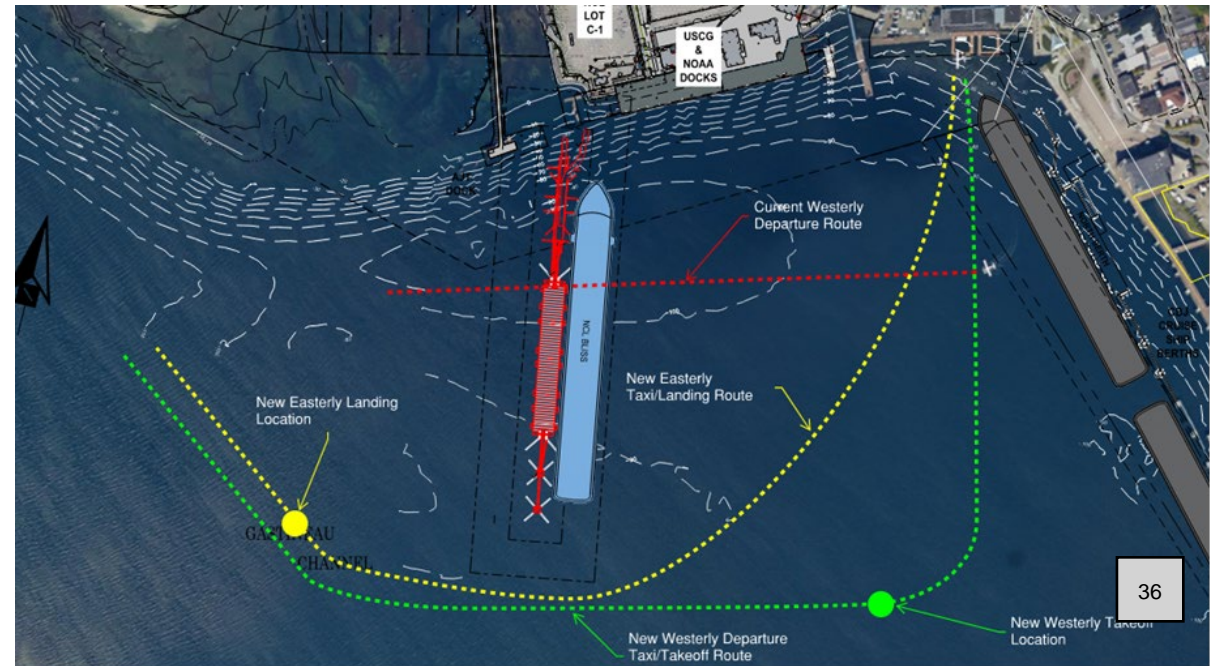


Cruise ship lifeboat transits (900 eastbound and 900 westbound) to and from port with passengers and crew in 2024. Transits cross the path of floatplanes landing and taking off.

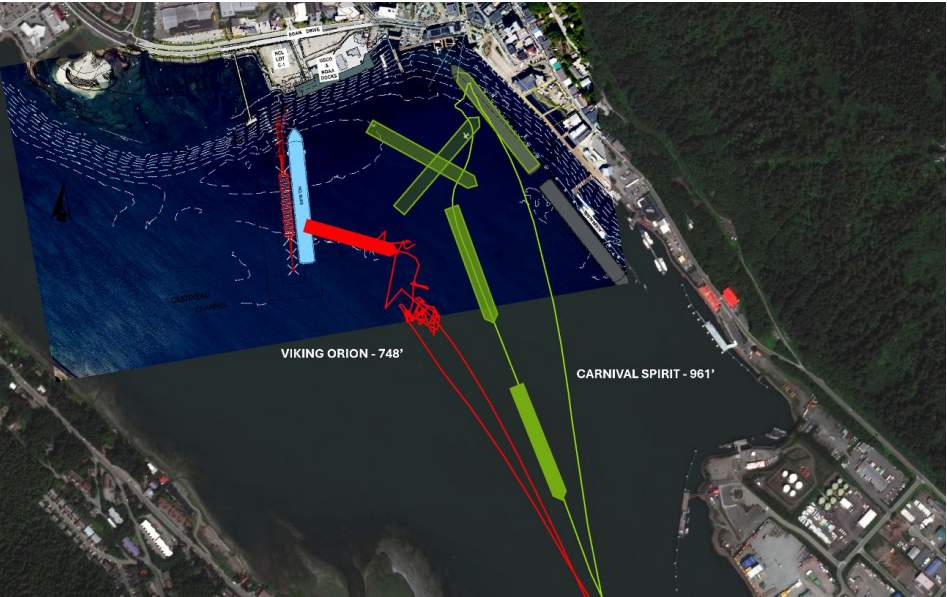
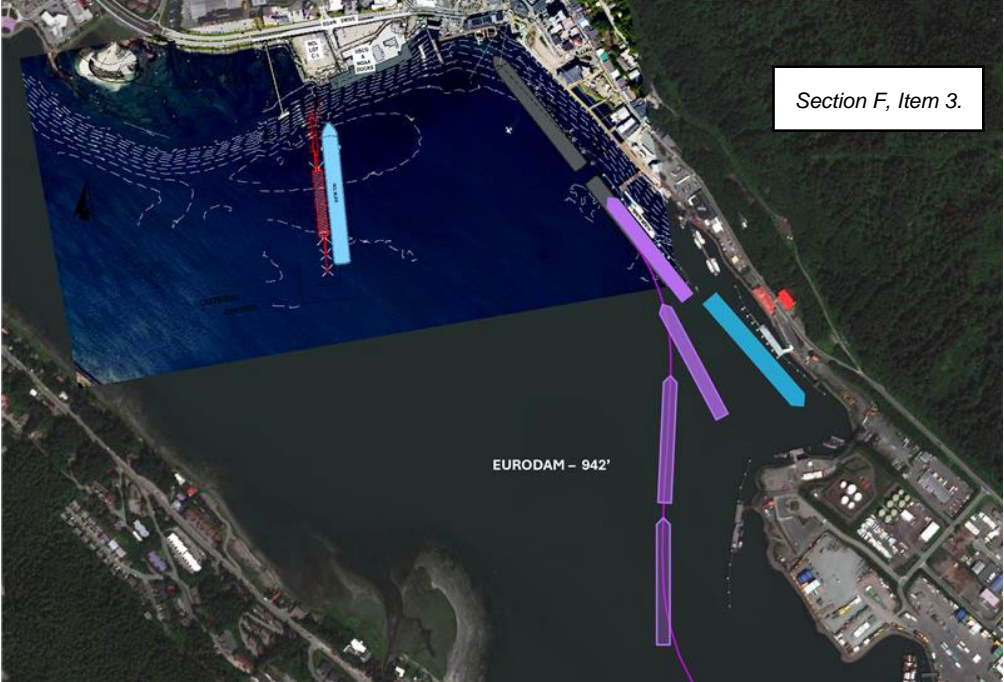
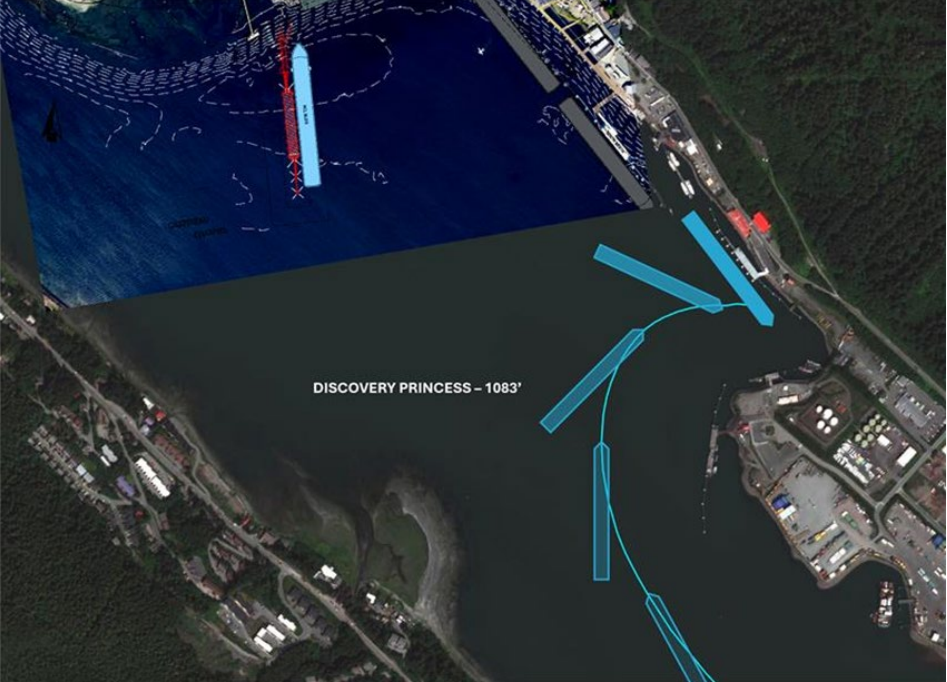
Approximate new floatplane takeoff and landing routes. Graphic provided by Wings Airways.



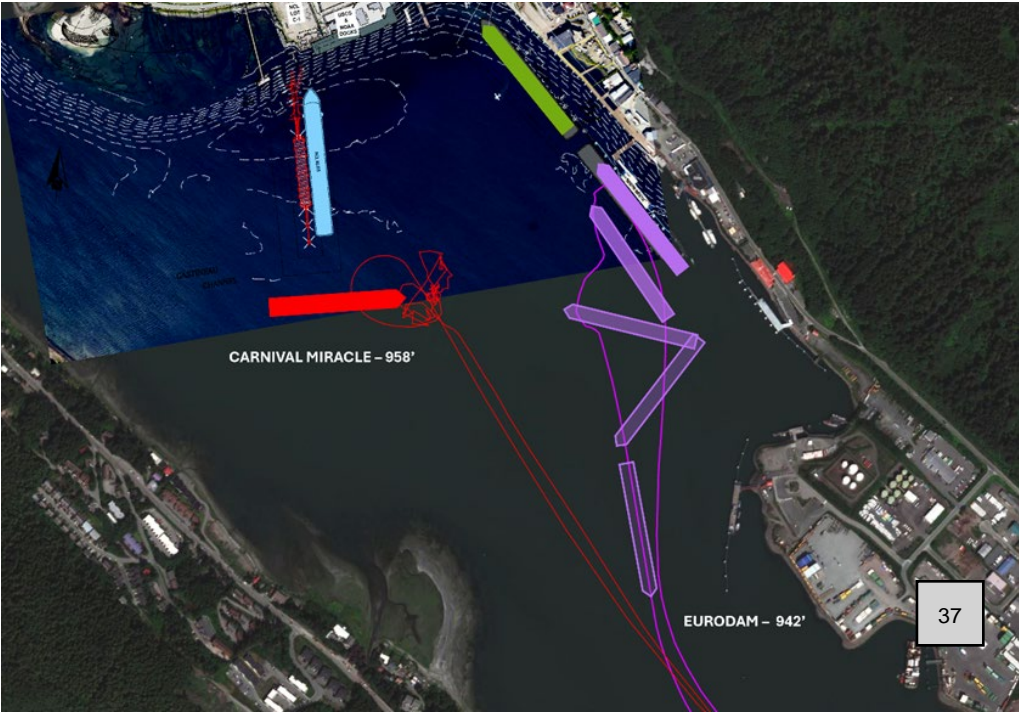
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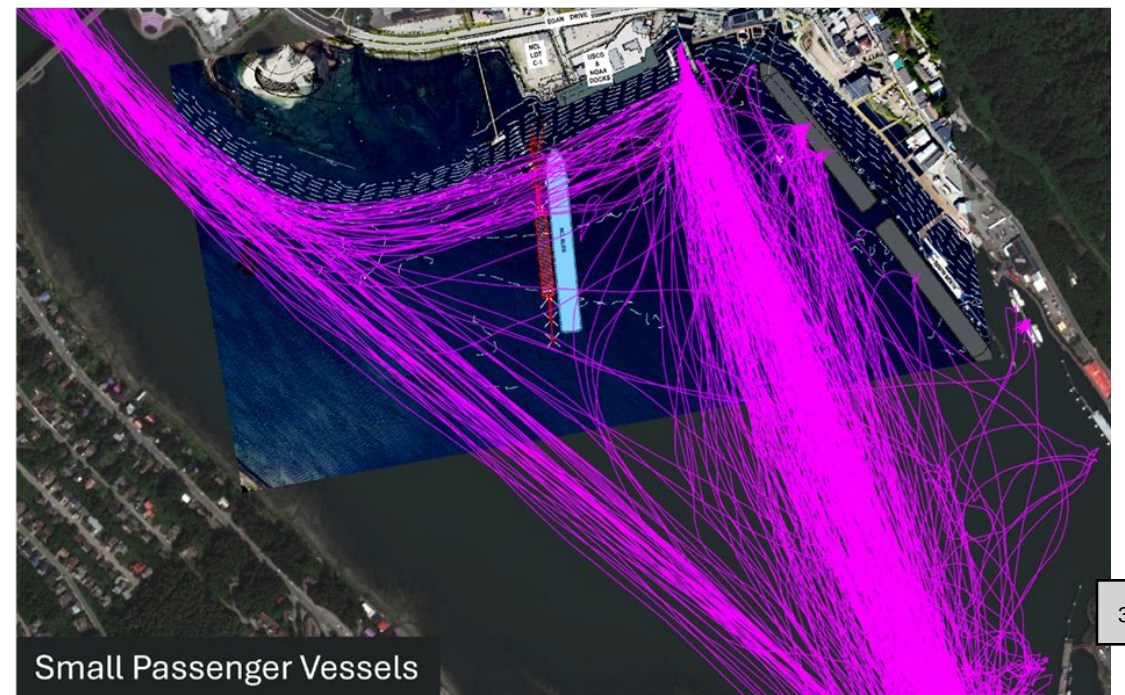
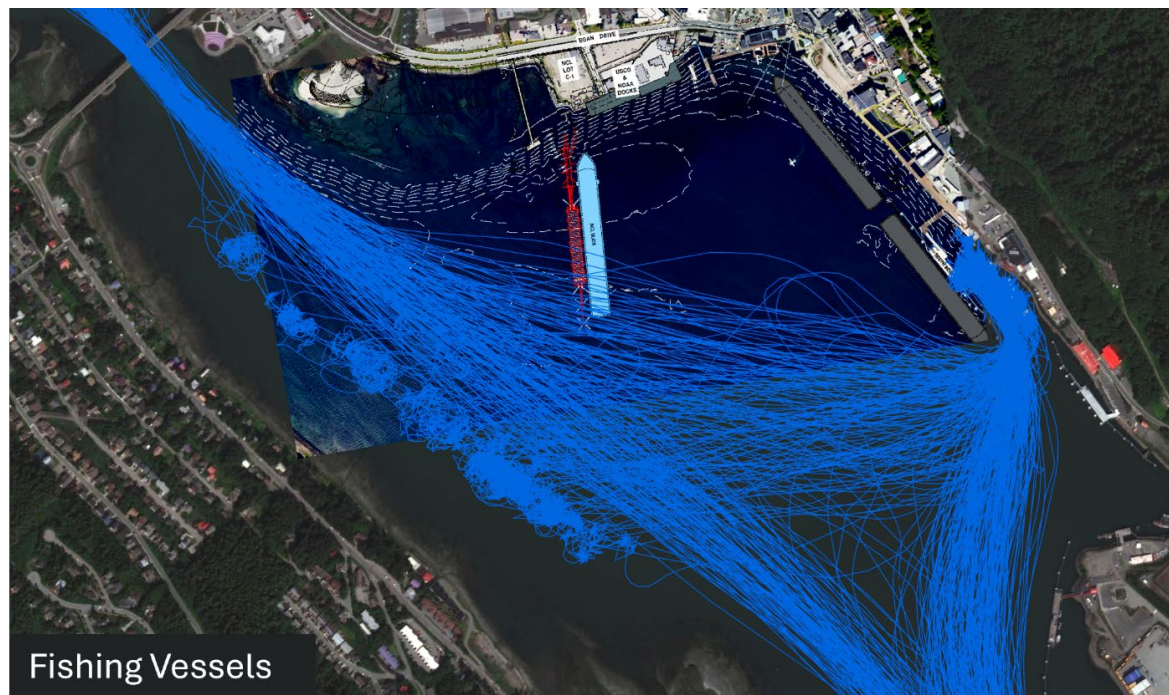
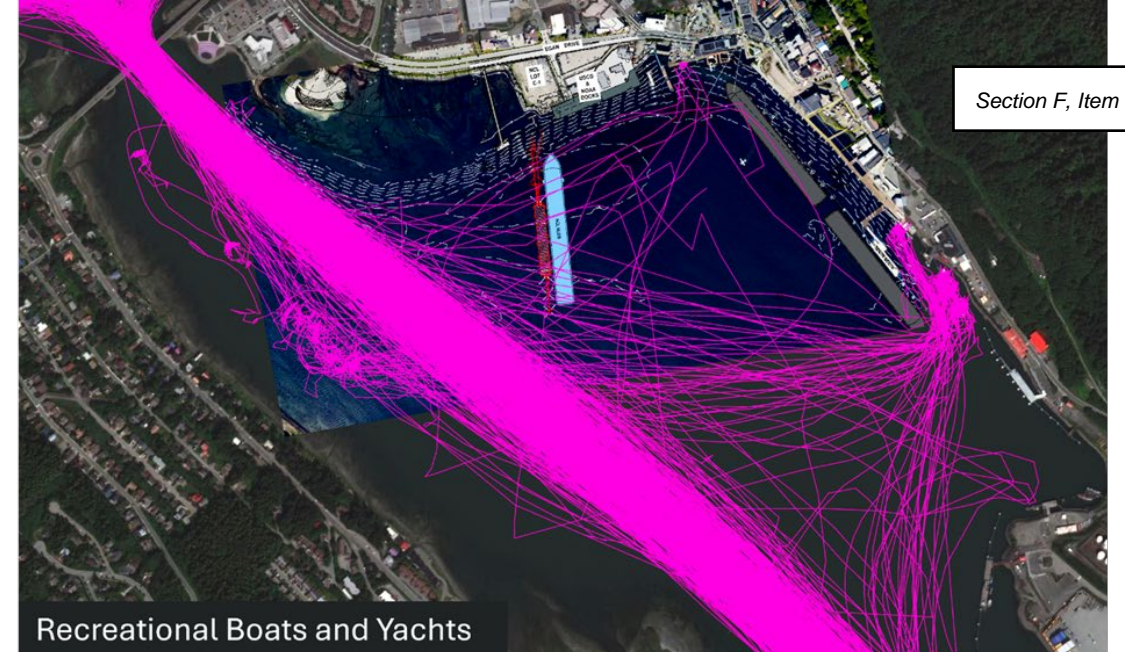
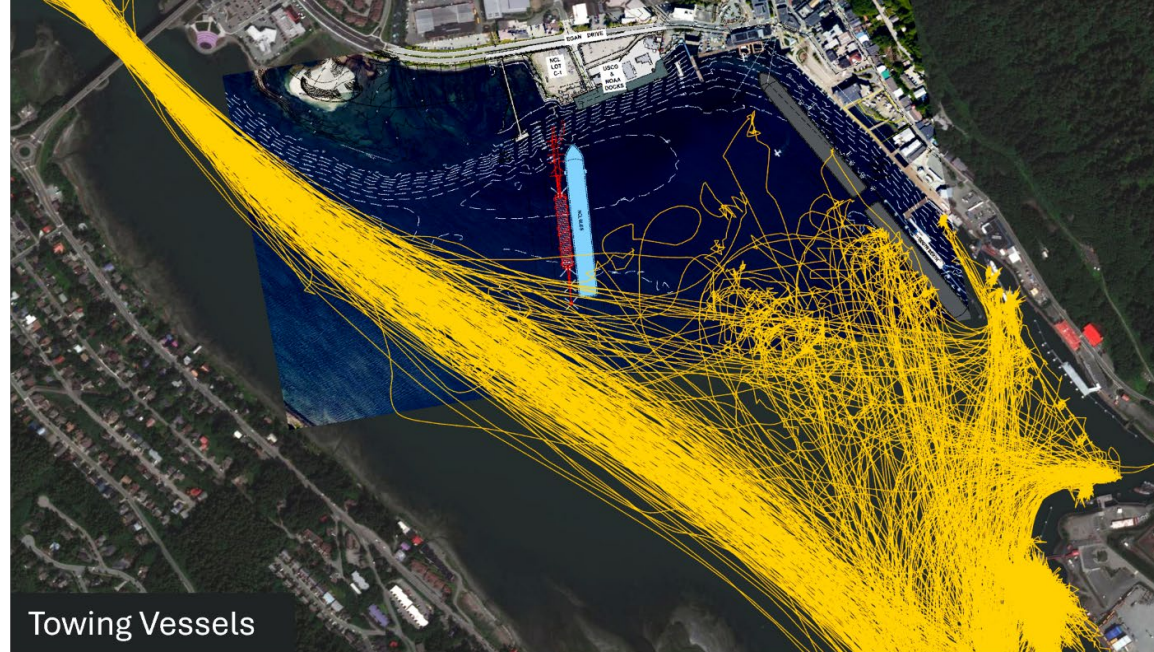


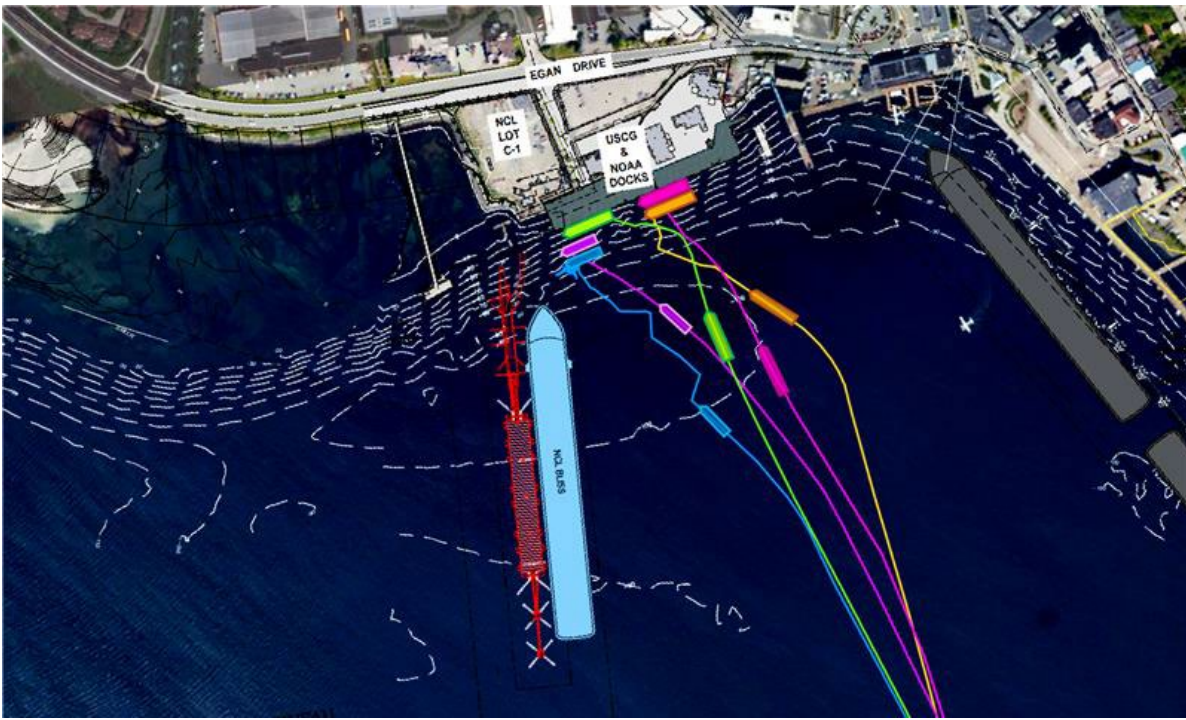
Arrivals



Departures,
with
anchored
vessel

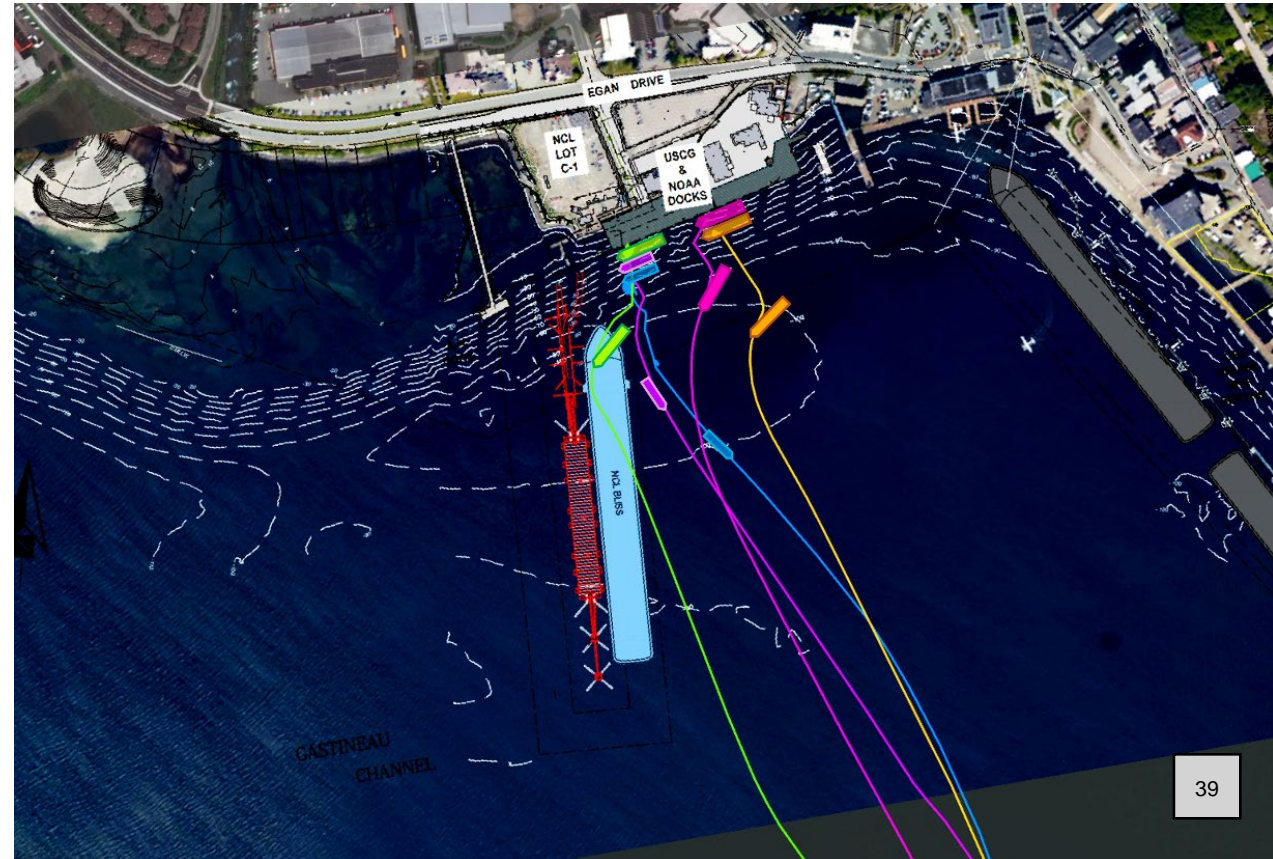


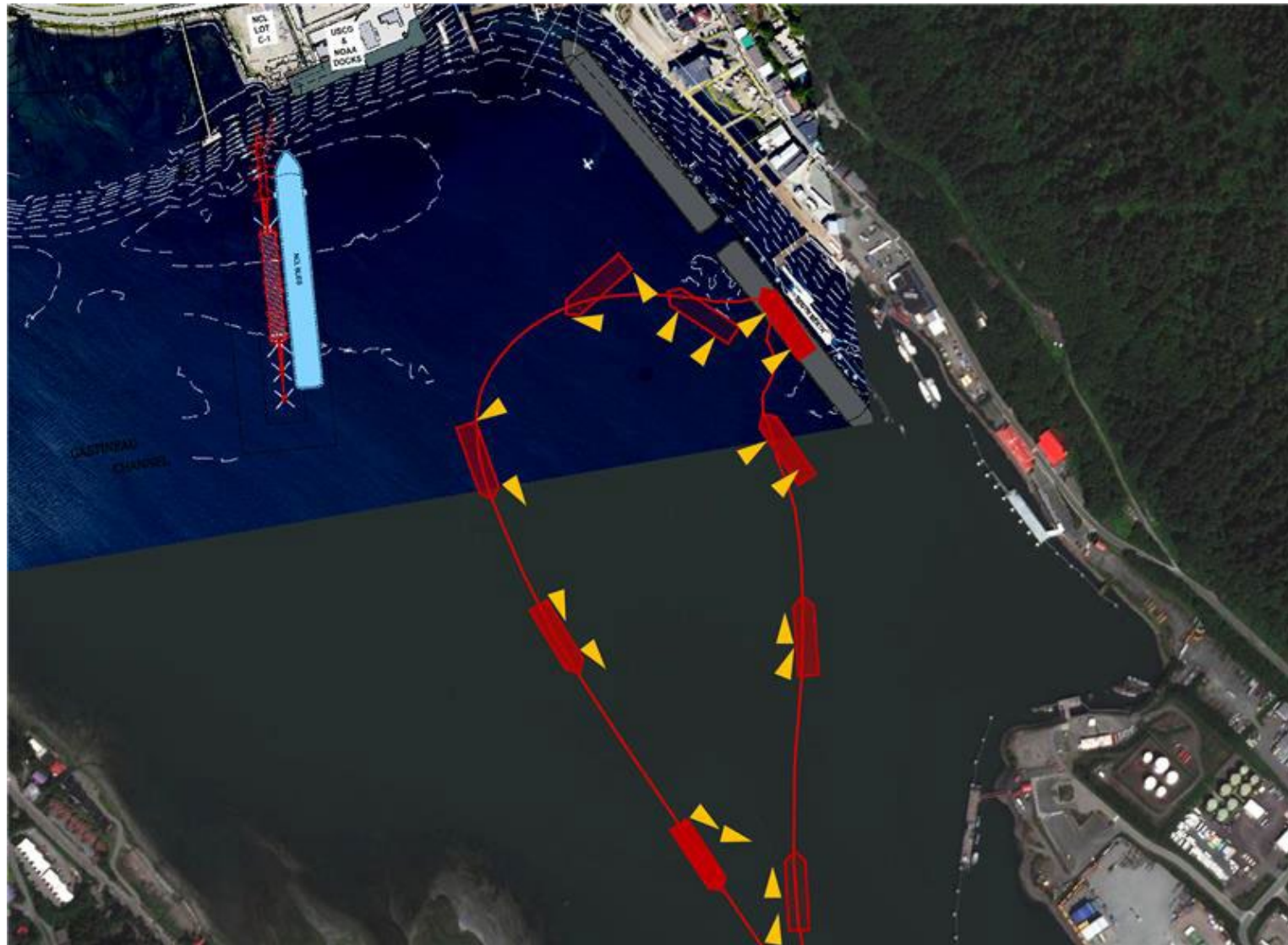




Maneuvers of Coast Guard 225-foot buoy tenders arriving at the Coast Guard's dock in Juneau in 2024 with the HTD dock overlaid.

Maneuvers of Coast Guard 225-foot buoy tenders departing the Coast Guard's dock in Juneau in 2024 with proposed HTD overlaid.





Maneuvers of Coast Guard 420-foot Coast Guard icebreaker HEALY to and from the Port of Juneau dock with two tugs assisting, with proposed HTD overlayed.

Traffic Impact Analysis



Traffic Impact Analysis

- Conducted by DOWL (via Jensen Yorba Wall)
- Mechanism for traffic engineers to analyze impacts of future developments and traffic flows
- Examined existing and future conditions
- Utilized mathematical models developed with ADOT&PF and observations/counts from 2024



Existing Conditions Traffic Operations

Intersection	AM LOS	AM Delay	AM Critical Movement	PM LOS	PM Delay	PM Critical Movement
Egan/Main	A	8	--	B	11	--
Egan/Whittier	A	7	--	B	19	--
Egan/10th	C	27	--	C	31	--
Egan/Willoughby	A/B	14	NB	A/A	9	EBL
Willoughby/Whittier	A/B	10	NB	A/B	12	NB
Egan/Glacier	A/A	9	SBR	B/B	12	SBR



Projected Conditions Traffic Operations (2035)

Intersection	AM LOS	AM Delay	AM Critical Movement	PM LOS	PM Delay	PM Critical Movement
Egan/Main	A	9	--	B	11	--
Egan/Whittier	B	16	--	B	17	--
Egan/10th	C	31	--	C	33	--
Egan/Willoughby	A/B	14	NB	A/A	9	EBL
Willoughby/Whittier	A/B	11	NB	A/B	14	NB
Egan/Glacier	A/B	13	SBR	B/C	16	SBR

Note: With mitigations described in the DOWL report (page 24) and in the JYW Executive Summary

Thank You!

Public Comments - HTC Tideland Lease Public Meetings**January 22 & 23, 2025**

*Note that comments have been assigned a "support/oppose" value of "N/A" unless they directly express support or opposition.

Category	Comment	Support/ Oppose	Staff Comments
Public Use	Entertainment Space	N/A	
Public Use	I want to learn how to carve totem poles	N/A	
Public Use	Free binocular for public use (to watch the birds)	N/A	
Public Use	Unstructured down channel views for year round use	N/A	
Public Use	The dock being electrified is a must	N/A	
Public Use	I would like the public to be able to walk along the waterfront at all times. I have lived in downtown Juneau for 40 years. One of the great joys is to be able to see down the channel throughout the year.	N/A	
Public Use	No building until electricity is available.	N/A	
Public Use	Connection of seawalk to rest of the docks, more restrooms open year round, more open space for activities like Peratrovich Plaza	N/A	
Public Use	We really need a science center in town for all ages	N/A	
Public Use	Educating visitors on Alaska's peoples is always beneficial. MORE	N/A	
Public Use	Seawalk with stores, a park! Benches and trees, pet friendly!	N/A	
Public Use	Build new city hall on site (we need it!)	N/A	
Public Use	Will local tour operators be able to sell last minute tours? Will we be able to pick up pre booked guests who booked outside the cruise lines?	N/A	
Public Use	More general public use. Sealaska has wrapped up the indigenous education venues - just a block away from what Huna Totem would do - too much in too little area of downtown used by all Juneauites.	N/A	
Public Use	Make emphasis on first inhabitants and language of the region. I really want to see activity in the winter months.	N/A	
Public Use	More parking for one. I would like to see quaint shops and a place or 2 to eat - and stay open year round. I'm so done with businesses who station themselves in Juneau just for the summer months. No thank you.	N/A	
Public Use	Low, if any, entrance fee for local residents and guests so can bring visitors. Make sure SHI has control over exhibits, not local emphasis only.	N/A	
Public Use	What about winter activities - skate rink, outdoor fireplaces, etc.	N/A	
Public Use	How about including a much needed new city hall as part of the project? Year-round use & public good!	N/A	
Public Use	There is plenty of indigenous theme in this project. Also its developer is an indigenous entity. Couldn't ask for more!	N/A	
Public Use	The proposed project has sufficient elements and facilities.	N/A	
Public Use	This seems like a way to keep tourists on the docks and not spending money at local vendors and other businesses.	N/A	
Public Use	Just add to the charm of Juneau. A better dock walk.	N/A	
Public Use	More parking off season. Improves traffic flow.	N/A	
Public Use	The costs to infrastructure to Juneau's facilities should not be paid by Juneau's residents. Roads, sewer, garbage, & water should be supported by all users. Wear & tear on roads is immense.	N/A	
Public Use	The science/cultural center should be open to, and support, visits from JSD students during school year. All facilities should be open to the public year-round, including retail space.	N/A	
Public Use	I would like to see a purely "marine science" center w/out cultural overlay as envisioned by Bob Janes and others. Ideally, this would be open year round for educational purposes.	N/A	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
Public Use	I would like to see events happen in this space year-round. Festivals, concerts, markets	N/A	
Public Use	Provide better ways to move visitors around downtown Juneau look for ways to incorporate the ideas adopted in the downtown blueprint document. Walkable spaces. People mover stops throughout downtown.	N/A	
Public Use	Include the many cultures of people who help make Alaska what it is	N/A	
Public Use	Parking, seawalk, mixed retail/exhibition	N/A	
Public Use	Planetarium is in Marie Drake building - especially the dome ceiling. CBJ should evaluate long-term plans for that building including the possibility of the planetarium being moved/built new in the science center.	N/A	
Public Use	Use of zero emission transportation for shore excursions	N/A	
Public Use	I don't have any additional ideas for public use other than that the public use areas and rooms would be available year-round and especially overflow for CBJ Centennial Hall events.	N/A	
Public Use	Hands on aquarium, local and visiting artists can display & teach their craft, carving area totems, marble, granite, limestone	N/A	
Public Use	Music classes, arts like painting, carving, performing arts; boating classes; dance classes; fitness classes	N/A	
Public Use	Amphitheater for events & performances. Waterpark/fountain for summer play. Skating rink for winter.	N/A	
Public Use	Lots of benches, public bathrooms, could you have sleeping cells for people experiencing homelessness? Yes. How can we think outside the box.	N/A	
Public Use	Have sign/display that attempt to explain how tribes/kwannis, corps regional & village and other cultural government laws intersect. Yes this is a huge ask.	N/A	
Public Use	The commitment has made to keep it open year round and work with local school groups is enough.	N/A	
Public Use	I'd like to see the creation and nurturing of "third places" and foster as walkable of a downtown environment as possible. Less space wasted on parking lots! People friendly, not car friendly, infrastructure!	N/A	
Public Use	Partnering with other tribal non-profits for cultural content - placed based & CRE. Partner w/SHI to add to JSD cultural CRE programming. Use correct lingit spelling of cultural content & on materials.	N/A	
Public Use	Dog Park?	N/A	
Public Use	Cultural training for community & businesses	N/A	
Public Use	Open to all cultural events and open to available community events	N/A	
Public Use	Educational programs year round, cultural classes for community	N/A	
Public Use	Having indigenous science center participate in all cultural events and being part of the community	N/A	
Public Use	Year round use opportunities, open space programmed w/ events	N/A	
Public Use	Allow non congesting use by vendors. Pick clear restrooms. Crack down on panhandling.	N/A	
Public Use	An honest portrayal of where the native actually lived - Auke Bay and Taku River and how those were superior places compared to downtown Juneau	N/A	
Public Use	Partnership with culture w/ community education like: smoking fish, crab, weaving, beading, carving, dance groups Tlingit Haida, etc.	N/A	
Public Use	Consider adding additional public/CBJ docks adjacent to this project near gold creek	N/A	
Public Use	Use this space for public events: Brewfest, folk fest, maritime fest, ATIA, winter market, farmers market	N/A	
Public Use	Make bike and pedestrian friendly. We want facilities accessible year round.	N/A	
Public Use	Small local businesses and restaurants	N/A	
Public Use	The development may benefit the tourist trade, but I think as a resident, we have reached the saturation point with the summer influx of the shipborne passengers. I suspect the shops mentioned will only support tourists buying souvenirs and trinkets.	oppose	
Public Use	I would like this facility to not be built	oppose	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
Public Use	1. current docks can accommodate all permitted vessels. No more! 2. CBJ committed years ago in the debate on 16B, to build on this site so as not to block the down channel view. Keep the commitment. 3. Do not allow electrical infrastructure until ready to use	oppose	
Public Use	Would be an excellent location for a performing arts venue with outdoor and indoor capacity. Please don't waste our precious waterfront on yet another tourism-oriented facility and yet another cruise ship!	oppose	
Public Use	The seawalk is great. No growth of cruise ship tourism. 5 ships a day is too many.	oppose	
Public Use	I want no project. No new docks. No more cruise ship tourism. Stop the growth!	oppose	
Public Use	No new dock. The center is a great idea somewhere else. No more traffic problems downtown. No more cruise ships downtown.	oppose	
Public Use	Public use with extended seawalk to whale sculpture. We don't need another dock. No lease of tidelands. Allow development of uplands.	oppose	
Public Use	Move all the toxic emissions from the hundreds of tour bus trips a day out of the downtown area. The valley now is filled with the toxic emissions as well as all the trips to and from the glacier.	oppose	
Public Use	A private facility providing public benefit is a plus. CBJ should invest in it!	support	
Public Use	The IKSCC will be an incredible investment and asset for the community. I hope we can share its space with all...inclusive	support	
Public Use	I LOVE the design and depictions of what could happen!! It will be such an improvement to the waterfront and derelict facilities currently in place.	support	
Public Use	Fabulous safety answer - get those vessels to dock and move passengers to shore.	support	
Public Use	I think this project is so important to developing our waterfront and making it accessible and enjoyable for all. I encourage strong, quick, approval of the lease!	support	
Public Use	The whale park and seawalk is unique and highly used by my family. Small kids love this area and I'd like to see more improvements to this area like seawalk extension and development of the Huna Totem dock.	support	
Public Use	The development of this property, as I understand, would provide bus parking. Anything that will help the traffic congestion that occurs in the summer months is welcomed!	support	
Public Use	Like having more parking + less bus congestion + more seawalk, more program space for tribal partners SHI, T&H, Goldbelt, etc. More meeting space! Exhibits, art + concerts	support	
Public Use	I am very supportive of this project. It will reduce congestion downtown. It will also increase economic activity at a time when Juneau needs it. When ships are docked people spend more time and money on shore.	support	
Public Use	Huge benefit based on its ability to absorb passenger (cruise) traffic out of the stressed areas in this community. Side benefit if the community has access to some of the facilities created.	support	
Public Use	Wonderful opportunity to strengthen/revitalize the Aak'w Kwáan Village district	support	
Public Use	Very supportive of the year round business, allowing for more employment in the winter & activities for locals. Wake up downtown in the winter!	support	
Public Use	I love the idea of buses/cars parking underground. I love the greatly reduced emissions and water traffic. I love the idea of an education/culture center year round.	support	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
Waterfronts	Roof top bar	N/A	
Waterfronts	There should be a method of making money for the CBJ from docking fees.	N/A	
Waterfronts	Year round business, traffic mitigation including pedestrian traffic, a view of the waterfront even when ships are docked.	N/A	
Waterfronts	Paying respect and recognizing the indigenous people of the area with totems and local art represented is powerful. It has the ability to impact millions of people.	N/A	
Waterfronts	There should be a covered walkway. With the amount of rain we receive, it should be covered.	N/A	
Waterfronts	I enjoy the seawalk often as a downtown resident. Unlike other private docks, I'm really impressed by the agreement to use HT funds, not CBJ or passenger fees, to extend the seawalk.	N/A	HTC has agreed to build the Seawalk on its property. Any off-site connections would be CBJ's responsibility
Waterfronts	Seawalk very important. Good lighting along length. Extend seawalk to AJ Dock in front of fuel tanks. Police Marine Park area better to control disruptive and rude people (drunk). Community service officer funding.	N/A	
Waterfronts	My family enjoys the seawalk and we are SO EXCITED that this project can make an extension possible.	support	
Waterfronts	I am a recreational day sailor. We have already been displaced from sailing in the harbor. This new proposed dock cause future reduction in the available area to recreate close to downtown.	N/A	
Waterfronts	A great view from Douglas	N/A	
Waterfronts	Rather not host food trucks on or near the seawalk. Encourage interior restaurant with optional outdoor area.	N/A	
Waterfronts	Access to the waterfront that connects through to downtown/existing docks. Access to include biking and walking paths.	N/A	
Waterfronts	Open/covered areas, public showers, water park	N/A	
Waterfronts	1. Working boat harbor 2. more harbor space. A community cold storage. 3. take a ship out of the channel and eliminate the lightering of passengers.	N/A	
Waterfronts	1. The view 2. the oceanfront walk and whale park. 3. the opportunity for locals to enjoy Juneau's small town atmosphere 4. quiet 5. peace 6. fewer, not more, tourist shops	N/A	
Waterfronts	Seawalk, moving or alleviating traffic from downtown, additional retail and meeting spaces, jobs - construction of and then year-round, highlight and feature additional master and world class Tlingit art to add to that recently created downtown.	N/A	
Waterfronts	Public kayak dock & place to lock kayak during the day. I live in Douglas and work downtown and would love to commute via kayak, but there is nowhere to leave the kayak. This would be so cool!	N/A	
Waterfronts	Complete seawalk to whale park, will be a step towards completing this	N/A	
Waterfronts	Spreading out the current "mass" of congestion will be a huge benefit. Allowing businesses further down the line to get more engaged tourists.	N/A	
Waterfronts	Looking forward to a more complete seawalk that locals can access year-round.	N/A	
Waterfronts	Ships shouldn't be emitting toxic diesel into the air. Known carcinogens are not just bad for Alaska's marine environment but Juneau residents have a right to clean air.	N/A	
Waterfronts	Unstructured down channel view. The project does not contribute. We do not need more downtown crowds and buses.	oppose	
Waterfronts	I love the long view down the channel. I would not like to see any additional development in this area.	oppose	
Waterfronts	Do it somewhere else. Downtown does not need another dock. The traffic will be terrible.	oppose	
Waterfronts	Extend the seawalk but no tidelands permit for a dock.	oppose	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
Waterfronts	The CBJ has contributed a great deal of cooperation with the cruise ship industry and not quite enough to the downtown area and Thane residents who are highly impacted by the in my opinion "over tourism". Most residents of Juneau who do not live downtown or Thane don't visit downtown in the summer because of the presence of tourists. I am very opposed to a dock and additional development at the waterfront especially for a NCL mega tour ship which would occlude the view of the water for everyone. The notion of having a dock that is 90 degrees to the walkway as opposed to broadside is not a solution. I would encourage the City to continue the Seawalk and call it good.	oppose	
Waterfronts	Facilities of mooring for visitors. This projects adds to the lifeblood of the Juneau economy.	support	
Waterfronts	I enjoy seeing people visit our community, especially the folks that otherwise might not make it here (most cruise ship tourists). Infrastructure development helps make this work. Please approve the project/lease.	support	
Waterfronts	All activity I enjoy on the waterfront - walking on the dock even on rainy days, seeing the bustling of activity. CBJ has a poor history of its native people and I want to think that is no more, and embrace this opportunity that Huna Totem is offering.	support	
Waterfronts	Aak'w dock will reduce congestion in the rest of the tourist zone downtown, help traffic flow and improve the waterfront and town by extension. Build it now!	support	
Waterfronts	Revenue generation is significant. Waterfront development have the ability to offer a catalyst to business and income (revenue for our residents). Multiple range of business endeavors could be considered - startup, significant, family owned, established, etc. Great benefit to Juneau and region.	support	
Waterfronts	This project wills substantially improve downtown waterfront appearance and experience. It eliminates a large tract of vacant bare waterfront land without additional CBJ expenditures. Please approve this excellent and much needed project. It will substantially benefit that portion of the CBJ harbor waterfront making Juneau more attractive to visitors.	support	
What Else Would You Like to Tell Us?	I believe that the long range waterfront plan has a height limit of 35'. An ordinance passed in 2022 said height will be addressed in the Conditional Use Permit. What is the status of this	N/A	The Conditional Use Permit has been granted and the development conforms to Title 49 and the Land Use Code
What Else Would You Like to Tell Us?	Who is paying for the AEL&P power hook up for ships?	N/A	
What Else Would You Like to Tell Us?	My main concern is pedestrian and vehicle traffic. How will this affect flow of traffic through downtown. Will crossing guards be needed to manage pedestrians crossing Egan if they jay walk or don't use the light? Mainly, please consider how to keep pedestrians out of the street.	N/A	
What Else Would You Like to Tell Us?	What about pollution? Smoke, noise, sound. This dock is close to many residential areas. Flats, West Juneau, Etc.	N/A	
What Else Would You Like to Tell Us?	Maintain ship and passenger limits (thank you for those!)	N/A	
What Else Would You Like to Tell Us?	Please make sure dock electrification is set up and ready before any cruise ships. I'm concerned about it getting pushed back if not set initially.	N/A	
What Else Would You Like to Tell Us?	The city is doing a good job of mitigating impacts while allowing forward thinking projects that create economic opportunity and tax revenue.	N/A	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
What Else Would You Like to Tell Us?	Excited for growth in Juneau! Need to bring back younger folks so business can survive!	N/A	
What Else Would You Like to Tell Us?	No west Douglas cruise ship dock development! Save our open spaces!	N/A	
What Else Would You Like to Tell Us?	The business relationship between Huna Totem and NCL should be required to be fully disclosed as part of the lease arrangement. This would benefit the public and decision makers.	N/A	
What Else Would You Like to Tell Us?	Should focus on what the facility would offer for the October-April time. Don't need more vacant closed downtown buildings.	N/A	
What Else Would You Like to Tell Us?	The applicant should pay the cost of getting the electrical to the site - this should not fall, ultimately, on other rate payers.	N/A	
What Else Would You Like to Tell Us?	Please address this project and the proposed North Douglas dock project as part of the same big picture. Say NO to Goldbelt docks. Keep downtown our business district.	N/A	
What Else Would You Like to Tell Us?	Please design in such a way as to facilitate foot traffic across the street (to) the JAHG and Museum.	N/A	
What Else Would You Like to Tell Us?	The tidelands lease should conform to other tidelands leases the city has granted. Franklin Dock & AJ Dock example. Shore power should be paid by head tax fees. Franklin Dock used head tax fees.	N/A	
What Else Would You Like to Tell Us?	Navigation study is critical PRIOR to design. Involvement of pilots and captains to collaborate on viability is critical so success. Data collection for environmental conditions at the specific location (maybe a buoy in the harbor) should be required. Simulation work (could be UAS Ketchikan) is a viable option. City should insist on SEAPA involvement for expertise.	N/A	SEAPA is the marine pilots' organization
What Else Would You Like to Tell Us?	Rationally, this project is well designed. However, we have too much tourism in Juneau. All guest experiences are being degraded due to high volume. #1 worry: do not impede coast guard use or expansion of their future or present uses.	N/A	
What Else Would You Like to Tell Us?	1. The lessee is fully responsible for all insurance requirements, risk, loss, and liability. The municipality is not responsible for lessee's choices on how to permit, construct, operate, maintain or otherwise occupy the property. 2. The lease may be amended by the Assembly at any time for its own reasons and purposes including future citizen initiatives, litigation, and comprehensive port management. 3. No option for purchase. 4. Lessee acknowledges that the uniform building code and the uniform fire code apply to the property. The Coast Guard may have its own regulation, they do not supersede the UBC or UFC, as adopted by the municipality. 5. There is not financial support from the municipality for this project, for construction or maintenance. 6. Expect marine passenger fee program to be repealed by citizens during the design life of this project. Anticipate how that will play into ongoing operations such as security, sanitation, and other operational needs. 7. If, for an unforeseen reason, funding from the municipality or MPF is used, all shoreside commercial tour operations will be limited to 8am - 6pm. 8. Lease the property at market rate and provide an annual rent increase table inclusive of CPI. If rent adjustments are needed, the CBJ may waive rent as otherwise required by federal law. 9. Apply this to all leases.	N/A	
What Else Would You Like to Tell Us?	It should be a condition of the lease that no cruise ships can berth at the dock before the dock has electricity to support the ship. No electrification, no ship.	N/A	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
What Else Would You Like to Tell Us?	I would like to see language regarding the electrification of the "new dock" firmed up to require electrification before approving. As it reads there is nothing to compel AEL&P to provide infrastructure so Huna can electrify.	N/A	
What Else Would You Like to Tell Us?	Juneau should develop a comprehensive waterfront plan instead of this piecemeal approach. 2 docks back of Douglas, 5 docks downtown if Huna Corp's dock is approved, 1 icebreaker dock for coast guard = 8 docks. We need a plan before any of this happens.	N/A	The Long Range Waterfront Plan, as amended, considers the downtown waterfront, but does not take any future development on Douglas into consideration.
What Else Would You Like to Tell Us?	Shore power is a long lead infrastructure project. Condition "commission/first use" such that this project is operational on day one.	N/A	
What Else Would You Like to Tell Us?	1. There is no room for the additional vehicular and pedestrian traffic period. 2. There is no means of providing electricity at the docks. Use of ship generators at dock creates more air and sound pollution. Don't build a dock without a power source. 3. Is the limit on the number of tourists being considered? Goldbelt's 2 new docks will raise # of visitors to limit this project will exceed the limit.	N/A	The MOAs between CBJ and the cruise industry apply to the entire borough.
What Else Would You Like to Tell Us?	Publicize this comment period better and the comment periods in the future. Many people did not know about this chance to communicate with the city and planning.	N/A	
What Else Would You Like to Tell Us?	Partnership of helping with congestion of traffic location of all guest congregate to exit town to activities. Ship access to electrify/charge ship. Emission reasons/sound etc..	N/A	
What Else Would You Like to Tell Us?	The lease term should be limited to 5 years so that CBJ retains control over the waterfront. Renewal should be readily granted but conditioned on public approval.	N/A	
What Else Would You Like to Tell Us?	I work down by the bridge and I & several locals use the seawalk regularly. Extending the seawalk with private investment is wonderful, more foot traffic of visitors close to downtown businesses, another possible venue for public and community events.	N/A	
What Else Would You Like to Tell Us?	Downtown is largely a dead zone for much of the year. There is a need to diversify the economy and revitalize the downtown area. Moving more into tourism makes Juneau a one trick pony and is not beneficial.	oppose	
What Else Would You Like to Tell Us?	Not in support of the project	oppose	
What Else Would You Like to Tell Us?	The current docks were supported public with the idea that a shared view would be kept open on the property. Keep the promise!	oppose	difficult to read writing - may include transcription errors
What Else Would You Like to Tell Us?	Please find ways to actually benefit the residents of downtown Juneau. Affordable housing would be a great start, my preference is to not have the intertidal area disrupted, Juneau seems past the capacity for cruise ships, why add more?	oppose	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
What Else Would You Like to Tell Us?	This causes too much congestion closer to the bridge. When folks list congestion as a high priority it means they want fewer tourists, not spreading congestion over greater areas, Juneau needs housing, Huna can afford to subsidize housing for the privilege of increasing tourism congestion closer to the bridge. Juneau residents should not foot the bill for AEL&P to get power to the "landing". Juneau is the crown jewel of cruise destinations. We provide a massive pipeline of revenue to this industry. The tidelands lease is where we have control. We need to clearly specify the needs of our residents and stand firm against exploitation. They will not quit coming if we demand what we need.	oppose	
What Else Would You Like to Tell Us?	I'm pro tourism in moderation. I say no to this project as we don't need more stand alone cruise facilities in this city	oppose	
What Else Would You Like to Tell Us?	We are maxed out on cruise ships. We are barely addressing the issues, but want to add another dock? It's like turning the water higher on an overflowing tub. Please stop.	oppose	
What Else Would You Like to Tell Us?	Please no further tourist development downtown	oppose	
What Else Would You Like to Tell Us?	This is an excellent, well thought out and well planned project. This moves one ship's passenger load some 1/2 mile from the core of downtown Juneau. It will reduce congestion in the downtown core area by at least 20% with fewer passengers disembarking in the core area and reduce bus traffic as well. This project should be give the assembly's blessing to allow construction to move forward asap.	support	
What Else Would You Like to Tell Us?	This is a great project and needs to get moving. The notion that the lease will take a year is unacceptable. This provides property taxes, parking, open space, facilities for community use.	support	
What Else Would You Like to Tell Us?	I'd like to see more action electrifying buses and right sizing bus transportation to the number of visitors in town each day. Otherwise supportive of the project at the Huna Totem dock.	support with conditions	
What Else Would You Like to Tell Us?	CBJ should approve without conditions!	support	
What Else Would You Like to Tell Us?	We need job opportunities in Juneau. Our economy is based on Gov, tourism, and mining. Please move this project forward to create jobs.	support	
What Else Would You Like to Tell Us?	Please approve lease. Juneau's economy direly needs this project.	support	
What Else Would You Like to Tell Us?	I like the project. Let's proceed ASAP.	support	
What Else Would You Like to Tell Us?	This is a very rare opportunity for a large scale project and investment in Juneau. CBJ should do everything possible to allow and encourage development with minimal incumbrancers and requirements outside what the developer and CBJ can negotiate for what fits in their business planning.	support	
What Else Would You Like to Tell Us?	I would like to express my full, and complete support for the Huna Totem/NCL project. Please agree to a tidelands lease ASAP so the project can create jobs and open in 2027! Thank you!	support	
What Else Would You Like to Tell Us?	The CBJ should approve all long-term and renewable leases necessary to bring this excellent project to fruition as quickly as possible. Not only will this project favorable impact Juneau's short-term and long-term economy, it will provide a substantial additional property tax base, as well as year-round sales taxes. Very happy that it will reduce bus traffic from the congestion downtown.	support	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
What Else Would You Like to Tell Us?	Totally support the 5th dock project	support	
What Else Would You Like to Tell Us?	I want the dock!	support	
What Else Would You Like to Tell Us?	The Juneau Chamber supports the 5th dock. We believe it will be a benefit to Juneau. Tourism is vital to our economy providing jobs, supporting locals. Additional the added infrastructure creates construction jobs and moves traffic around downtown.	support	
What Else Would You Like to Tell Us?	Project is private funds! Economic benefit to Juneau! Private sector employment!	support	
What Else Would You Like to Tell Us?	Good jobs in construction phase, good jobs upon completion, honors 5 ship limit, does not increase # of ships, honors pax capacity limit beginning 2026, reduces traffic on S Franklin, eliminates ships at anchor, close to downtown, easy walking distance.	support	
What Else Would You Like to Tell Us?	Amazing project and can't wait!	support	
What Else Would You Like to Tell Us?	This project will improve the visitor experience by removing lightering. Great investment! This will balance out visitors to Juneau across a little more space and across more local businesses!	support	
What Else Would You Like to Tell Us?	Kudos to HTC for all the community engagement. The concerns have been taken into consideration and it shows! Doesn't increase tourism, reduce congestion, 365 businesses.	support	
What Else Would You Like to Tell Us?	CBJ should approve this project. It is an obvious economic benefit it will enhance the visitor experience and relieve congestion. If CBJ denies it, the conflict of interest is quite obvious and the city should expect a lawsuit. The prior City Manager put CBJ in a bad position when he cautioned prospective property bidder against bidding against CBJ for the property.	support	
What Else Would You Like to Tell Us?	My only problem with how the CBJ deals with cruise tourism is that it seems to acquiesce and prioritize the needs of the cruise corporations and business owners before the needs of the community. I think the Huna Totem dock can be a good idea as long as it fosters real growth in our community. More people, more meeting places, more good paying jobs. This plan is FAR superior to the Goldbelt dock on North Douglas, we must oppose that at all costs for reasons I don't have enough space on this paper.	support with conditions	
Your Great Idea	Where does Huna make money from this project? Do they get a fee from each ship/passenger, or are they making their money (planning to) by selling tickets? If they are getting a fee from the ships, CBJ should get a percentage of the fee. Put that in the lease.	N/A	
Your Great Idea	Require ships that dock not to use exhaust scrubbers anywhere in Alaska waters if they are going to use the dock. Stop creating scrubber pollution!	N/A	
Your Great Idea	Radar set on 60 ft tower, with display & control scope in the "science" building, for visitor up close viewing, maybe even limited controls interaction. I have the original radar from AMHS "Columbia" bought from State of AK surplus, plus a 60 ft tower. I will donate all. If it's a success, you can buy a more modern one to replace it. The rotating bar on the tower top is "Free advertising" Beacon "mommy, what's that? " "Let's go see, Wilbur." Off they go. Radar has been very important to Alaska's success and safety. We only need anchor bolts and electric conduit installed somewhere on the site. Rest of installation is easy. Need an indoor site for the scope, controls console.	N/A	

Public Comments received at Huna Totem Corp. Tideland Lease Public Meetings held January 22 and 23, 2025

Section F, Item 3.

Category	Comment	Support/ Oppose	Staff Comments
Your Great Idea	Do not cut off locals' access to area (except for actual dock security) CBJ agreement with Huna Totem.	N/A	
Your Great Idea	Allow only ships that do not have scrubbers to use this dock.	N/A	
Your Great Idea	Hold firm on current (or lower) passenger and ship limits and expand limits to cover the whole City and Borough of Juneau so covers all of our community.	N/A	
Your Great Idea	Businesses that operate year round. Most all businesses in downtown Juneau LEAVE for the winter. Huna Totem can make this happen.	N/A	
Your Great Idea	Please require any ship using dock to meet highest clean fuel standards - no scrubbers present on any ships using dock!	N/A	
Your Great Idea	It will be no problem to get power to the docks	N/A	
Your Great Idea	Prioritized use for operators (tour companies) who are locals and contracted with NCL	N/A	
Your Great Idea	Partner with CBJ to create amphitheater style gathering space for events, concerts, etc.	N/A	
Your Great Idea	Extend landing - make bigger to support all of Juneau services to be a location of enter or an exit. Hoonah Totem Hit survey line. Use all land (fill). City add more land to partnership.	N/A	
Your Great Idea	Hopefully something like the ocean center that Bob Janes proposed.	N/A	
Your Great Idea	Juneau's greatest need is housing. Assembly members had mentioned this as an important use for the land. With the valley being a flood zone and getting worse Juneau would benefit from having more housing.	N/A	
Your Great Idea	No dock. Juneau needs a master waterfront plan before approving the Huna Totem Dock	oppose	
Your Great Idea	Not in support. It might be beneficial for the tourist trade, but I don't think that as a resident I can support more traffic downtown.	oppose	
Your Great Idea	My great idea is to leave the property alone	oppose	
Your Great Idea	This project should not be connected to a dock. We are being manipulated by NCL. Don't sell the tidelands. I'm am not in favor of this project. I also would take more control of the "head tax" or the CBJ should have an additional head tax for the amount of pounding our town's infrastructure take, roads, trails, hospital, facilities.	oppose	
Your Great Idea	Build it now!	support	
Your Great Idea	Yes to dock on all counts: traffic is shifted from downtown, vacant waterfront is beautified and developed per master plan. Tourist impacts spread out more. Parking is enhanced, native culture is shared with all. Lightering is eliminated and shore power is possible. All good!! Build the dock.	support	
Your Great Idea	Approve expeditiously. City can make this happen. We need jobs.	support	
Your Great Idea	The best idea is for CBJ Assembly to expedite approval of all necessary leases and permits to get this project done ASAP! Thanks! Six years in the making: let's start construction in 2025!	support	
Your Great Idea	The best thing to do is issue the tidelands lease as quickly as possible. The Huna Totem dock is a fantastic community asset and needs to be built. CBJ must complete this step by April 2025.	support	



OFFICE OF THE MUNICIPAL CLERK
ELECTION OFFICIAL

Section F, Item 4.

155 Heritage Way
Juneau, AK 99801
Phone: (907)586-5278 Fax: (907)586-4552
email: city.clerk@juneau.gov

Date: February 20, 2025
To: Mayor Weldon & Assemblymembers
From: Beth McEwen, Municipal Clerk/Election Official
Subject: Election Code Rewrite Ordinance 2025-14

In 2024, the Clerk's Office received four petitions from citizens trying to engage in direct democracy. Due to requirements written in code, about 15% of the signatures initially turned in were rejected. Of those more than half were rejected due to the strict requirements laid out in CBJ Code 29.10.090 about what is an "adequate" address which disproportionately impacted people who live in apartments, mobile home parks, harbors, or do not have a fixed address. This section of code was written before the Election Official had real-time access to the State Division of Elections Voter Database which allows staff to quickly verify if a person is a Juneau resident who is eligible to sign a petition. For comparison, about 1.5% of ballots in the 2024 election were rejected for any reason. The ballot review process falls under a different portion of the election code with similar but less proscriptive language. The primary purpose of both code sections is to determine a voter's eligibility to participate as a qualified Juneau voter in the election process.

This experience led Clerk staff to propose Ordinance 2025-14, with the help of the Law Department. To start, this Ordinance asks you to make a policy call regarding how our election code is drafted and codified. This ordinance recommends moving procedural actions that are currently outlined in code and placing them into Rules of Procedure. This should result in:

- **Greater public access to Election procedures.** This ordinance requires the Rules of Procedure to be published online, making it easier for people to find and read it.
- **Greater ability for Election Officials to adapt to changing technologies.** The current Election Code has many sections that are prohibitively specific, such as the address example above. Rules of Procedure can be more easily updated to adapt to changing circumstances, with reasonable limitations on how close to an election such changes can be made.
- **Election code that is more easily understood by the public.** Our current election code contains a lot of redundancies and unnecessarily complex language. This ordinance cleans up the language of the code to make it more readable by the public.

Additionally, this ordinance provides some minor changes in timing, including the candidate filing period and when ballots are mailed out. Details are specified below.

This ordinance has changes to almost every section of Election Code. The outline below provides a section-by-section analysis of each change.

Recommendation:

Discuss, modify if desired, and move Ordinance 2025-14 to the Assembly for public hearing and adoption.

ELECTION PROCEDURES

29.07.005 Election Policies Established and Rules of Procedure. This section replaces 29.07.250 and provides the following changes:

- Election policies and rules of procedure must be published online. They are currently only available in paper in the Clerk's Office and the Thane Ballot Processing Center.
- Election policies and rules of procedure must be published at least 40 days before an election and cannot be changed during those 40 days. Current code requires procedures to be set at least 20 days before the election. Prior to conducting by mail elections, they were only required to be finalized 10 days before election day.

29.07.010 Election Times; notice. This removes the code language that requires publication in a newspaper of general circulation, which will have no effect on current procedures as Charter 10.5 Notice of Bond Election requires publication in a newspaper of general circulation. If the Charter is ever changed, then future Election Officials would still publish the Notice of Election but would not be required to publish it in a "newspaper of general circulation." All other changes in this section remove redundant language or rewrite sentences to be more understandable.

29.07.020 Election Officials. Changes in this section would allow 16- and 17-year-olds to work elections, with limitations to be put in place in the rules of procedure. Currently only qualified voters, aka people ages 18 and up, can work elections. The other change removes the Manager's ability to designate assistants (election workers) to the Election Official. The Manager's office has never used this authority, and this removes the appearance of potential political interference with election work.

29.07.040 Multimember races. This is a title change to better reflect the content of this section.

29.07.050 Candidates; nomination; write-in. Changes to this section would increase the length of the candidate filing period. The current candidate filing period opens on a Friday and closes on a Monday, with 7 business days to turn in paperwork. This change would open the candidate filing period on a Monday and close it on a Friday, with 10 business days to turn in paperwork. For 2025, the candidate filing period would be Monday July 7 at 8:00am to Friday July 18 at 4:30pm. Candidates would then have until Tuesday, July 22 to withdraw their name from the ballot. Shortening the withdrawal period from a full week to five days will allow staff to help meet the tight ballot design deadline. Clerk staff believe this filing period will be easier for the public to remember. This section also removes minutia about candidacy forms from the code and puts it in the rules of procedure.

29.07.055 Official Candidate statement. This section moves specific details about what is offered on a candidate statement from code and puts it in rules of procedure while retaining the right for official candidates to have an online statement provided.

29.07.060 Ballots; form. This section moves specific details from code to rules of procedure, including how to write instructions on a ballot, how candidates will randomly be placed on the ballot, and what kind of paper the ballots are printed upon; it also rewrites some sentences to make them more readable.

29.07.070 Ballots; preparation and distribution. Change in language to better match current by mail election procedures.

29.07.080 Election materials; preparation and distribution. Removal of redundant language.

29.07.100 Voting procedure. This moves ballot mail out day from 19 days before the election (a Thursday) to 18 days before the election (a Friday). Due to State deadlines regarding voter registration, the window between getting the final voter list and mailing out ballots is incredibly small. This allows our printer one additional day to meet that timeline.

This section moves specific details about how a ballot envelope is designed from code and puts it in rules of procedure. This will result in no changes to current procedure but would allow a future Election Official to update envelope design when a better option becomes available.

29.07.120 Vote center, ballot drop boxes, and polling place; procedures. Changes in this section remove minutia, rewrite sentences for better readability, and remove redundant language.

29.07.130 Unused ballots. This section moves chain of custody and security procedures for unused ballots into rules of procedure.

29.07.150 Ballot envelope review and signature verification. Changes for this section include allowing Voter ID to use a fuzzy match like all other personal identifiers; this was meant to be included in the last update to this section but was missed. This section also moves specifics of the cure process and ballot accountability to the rules of procedure instead of the code; for example, in the current code it requires us to send a letter, but many issues can be cured over the phone. It also removes a significant amount of duplicative language.

29.07.160 General procedures of ballot adjudication. Change in title to better reflect the section.

29.07.170-29.07.300. All changes in these sections are primarily language updates to improve clarity and/or eliminate redundancy.

29.07.390 Definitions. This section updates language to simplify some definitions while also adding clarifying language to care for current election practices.

INITIATIVE AND REFERENDUM

29.10.010 Purpose. Simplification and clarification of language.

29.10.030 Petition Format. This section removes the minutia of how petition booklets are physically created from code and moves them to policies and procedures.

29.10.060 Submission and receipt of petitions. This changes a rarely used submission time from 9:00am to noon.

29.10.070 Supplemental petition. Adds the ability to contact people by email.

29.10.080 Validation of signatures. Election officials now have real-time access to the State's Voter Registration database. Therefore, much of this section had become needlessly prohibitive. If the recommended updates pass, the new standard would be that a person must be a registered Juneau voter on the day they sign the petition, sign legibility enough for staff to read their name and address, sign in ink, and only sign once.

Should election officials every lose real-time access, we will still be able to verify people's ability to sign using an electronic point-in-time voter registration list provided by the State.

29.10.090 Residence address requirements. This entire section was removed given the Election Official's real-time access to the State's Voter Registration database.

29.10.100 Petition and signature rejection for other reasons. This adds State legal language of fraud or misconduct (AS15-56-070 through 15-56.090) and requires fraud or misconduct to be reported to the Juneau Police Department.

Attachments

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

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Presented by: The Manager
Presented: 02/03/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-14

An Ordinance Amending the City and Borough Title 29 Code Relating to Elections Processes and Procedures.

WHEREAS, the City and Borough of Juneau seeks to establish election policies and rules of procedures that are understandable and easily accessible to the citizens; and

WHEREAS, the City and Borough of Juneau seeks to create processes that allow elections to adapt to changes in technology while remaining secure; and

WHEREAS, the City and Borough of Juneau seeks to remove redundancies and unnecessary complexities that may limit citizen participation in its election system.

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

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

Section 2. Amendment of Chapter. Chapter 29.07, Election Procedures, is amended as follows:

Chapter 29.07 ELECTION PROCEDURES

29.07.005 Election policies established and rules of procedure.

The election official shall establish election policies and rules of procedure in writing and post them on the City and Borough website at least 40 days before an election to expedite the process and to guarantee the integrity of the election. Election policies and rules of procedures may not be changed at any point within 40 days of the election through the final certification of the election, and will remain in effect until superseded by any updated version. Election policies and rules of procedures will be governed by CBJ Charter and Codes, except when superseded by Alaska Statute.

29.07.010 Election times; notice.

- (a) ~~{Election method.}~~ The Election Official will conduct all elections by mail, unless otherwise directed by the Assembly.
- (b) *Time of regular elections.* Annually, on the first Tuesday of October of each year, a regular election shall be held in the City and Borough of Juneau for the election of vacant City and Borough of Juneau offices, and for the determination of other matters as may regularly be placed on the ballot.
- (c) *Time of special elections.* Except as provided in CBJ Charter Section 7.10(b), the assembly, by motion, resolution, or adoption of an ordinance, may call a special election at any time. Unless the assembly has set a date for a required special election, the election official shall call a special election when required by law, charter, or ordinance, to place an initiative, referendum, recall, or other question before the voters.
- (d) *Voting hours.* On election day, vote centers, or precinct locations in a poll-based election, ~~precinct locations~~, will be open from 7:00 a.m. to 8:00 p.m. Ballots must be ~~received by the election official~~, placed in an officially designated ballot drop box, or received at a

1
2 vote center ~~all~~ by 8:00 p.m. on election day, or be postmarked by the post office on or
3 before election day. Any voter waiting in line at a vote center, polling precinct, or
4 officially designated ~~Any ballots cast by a voter present in line awaiting the opportunity~~
5 ~~to vote at a vote center or to drop a ballot into one of the secure ballot drop box boxes~~ at
6 8:00 p.m. on election day will be considered to have ~~as having been~~ voted in a timely
7 manner.

8
9 (e) *Notice of election.* The City and Borough of Juneau Election Official shall publish ~~cause~~
10 ~~to be published~~ a notice of election during three consecutive calendar weeks, once in each
11 week, ~~in a newspaper of general circulation~~ in the City and Borough of Juneau. The first
12 ~~such~~ publication, ~~and the posting,~~ shall be accomplished at least 30 days before the
13 election.

14 (f) *Contents of election notices.* ~~Notices of election shall state how the election is to be~~
15 ~~conducted; by mail or poll-based.~~ For each election, the notice of election published
16 pursuant to CBJC 29.07.010(e), shall include:

- 17 (1) The date and type of the election, regular or special, and the method by which the
18 election is being conducted, by mail or poll-based;
19
20 (2) Qualifications of voters as established in Charter § 6.3;
21 (3) The offices to be filled, the propositions submitted to the electors, and the full text
22 of any proposed charter amendment; ~~and~~
23 (4) An explanation that in-person voting will be available at vote centers on election
24 day, but no polling places will be in operation;
25 (5) The date by which ballots will be mailed to voters;

- (6) Instructions to voters who will not be at their current mailing addresses when the ballots are to be mailed or who do not receive their ballot through the mail;
- (7) A listing of vote center and officially designated ballot drop box locations and hours; and
- (8) An explanation of by mail voting deadlines; or
- (9) If conducted as a poll-based election, in addition to (1) through (3), the location and hours of precinct polling places for early voting and regular in-person voting on election day.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Charter reference— Date of regular elections, § 6.1; date of special elections, § 6.2; 30-day notice of election required, §§ 6.1, 6.2; bond elections, § 10.1 et seq.

29.07.020 Election officials.

- (a) The City and Borough of Juneau Municipal Clerk is the City and Borough of Juneau Election Official. Any properly authorized assistant to the City and Borough of Juneau Municipal Clerk ~~or other person designated by the manager~~ shall be an assistant City and Borough of Juneau Election Official and may perform any functions set out in this chapter or the election policies and rules of procedure as a function of the City and Borough of Juneau Election Official.
 - (1) The election official may contract, without obtaining competitive bids, any portions of the election process with the State of Alaska Division of Elections, other governmental entity or agency, or contractor to ensure the timely and secure conduct of a particular election.

- (2) Each election worker must be a qualified voter of Alaska, or a youth aged 16 or 17 providing assistance to election officials in accordance with election policies and rules of procedure.
- (b) Before each election, the election official shall appoint a minimum of two election workers in each precinct or vote center ~~to constitute the election team for that precinct or vote center.~~ The election official may assign additional election workers at any vote center or precinct polling place as necessary to conduct an orderly election.
- (c) If any election worker fails or refuses to attend and serve, the election official shall appoint a person eligible under this section to serve in the absentee's place.
- (d) Before beginning their duties, all election workers shall take and subscribe the following oath:
- "I _____ do solemnly swear (or affirm) that I will support the constitutions of the United States and State of Alaska, and the laws of the City and Borough of Juneau, and the State of Alaska, and that I will faithfully, honestly, and promptly perform the duties of the office of _____."

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Oath, AS 15.15.110.

29.07.040 Multimember races ~~Candidate districts.~~

29.07.050 Candidates; nomination; write-in.

- (a) Nominations for elective officers shall be made only by petition accompanied by a signed acceptance. Each voter signing a petition shall state on the petition information

~~sufficient to determine whether the voter is a qualified Juneau voter. the voter's place of residence, by street and number, lot and block, or other sufficient means.~~

(b) Nominating petitions shall meet the following requirements:

~~(1) Petitions must include a certification providing:~~

~~"We the undersigned qualified voters of the City and Borough of Juneau, in the State of Alaska, hereby nominate and sponsor _____, whose residence is _____ for the office of _____, to be voted for at the election to be held on the _____ day of _____. We individually certify that we are qualified to vote for a candidate for the office this candidate seeks, and that we have not signed other nominating petitions for this (district) (office) exceeding in number the vacancies in this (district) (office) to be filled in this election."~~

~~(2) Qualified voters signing the petition shall provide their printed name, signature, residence address, one identifier which can be either the last four digits of the voter's registration identification number, the last four digits of the voter's driver's license or state identification number, the last four digits of the Social Security number, or the year of birth and the date of signing the petition.~~

~~(1)(3)~~ Nominating petitions shall have a minimum of 25 signatures of registered voters from within the City and Borough.

~~(2)(4)~~ The nominating petition shall contain a signed declaration of candidacy by any candidate wishing to run for office, which shall be executed under oath before an officer authorized to take acknowledgments, and must state the candidate of the candidate's qualification for the office, acceptance of nomination, and agreement to serve if elected.

- 1
- 2 ~~(5) Upon receipt of the nominating petition, the election official shall indicate on the~~
- 3 ~~petition the date and hour of filing, the name and address of the person filing the~~
- 4 ~~petition, and place the signature of the person receiving the petition on the~~
- 5 ~~document.~~
- 6
- 7 (c) Nominating petitions must be completed and filed with the election official, accompanied
- 8 by any required state financial disclosure forms, not earlier than 85 ~~81~~ days, nor later
- 9 than 4:30 p.m. of the 74th ~~71st~~ day, before the election.
- 10 (d) Within four days after the filing of a nominating petition packet, which includes the
- 11 declaration of candidacy, the City and Borough of Juneau Election Official shall notify
- 12 the candidate named in the petition and the person who filed the petition packet whether
- 13 it is in proper form and signed by 25 qualified voters. If not, the City and Borough of
- 14 Juneau Election Official immediately shall return it, with a statement certifying wherein
- 15 the petition packet is deficient, to the person who filed it. A petition packet correcting the
- 16 deficiencies for the same candidate may be filed no later than 4:30 p.m. of the 74th ~~71st~~
- 17 day, before the election.
- 18
- 19 (e) Any candidate nominated may withdraw their nomination not later than 4:30 p.m. of the
- 20 70th ~~67th~~ day before the election.
- 21 (f) A write-in candidate shall, not earlier than 70 ~~67~~ days, nor later than 4:30 p.m. of the
- 22 seventh (7th) day before the election, file with the election official a letter of intent or
- 23 declaration of candidacy form in substantially the same format as the declaration of
- 24 candidacy forms filed in accordance with (b)(2) of this section, including any required
- 25 state financial disclosure forms. Write-in candidates will not be required to provide the

signatures of 25 qualified voters with their letter of intent or declaration of candidacy form, stating:

- ~~(1) — The full name of the candidate;~~
- ~~(2) — The full residence address of the candidate and the date on which residency at that address began;~~
- ~~(3) — The full mailing address of the candidate;~~
- ~~(4) — The office that the candidate seeks;~~
- ~~(5) — The date of the election at which the candidate seeks election;~~
- ~~(6) — The length of residency in the City and Borough;~~
- ~~(7) — The name of the candidate as the candidate wishes it to be written on the ballot by the voter;~~
- ~~(8) — That the candidate will meet the specific age requirements of the office for which the person is a candidate by the time that the candidate, if elected, is sworn into office;~~
- ~~(9) — That the candidate is a qualified voter as required by law; and~~
- ~~(10) — That the candidate is not a candidate for any other office to be voted on at the election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.~~

(g) Votes for a write-in candidate may not be counted unless that candidate has filed a letter of intent or declaration of candidacy in accordance with (f) of this section. ~~The letter of intent or declaration of candidacy form submitted by a write in candidate must be accompanied by any required state financial disclosure forms.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Charter reference— Nominations, § 6.4.

29.07.055 Official candidate statement.

- (a) The election official shall publish online an official candidate statement submitted by the candidate. ~~The information will be obtained from candidate responses to a questionnaire prepared by the election official.~~ Online publication on the municipal website of candidate statements will take place at least 30 days prior to the election and will not include write-in candidates.
- (b) A candidate for elected office under section 29.07.050 may provide the election official with a written statement, as set forth in the election policies and rules of procedures ~~biographical information of not more than 150 words, a recent photo of the candidate, and a candidate's advocacy statement of not more than 250 words,~~ for publication on the municipal website. All information must be received by the election official no later than 50 days prior to the election. A candidate may not make a change to the candidate's biographical information or advocacy statement after the deadline. ~~An article such as "a", "and" and "the" will be counted as one word. Any words included in the biographical information or candidate's advocacy statement beyond the allowed word counts will not be published.~~
- (c) ~~A candidate may submit any of the candidate's following biographical information:~~
 - (1) ~~Name as it appears on the ballot;~~
 - (2) ~~Residence address;~~
 - (3) ~~Mailing address;~~
 - (4) ~~Office sought;~~
 - (5) ~~Electronic mail address;~~

- ~~(6) Website address;~~
- ~~(7) Age at the date of the election;~~
- ~~(8) Place of birth;~~
- ~~(9) Occupation;~~
- ~~(10) Spouse or domestic partner's name;~~
- ~~(11) Children's names;~~
- ~~(12) Length of Juneau residency;~~
- ~~(13) Communities lived in and dates of residence;~~
- ~~(14) Education, such as high school, technical and vocational school, college, university or postgraduate, including dates attended and degree or certificates earned;~~
- ~~(15) Military service, listing the branch, length of service, rank and awards earned;~~
- ~~(16) Political and government work;~~
- ~~(17) Business and professional work;~~
- ~~(18) Service organization memberships;~~
- ~~(19) Special interests; and~~
- ~~(20) Any other information the candidate considers appropriate.~~
- ~~(d) For purposes of a candidate's advocacy statement, a candidate may include comments about the candidate in the following areas:~~
 - ~~(1) The candidate's skills; and~~
 - ~~(2) The candidate's position on municipal issues.~~
- ~~(c)(e) The election official may reject any portion of an official candidate statement containing obscene, libelous, profane, slanderous, or defamatory material.~~

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.060 Ballots; form.

- (a) The names of all offices and candidates to be voted upon shall be printed on the ballot. The title of each office to be filled shall be followed by the printed names of the candidates for such office, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. Written instructions will be provided on how to mark the ballot for each race. The words "Vote for not more than _____" with the appropriate number replacing the blank shall be placed before the list of candidates for each office. The names of candidates shall be printed as they appear upon the petitions filed with the City and Borough of Juneau Election Official except that any honorary or assumed title or prefix shall be omitted.
- (b) The order for placement on the ballot will be established by random drawing by the election official. A drawing will be held for each race. The results of each drawing will be recorded and preserved by the election official. Ballot placement of candidates shall be determined according to the following procedures:
- (1) ~~The order for placement on the ballot will be established by random drawings of the letters of the alphabet by the election official. A drawing will be held for each race. The results of each drawing will be recorded and preserved by the election official.~~
- (2) ~~The names of candidates in each race will be placed on the ballot based on the alphabetical order drawn for that district.~~
- (3) ~~If two or more candidates have last names starting with the same letter, they will be placed relative to each other on the ballot according to the second letter of the~~

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2 last names, if the second letters are the same, then according to the third letter,
3 and so on. If two or more candidates have the same last name they shall be placed
4 relative to each other on the ballot according to their first given names, and if
5 those start with the same letter, then as specified for last names, and if those are
6 the same, according to subsequent middle names. For the purposes of this section,
7 the name of the candidate used to determine ballot placement shall be the
8 candidate's name as found on the voter registration rolls.
9

10 (c) Following the names of the offices and candidates, there shall be placed on the ballot all
11 propositions and questions to be voted upon. The words "Yes" and "No" or "For" and
12 "Against," as appropriate, shall be placed below the statement of each proposition and
13 question. The form of statement and title of the proposition or question shall be as
14 determined by the election official except as may be otherwise required by the assembly
15 or applicable law. When directed by the assembly, there shall be placed on the ballot as
16 part of a proposition or question a brief, neutral, and succinct explanation of the
17 proposition or question. Such explanations must be approved as to content by the
18 assembly or the attorney.
19

20 (d) The ballot shall be printed on ballot stock, ~~plain white paper through which printing and~~
21 ~~writing cannot be read. The ballots shall be numbered in series, a number being placed~~
22 ~~on one corner of each ballot within an area set off by perforations which may~~
23 ~~conveniently be removed from the remainder of the ballot.~~

24 (e) ~~On the ballot, placed so as to be clearly visible, shall appear the~~ The words "Official
25 Ballot" and the date of the election shall appear in large print on the ballot. ~~in large print~~
~~and the date of the election.~~

(f) The layout and form of ballots may be modified by the election official to accommodate the voting system used for the election, including, but not limited to, electronic ballots, provided a paper version of the ballot can be printed and used for tabulation and ballot accountability.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.070 Ballots; preparation and distribution.

The election official may contract for the preparation and printing of the ballots without obtaining competitive bids and shall require ballots to be mailed to voters in accordance with CBJC 29.07.100. The election official shall require possession of the remaining printed ballots for use at the vote centers and the ballot processing center at least 15 days before the election. Sufficient ballots shall be delivered before the opening of the vote center or polling places. ~~The election official shall keep a record of the numbers of the ballots delivered to each election team, the signature of the person to whom each group of ballots is delivered, and the date of each delivery.~~ Ballots shall be secured by election workers according to chain of custody protocols established in the election policies and rules of procedures.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.080 Election materials; preparation and distribution.

- (a) The election official shall equip each vote center or precinct polling places with sufficient materials and supplies needed for the election, ~~including those required by this section,~~ before the opening of the polls.
- (b) The election official shall ~~publish~~ provide instructions explaining to voters how ballots are issued, how to correctly mark a ballot, how to obtain information from election workers, and how to obtain new ballots to replace those destroyed or spoiled. These

instructions shall be prominently displayed. The election official shall have sample ballots, identical in form to the ballots to be used in the election, printed in a manner that is clearly distinguishable from the official ballot ~~and may include as a part of a proposition or question a brief, neutral, and succinct explanation of the proposition or question, approved as to content by the assembly or attorney.~~ The election official shall provide booths at each vote center or precinct polling place, with appropriate supplies and conveniences to enable each voter to mark the voter's ballot screened from observation. Ballot boxes shall be placed outside the voting booths within plain view of the election workers, clerks, voters, and other persons at the polling places.

(c) Officially designated Bballot drop boxes locations will be ~~located in locations~~ identified by the election official where voters may deposit voted by mail ballots ~~up to the close of polls on election day.~~ The drop slot opening of each ballot drop box shall be available to accept ballots 24 hours a day beginning no later than 10:00 a.m. on the 15th day before election day and closed at 8:00 p.m., the time designated for the close of the polls on election day.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.100 Voting procedure.

(a) When the election official conducts an election by mail, the election official shall mail a ballot to each person whose name appears on the voter registration list prepared under AS 15.07.125 for that election. The ballot shall be sent to the address stated on the official registration list unless the voter has notified the election official in writing of a different address to which the ballot should be sent. The election official is not required to mail a ballot to any voter who does not have a valid residence address or is in the

condition of purge notice (PN), undeliverable (UN), list maintenance (LM), or list maintenance undeliverable (LU, UC), as described in AS 15.07.130. Any qualified voter not mailed a ballot will not later be refused a ballot when requested, but may be required to vote a questioned ballot. The election official shall send ballots by first class, non-forwardable mail, on or before the 18th ~~19th~~ day before the election.

(b) ~~The election official shall enclose a privacy envelope and a return envelope to each voter eligible under subsection (c) above. The return envelope shall have printed upon it a certification by which the~~ The voter shall sign a statement declaring ~~declare the voter's~~ their qualifications to vote, that ~~the voter they have~~ has not voted in any other manner in this election, and shall provide a space for the voter to include at least one personal identifier. Specific instructions for voting a by mail ballot and a list of the vote center(s) and hours shall be included with the ballot.

(c) In a by mail election, regardless of whether a voter has received a ballot by mail, a voter may cast a ballot:

- (1) By mail as provided in the instructions from the election official;
- (2) In person ~~at the election official's office or~~ at a vote center; ~~or~~
- (3) By fax or electronic transmission. The voter must submit a written and complete application for a fax or electronic transmission ballot to the election official's office no later than 5:00 p.m. the day before election day for the ballot to be counted. A ballot that is completed and returned by the voter by fax or electronic transmission must contain the following statement: "I understand that by using fax or electronic transmission to return my marked ballot, I am voluntarily

- 1 waiving a portion of my right to a secret ballot to the extent necessary to process
2
3 my ballot, but expect that my vote will be held as confidential as possible; or
4 (4) By personal representative. A qualified voter who is unable to go to the polling
5 place or vote center on election day due to age, illness, or disability, may appoint a
6 personal representative to obtain a ballot for the voter on or after the 15th day
7 before an election, up to and including election day.
8
9 (d)(3) ~~Under the following, absentee~~ Absentee ~~voting procedures will be set forth in the election~~
10 policies and rules of procedures and are ~~which would also be~~ the same methods followed
11 if the election was being held as a poll-based election. The election official shall provide
12 ballots for use as absentee ballots at least 15 days prior to the election. The election
13 official shall issue rules and instructions to absentee voters to aid them in casting their
14 ballots. The election official shall prescribe the form of and prepare the voter's certificate,
15 envelopes, and other materials used in absentee voting.
16
17 (A) ~~At any election, a qualified voter may vote a ballot from a temporary~~
18 ~~address for any reason.~~
19
20 (B) ~~The election official may designate a person as a permanent absentee voter~~
21 ~~if the person is a qualified voter, and if the voter is registered with the~~
22 ~~State of Alaska Division of Elections as a permanent absentee voter within~~
23 ~~the City and Borough.~~
24 (C) ~~A person designated as a permanent absentee voter under subsection (b) of~~
25 ~~this section will be sent a ballot by mail at the permanent mailing address~~
 ~~stated on the voter's current registration record unless the voter submits~~

1
2 an application for a ballot to be mailed to a temporary address or an
3 electronic transmission ballot.

4 ~~(D) — A qualified voter may submit the application and vote from a temporary~~
5 ~~address. However, nothing in this section limits the voter's eligibility to~~
6 ~~vote in person at a polling place or vote center, in person before an election~~
7 ~~official, or absentee through a personal representative.~~

8
9 ~~(E) — The election official shall provide ballots for use as absentee ballots at least~~
10 ~~15 days prior to the election. The election official shall issue rules and~~
11 ~~instructions to absentee voters to aid them in casting their ballots. The~~
12 ~~election official shall prescribe the form of and prepare the voter's~~
13 ~~certificate, envelopes, and other materials used in absentee voting. The~~
14 ~~election official shall enclose a privacy envelope and a return envelope to~~
15 ~~each absentee voter. The return envelope shall have printed upon it a~~
16 ~~certification by which the voter shall place the voter's signature declaring~~
17 ~~that the voter is a qualified voter, that the voter has not voted in any other~~
18 ~~manner in this election, and a space for the voter to include at least one~~
19 ~~personal identifier.~~

20
21 ~~(F) — The application for an absentee ballot shall show the qualified voter's place~~
22 ~~of residence, clearly indicate the qualified voter's right to an absentee~~
23 ~~ballot, and be signed by the qualified voter.~~

24 ~~(i) — Absentee application for voting from a temporary address.~~

25 ~~Beginning on January 1 of each election year, a qualified voter may~~
~~in person, by mail, by facsimile machine, or by electronic~~

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2 transmission, file a written application for an absentee ballot at a
3 temporary address with the election official. A complete application
4 for a ballot to be mailed to a temporary address must be received in
5 the office of the election official not less than seven days before
6 election day.

7
8 (ii) ~~Absentee application for voting by fax or electronic transmission. A~~
9 ~~qualified voter who has submitted an application to receive an~~
10 ~~absentee ballot by fax or electronic transmission will be issued an~~
11 ~~electronic ballot package beginning the day the ballots are available~~
12 ~~from the election official and through the close of the polls on~~
13 ~~election day. The voter must submit a written and complete~~
14 ~~application for a fax or electronic transmission ballot to the election~~
15 ~~official's office no later than 5:00 p.m. the day before election day in~~
16 ~~order for the absentee ballot to be counted. An absentee ballot that~~
17 ~~is completed and returned by the voter by fax or electronic~~
18 ~~transmission must contain the following statement: "I understand~~
19 ~~that by using fax or electronic transmission to return my marked~~
20 ~~ballot, I am voluntarily waiving a portion of my right to a secret~~
21 ~~ballot to the extent necessary to process my ballot, but expect that~~
22 ~~my vote will be held as confidential as possible."~~

23
24 (iii) ~~Absentee voting by personal representative. A qualified voter who is~~
25 ~~unable to go to the polling place or vote center on election day due~~
~~to age, illness, or disability, may appoint a personal representative~~

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State Law reference— Ballot preparation, AS 15.20.030; absentee voting in offices of election supervisors, AS 15.20.048; absentee voting in person, AS 15.20.061; electronic transmission, AS 15.20.066, 15.20.081; personal representative, AS 15.20.071; mail, AS 15.20.081.

29.07.120 **Vote center, ballot drop boxes, and polling place; procedures.**

(a) Before processing any ballots election workers ~~the election team~~ must, in the presence of any persons assembled at the vote center or polling place, open and exhibit the ballot box to be used at that location on that day. Thereafter the box shall be sealed with the security seal provided and not be opened again until after the vote center or polling place closes for the day ~~the polls finally close at the end of each day and the vote center or polling place is open~~. At the end of each day, ballot envelopes containing voted ballots will be counted and sealed with the security seals that will be recorded on the daily transmission log and prepared for transport to election central or the ballot processing center as required by written directive of the election official for transportation from the vote centers, post office box, officially designated ballot drop boxes, or polling places.

(b) A voter shall give the election worker the voter's name and place the voter's signature by the voter's name in the register ~~registration book~~ unless the qualifications of the voter are questioned.

- 1
- 2 (c) Every election worker shall question, and every watcher and any other person qualified
- 3 to vote in the precinct or vote center, may question a person attempting to vote if the
- 4 questioner has good reason to suspect that the questioned person is not qualified to vote.
- 5 All questions regarding a person's qualifications to vote shall be made in writing setting
- 6 out the reason the person has been questioned. A questioned person, before voting, shall
- 7 subscribe to a declaration in a form provided by the election official attesting to the fact
- 8 that, in each particular, the person meets all the qualifications of a voter, that the person
- 9 is not disqualified, that the person has not voted at the same election, and certifying that
- 10 the person understands that a false statement on the declaration may subject the person
- 11 to prosecution for a misdemeanor under this title, under state law, or both. The election
- 12 official shall provide a register ~~registration book~~ for questioned voters to sign. If the
- 13 questioned person refuses to execute the declaration, the person may not vote.
- 14
- 15 (d) A voter who casts a questioned ballot shall vote the ballot in the same manner as
- 16 prescribed for other voters in accordance with the instructions set out in the election
- 17 policies and rules of procedure. ~~The voter shall insert the ballot into a secrecy sleeve and~~
- 18 ~~then put the secrecy sleeve into an envelope on which the statement the voter previously~~
- 19 ~~signed is located. The envelope shall be sealed and deposited in the ballot box. When the~~
- 20 ~~ballot box is opened, the envelopes shall be segregated, counted, compared to the voting~~
- 21 ~~list, and delivered to the official or body supervising the election. The merits of the~~
- 22 ~~question shall be determined by this official or body in accordance with election policies.~~
- 23
- 24 (e) If the voter is not questioned, the voter shall be given one ballot and shall proceed to the
- 25 voting booth or to the electronic ballot marking device to mark their ballot. ~~There the~~
- ~~voter, without undue delay, shall mark the ballot.~~ A voter may write in the name of a

1 candidate or candidates, ~~of the voter's choice~~ but must also mark the ballot in the area
2 provided for that purpose in order ~~for the voter's indication~~ to be counted as a vote ~~for~~
3 ~~such candidate. Upon the voter's determination that the voter has satisfactorily marked~~
4 ~~the ballot, the voter shall place the ballot within the secrecy sleeve and voter certification~~
5 ~~envelope provided and deposit the ballot in the ballot box.~~

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7
8 (f) A voter who ~~by accident or mistake mutilates or spoils the voter's ballot~~ makes a mistake
9 shall be given another ballot after returning the old one to election workers, ~~upon~~
10 ~~returning the same to the election workers, be given another ballot, up to a maximum of
11 three ballots. The worker shall record the number of ballots spoiled, void the spoiled
12 ballot, and without examining it, place it in the spoiled ballot envelope for final ballot
13 accountability.~~

14 (g) The voter may choose to use an electronic ballot marking device as provided at a vote
15 center or polling place in accordance with instructions provided by the election officials.
16 Alternatively, a voter who cannot read, mark the ballot, or sign their ~~the voter's~~ name,
17 may be assisted in doing so by an election worker, or not more than two willing persons
18 of the voter's choice if the voter requests such assistance. If any person other than an
19 election worker assists the voter in reading or marking the ballot, such person shall state
20 upon oath before the election worker that such person will not reveal the vote cast by the
21 assisted voter.
22

23 (h) On election day, 15 minutes before the closing of the election polls, ~~and at all other~~
24 locations where ballots may be cast, including officially designated ballot drop boxes, an
25 election worker shall proclaim to any persons present, the time remaining before the
polls location closes. When the location polls are closed, that fact shall be similarly

1
2 proclaimed, and thereafter no ballots shall be received except those of people qualified
3 ~~voters~~ already present and waiting to vote at the vote centers, officially designated ballot
4 drop boxes, ~~election official's office~~, or the precinct polling location in a poll-based
5 election. Ballots must be ~~provided to an election official~~, received by the vote center,
6 placed in an officially designated ballot drop box, or received at a polling place in a poll-
7 based election, by 8:00 p.m. on election day, or be postmarked by the post office on or
8 before election day. ~~Any ballots cast by a voter present in line awaiting the opportunity~~
9 ~~to vote at a vote center, or to drop a ballot into a ballot drop box, or present in line~~
10 ~~awaiting the opportunity to vote at a polling place, for a poll-based election, at 8:00 p.m.~~
11 ~~on election day, will be considered as having voted in a timely manner.~~

12
13 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

14 **State Law reference**— Similar provisions, AS 15.15.210, 15.15.215, 15.15.230, 15.15.250,
15 15.15.240, 15.15.310, 15.15.320.

16 **29.07.130 Unused ballots.**

17 All ballots issued to vote centers or polling places not voted shall be accounted for and
18 sealed by the election workers after recording the numbers of the unvoted ballots in accordance
19 with the election policies and rules of procedure. Workers will follow chain of custody
20 procedures outlined by election officials. ~~sealed by the election workers after recording the~~
21 ~~numbers of the unvoted ballots. Election workers shall return the sealed unused ballots and~~
22 ~~stubs of ballots in an envelope provided by the election official, to the election official, who shall~~
23 ~~give a receipt therefor, and keep a record of the numbers of the returned stubs indicating when~~
24 ~~and by which worker each was returned.~~

25 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.150 Ballot envelope review and signature verification.

- (a) The election official may issue, amend, and rescind election policies and rules of procedure prescribing the manner in which the vote center or precinct review and ballot count is accomplished so as to ensure accuracy in the count and to expedite the process. The election policies and rules of procedure may not be changed 40 days prior to the election through the final certification of the election, and will remain in effect until superseded by any updated version.
- (b) The election team shall account for all ballots and complete a ballot statement as outlined in the election policies and rules of procedure. ~~by completing a ballot statement containing:~~
- ~~(1) The number of official ballots received;~~
 - ~~(2) The number of official ballots voted;~~
 - ~~(3) The number of official ballots spoiled;~~
 - ~~(4) The number of official ballots unused;~~
 - ~~(5) The team shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted and the numbers shall be included in the ballot statement; and~~
 - ~~(6) The election team shall separately record the number of ballots, including personal representative and other by mail ballots, which were received at that polling place or vote center but not issued by that polling place or vote center.~~
- (c) Ballot review procedure. A team of at least two workers ~~The ballot review team~~ shall examine each ballot envelope and shall determine whether the voter is a qualified voter

as required under CBJ Charter Section 6.3 and whether the ballot has been properly cast under election policies and rules of procedure established for the review, scanning, and tabulation, ~~and counting~~ of by mail ballots. The ~~ballot review~~ team may begin reviewing and processing by mail ballots prior to election day as part of the election review process to prepare them for scanning ~~counting~~. The ~~counting or~~ tabulation of ballots that would generate any election results will not begin until after 8:00 p.m. on election day. The following standards shall guide the election policies and rules of procedure:

- ~~(1) — A ballot shall not be counted if:~~
- ~~(A) — The voter failed to properly execute the certification on the envelope with a valid signature and personal identifier or the voter's signature and personal identifier cannot be validated in accordance with the process set out in subsection (3) below; or~~
 - ~~(B) — Reserved.~~
 - ~~(C) — The ballot return envelope, if mailed, is received after election day, has no postmark, and United States Postal Service (USPS) cannot verify the ballot return envelope was mailed on or before election day; or~~
 - ~~(D) — The ballot return envelope is not received before the beginning of the canvass review board review process; or~~
 - ~~(E) — The voter has already voted in the election.~~

- (1)(2) A ballot shall be approved for scanning ~~counted~~ if:
- (A) The voter properly executed the certification on the envelope with a valid signature and personal identifier as verified in accordance with the process set out in subsection (2)(3) below; and

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- (B) Reserved.
 - (C) The ballot return envelope was received via mail, at a voter center, polling place in a poll-based election, or deposited in an officially designated ballot drop box no later than 8:00 p.m. on election day; or
 - (D) The ballot return envelope, if mailed, was postmarked or the United States Postal Service (USPS) can verify that the ballot return envelope was mailed on or before election day; and was received by the beginning of the canvass review board process.
 - (E) Ballots failing to meet the criteria set out in sections (A) – (D) above, will not be approved for scanning. The ballot return envelope was received before the beginning of the canvass review board review process.
- (2)(3) Signature verification process:
- (A) The voter's signature and personal identifier on the ballot certification must be compared with the signature(s) and personal identifiers in the voter's voter registration file(s) using the standards established in the election policies and rules of procedure developed under CBJ 29.07.005250.
 - (B) The election official may designate, in writing, election workers to perform this function. All personnel assigned to the duty of signature verification ~~shall subscribe to an oath administered by the election official regarding the discharge of their duties. Personnel~~ shall be trained in the signature verification process prior to actually comparing any signatures.
 - (C) In this section, signature verification process, if all other factors match for voter's eligibility, the election official and/or canvass review board may

1
2 approve the counting of a ballot if it meets the following "fuzzy match"
3 criteria for the personal identifier:

- 4 (i) "Date of Birth" fuzzy match includes ONE of the following:
- 5 (a) Two dates with the maximum of 1 digit in difference
- 6 "03/27/1945" and "03/27/1946"; or
- 7 (b) Transposition of month and day portion of the Date of Birth:
- 8 "05/11/1935" and "11/05/1935."
- 9
- 10 (ii) A "Social Security Number", or Alaska Driver's license, or State ID,
- 11 or Voter ID fuzzy match includes ONE of the following:
- 12 (a) Two numbers with a maximum of 2 digits in difference, any
- 13 number position; or
- 14 (b) Two consecutive numbers are transposed.

15 (D) Missing or invalid signature or personal identifier. If a voter's signature or

16 personal identifier is missing or determined to be invalid, the election

17 official shall, within three days of initial processing of the envelope, contact

18 the ~~send a letter to the~~ voter explaining the problem ~~lack of a valid~~

19 ~~signature and/or personal identifier~~ and provide them an opportunity to

20 cure the issue.

- 21
- 22 (i) ~~The letter~~ Letters shall be sent to the address to which the ballot
- 23 was mailed.
- 24 (ii) ~~The voter may:~~
- 25 (a) ~~Fill out the form included with the letter and return the~~
- ~~form to the address specified on the form; or~~

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- (b) ~~Come to the location identified in the letter and present valid identification to an election official and sign a form provided by the election official authenticating the envelope.~~
- (ii)(iii) If the authentication is still determined to be invalid, the voter shall be notified in writing that their ballot is rejected.
- (E) Ballot cure policies and procedures will be established pursuant to the election policies and rules of procedure developed under CBJ 29.07.005250.
- (3)(4) The ballot review team may begin reviewing, scanning, and processing by mail ballots prior to election day as part of the election review process to prepare them for tabulation counting. The tabulation of ballots will not begin until after 8:00 p.m. on election day.
- (d) Multiple and replacement ballots. ~~If the voter is issued a replacement ballot, the~~ The first valid ballot received and reviewed at the ballot processing center is counted. Subsequently received ballots from the same voter are not counted. Subsequent ballot envelopes received from a voter who has already voted shall be ~~marked "rejected,"~~ segregated from approved ballot envelopes, remain unopened, and forwarded to the canvass review board for final adjudication. The voter shall be notified by letter mailed to their mailing address and, if applicable, temporary mailing address.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.160 General procedures for ballot adjudication count.

- (a) Adjudication of votes shall be as set forth in ~~use the~~ election policies and following rules of procedure and as follows:

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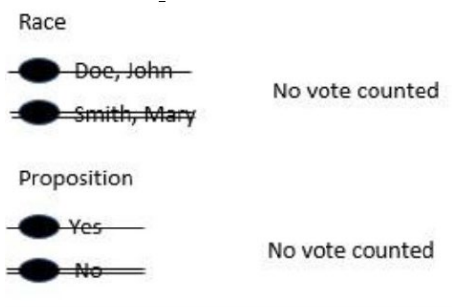
- Doe, John
- Smith, Mary

Proposition 1

☒ Yes

Valid vote "yes" on Prop 1.

(6) To invalidate a vote without making an alternate choice, the voter must vote and strike through more than one oval and name or answer.



(7) Reserved. ~~All other over votes shall not be counted as a vote for any candidate or for an answer to a proposition question, regardless of markings or handwritten notes.~~

(8) The mark specified in (1) of this subsection shall be counted only if it is substantially inside the oval provided, or touching the oval so as to indicate clearly that the voter intended the particular oval to be designated.

(9) Improper marks on the ballots shall not be counted and shall not invalidate marks for candidates or propositions properly made.

(10) Write-in votes shall not be counted unless the candidate has filed a letter of intent as required by subsection 29.07.050(f). If the total number of ballots containing write-in votes in the general election are at least the second highest in number in a race with two or more candidates, the write-in votes will be counted individually, which may be done using an electronic adjudication process when available. In races where a candidate is unopposed, write-ins will be counted individually if they are within 100 votes or less. Write-in votes will be counted after the date of the election, but before the certification of the election in which

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the write-ins occurred. Write-in vote totals that do not fall within either of these two categories will not be individually counted.

- (11) In order to vote for a write-in candidate, the voter should:
 - (A) Write in the candidate's first and last name in the space provided;
 - (B) Mark the oval preceding the write-in candidate's name; ~~in accordance with subsection (a)(1) of this section;~~ and
 - (C) Not mark ovals for additional candidates for the same office in excess of the number of offices available, except as otherwise provided in this Code.
- (12) A sticker bearing a candidate's name may not be used on the ballot and the vote shall not be counted for that office.
- (b) The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot or vote shall not be counted unless marked in compliance with these rules, except that when it can be clearly and convincingly determined how the voter intended to vote it shall be counted accordingly. The rejection of a ballot or vote for counting under these rules is a final determination and only reviewed in an election recount or election contest.
- (c) A registered observer may challenge the adjudication of a vote under this section by:
 - (1) Requesting a brief pause in adjudication to note the ballot number; and
 - (2) Submitting a form to the municipal clerk that sets forth with specificity the rule that has been improperly applied by election officials.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)
State Law reference— Ballot count, AS 15.15.330 et seq.

29.07.170 Delivery of ballots and other election material.

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2 Upon completion of the counting of ballots at the ballot processing center, the election
3 workers shall secure the counted ballots as directed by the election official in the election
4 policies and rules of procedure. The election official shall preserve them for 90 days unless the
5 election is contested. Ballots and all ~~numbered stubs, registers, tally sheets, and~~ other records
6 of the election shall be similarly returned to the election official as directed ~~in election policies~~.
7 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

8 ***

9
10 **29.07.190 Ballot eligibility.**

11 To be counted in the election, ballots must be received by the election official before
12 closing of the polls on the day of the election, ~~if voted in the office of the election official or other~~
13 at a place designated by the election official, or post-marked not later than the day of the
14 election and received by the election official before the review of election returns under section
15 29.07.290. The election official shall mark return envelopes received ~~after such time as~~
16 “Invalid,” and with the time and date of receipt by the election official ~~shall be noted thereon~~
17 and will be brought to the canvass review board for review. Such envelopes shall be retained
18 with other election records and destroyed with them, as provided by this chapter for destruction
19 of ballots. Ballots received before the closing of the polls may be reviewed at any time for voter
20 qualification and may be ~~counted~~ reviewed and adjudicated by one or more ~~counting~~ teams
21 appointed by the election official, ~~commencing at the time the polls close on election day~~.
22 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

23 ***

24
25 **29.07.210 Boards and teams.**

The election official shall appoint workers to serve as ~~an election team in accordance with section 29.07.020, a voting system control board, a ballot review team,~~ election officials, elections workers, the logic and accuracy team, and a canvass review board. The election official shall ~~appoint election workers to serve on each board and team and~~ administer the oath prescribed for election workers to ~~chairs and the members of each of the boards and teams~~ said appointees.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.230 Tests and security.

The voting system must be tested in the presence of and to the satisfaction of the logic and accuracy team ~~voting system control board,~~ according to election policies and rules of procedure.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.250 Reserved Election policies established.

~~The election official shall establish election policies in writing at least 20 days before an election so as to expedite the process and to guarantee the integrity of the election.~~

~~(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)~~

29.07.280 Review of election returns.

- (a) ~~The Election worker~~ ballot review teams may begin reviewing and processing by mail ballots prior to election day ~~as part of the election review process~~ to prepare them for tabulation counting. Tabulation, which would generate any form of results, will not

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2 commence until after the polls close on election day. The tabulation of ballots will not
3 begin until after 8:00 p.m. on election day. Unofficial results will be published online and
4 updated periodically during the ballot review process according to a schedule established
5 by the election official. The election official will continue to process ballots until the
6 review of the election returns by the canvass review board. The election official and such
7 assistants as may be appointed by the election official shall ~~count~~ tabulate such ballots in
8 accordance with the voting systems determined for use in an election.
9
10 (b) By the second Tuesday after each election, unless the second Tuesday falls on a holiday,
11 in which case by the second Wednesday after each election, the election official shall
12 conduct the review of all election returns with the canvass review board. The review may
13 be postponed for cause from day to day, but there shall be no more than three such
14 postponements. The canvass review board, in full view of those present, shall review any
15 additional ~~absentee or by-mail~~ ballots envelopes that were postmarked by election day
16 and received in the mail as well as any ballots envelopes challenged by ~~the ballot review~~
17 ~~team~~ election workers and determine whether they will be rejected or approved for
18 scanning ~~counted~~. The canvass review board will then add approved ~~those~~ ballots eligible
19 ~~to be counted~~ to the preliminary tabulated results of the election returns and compile the
20 total number of votes cast for each candidate and for and against each proposition and
21 question to determine the final results to be certified by the election official. The election
22 official will then certify the election in accordance with CBJ 29.07.290.
23
24 (c) Reserved.
25 (Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

29.07.300 Election recounts.

- (a) A defeated candidate or ten qualified voters may file an application, within two days after the completion of the review of the election returns, with the election official for a recount of the votes ~~from any particular precinct or precincts and~~ for any particular office, proposition, or question. The date on which the election official receives an application rather than the date of mailing determines whether the application is filed within the time allowed.
- (b) The application shall state the particular election, office, proposition, and/or question for which the recount is to be held, and that the person making the application is a candidate or that the ten persons making the application are qualified voters. The candidate or persons making the application may designate by full name, ~~and mailing,~~ and email address, of two persons who may represent the applicant and be present during the recount. Any person may be named representative, including the candidate or any person signing the application. Applications by ten qualified voters shall also include the designation of one of the applicants as chair. The candidate or person making application shall sign the application and shall print or type their full name, ~~and mailing,~~ email address, and phone number.
- (c) If the election official determines that the application is substantially in the required form, the election official shall fix the date of the recount to be held within five days after the receipt of an application. The election official shall give the candidate or designated chair signing the application and the two persons appointed to represent the applicant during the recount, notice of the time and place of the recount by certified mail, by email, by facsimile, or by telephone.

- (d) The election official shall appoint a board of at least three qualified voters to conduct the recount of ~~the ballots voted in those precincts stated in the application for recount, and the board shall recount~~ all of the voted ballots ~~for those precincts~~. The election official may appoint additional qualified voters to assist in the recount. The recount shall be completed within three ~~two~~ days.
- (e) The election official shall certify results of the election recount.
- (f) All expenses of conducting a recount shall be paid by the candidate or voters requesting the recount, provided that in the following circumstances the City and Borough shall pay the expenses:
- (1) Where the candidates or proposition received a tie vote;
 - (2) Where the difference between the number of votes cast for each of the candidates or for and against the proposition was ten or less or was less than one-half of one percent of the total number of votes cast for the candidates involved or the proposition;
 - (3) Where the results of the election are changed by the recount; or
 - (4) Where the vote is determined to be four percent or more in excess of the vote certified by the election official in the election review for the candidate who requested the recount or for or against the proposition as stated in the recount application.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

State Law reference— Election recounts, AS 15.20.430 et seq.; tie votes, AS 15.15.460.

29.07.390 Definitions.

1
2 The following words, terms and phrases, when used in this chapter, shall have the
3 meanings ascribed to them in this section, except where the context clearly indicates a different
4 meaning:

5 *Ballot* means any document provided by the municipal clerk on which votes may be cast for
6 candidates or propositions, including but not limited to, electronic ballots generated by an
7 electronic ballot marking device. As used in this title, the term "ballot" shall mean the official
8 ballot, except where the context clearly indicates it means the sample ballot or both types of
9 ballots.

10
11 ~~*Ballot drop box or drop box* means a device placed or designated by the municipal clerk for~~
12 ~~the purpose of receiving voted ballot envelopes.~~

13 *Ballot processing center* means the election central location designated by the election
14 official where all election materials are secured, reviewed, and processed.

15 *Clerk and municipal clerk* means the clerk of the municipality or an authorized designee.

16 *Election policies* means the election policies and rules of procedure ~~instructions for~~
17 ~~conducting elections~~ issued by the election official in writing at least 40 ~~20~~ days before an
18 election.

19
20 *Mark* means a voter's indication of choice on a ballot in a manner appropriate to the voting
21 system used for the election.

22 *Officially designated ballot drop box or drop box* means a device placed or designated by the
23 municipal clerk for the purpose of receiving voted ballot envelopes.

24 *Personal identifiers*, as used in this chapter, shall include the following: voter registration
25 identification number, the last four digits of the voter's Social Security number, the voter's date
of birth, ~~or~~ the voter's Alaska driver's license number, or Alaska State ID.

Poll-based elections means those elections conducted primarily using precinct polling places or vote centers for in-person voting on election day.

Polling place, or precinct polling place means a location within each precinct where individuals may go to vote in person on election day for poll-based elections.

Tabulation means the aggregation of the votes cast by individual voters to produce result totals at any level.

Vote center means any location designated by the election official for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.

Voting system means the mechanical, optical, electronic, or other physical systems used for marking, scanning, reviewing, counting, and processing, or tabulating ballots and other election materials.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Section 3. Amendment of Chapter. Chapter 29.10, Initiative and referendum, is amended to read:

Chapter 29.10 INITIATIVE AND REFERENDUM

29.10.010 Purpose.

It is the purpose of this chapter to define and clarify the procedures to be followed in initiative and referendum proceedings authorized under article 7 of the Charter of the City and Borough of Juneau. The initiative and referendum are forms of direct democracy and as such their availability and use to, and utilization by, the public must be facilitated, ~~while, at~~ At the same time, election officials must maintain mechanisms to reduce and prevent fraud. ~~the integrity of the procedures must be maintained through mechanisms which discourage, reduce,~~

~~and prevent both the occurrence and appearance of fraud. Further, in order to ensure clear, fixed and reliable standards, it is necessary that citizens and those officials charged with the validation of petitions be able to rely on designated official, published maps, plats and records of the municipality and on the published voter registration records of the state.~~

(Serial No. 78-3, § 2, 1978)

29.10.030 Petition format.

(a) The petition form prepared by the election official for issuance to the petitioners' committee shall be structured in accordance with Charter section 7.4 and further defined in the election policies and rules of procedure. The form shall include the full text of the proposed initiative or referred measure and shall require the following: in substantial compliance with this section.

- (1) Name of the person who is circulating the petition; and
- (2) That the petition signers must affix their signatures in ink and shall be followed by the residence address of the person signing along with such information sufficient to determine whether the voter is a qualified Juneau voter as prescribed by election policies and rules of procedures.

~~(b) The front of the cover page of the petition shall provide a space for the name of the person who is circulating the petition and shall contain a statement in bold type identifying the petition as a referendum or initiative petition as appropriate, the initiative or referendum request, a space for an impartial summary of the ordinance to be initiated or referred, a statement in bold type that a notice to petition signers is on the back of the cover sheet and that the ordinance to be initiated or referred is inside the~~

1
2 first page of the petition, and a petition booklet number. On the back of the cover sheet,
3 the election official shall cause to have printed a notice to the petition signers that
4 signatures must be in ink, the residence address, mailing address and printed name
5 must be legible, that the signer must be a registered voter and have been a resident of
6 the City and Borough for the immediately preceding 30 days, and the acceptable and
7 unacceptable forms of residence address which appear in subsections 29.10.090(b) and
8 (e).

9
10 (e) ~~The second and such subsequent pages as are necessary shall contain a space for the full~~
11 ~~text of the ordinance to be initiated or referred.~~

12 (b)(d) Following the full text of the ordinance shall be not less than five nor more than ten
13 signature pages. Qualified voters signing the petition shall sign in ink and provide their
14 printed name, signature, residence address and zip code, and one personal identifier as
15 defined in 29.07.390, Definitions. ~~which can be the last four digits of the voter's~~
16 ~~registration identification number, the last four digits of the voter's driver's license or~~
17 ~~state identification number, the last four digits of the voter's Social Security number, or~~
18 ~~the voter's year of birth, length of residence in City and Borough, and date signed.~~ The
19 election official shall number each book and signature page serially in a sequence of
20 numbers which shall be continuous through all booklets issued. ~~Above the column titles~~
21 ~~shall be the petition request, which shall make reference to the ordinance or measure to~~
22 ~~be initiated or referred and its location in the booklet. At the bottom of each signature~~
23 ~~page shall be a statement that to be valid, the signature must be in ink, the name as~~
24 ~~printed and signed must be in the same form as the name appears on the state voter~~
25 ~~registration rolls, the printed name, personal identifier, and residence address must be~~

legible and the signer must indicate his or her length of address in the City and Borough immediately preceding signing the petition.

(c)(e) The signature page shall contain the affidavit of the circulator as required by section 7.5 of the Charter.

(d)(f) Each booklet shall be assembled by the election official and all pages within each booklet shall be stapled or otherwise fastened together.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, §§ 29, 30, 31, 32, 1998; Serial No. 2001-28, § 2, 6-4-2001; Serial No. 2014-37(c), § 6, 6-30-2014, eff. 7-31-2014; Serial No. 2022-24(am), § 21, 6-13-2022, eff. 7-13-2022)

29.10.060 Submission and receipt of petitions.

(a) The petitioners' committee shall file the petitions as a single instrument. After the filing, no additional petition booklets may be received by the election official for validation whether such additional booklets are submitted before or after the expiration of the petition period. Such late booklets shall be received only for the purpose of preservation for the record.

(b) Filing shall be done during municipal business hours. If the last day of the period falls on a Saturday which is not a City and Borough holiday, the election official shall make arrangements with the petitioners' committee to receive the petitions at the election official's office at or before 4:30 p.m. on that Saturday. If the last day of the period falls on a Sunday or other City and Borough holiday, the petitioners' committee may file the petition not later than 12 p.m. ~~9:00 a.m.~~ on the first weekday which is not a holiday.

- 1
- 2 (c) Immediately upon receipt of the petition, and in the presence of the person submitting
- 3 the petition, the election official shall check each booklet and shall mark as rejected on
- 4 its face, and the reason for rejection, any petition booklet which:
- 5 (1) Shows evidence of having been disassembled and reassembled;
- 6 (2) Does not contain all pages of the ordinance to be initiated or referred;
- 7 (3) Does not contain the fully completed, signed and notarized affidavit of the
- 8 circulator.
- 9
- 10 (d) Due to potential confidential voter information contained in petition booklets, all petition
- 11 booklets and copies of booklets must be surrendered to the election official within 60 days
- 12 of issuance.
- 13 (Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 35, 1998; Serial No. 2022-24(am), § 23, 6-13-2022,
- 14 eff. 7-13-2022)

15 **29.10.070 Supplemental petition.**

- 16 (a) If the election official determines that there is an insufficient number of valid signatures
- 17 on the petitions filed during the 30-day period, the election official shall send notice of
- 18 the insufficiency to the petitioners' committee by certified mail, return receipt requested
- 19 and may also inform them by email or other communication. The petitioners' committee
- 20 shall have an additional ten days from receipt of the notice to gather additional
- 21 signatures on petitions supplied to the committee by the election official for that purpose.
- 22 The petitions supplied by the election official for the supplemental period shall be in the
- 23 format specified in section 29.10.030, except that the signature page numbering shall not
- 24 duplicate that used for the initial 30-day period.
- 25
- (b) Petitions shall be submitted and received in the manner provided in section 29.10.060.

(c) No signatures obtained on booklets issued during the first 30-day period shall be valid if submitted with the supplemental petition.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 36, 1998)

Charter reference— Supplemental petition, § 7.7.

29.10.080 Validation of signatures.

- (a) The election official shall reject the signature of any person who was not a registered Juneau voter on the day they signed the petition ~~whose name does not appear on the voter registration list available from the state elections office and who is determined by the state elections office to be a person who is not registered on the day the election official requests state verification of the voter status of the person.~~
- (b) The election official shall reject the signature of any person whose writing is so illegible that they cannot be identified as a registered Juneau voter ~~signed and printed name are so illegible that the election official cannot identify the name; provided, however, the election official may accept an otherwise illegible name if the voter has provided adequate personal identifying information and the legible address information given by the person corresponds to voter registration information of the person registered to the personally identifying information given.~~
- (c) The election official shall reject all but one signature of any person who has signed his or her name two or more times to petition booklets.
- (d) The election official shall reject the signature of any person whose signature is not executed in ink.
- (e) ~~The election official shall reject the signature of any person who had not been a resident of Juneau for the 30 days immediately preceding the date the person signed the petition.~~

~~(e)(f)~~ The election official shall reject the signature of any person who fails to provide a legible and adequate residence address within the City and Borough of Juneau as provided in section 29.10.090.

~~(g)~~ The election official shall reject the signature of any person whose petition signature and printed name are not the form in which the person is registered to vote unless the election official is able to determine from the voter's personal identifying information or the address information from the state elections office that the signature is that of a registered voter.

~~(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 37, 1998; Serial No. 2014-37(e), § 7, 6-30-2014, eff. 7-31-2014; Serial No. 2022-24(am), § 24, 6-13-2022, eff. 7-13-2022)~~

~~29.10.090 — Residence address requirements.~~

~~(a)~~ A residence address for the purpose of initiative and referendum petition requirements is a locatable address where the person lives. A residence address is adequate only if it contains sufficient information to permit the person's place of residence to be found by an ordinary person with no particular knowledge of the City and Borough of Juneau area if such person is given the residence address information which appears on the petition, the official map of the City and Borough of Juneau, the approved house numbering maps of the City and Borough of Juneau, and relevant approved plan maps.

~~(b)~~ Notwithstanding the general definition provided in subsection (a) of this section, the following shall be deemed to be adequate residence addresses.

- ~~(1)~~ A subdivision name with a lot and block number;
- ~~(2)~~ A United States survey number when the smallest recorded subdivision which is applicable to the property is included;

- ~~(3) — A milepost when accompanied by a road or highway name;~~
 - ~~(4) — A boat harbor or marina name when the stall, slip, or boat name is also included;~~
 - ~~(5) — A hotel or motel if the room number is numbered;~~
 - ~~(6) — A trailer court if the space number or street name and number within the trailer court is given;~~
 - ~~(7) — A house number with a street or highway name;~~
 - ~~(8) — An apartment or condominium name when accompanied by an apartment or unit number.~~
- ~~(e) — The following types of addresses are inadequate as a residence address:~~
- ~~(1) — A street name without a house number;~~
 - ~~(2) — A milepost without a highway or road name;~~
 - ~~(3) — A highway or road name without a milepost or house number;~~
 - ~~(4) — Alaska, Juneau, Douglas, Auke Bay, Vanderbilt Hill, Pinewood Park, Mendenhaven, Back Loop or any other similar designation by a geographic area or subdivision only;~~
 - ~~(5) — A rural route box number;~~
 - ~~(6) — A post office box number;~~
 - ~~(7) — A street, highway or road intersection;~~
 - ~~(8) — Any address which is ambiguous either on its face or becomes ambiguous upon consulting a map or plat to which one would be led from the residence address information;~~
 - ~~(9) — An illegible address.~~

~~(d) If there is a dispute as to the adequacy of a residence address given by a person whose name has been rejected by the election official, the name shall be rejected if it is determined that a house number has been assigned to the place of residence of the person whose name has been rejected unless the assigned street name and house number or an accurate legal description of the property has been used on the petition.~~

~~(Serial No. 78-3, § 2, 1978; Serial No. 98-25, § 38, 1998; Serial No. 2001-28, § 2, 6-4-2001)~~

29.10.100 Petition and signature rejection for other reasons.

- (a) If any allegation of fraud or misconduct, by persons not involved with conducting the election, including conduct classified under Alaska Statutes 15.56.070 through 15.56.090, is filed with the election official prior to the certification or notice of insufficiency of the petitions, the election official shall immediately investigate such allegations and reject the challenged petitions or signatures if such investigation reveals fraud or other irregularities which warrant rejection.
- (b) Any allegation of fraud or misconduct, by persons not involved with conducting the election, including conduct classified under Alaska Statutes 15.56.070 through 15.56.090, filed after certification of the petition which would or may result in the invalidation of a sufficient number of signatures to cause a petition to be insufficient shall be referred immediately to the assembly and the Juneau Police Department. The assembly shall schedule a hearing on the matter and take such action as it deems appropriate with respect to signatures or petitions which are affected by any fraud or misconduct ~~it finds.~~
- (c) It shall be fraud sufficient to reject an entire petition booklet if it is shown that a petition circulator has either failed to do any act or had no reasonable basis for a belief to which the petition circulator is required to swear under section 7.5 of the Charter.

(Serial No. 78-3, § 2, 1978; Serial No. 98-25, §§ 39, 40, 1998)

State Law reference— Petition offenses, AS 15.56.090.

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

TO: Deputy Mayor Smith and Assemblymembers
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Burns Building Acquisition Update
DATE: February 20, 2025

At the August 5, 2024, meeting the Assembly Committee of the Whole (COW) passed a motion to direct the Manager to hire an appraiser to value the Michael J. Burns Building (Burns Building) as a business condo. As a result of this motion, the Manager hired Reliant LLC to complete an appraisal of the Burns Building with the hypothetical condition of the building being condominiumized and CBJ acquiring the first two floors. The appraiser provided an in-depth analysis of the property value which included comparable properties, current trends, replacement costs, building quality, parking and other expenses. Under the hypothetical situation of the 1st and 2nd floors on the of the Burns Building being condominiumized, the appraised value was determined to be \$9,300,000 for the acquisition of the first and second floors. The full appraisal is available for review and a link is provided as an attachment to this memo.

Previously, Alaska Permanent Fund Corporation (APFC) offered the first and second floors to the CBJ at the rate of \$1.55M dollars in rent annually "as is" (without any tenant improvement allowance). The \$1.55M is calculated at a rate which equals \$2.85/sq ft for the rentable area. This does not include tenant improvements, which CBJ estimated range from \$3.5-5.25M¹ which equates to \$73/sq ft up to \$113/sq ft. Amortizing the leasehold improvements over the 30 years at a 9% rate indicates additional rent of up to \$0.90/sq ft., indicating an occupancy cost of up to \$3.77/sq ft².

Alternately, the first and second floors were offered by APFC at a price of \$12M dollars or \$266/sq ft. of rentable area. Factoring in CBJ's planned interior build-out, the \$12M asking price equates to \$344/sq ft. up to \$382/sq ft. or \$15.5M up to \$17.25M in total. Also at the August 5, 2024, meeting, the COW was presented with a table that compared the cost of leasing verses the cost of buying the two floors of the Burns Building. The memo from that meeting is attached to this memo and the table is listed below. Updating the projected cost to acquire two floors to reflect the appraised value of \$9.3M the total costs would be

¹ Numbers provided by Engineering/Public Works for the August 5, 2024 Assembly COW.

² The calculation was provided in the appraisal

\$12.8M – \$14.55M, if the building is acquired at the appraised value. Currently the \$14.5M in funds between the New City Hall and City Hall CIPs.

Rent Costs				
Total square footage:		48,145		
		Remodel Costs	\$	5,250,000
Annual Lease Rate includes 3% annual escalation :				
year	1	\$	2.85	\$ 1,646,559
	2	\$	2.94	\$ 1,695,956
	3	\$	3.02	\$ 1,746,834
	4	\$	3.11	\$ 1,799,239
	5	\$	3.21	\$ 1,853,217
	6	\$	3.30	\$ 1,908,813
	7	\$	3.40	\$ 1,966,078
	8	\$	3.51	\$ 2,025,060
	9	\$	3.61	\$ 2,085,812
	10	\$	3.72	\$ 2,148,386
Total after 10 years:			\$	24,125,954

Owning Costs				
One Time Purchase Price				\$12,000,000
Cost to create Business Condo Association:				\$250,000
			Remodel Costs:	\$ 5,250,000
		year	1	\$ 650,000
Annual Maintenance, operating and capital			2	\$ 669,500
costs includes 3% annual escalation :			3	\$ 689,585
			4	\$ 710,273
			5	\$ 731,581
			6	\$ 753,528
			7	\$ 776,134
			8	\$ 799,418
			9	\$ 823,401
			10	\$ 848,103
Total after 10 years:				\$ 24,951,522
Based on CBJ's % interest of ownership, 66% of the total operating expenses would bring the annual cost to CBJ to roughly \$650,000.				

At the November 4, 2024, meeting the COW passed a motion to direct the Manager and Attorney to research establishing a business condo association including bylaws, covenants, conditions and restrictions, and rules and regulations to better understand the practicalities of purchasing two floors of the Burns Building. The CBJ Manager and the CBJ Attorney hired James J. Sheehan from Faulkner Banfield Law, to assist with drafting a letter of intent (LOI), Purchase and Sales agreement (PSA) and CCRs. CCRs include Covenants, Conditions, and Restrictions which are legally binding rules that govern a potential condo community and are recorded with the state and are enforced by a condo association (HOA). A draft LOI is attached to this memo and will be the starting point for negotiations with the APFC. This LOI outlines a potential opening offer from the CBJ to the APFC. With the appraisal now completed, the next step will be for Mr. Sheehan to engage with the CBJ Attorney and the owners of the Burns Building to draft the PSA and CCRs prior to the next Assembly review.

Staff request that the Committee of the Whole provide a motion of support to enter into negotiations with the Alaska Permanent Fund Corp. for the purchase of two floors of the Burns Building

Attachments:

1. August 5, 2024, COW Koester Memo
2. Appraisal Letter of Transmittal
3. Draft Letter of Intent (LOI)

Attachments as digital links:

1. 2025 Michael J. Burns Building Appraisal: https://juneau.org/wp-content/uploads/2025/02/Appraisal_Burns-Building-Hypothetical-Condo-online.pdf



City and Borough of Juneau
 City & Borough Manager's Office
 155 Heritage Way
 Juneau, Alaska 99801
 Telephone: 907-586-5240 | Facsimile: 907-586-5385

TO: Deputy Mayor Hale and Committee of the Whole
 FROM: Katie Koester, City Manager
 DATE: August 5, 2024
 RE: Downtown City Employee Office Space

Downtown CBJ employees have been playing musical chairs with workspace since partially vacating Muni Way due to it being sold in early 2023. Since then, the building has been under construction and further vacated. To summarize, in the short term (1-year), IT and the non-public facing Finance employees are moving to Marie Drake. Human Resources and the rest of Finance are consolidating in City Hall. However, the purpose of this memo is to address long-term downtown CBJ office space.

After a second failed attempt to secure bond approval for a purpose built City Hall, the Assembly directed staff to negotiate to lease the Burns building, a large downtown office building with sufficient space for most downtown employees.¹ This authority was granted with the understanding that a public process regarding Marie Drake and Floyd Dryden needs to be complete before the Assembly is willing to take repurposing a school completely off the table. That process is ongoing and an earlier agenda topic tonight. A request for information reflected significant interest in Floyd Dryden, less in Marie Drake. Aside from being a 50-year-old building in need of major maintenance, Marie Drake has limited parking (45 spots) and it has proven impossible to provide parking for 165 employees without incurring significant cost.

Since the [April 15 COW](#), Land Manager Bleidorn and I have engaged with the real estate holding company for the Permanent Fund Corporation (PFC). They have offered \$2.85 a square foot, excluding significant tenant improvements, to lease 2 floors of the building. This is within range for office space. As a frame of reference, we are paying \$2.27 per square foot at Marine View and \$2.84 at Sealaska. However, this does not include tenant improvements, which we estimate range from \$3.5-5.25M depending on final layout and design.

During the course of negotiations, the idea of forming a condo association and CBJ purchasing the bottom two floors with the PFC maintaining ownership of the top floor, was introduced. The rough order of magnitude for 2 floors of the Burns building is \$12M. I think this is high; the assessed value for the entire property is \$8.9M – which means our assessor is undervaluing the property by 50% of the asking price. In 2021 the property was valued at \$10.67M and the owner appealed resulting in a modest devaluation based on location. The assessed value has only decreased since then. CBJ 53.04.020 requires the Manager to acquire property at a price that does not exceed fair market value. Fair market

value will be very difficult to determine in this instance with the lack of comparable properties.

We have \$14.5M in available funds between New City Hall and City Hall CIPs. One-million dollars was transferred out of the fund during the FY25 budget process to fund the elevator at Diamond Park Field House. Funds have also been encumbered for cubicles and modular furniture at Marie Drake which will be transferred to the Burns building. With the recommended tenant improvements and estimated legal fees for establishing a condo association, this puts the total project cost at \$17.5M.

Lease Versus Own

The table belowⁱⁱ shows the total cost of leasing versus owning over 10 years. In summary, after paying rent for 10 years, we would be within \$1M of owning the building. Assumptions include significant maintenance and operations of \$650,000 a year. However, we would be the majority owner and much of those funds would be put back into upkeep of the building. This means at the end of 10 years we would have a well taken care of building which greatly extends the service life of our investment.

Recommendation: Direct the Manager to proceed with negotiations to purchase the Burns building and to hire a mutually agreed upon appraiser to value the building as a business condo.

ⁱ Combined with the JSD admin building that has 17 workstations one block away, we would have enough space to host all ~165 downtown CBJ employees.

ⁱⁱ

Rent Costs				Owning Costs			
Total square footage:		48,145		One Time Purchase Price		\$12,000,000	
		Remodel Costs		Cost to create Business Condo Association:		\$250,000	
		\$ 5,250,000				Remodel Costs:	
Annual Lease Rate includes 3% annual escalation :						\$ 5,250,000	
year	1	\$ 2.85	\$ 1,646,559	year	1	\$ 650,000	
	2	\$ 2.94	\$ 1,695,956		2	\$ 669,500	
	3	\$ 3.02	\$ 1,746,834		3	\$ 689,585	
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	9	\$ 3.61	\$ 2,085,812		9	\$ 823,401	
	10	\$ 3.72	\$ 2,148,386		10	\$ 848,103	
Total after 10 years:		\$ 24,125,954		Total after 10 years:		\$ 24,951,522	
				Based on CBJ's % interest of ownership, 66% of the total operating expenses would bring the annual cost to CBJ to roughly \$650,000.			



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Letter of Transmittal

February 11, 2025

Mr. Dan Bleidorn
 Lands Manager, Managers Office
 City & Borough of Juneau
 155 Heritage Way
 Juneau, AK 99801

RE: **Hypothetical 1st & 2nd Floor Condo at Goldbelt Place / Michael J. Burns Bld.**

801 W. 10th Street, 1st & 2nd Floors Only
 Juneau, AK 99803
 Client Reference Number: --

Dear Mr. Bleidorn:

At your request, an appraisal of the above referenced property has been prepared. The results of the assignment are presented in *Restricted Appraisal Report* format. The purpose of the assignment is to estimate the market value of the real estate in its hypothetical condominiumized condition. The *Fee Simple* (As If Condo) interest in the subject has been analyzed.

The client(s) of this assignment is City & Borough of Juneau. The intended user(s) of the report is the Client, for the intended use of prospective preliminary acquisition purposes. Although other parties may in some cases obtain a copy of this report, it should not be relied upon by anyone other than the intended user(s), or for anything other than the intended use.

This assignment has been prepared and presented in conformance with the scope of work developed in consultation with the client, the current Uniform Standards of Professional Appraisal Practice (USPAP) as promulgated by the Appraisal Standards Board of the Appraisal Foundation, as well as the bylaws of the Appraisal Institute. However, as the Client is someone other than an FDIC insured lender, this assignment does not conform with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), as revised June, 1994 and codified under 12 CFR 323.

The subject is the first and second story of a three story elevated office building owned by the Alaska Permanent Fund Corp. (APFC) located within the Juneau Central Business District that is appraised fee simple based on the hypothetical condition that it is condominiumized and can be separately sold. The City and Borough of Juneau (CBJ) is interested in purchasing the first two floors for use as their new city hall. A complete interior and exterior walk-through of the subject has been made, and photographs taken.

Market information and data regarding other similar real estate has been obtained. This data has been analyzed using appropriate techniques and methodologies necessary to develop a credible and reliable estimate of market value.



RE: **Hypothetical 1st & 2nd Floor Condo at Goldbelt Place / Michael J. Burns Bld.**

The assignment involves protecting the “overall public trust” and has been performed on an independent, impartial and objective basis. As a result of research and analysis, the value estimate(s) for the subject is/are as follows:

FINAL MARKET VALUE ESTIMATE	
Hypothetical 1st & 2nd Floor Condo at Goldbelt Place / Michael J. Burns Bld.	
Property Rights	Fee Simple (As If Condo)
Effective Date of Appraisal	February 5, 2025
Condition	As If Condo
Final "As If Condo" Market Value Estimate (Rounded)	\$9,300,000

The appraiser is a resident of the State of Alaska and therefore receives a dividend from the APFC. However, other than participating in Statewide elections, the appraiser has no control, contact with or traditional “shares” or “ownership” in APFC. As of December 31st, 2024, the subject constitutes 0.012% of the APFC’s portfolio value. Dividing the subject’s value estimate by the 600,000 dividend payees indicates a value of \$15.50/resident. This nominal “interest” in the subject would be akin to a “membership” in a public utility, which does not constitute a “personal interest” as defined under USPAP.

The value estimates are based on a marketing period of approximately 12 months and an exposure period of approximately 12 months. The value opinion reported above is qualified by certain assumptions, limiting conditions, certifications, and definitions, which are set forth in the body of the report. This letter is invalid as an opinion of value if detached from the report, which contains the text, exhibits and Addendum. Thank you for the opportunity to be of service. If you have any questions, please feel free to call.

Respectfully submitted,

 Digitally signed by Per E.
Bjorn-Roli
Date: 2025.02.11 13:59:05
-09'00'

Per Bjorn-Roli, MAI
Managing Member
Alaska Certified General – No. 302
per@reliantadvisory.com

February __, 2025
VIA EMAIL ONLY

Alaska Permanent Fund Corporation
c/o Tracey Ricker of Ricker Real Estate Consulting, LLC
rickerrealestate@gmail.com

Re: Letter of Intent for Purchase and Sale of Two Floors of the Burns Building and Formation of a Commercial Condominium Association

Dear _____:

This letter of intent, effective as of the date of Seller's signature agreeing to and accepting this letter of intent ("**Effective Date**"), constitutes an expression of interest of the City and Borough of Juneau ("**Purchaser**") in purchasing and the interest of Alaska Permanent Fund Corporation ("**Seller**") in selling the Premises (as hereinafter defined) on the general terms and conditions described herein. It will also serve as the basis for negotiating: (i) a definitive purchase and sale agreement for the purchase and sale of the Property (the "**Purchase Agreement**"); and (ii) covenants, conditions and restrictions ("**CCRs**") to convert the Property into a commercial condominium association. This letter of intent supersedes all prior oral and written proposals between the parties. The proposed terms and conditions for the purchase and sale of the Property are as follows:

1. The Property and the Premises. That certain property having an address at 801 W. 10th St., Juneau, Alaska 99801, and commonly known as the Michael J. Burns Building (the "**Property**"), the 1st and 2nd Floors at the Property (the "**Premises**").

2. Execution of Purchase Agreement. Purchaser and Seller shall negotiate the Purchase Agreement diligently and in good faith. Notwithstanding the foregoing, no binding agreement shall exist with respect to the purchase and sale of the Premises unless the Purchase Agreement has been duly executed and delivered by both Purchaser and Seller. Purchaser and Seller shall endeavor to enter into and execute the Purchase Agreement on or before March 31, 2025. Purchaser's counsel shall prepare the initial draft of the Purchase Agreement. CCRs will be exhibits attached to the Purchase Agreement along with other documents necessary to convert the Property into a commercial condominium association on the Closing Date (as hereinafter defined). The CCRs will create a form of real estate ownership that is a multi-unit property in which each unit (or floor) is owned exclusively by a commercial entity with the Property's common elements owned by all the unit (or floor) owners as tenants in common. Allowing Purchaser and Seller to own and use distinct portions of the Property independently of one another while collectively owning and using common areas, facilities, and systems serving the entire Property. The form of collective ownership will be a nonprofit condominium association entity. Any additional required exhibits will be set forth in the Purchase Agreement.

3. Purchase Price. NINE MILLION THREE HUNDRED THOUSAND and 00/100 (\$9,300,000.00) Dollars, all cash, in immediately available funds. The purchase price shall be paid by the Purchaser at the closing of the sale of the Premises, except for the Earnest Money Deposit, which shall be paid as and when set forth in Paragraph 4 below.

_____, 2025

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4. **Earnest Money Deposit.** Fifty thousand and 00/100 (\$50,000) Dollars (the “**Earnest Money Deposit**”) to be deposited by Purchaser in immediately available funds within five (5) business days after full execution of the Purchase Agreement by Purchaser and Seller, in a mutually acceptable interest-bearing escrow account established with First American Title (“**Escrow Agent**”), as escrow agent, pursuant to a separate escrow agreement entered into between Purchaser, Seller, and Escrow Agent. All interest earned on the Earnest Money Deposit shall constitute part of the Earnest Money Deposit and shall be payable to the party entitled to receive it under the Purchase Agreement. If the closing shall occur, the Earnest Money Deposit shall be credited to the purchase price. If Purchaser terminates the Purchase Agreement pursuant to a right to do so set forth in the Purchase Agreement, the Earnest Money Deposit shall be refundable to Purchaser except in the event of Purchaser's default or breach, in which event the Earnest Money Deposit, plus all interest earned thereon, shall be paid to Seller as liquidated damages, as Seller's sole remedy.

5. **No Financing Contingency.** Purchaser is prepared to pay all cash for the acquisition of the Premises and its obligation to purchase the Premises shall not be conditioned in any way on Purchaser's ability to obtain financing, whether first mortgage or otherwise.

6. **Closing Date.** The closing of the transaction shall occur as soon as possible following the expiration of the Inspection Period (hereinafter defined) (the “**Closing Date**”). Each party shall have the right to adjourn the closing date for a period of fifteen (15) days for any reason or no reason. The closing shall be effected through a customary escrow closing. Time shall be of the essence with respect to each party's obligations under the Purchase Agreement.

7. **Closing Costs.** Purchaser shall pay the cost of the survey, title commitment, title policy, and other title related costs, as well as any and all costs related to its due diligence investigation. Seller and Purchaser shall each pay an equal share of all clerk's and indexing fees on the deed, and all costs of recording the deed, and any other fees and costs as is customary in transactions of this size and type in the City and Borough of Juneau, Alaska. Each party shall pay its own legal fees and one-half of any escrow or closing fee.

8. **Credits and Prorations.** The Purchase Agreement shall contain customary prorations with respect to any and all items customarily prorated between the parties in transactions of this size and type in City and Borough of Juneau, Alaska.

9. **Due Diligence Investigation.** From and after the effective date of the fully-executed Purchase Agreement, and continuing for a period of forty-five (45) days thereafter (the “**Inspection Period**”), Seller shall allow Purchaser to have access to the Property to investigate and inspect (at Purchaser's sole cost and expense) the legal, physical and economic condition of the Property, and the suitability of the Property for Purchaser's intended use. If Purchaser determines, in its sole and absolute discretion, that it is unsatisfied with any aspect of the Property prior to the expiration of the Inspection Period, then Purchaser shall have the right to terminate the Purchase Agreement by written notice to Seller given prior to the expiration of the Inspection Period, in which event the Earnest Money Deposit shall be returned to Purchaser.

No later than ten (10) business days following the effective date of the fully-executed Purchase Agreement, Seller shall provide to Purchaser for its review, all information and documentation regarding the Property which is in the possession or control of Seller, its affiliates, and/or property manager (the “**Due Diligence Materials**”). Seller shall represent in the Purchase Agreement that to Seller's actual

_____, 2025

Page 3 of 4

knowledge, the Due Diligence Materials constitute all of the information and documentation relating to the Property that is in Seller's possession or control.

Purchaser understands and agrees that any on-site inspections of the Property shall occur at reasonable times agreed on by Seller and Purchaser after reasonable prior written notice from Purchaser to Seller (which shall, in all cases, be at least 24 hours in advance) and shall be conducted so as not to unreasonably interfere with the use and operation of the Property and rights of Seller and its tenants, subtenants, licensees, or other users and occupants of the Property. Purchaser agrees not to contact, or have discussions, whether directly or indirectly, with any tenants, subtenants, licensees, or other users or occupants of the Premises without the prior written consent of Seller in each instance, which consent shall not be unreasonably withheld, conditioned, or delayed. Seller shall have the right to accompany Purchaser or its agents during any such tests and inspections. If Purchaser desires to do any invasive testing at the Property, then Purchaser shall do so only after reasonable prior written notice to Seller (which shall, notwithstanding anything to the contrary contained above, be at least three (3) business days in advance) and obtaining Seller's prior written consent thereto, which consent shall not be unreasonably withheld, conditioned, or delayed, and which consent, if given, may be subject to any terms and conditions imposed by Seller in its reasonable discretion, including, without limitation, the prompt restoration of the Property to substantially the same condition as existed prior to any such inspections or tests, at Purchaser's sole cost and expense.

10. Representations and Warranties. The Purchase Agreement shall contain representations and warranties from Seller with respect to the physical and economic condition of the Property, title to the Property, the compliance of the Property with laws and other applicable requirements, the leases and leasing activities affecting the Property, and any other matters reasonably requested by Purchaser. Seller's representations and warranties shall survive for a period of three hundred sixty-five (365) days following the Closing Date.

11. Closing Conditions. Seller shall deliver a tenant termination agreement ("**Tenant Termination Agreement**") each conforming in all material respects to the form attached to the Purchase Agreement, from every tenant at the Premises. The Tenant Termination Agreement shall include terms and conditions that the tenant's lease will terminate, and tenant will vacate the Premises on or before May 1, 2025. Tenant shall surrender and yield the Premises in good order and repair, ordinary wear and tear excepted. Any improvements constructed or installed on the Premises by tenants without Seller's consent shall be removed at the cost and expense of tenants on demand from Seller, and tenants will do such repairs or decorating as is necessary to restore the Premises to its condition prior to construction or installation of any such improvements not consented to by Seller. If Seller is unable to provide a Tenant Termination Agreement, with terms and conditions similar to those described in this Paragraph 11, from every tenant of the Premises on or prior to the Closing Date, Purchaser shall have the right to terminate the Purchase Agreement by written notice to Seller given prior to the Closing Date, in which event the Earnest Money Deposit shall be returned to Purchaser. Any additional required terminations, consents and/or estoppels will be set forth in the Purchase Agreement. The Purchase Agreement will also contain other reasonable and customary closing conditions and other contingencies as agreed to by the parties.

12. Termination. This letter of intent shall automatically terminate and be of no further force and effect upon the earlier of: (a) the mutual execution of the Purchase Agreement by Purchaser and Seller; (b) the date of the written notice given by either Purchaser or Seller terminating this letter of intent to the other; and (c) close of business (5:00 p.m.) on March 31, 2025. Notwithstanding anything to the contrary

_____, 2025

Page 4 of 4

contained in the previous sentence, Paragraph 14 shall expressly survive the termination of this letter of intent.

13. Exclusive Negotiations. Seller shall not offer the Property for sale to anyone other than Purchaser or enter into or continue any discussions with any third-party to acquire the Property until such time as this letter of intent has terminated in accordance with the provisions of Paragraph 12 herein.

14. Non-Binding. This letter of intent is a non-binding proposal and may be terminated without penalty at any time and for whatever reason by either party in accordance with the terms of Paragraph 12 herein. This letter of intent should not be considered as a commitment to sell or purchase by either party, as the purchase and sale is expressly conditioned upon the execution and delivery of a mutually satisfactory Purchase Agreement.

By signing this letter of intent, the parties agree that unless and until a definitive Purchase Agreement is prepared and executed by all parties involved, there is no commitment on Seller's part to convey the Property nor on Purchaser's part to pay any consideration for the conveyance of the Property. Notwithstanding the foregoing, the parties acknowledge and agree that the provisions of Paragraphs 13, together with this paragraph, are binding and enforceable against the parties. Except as specifically set forth in this Paragraph 14, nothing contained in this letter of intent shall be deemed or construed to constitute a binding agreement between the parties.

If the foregoing terms and conditions are acceptable to you, please execute and return to us the executed letter. This letter may be signed in one or more counterparts, each of which may be an original or copy and all of which when taken together shall constitute one and the same instrument.

Sincerely,

CITY AND BOROUGH OF JUNEAU, an Alaska
organized borough

Katie Koester, City Manager

Date: February __, 2025

AGREED TO AND ACCEPTED this ____ day
of _____, 2025:

Alaska Permanent Fund Corporation, an Alaska
corporation

By: _____
Its: _____

cc:

Scott Cronister – scronister@lbrealty.com

Lucy Garcia – lgarcia@lbrealty.com

Jim Sheehan – jsheehan@faulknerbanfield.com



DATE: February 24, 2024

TO: Greg Smith, Chair
Committee of the Whole (COW)

THROUGH: Katie Koester, City Manager
Denise Koch, Engineering and Public Works Director

FROM: Jeanne Rynne, Chief Architect

FOR: Information

SUBJECT: Impact Analysis: Proposed Use for Marie Drake Option 3

At the December 2, 2024, Public Works and Facilities Committee (PWFC) meeting, staff presented three options¹ for the proposed use of the Marie Drake facility and site. PWFC recommended that Option 3 be moved forward to the COW for consideration.² This memo will summarize the cost and functional impacts of Option 3. Additionally, staff was asked to evaluate the relocation costs of the Juneau School District (JSD) IT hub and the boiler room, and abatement costs for Option 3.

Option 3 Summary:

Demolish 80% of the classroom wing, retaining the portion that contains the heating plant, electrical service room, and main IT room. This version also retains the gym and planetarium wing. This assumes minimal renovation of the remaining 20% of classroom space and associated abatement. Improvements to the mechanical and electrical systems would also be required to serve the remaining portion of the classroom wing.

Estimated Total Project Cost: \$10.2M

Please see the chart below for the options presented at the 12/2/24 PWFC meeting.

Marie Drake Options						
Options - Demolition and Parking						
Option	Description	Building Demo/Construction	Parking Cost	Total Project Cost	Timeline for Completion ²	# Stalls Added
1	Demo entire Building and replace with Parking	\$6,180,000	\$3,051,000	\$9,200,000	10-12 mo.	212
2	Demo Classroom Wing, backfill with Parking, retain Gym and Planetarium Wing ¹	\$6,492,000	\$1,471,000	\$8,000,000	14-16 mo.	93
3	Demo 80% Classroom Wing, backfill with Parking, retain Boiler Room/IT hub at Basement, Gym and Planetarium Wing ¹	\$8,960,000	\$1,273,000	\$10,200,000	16-18 mo.	70
4	Gut Building to Structure and Renovate.	\$75,700,000	\$0	\$75,700,000	18-24 mo.	0

Notes

- 1 Note: Planetarium and Multi-Purpose Wing is served by a separate previously abated air handling unit.
2 Estimated timeline once direction is given.

Cost Impacts

Although Option 3 retains the IT hub and the boiler room within Marie Drake, staff were asked to identify the costs of relocating these components. Option 2, which demolishes the entire classroom wing, included the costs for rebuilding a new boiler room and associated electrical and mechanical infrastructure. The construction cost for building a new boiler room is estimated at \$1.3M. The cost of relocating the IT infrastructure is negligible (\$45,000) however available space may be an issue.

Abatement Scope of Work

¹ [December 2, 2024, PWFC Meeting Packet](#)

² [December 2, 2024, PWFC Meeting Minutes](#)

The abatement scope of work with Option 3 is primarily related to the demolition of 80% of the classroom wing and is estimated at \$3M; this cost includes not only abatement but demolition. The remaining 20% of the classroom wing will require abatement which is estimated at \$440,000. The majority of the multi-purpose wing was abated under a previous project in 2019-2020, which included abatement of the air handling unit that serves this wing. Additionally, mold and asbestos were abated in the gym locker rooms as part of this project.

Functional Impacts

Option 3 retains community use of the gym, managed by CBJ Parks & Recreation (P&R), which along with CBJ Facilities Maintenance (FM), was ranked as the top priority for proposed uses of Marie Drake by PWFC in June 2024.³

In addition to retaining the gym and the planetarium for community use, Option 3 allows CBJ Facilities Maintenance to vacate the former classroom wing of the Mt. Jumbo building. Mt. Jumbo is in an ideal residential location and could be a site for future housing development (which would require demolition).

FM would locate shop, office space, and parts storage at the south end of the building (remaining portion of the former classroom wing). The north end of the multi-purpose wing could be used to relocate CBJ and JSD storage from Thane Warehouse, creating more space needed for the Warming Shelter and potentially the CARES sobering center.

Parking

Option 3 adds approximately 75 spaces to the Marie Drake site. Twenty-six (26) stalls would be required for FM, with a minimum of thirteen (13) fenced to secure the Maintenance vans. The added stalls will supplement parking needs for CBJ employees if we move to the Burns Building (the Burns Building comes with 88 parking spaces, and we need approximately 160). Parking for JSD students has also been identified as a need.

Requested Action: Introduce an ordinance for \$150K to fund public outreach and 35% design to develop more accurate cost estimates.

³ [June 3, 2024, PWFC Meeting Packet](#)



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

TO: Deputy Mayor Smith & Assembly Committee of the Whole
DATE: February 24, 2025
FROM: Robert Barr, Deputy City Manager
RE: Property tax incentives for economic development

CBJC 69.10.023 provides for property tax incentives for economic development in three general categories:

1. Assisted living for senior citizens
2. Downtown multifamily
3. High-density residential with in the urban service area

As currently implemented, developers may begin receiving up to 12 years of tax abatement beginning January 1st of the year after they receive a certificate of occupancy (CO). Waiting for a CO ensures the facility being constructed was completed and is fulfilling its intended purpose. It also ensures that the developer receives the maximum amount of abatement possible, as the assessed value of the facility will be at its highest when it is complete versus in an under-construction state.

CBJ currently has one property eligible for tax abatement and several more in the queue. The developer of the existing eligible property desires their tax abatement begin calendar year 2023, when the building was under construction, rather than 2024, when the building was complete.

Ordinance 2025-20 would provide the Assessor the ability to retroactively approve¹ an application for tax abatement in a scenario where construction spans multiple years, as it did for this development, when it is also desired by the developer. This allows the developer to essentially choose between:

- 12 years of tax abatement, receiving less abated value in the first year and full value for the final 11 years, versus
- 12 years of tax abatement, receiving full value for all 12 years

The financial impact to CBJ is roughly the same in either scenario – 12 years of property tax are abated in both cases, slightly less in the first than the second, but abatement begins sooner in the first and assuming positive inflation over time, the time value of money likely offsets any long-term savings to the CBJ by allowing for this flexibility. From the perspective of a developer, the flexibility to begin abatement earlier is attractive – penciling out projects is harder during construction and the first few years of operation. CBJ is protected from failed projects by enabling this flexibility retroactively – all the provisions of 69.10.023 must still be met before tax bills are abated.

Recommendation:

Discuss, modify if desired, and move Ordinance 2025-20 to the Assembly for public hearing and adoption

¹ And remove any late fines or fees that have accumulated due to this specific circumstance

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

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-20 vAFC

An Ordinance Addressing Tax Exemptions Spanning Multiple Construction Seasons.

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

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

Section 2. Amendment of Section. CBJC 69.10.023, Property tax incentives for economic development property, is amended to read:

69.10.023 Property tax incentives for economic development property.

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

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

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

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

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

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



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

Designing Community Since 1935

Date: February 18, 2025
 To: CBJ Lands, Housing, and Economic Development Committee
 Cc: Russell Dick, Susan Bell
 From: Corey Wall
 Re: Aak'w Landing (JYW No. 21022)
Traffic Impact Analysis Executive Summary

The Traffic Impact Analysis (TIA) from DOWL is now completed and ready for submission to CBJ and DOT. The TIA is somewhat dense and technical, so this memo will summarize and contextualize the key findings.

TIA Purpose

The TIA is the mechanism for the traffic engineers at DOT to analyze potential impacts of new developments on controlled vehicular intersections. As such, the methodology used to predict future traffic flows is developed from mathematical models and resources approved by DOT. Because the traffic caused by a new cruise ship development like Aak'w Landing was unusual, the traffic engineers at DOWL worked closely with DOT to develop an accurate and acceptable method to predict vehicle and pedestrian traffic increases. The complex mathematical model developed by DOWL is described in the report on pages 11 -13 and utilizes traffic numbers from published sources as well as from actual counts performed during the 2024 season.

Although the TIA can be used by non-traffic engineers to understand the potential traffic changes, that is not its primary purpose. Many of the specifics used in the model, such as the percentage of traffic turning at a given intersection, may not mesh exactly with a layperson's understanding of traffic patterns. However, the model and methodologies have been negotiated directly between DOWL and DOT to help develop the most accurate findings for the technical purpose of analyzing vehicular traffic impacts to the selected DOT-controlled intersections and determining whether any modifications are required to eliminate or reduce loss of service at these intersections.

TIA Conclusions

Level of Service (LOS) qualitatively describes the operating conditions of an intersection based on factors such as speed, travel time, maneuverability, delay and safety. LOS categories range from A (unimpeded traffic flow) to F (traffic flow at or above capacity with queues forming).

Acceptable Level of Service (LOS) changes at intersections due to new developments are discussed on Page 2. Essentially, DOT wants the LOS at each intersection to be no lower than LOS C, but LOS D is acceptable if the existing condition is already a LOS D. CBJ code requires a minimum standard of LOS D for any roadway or intersection affected by a new development.

The existing LOS at each studied intersection is shown in Table 6 on Page 10.

Table 6: Existing Conditions Traffic Operations

Intersection	AM Peak Hour ^{2,3}			PM Peak Hour ^{2,3}		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street ¹	A	8	—	B	11	—
Egan Drive & Whittier Street	A	7	—	B	19	—
Egan Drive & 10th Street	C	27	—	C	31	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	10	NB	A/B	12	NB
Egan Drive & Glacier Avenue	A/A	9	SBR	B/B	12	SBR

¹ Non-NEMA intersection phasing.

² LOS for unsignalized intersection shown as worst LOS for the Major/Minor approaches.

³ Critical Movement listed for unsignalized intersections.

The intersection operations in the year 2035, with the addition of the Aak'w Landing project and after some mitigating modifications, are shown on Table 19 on Page 24.

Table 19: 2035 Intersection Operations with Development (with Mitigation)

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street	A	9	—	B	11	—
Egan Drive & Whittier Street	B	16	—	B	17	—
Egan Drive & W 10 th Street	C	31	—	C	33	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	11	NB	A/B	14	NB
Egan Drive & Glacier Avenue	A/B	13	SBR	B/C	16	SBR

As shown in Table 19, **after Aak'w Landing is constructed, the LOS at each intersection will be fairly close to existing conditions and all are above the minimum standards set by DOT and CBJ.**

The LOS conditions without mitigations are shown on Table 16 on Page 20 and the mitigation summary is on Page 24. The mitigations include modifying the signal timing at the Egan/10th and Egan/Whittier intersections as well as some striping changes which will alter turn- and through-lanes. Elimination of one of the crosswalks at Egan/10th is also recommended. The mitigations do not require major changes to the roadways and no new lanes or turn lanes will need to be constructed.

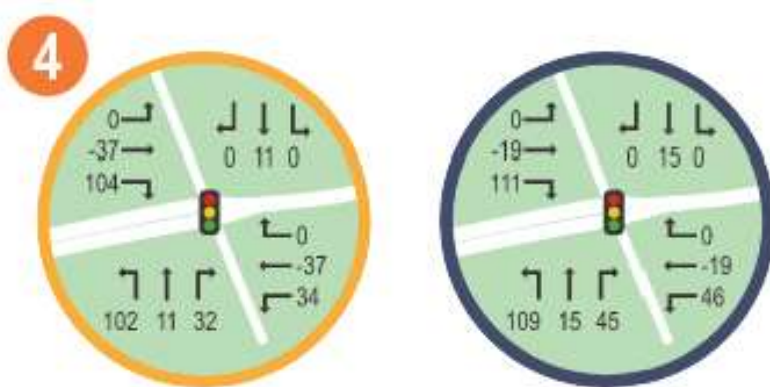
TIA Traffic Count Summaries

The anticipated peak traffic increases caused by the Aak'w Landing project are shown in Table 11 on page 13 of the report. The last line of the Table 11 shows anticipated vehicle traffic increases of **294 vehicles in the Peak AM Hour** (149 entering and 145 exiting) and **341 vehicles in the Peak PM Hour** (172 entering and 169 exiting).

The table also shows the anticipated number of pedestrian increases in the "Less Cruise Ship Passengers (Pedestrians)" line reading, **439 pedestrians in the Peak AM Hour** (8 entering and 431 exiting) and **952 pedestrians in the Peak PM Hour** (741 entering and 211 exiting). Note that this number is negative in the table even though it is an increase because the way it is used in the model to develop the vehicle traffic numbers.

Because of the 5-ship limit, ships at the Aak'w Landing dock will be a combination of replacing ships at anchor, hot-berthing, or new lines entering the market such as MSC Cruises. As a result, some of the existing vehicle traffic to and from these locations will be reduced when the ships are docked instead at Aak'w Landing. However, the report took the conservative position that the traffic reductions would be much less than the full load of vehicles being added by Aak'w Landing. For example, in the morning, the TIA shows vehicle increases of 294 due to Aak'w Landing and a reduction of only 74 due to the elimination of a ship further down South Franklin.

The increased vehicle traffic caused by Aak'w Landing is shown graphically in the excerpt below from Figure 3 which shows traffic changes at the Whittier / Egan intersection at AM (gold) and PM (blue) peak hours. For example, in the morning, the diagram shows that the traffic entering the site from all sides will increase by 149 (as calculated in Table 11, above) with 104 coming east on Egan, 11 coming south down Whittier, and 34 coming west on Egan. The diagram also shows a decrease of 37 vehicles proceeding through the intersection westbound on Egan due to the replacement of a ship and associated vehicle traffic somewhere downtown with the one now at Aak'w Landing. Thus, the TIA calculates the total amount of vehicles increasing on the roadway in the AM leaving the site is 112 (149 - 37).



(Excerpt from Figure 3, traffic changes at the Whittier / Egan intersection)

TIA Numbers Compared to Actual Counts

JYW staff performed on-site counts of the vehicle and pedestrian traffic at the AJ Dock during mid-summer visits of the *Norwegian Bliss* and *Norwegian Encore* during 5 different ship visits in 2023 and 2024. The AJ was good for observation since all traffic was clearly coming or going to the ship at this location.

However, because the AJ Dock is located a fair distance from the center of town (1.1 miles walking distance to the Tram), many pedestrians utilized the free Circulators bus which ran continuously to/from the parking lot in front of the Tram. During peak traffic times, a Circulator entered and exited the site almost every 2 minutes. These Circulator vehicles were half of all the large (bigger than a van) vehicles visiting the site during the counts. Because Aak'w Landing is located much closer to town (0.35 miles to Marine Park), Circulators are unlikely to be used in significant numbers at the new project location.

The maximum number of vehicles, including Circulators, counted entering and exiting the site per hour was fairly consistent each ship visit with 259/hour in the morning and 262/hour in the afternoons. During the busiest hour of 2:30 – 3:30 on June 11, 2024, 126 vehicles entered and 136 exited the AJ Dock site resulting in an actual count of **262 vehicles in the Peak PM Hour.** This compares to 341 used in the TIA for the PM Peak, as discussed above. This gives confidence that the numbers used in the TIA are accurate, if not conservative.

TO: Corey Wall (Jensen Yorba Wall, Inc.)
FROM: LaQuita Chmielowski, P.E. (DOWL)
Cynthia Roe, EI (DOWL)
DATE: January 15, 2025
SUBJECT: Traffic Impact Analysis for Aak'w Landing Development

BACKGROUND

This memorandum evaluates potential traffic impacts associated with the proposed Aak'w Landing multi-use development. The proposed development is located at the southwest corner of Egan Drive and Whittier Street on Lot C1, Juneau Subports, in Downtown Juneau, Alaska. The first two phases of the development will consist of an underground bus and passenger vehicle parking garage with approximately 52,000 square feet of retail space and 11,000 square feet of high-turnover restaurant space. Land use for the third phase of development has been finalized as a cultural museum, though for analysis purposes 20,000 square feet of retail space is assumed. A new driveway is to provide access to the development at the base level of the parking garage on Whittier Street. Opening year for the development is expected to be 2026. The proposed development site plan is included in the Appendix.¹

This study examines the applicable state and municipal codes and compliance requirements, existing intersection operations in the study area, and the impact of the proposed development both now (2026) and in the future (2036).

CODE AND COMPLIANCE REQUIREMENTS

Due to the location and the nature of the Aak'w Landing development, several code and site-specific requirements apply and are included as part of this traffic impact analysis. This section details the Traffic Impact Analysis (TIA) requirements, Mobility Standards, and Site-specific requirements.

TIA Requirements

In accordance with the City and Borough of Juneau (CBJ) policy, a TIA is required for "... (1) a development projected to generate 500 or more average daily trips (ADT)."

According to CBJ code, if a TIA is prepared it "...must identify and assess the impacts of the proposed development on all affected transportation systems... The study area for the TIA shall be that area in which it is anticipated that the proposed development will increase ADT by five percent or more."² Based on this code requirement, a TIA for this development would analyze traffic operations for intersections along roadways with less than approximately 18,000 ADT.

For this development, these intersections include:

- Egan Drive / W 10th Street
- Egan Drive / Glacier Avenue
- Egan Drive / Whittier Street
- Egan Drive / Willoughby Avenue
- Egan Drive / Main Street

¹ Site Plan provided by Jensen Yorba Wall, March 31, 2023.

² Title 49 CBJ Code Chapter 49.40.305

https://library.municode.com/ak/juneau/codes/code_of_ordinances?nodeId=PTIICOOR_TIT49LAUS_CH49.40PATR

Additionally, since the study area is adjacent to Alaska Department of Transportation and Public Facilities (DOT&PF) transportation facilities, State of Alaska TIA requirements are also applicable. The State of Alaska requires a TIA "If a development is projected to generate more than 100 vehicle trips on a highway during any hour of the day."³ DOT&PF provides a standard TIA checklist which outlines the minimum requirements of a TIA compliant with DOT&PF standards.

Other governing documents include the Highway Capacity Manual (HCM) 2010 (5th Edition) consistent with the DOT&PF Highway Preconstruction Manual (HPCM) and HCM 2000 (4th Edition) for all non-NEMA phased intersections and the driveway Standards Section of the Highway Preconstruction Manual (HPCM).^{4 5,6,7}

Mobility Standards

The Alaska Administrative Code (AAC)⁸ establishes a vehicle and pedestrian minimum LOS for the development's construction and design years. These code and policy documents state the following minimum acceptable LOS for the construction and design years:

- LOS C is acceptable if the existing conditions are LOS C or better
- LOS D is acceptable if the existing conditions are LOS D
- If the existing conditions are poorer than LOS D, a lower LOS is acceptable if the operation does not deteriorate more than ten percent (10%) in terms of delay time or any other appropriate measure of effectiveness compared with the background condition (i.e., without the development).

CBJ code establishes minimum standards for acceptable LOS, stating "The minimum acceptable LOS for a roadway segment or intersection within the area affected by the development, on the projected opening date of the development, or full build out of the development, is LOS D".⁹

Driveway Standards

The HPCM states "Where two driveways are provided for one frontage less than 1,000 feet long, the clear distance between driveways should not be less than the minimum distances presented in 1190.5., Control Dimensions. Corner clearances at intersections should also be in accordance with the distance shown in 1190.5." Upon review of the HPCM, the driveway clear zone and corner clearance for this site are not defined given the posted speed on Whittier Street is 20 miles per hour.

³ Section 17 Alaska Administrative Code 10.060, <https://www.akleg.gov/basis/aac.asp#17.10.050>.

⁴ Section 1190 Driveway Standards, Highway Preconstruction Manual, DOT&PF, 2017.

⁵ Alaska Highway Preconstruction Manual, p. 1100-10, Alaska DOT&PF, March 31, 2019.

⁶ HCM 2010: Highway Capacity Manual, 5th Edition, Transportation Research Board, 2015.

⁷ HCM 2010 Calculations are not compatible with non-NEMA phasing plans. Therefore, an older calculation model which does allow non-NEMA phasing is required.

⁸ Section 17 Alaska Administrative Code 10.070, <https://www.akleg.gov/basis/aac.asp#17.10.070>

⁹ Title 49 CBJ Code Chapter 49.40.310

Site Specific Requirements

The CBJ and major cruise lines (Carnival Corp, Disney Cruise Line, NCL, and Royal Caribbean) operating in Juneau ports entered into a Memorandum of Agreement (MOA), in March of 2023, to limit the number of large cruise ships (carrying more than 950 passengers) permitted to dock per day. This MOA limits cruise lines to a maximum of five ships per day calling at or intending to call at Juneau for the 2024 cruise season.¹⁰ This MOA was in response to the 2023 season when there were 34 days with more than five ships at port.¹¹

The MOA was further amended in May 2024 to limit port calls to a maximum of 16,000 passengers Sunday through Friday and 12,000 passengers on Saturday from among all cruise ships calling at or intending to call at Juneau.¹²

Cruise ships without the ability to dock at Port, currently lighter passengers to Marine Park or hot berth with another ship at an existing dock (such as currently occurs at the AJ dock).¹³ Per the 2023 MOA the proposed development will not be increasing the total number of cruise ships allowed to dock in Juneau for a single day. Effective in 2026, the proposed development will not be allowed to increase the number of passengers allowed for a single day. Instead, the proposed development will re-assign a portion of the existing cruise ships and/or passengers from their current destinations to the proposed development site. As a result, no net new additional trips associated with a cruise ship will be added to the transportation system.

Cruise ship passengers and associated traffic are assessed for the proposed development to confirm site specific requirements of the new location, and any added traffic associated with the multi-use development portion of the site.

¹⁰ Memorandum of Agreement between the City & Borough of Juneau and Cruise Lines Docking in Juneau, CBJ, March 16, 2023.

¹¹ Cruise Line Agencies of Alaska Cruise Ship Calendar for 2023, CBJ, February 27, 2023. <https://claalaska.com/wp-content/uploads/2023/02/JNU-Juneau-2023.pdf>

¹² Memorandum of Agreement between the City & Borough of Juneau and Cruise Lines Docking in Juneau, CBJ, May 24, 2024.

¹³Lighter: Use of flat-bottomed barge to transfer goods and passengers from moored ships.

EXISTING CONDITIONS

Existing intersection and study area conditions were assessed prior to inclusion of development traffic to establish a baseline. The following sections describe the existing transportation network, crash history, traffic volumes, and intersection operations.

Transportation Network Description

This section details the existing vehicle and active transportation networks. This summary includes roadway functional classification, posted speed, pedestrian facilities, bicycle facilities, and transit facilities in the study area.

Roadway Network

Table 1 includes the functional classification, posted speed limit, and cross section for the roadways in the study area.

Table 1: Study Area Roadway Characteristics

Roadway	Functional Classification	Posted Speed (mph)	Number of Lanes
Egan Drive	Principal Arterial	35 mph / 20 mph ¹	4 / 3 ²
W 10 th Street	Major Collector	20 mph	2
Whittier Street	Major Collector	20 mph	2
Willoughby Street	Major Collector	20 mph	2
Main Street	Major Collector	20 mph	2
Glacier Avenue	Minor Collector	20 mph	2

¹ Speed is 35 mph from 10th Avenue to Whittier Street and 20 mph from Whittier Street to Main Street.

² Number of lanes reduces from 4 to 3 at Willoughby Avenue.

Intersection Control

The proposed development is located on Lot C1; the majority of development traffic is expected to travel via Egan Drive. The Egan Drive / 10th Street, Egan Drive / Whittier Street, and Egan Drive / Main Street intersections are signalized with protected permitted left-turn phasing. Additionally, the Egan Drive / Main Street intersection operates with pedestrian-only phases for the east and west legs. Figure 1 shows the study area and intersections of interest with their respective traffic control devices.



Figure 1: Study Area Intersections Map

Pedestrian Network

Table 2 includes the sidewalk dimensions in feet, sidewalk surface type, obstructions, and presence of an Americans with Disabilities Act (ADA) accessible curb ramp by roadway in the study area.

Table 2: Study Area Pedestrian Facility Characteristics

Roadway	Sidewalk Dimensions (ft)	Sidewalk Surface	Obstructions	ADA Curb Ramp
Egan Drive	6 (East Side) ¹	Concrete	Lighting and Signal Poles ²	Yes
	6 (West Side) ³	Concrete	Lighting and Signal Poles ⁴	Yes
W 10 th Street	6 (North Side) ⁵	Concrete	None	Yes
	6 (South Side) ⁶	Concrete	None	Yes
Whittier Street	6 (North Side) ⁷	Concrete	None	Yes
	6 (South Side)	Concrete	None	Yes
Willoughby Street	5 (North Side)	Concrete	None	Yes
	6 (South Side)	Concrete	None	Yes
Main Street	6 (North Side)	Concrete Pavers	None	Yes
	7 (South Side)	Concrete Pavers	Lighting Pole ⁸	Yes
Glacier Avenue	6 (North and South Side)	Concrete	None	Yes

¹ RRFB located at the Egan Drive / Glacier Avenue intersection.

² Poles located in front of the Downtown Transit Center.

³ Narrows to 3-foot section at the Egan Drive / Main Street intersection in front of The Hangar on the Wharf.

⁴ Poles located in front of The Hangar on the Wharf.

⁵ Sidewalk does not continue across the Douglas Island bridge.

⁶ Use of the sidewalk is shared between pedestrians and bicyclists.

⁷ Gaps in sidewalk in front of the Alaska State Museum and adjacent to the proposed development.

⁸ Lighting pole in the center of the sidewalk at Main Street / 2nd Street intersection.

Bicycle Network

Table 3 provides a summary of the bicycle facilities available on the study area roadways including the bike lane width, location, and indicates shared use with vehicles.

Table 3: Study Area Bicycle Facility Characteristics

Roadway	Bicycle Lane Width (ft)	Side of Roadway	Shared Use
Egan Drive	5	East	Yes ¹
	5	West	Yes ¹
W 10 th Street	—	North	—
	5	South	Yes ²
Whittier Street	—	—	—
Willoughby Street	—	—	—
Main Street	—	—	—
Glacier Avenue	—	—	—

¹ Dedicated bicycle lane between 10th Street and Main Street. South of Main Street traffic is notified of shared roadway use through “sharrow” pavement striping.

² Dedicated bicycle lane between Egan Drive and F Street. Use of the sidewalk is shared between pedestrians and bicyclists across the Juneau Douglas bridge.

Transit Network

Capital Transit operates a circular transit service in Juneau with six routes, some of which travel the frontage of the proposed development. The Capital Transit routes include the Douglas, Counterclockwise Mendenhall Loop, Clockwise Mendenhall Loop, Egan Express, Lemon Creek Commuter, and Downtown/Valley Express routes. The nearest stop location to the development is on Whittier Street in front of the State Library. Transit vehicles circulate each route once every hour between 6:00 AM. and 11:00 PM all days of the week.¹⁴

Crash History

Both Tables 4 and 5 include crash history for the study intersections for the seven most recent years of available crash data (January 1, 2015, to December 31, 2021).¹⁵ The Egan Drive and Whittier Street intersection experienced six crashes over this seven-year period.

Table 4 focuses on the crash rate at each study intersection, compared to the statewide crash rate, based on intersection traffic control and number of approaches. The statewide intersection averages are based on data from 2008 to 2012 and represent the most recent data available.¹⁶ All of the intersections identified have crash rates that are below the statewide average for intersection types. Table 5 includes the breakdown of crashes by crash type at the intersections.

¹⁴ Juneau Capital Transit, Accessed September 2024. <https://juneaucapitaltransit.org/>

¹⁵ Crash data provided by DOT&PF, April 3, 2023.

¹⁶ Alaska Highway Safety Improvement Program Handbook, Alaska DOT&PF, January 2017.

Table 4: Total Crashes and Crash Rate by Intersection (2015 – 2021)

Intersection	Crash Rate ¹		Crash Severity			Total Crashes
	Intersection	Statewide Average	Fatal	Injury	PDO ²	
Egan Drive & Willoughby Street	0	—	0	0	0	0
Willoughby Avenue & Whittier Street	0	0.52	0	0	0	0
Egan Drive & Whittier Street	0.15	1.57	0	2	4	6
Egan Drive & Glacier Avenue	0.06	—	0	1	1	2
Egan Drive & W 10 th Street	0.63	1.57	0	7	21	28

¹ Crash rate for intersections = Crashes per million entering vehicles (MEV).

² PDO = Property Damage Only

Table 5: Crash Type by Intersection (2015 – 2021)

Intersection	Angle	Single Vehicle Run-off	Rear End	Sideswipe	Bicycle	Motorcycle
Egan Drive & Willoughby Avenue	0	0	0	0	0	0
Willoughby Avenue & Whittier Street	0	0	0	0	0	0
Egan Drive & Whittier Street	2	0	4	0	0	0
Egan Drive & Glacier Avenue	0	0	1	0	1	0
Egan Drive & W 10 th Street	12	1	12	2	0	1

Existing Traffic Volumes

The study team collected existing traffic volumes on Tuesday, March 21, 2023. The data was collected at the six existing study intersections using 16-hour turning movement counts (6:00 AM to 10:00 PM). In addition, traffic volume and speed count over 24-hours were collected on Egan Drive. The AM peak hour of traffic was identified as 7:30 – 8:30 AM, while the PM peak hour was identified as 4:00 – 5:00 PM.

A seasonal adjustment factor (SAF) of 1.12 was applied to the traffic count data to represent typical traffic conditions. The SAF was calculated using data from the nearby DOT&PF permanent count station located on Egan Drive, northwest of Glacier Highway Access Road.¹⁷ Figure 2 shows the seasonally adjusted existing AM and PM peak hour turning movement volumes at the study intersections.

¹⁷ Data from DOT&PF CCS 16070806 (Juneau – Egan @ 3 mile), <https://alaskatraficdata.drakewell.com>

MEMORANDUM

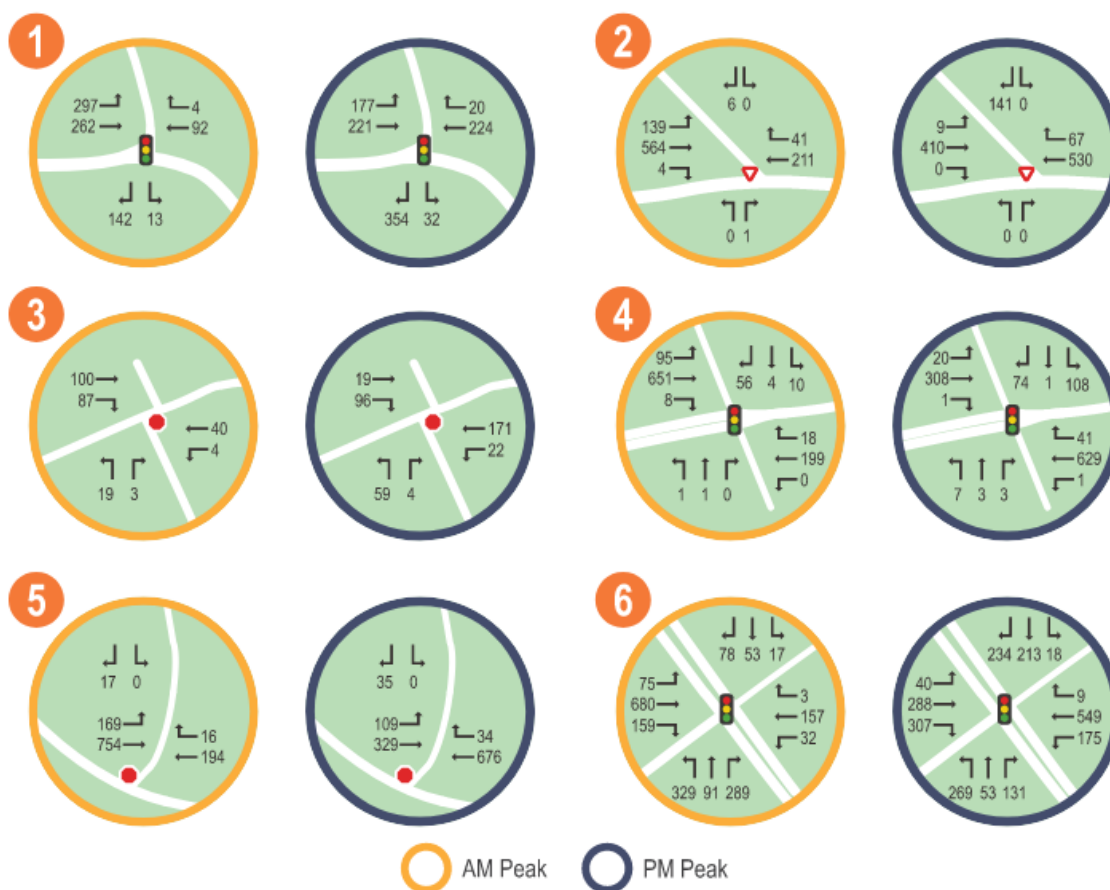


Figure 2: Existing AM and PM Peak Hour Traffic Volumes

Existing (2023) Operations Analysis

Operations of the existing transportation system were evaluated using HCM 5th Edition and 2000 delay methodologies. Intersection operations analysis includes evaluation of both vehicle and pedestrian traffic. All signalized intersections were modeled using timing reports provided by DOT&PF.¹⁸

Intersection Operations

Table 6 includes the existing delay and LOS at the study intersections (reported using the 5th Edition and 2000 HCM delay methodology). Overall intersection delay is reported at the signalized intersections, while delay is only reported for the critical movements (or highest delay approach) at stop-controlled intersections. No intersections within the study area currently operate worse than LOS C with existing signal timing and turn movement configuration during the AM or PM peak hour.

Table 6: Existing Conditions Traffic Operations

Intersection	AM Peak Hour ^{2,3}			PM Peak Hour ^{2,3}		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street ¹	A	8	—	B	11	—
Egan Drive & Whittier Street	A	7	—	B	19	—
Egan Drive & 10th Street	C	27	—	C	31	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	10	NB	A/B	12	NB
Egan Drive & Glacier Avenue	A/A	9	SBR	B/B	12	SBR

¹ Non-NEMA intersection phasing.

² LOS for unsignalized intersection shown as worst LOS for the Major/Minor approaches.

³ Critical Movement listed for unsignalized intersections.

Pedestrian Operations

Table 7 includes the LOS at the study area intersections for pedestrians (reported using the 5th Edition HCM delay methodology). All study area intersections perform at LOS D or better during the AM and PM peak hour.

Table 7: Existing Conditions Pedestrian Operations

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Approach Delay ¹	X-Walk Score ²	LOS	Approach Delay ¹	X-Walk Score ²
Egan Drive & Main Street	B	—	2.6	B	—	2.5
Egan Drive & Whittier Street	B	—	2.6	B	—	2.6
Egan Drive & 10 th Street	C	—	2.9	C	—	2.9
Egan Drive & Willoughby Avenue	C	15.0	—	C	16.2	—
Willoughby Avenue & Whittier Street	A	2.2	—	B	3.9	—
Egan Drive & Glacier Avenue	C	10.0	—	C	14.8	—

¹ Approach delay for two-way stop-controlled intersections only.

² X-Walk Score = Crosswalk LOS Score for signalized intersections only.

¹⁸ Email providing signal timing files, DOT&PF, June 27, 2023.

IMPACT ANALYSIS

In conformance with AAC and CBJ code, trips associated with the proposed development were developed. These trips were then added to the transportation system where vehicle and pedestrian operations analysis was performed. A summary of the trip generation and trip distribution processes as well as operational analysis results are provided in the following sections.

Proposed Development

The proposed development would include an added cruise ship dock (no increase in ship traffic) and an approximately 83,000 square foot mixed-use structure. The following sections outline the trips added to the transportation network associated with the mixed-use structure, designated as net new trips.

Trip Generation

Trip generation rates for the proposed development are based on the data published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual (Trip Generation Manual), 11th Edition*¹⁹ and traffic counts collected by DOWL in August 2024.²⁰ Due to the proximity of the proposed development to Juneau's downtown the August 2024 pedestrian counts are used in this analysis for the identification of mode choice and volume of cruise ship passengers anticipated during the peak hours relative to the size of cruise ship. Of the passengers and crew that disembarked the observed cruise ship, approximately 65 percent traveled off-site via bus, van, or taxi; 30 percent traveled off-site as pedestrians, and the remaining 5 percent remained on the cruise ship. Table 8 models this mode split across a larger ship that would be typical at Aak'w Landing.

Table 8: Cruise Ship Passenger Travel Mode (5,700 Passenger Ship)

Cruise Ship Travel Mode	Daily			AM Peak Hour ²			PM Peak Hour ²		
	Split	Passengers	Person Trips ¹	Enter	Exit	Total	Enter	Exit	Total
Pedestrians	30%	1,710	3,420	8	431	439	741	211	952
Bus/Coach Trips ³	60%	3,420	6,840	0	540	540	301	0	301
Van Trips ⁴	4%	228	456	0	35	35	19	0	19
Taxi Trips ⁵	1%	57	114	0	11	11	6	0	6
Stay Onboard	5%	285	-	-	-	-	-	-	-
Totals	100%	5,700	10,830	8	1,017	1,025	1,067	211	1,278

¹ Number of trips assumes each assigned passenger disembarks and embarks once.

² Peak hour person trips shown in table.

³ Average Bus/Coach occupancy measured 25 occupants per bus/coach.

⁴ No Van Trips noted in observation data. Occupancy estimated at 4 occupants per vehicle, and 4% of total passenger mix.

⁵ Average Taxi occupancy measured 2 occupants per vehicle.

¹⁹ *ITE Trip Generation Manual*, 11th Edition, Institute of Transportation Engineers, September 2021.

²⁰ Celebrity Summit counted by DOWL at Marine Park, August 20, 2024. Multiple camera angles captured total passengers disembarking, passengers walking to off-site locations, and passengers going to motorized tours/taxis.

Table 9 includes the size and type of unit expected at the development by land use code and development phase.²¹

Table 9: Development Land Use Types and Units

Development Phase	Description	ITE Code	Quantity	Units
1	Cruise Ship	-	1	Berth
1	Shopping Plaza (40-150k)	821	32	KSF
1	High-Turnover (Sit-Down Restaurant)	932	11	KSF
2	Shopping Plaza (40-150k)	821	20	KSF
3	Museum	580	20	KSF

This information was used to calculate the expected number of vehicle trips during a typical weekday and the entering and exiting vehicle trips during the AM and PM peak hours as indicated in Table 10. Due to the high number of passengers associated with cruise ships in addition to the planned volume of scheduled vehicle trips, all development trips were converted to their person trip equivalent before conducting an internal trip capture analysis using the *Trip Generation Handbook*.²² For land uses similar to the development site the *Trip Generation Handbook* provides vehicle occupancy rates ranging from 1.13 to 1.69. Given the multiple land uses associated with the development site a conservative vehicle occupancy rate of 1.2 was used to estimate the number of people per vehicle trip. The total number of person trips reflects the number of people this site could expect in a given time period under typical conditions. As shown in Table 10, the site generates a large amount of activity before considering the effect of cruise ship passengers on the site. This affect is further detailed in Table 11 to separate cruise ship vehicle traffic from other site traffic (employees, Juneau residents, etc.).

Table 10: Development Vehicle Trips

Development Phase	Description	Qty.	Daily		AM Peak Hour				PM Peak Hour			
			Rate	Total	Rate	Enter	Exit	Total	Rate	Enter	Exit	Total
1	Cruise Ship ¹	1	—	—	—	—	—	—	—	—	—	—
1	Shopping Plaza (40-150k)	32	94.49	3,024	3.53	57	56	113	9.03	139	150	289
1	High-Turnover (Sit-Down Restaurant)	11	107.2	1,179	9.57	53	52	105	9.05	61	39	100
2	Shopping Plaza (40-150k)	20	94.49	1,890	3.53	36	35	71	9.03	87	94	181
3	Museum	20	0.66	13	0.35	4	3	7	0.18	2	2	4
Total Development Generated Trips			6,106		296				574			
Total Development Person Trips			7,327		355				689			

¹ Trips associated with the cruise ship are detailed in Table 8 and included in Table 11.

²¹ Estimated from concept drawing provided by Jensen Yorba Wall, Concept Drawings Email January 6, 2023.

²² *ITE Trip Generation Handbook*, 3rd Edition, Institute of Transportation Engineers, September 2017.

With guidance from the National Cooperative Highway Research Program (NCHRP) Report 684²³ and the August 2024 cruise ship counts, the total number of site vehicles can be estimated. Table 11 includes the estimated total site vehicle and pedestrian trips entering and exiting the proposed development site during the AM and PM peak hours. The development is expected to add 293 AM peak hour and 341 PM peak hour trips to the roadway network.

Table 11: Peak Hour Development Trips

Vehicle Trip Inventory	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Development Person Trips – All Phases	180	175	355	347	342	689
Cruise Ship Person Trips	8	1,017	1,025	1,067	211	1,278
Less Internal Trip Capture	-46	-46	-92	-163	-163	-326
Person Trips Subtotal - All Phases	142	1,146	1,288	1,251	390	1,641
Less Cruise Ship Passengers (Pedestrians)	-8	-431	-439	-741	-211	-952
Less Cruise Ship Passengers (Motorized)	0	-586	-586	-326	0	-326
Non-Cruise Ship Person Trips	134	129	263	184	179	363
Non-Cruise Ship Vehicle Trips	112	108	220	153	150	303
Cruise Ship Related Motorized Trips ¹	37	37	74	19	19	38
Total External Vehicle Trips	149	145	294	172	169	341

¹ Motorized trips are the sum of all Bus/Coach, Van, and Taxi trips from Table 8 at listed occupancy rates.

Trip Distribution

Trip distribution involves estimating where traffic is coming from and going to when accessing the development. The trip distribution was established based on PM peak hour volumes on Egan Drive and adjusted based on Client provided data and concurrence with DOT&PF staff.²⁴ All modes of development traffic were distributed using the following assumptions for trip origins and destinations:

- 60% to/from Egan Drive to the West
- 30% to/from Egan Drive to the East
- 10% to/from Whittier Street to the North

Future Volumes

Volumes for the future year (2035) were developed based on applying a background growth rate to the existing condition volumes and adding development related traffic as described in the following sections.

Background Growth Rate

The background growth rate is estimated based on data from five permanent count stations in Juneau and the recently approved Juneau Douglas North Crossing PEL Study. Growth rates are shown in Table 12. Juneau, on average, experience a -0.3% per year growth rate on traffic

²³ NCHRP Report 684: *Enhancing Internal Trip Capture Estimation for Mixed-Use Developments*, Transportation Research Board, 2011.

²⁴ Email from DOT&PF staff on May 5, 2023.

volumes since 2013. Similarly low growth rates are currently projected in the DOT&PF adopted Juneau Douglas North Crossing PEL Study at 0.25% per year positive growth. For the purpose of this study, a conservative 0.25% per year compounding growth rate is assumed for future traffic volumes.²⁵

Table 12. Historic and Adopted Growth Rates

Source	AADT		Annual Growth Rate
	2013	2023	
CCS 16070805 – Auke Bay TMAS 000805	2,107	2,380	1.2%
CCS 16170896 – Sunny Pt TMAS 000896	25254	23200	-0.8%
CCS 16070806 – Egan @ 3-mile TMAS 000806	21225	19300	-0.9%
CCS 16070918 – S Douglas Highway TMAS 000918	7967	6980	-1.3%
CCS 16070809 – Mendenhall River Bridge TMAS 160708	4508 ¹	4780	0.5%
Juneau 10-yr Historic Average	-	-	-0.3%
Juneau Douglas North Crossing PEL	-	-	0.25%
Final Aak’w Landing TIA Future Growth Rate	-	-	0.25%

¹ Mendenhall River Bridge CSS not operational in 2013. Data from 2012 used instead.

Future Build Volumes

Figure 3 shows how trips generated by the proposed development are distributed throughout the transportation system at study area intersections by movement during the AM and PM peak hour.

As noted in the site-specific requirements, for compliance with the 2023 MOA the proposed development will not be increasing the total number of cruise ships allowed to dock in Juneau for a single day. Effective in 2026, the proposed development will not be allowed to increase the number of passengers allowed for a single day. Instead, the proposed development will re-assign existing cruise ships and/or passengers from their current destinations to the proposed development site.

Cruise ship motorized trips shown in Table 11 are shown in Figure 3 as diverted link trips instead. This allows these trips to show the additional impact to turning movement at the Egan Drive / Whittier Street intersection and reduced impact to intersections east of Whittier Street.

In addition, the peak hour factor typically increases as volumes increase to reflect congestion creating a homogeneous peak hour. For the purpose of this analysis existing peak hour factors have been carried forward to future years without adjustment. This creates a conservative future year operations projection.

²⁵ A future growth rate of 0.25% was identified in the Juneau Douglas North Crossing PEL Study. Volume to Capacity of the Existing Juneau-Douglas Bridge, DOWL, April 2022.

MEMORANDUM

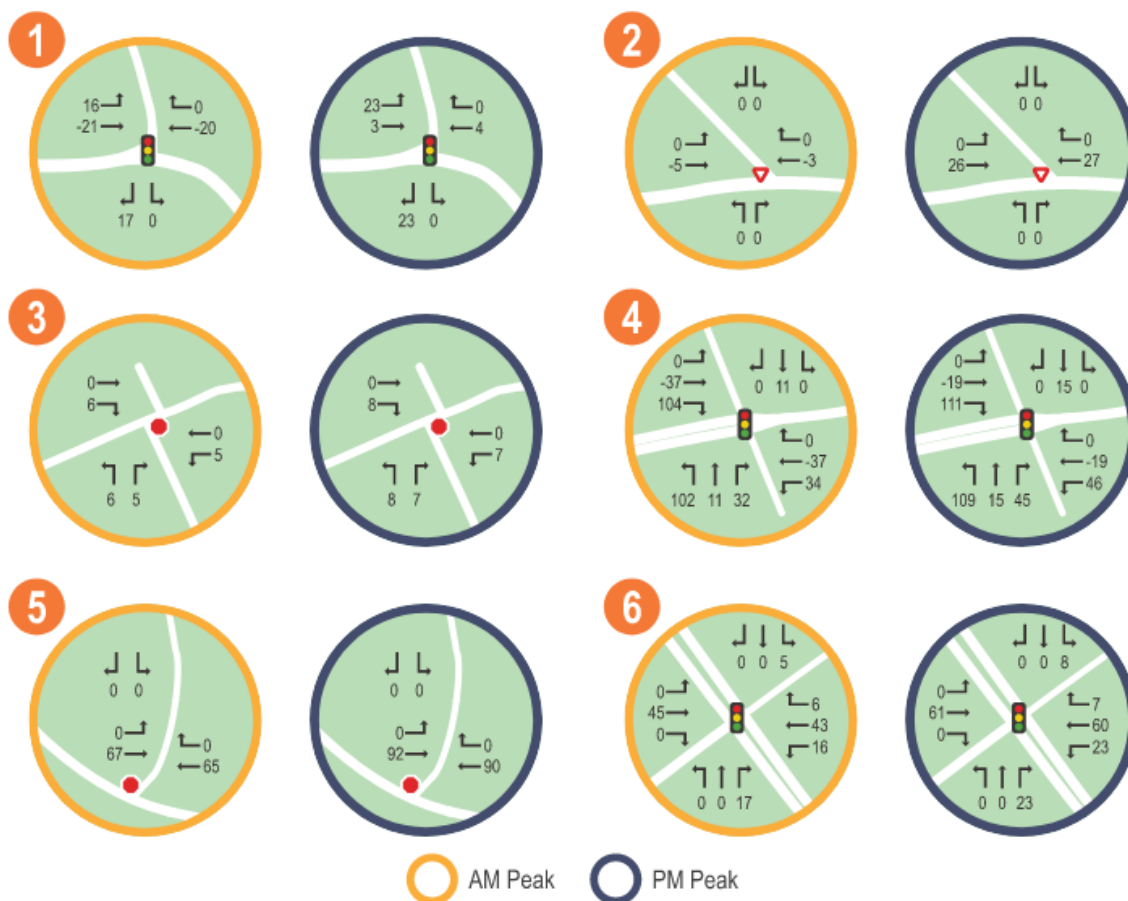


Figure 3: Added Development Traffic Volumes

Future Traffic Operating Conditions

Operations of the study area transportation system were evaluated for the future year 2035 under no-build and build conditions for the AM and PM peak hours. Operational analysis of pedestrian and vehicle traffic uses HCM 5th Edition and 2000 delay methodologies as applicable.

Future Year (2035) No-Build Operations Analysis

Intersection Operations

Figure 4 shows the expected AM and PM peak hour turning movement counts in 2035 without the proposed Aak'w Landing development. Table 13 includes the expected delay and LOS at study intersections in 2035 without the Aak'w Landing development. In this scenario, with existing signal timing and turn movement configuration during the AM and PM peak hour, the Egan Drive / 10th Street intersection continues to degrade and operates at LOS D. All study area intersections operate within an acceptable level for mobility standards.

Table 13: Future Year (2035) No-Build Traffic Operations

Intersection	AM Peak Hour ^{2,3}			PM Peak Hour ^{2,3}		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street ¹	A	8	—	B	11	—
Egan Drive & Whittier Street	A	7	—	C	23	—
Egan Drive & W 10 th Street	C	29	—	C	29	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	11	NB	A/B	12	NB
Egan Drive & Glacier Avenue	A/A	9	SBR	B/B	12	SBR

¹ Non-NEMA intersection phasing.

² LOS for unsignalized intersection shown as worst LOS for the Major/Minor approaches.

³ Critical Movement listed for unsignalized intersections.

Pedestrian Operations

Table 14 includes the expected delay and LOS at study area intersections for pedestrians (reported using the 5th Edition HCM delay methodology) in 2035, without the Aak'w Landing development. As shown in the table, all study area intersections operate at LOS C or better.

Table 14: Future Year (2035) No-Build Pedestrian Operations

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Approach Delay ¹	X-Walk Score ²	LOS	Approach Delay ¹	X-Walk Score ²
Egan Drive & Main Street	C	—	2.8	B	—	2.6
Egan Drive & Whittier Street	C	—	2.8	B	—	2.6
Egan Drive & 10 th Street	C	—	2.8	C	—	3.0
Egan Drive & Willoughby Avenue	C	15.8	—	C	13.2	—
Willoughby Avenue & Whittier Street	A	2.3	—	A	3.3	—
Egan Drive & Glacier Avenue	C	16.4	—	C	12.4	—

¹ Approach delay for two-way stop-controlled intersections only.

² X-Walk Score = Crosswalk LOS Score for signalized intersections only.

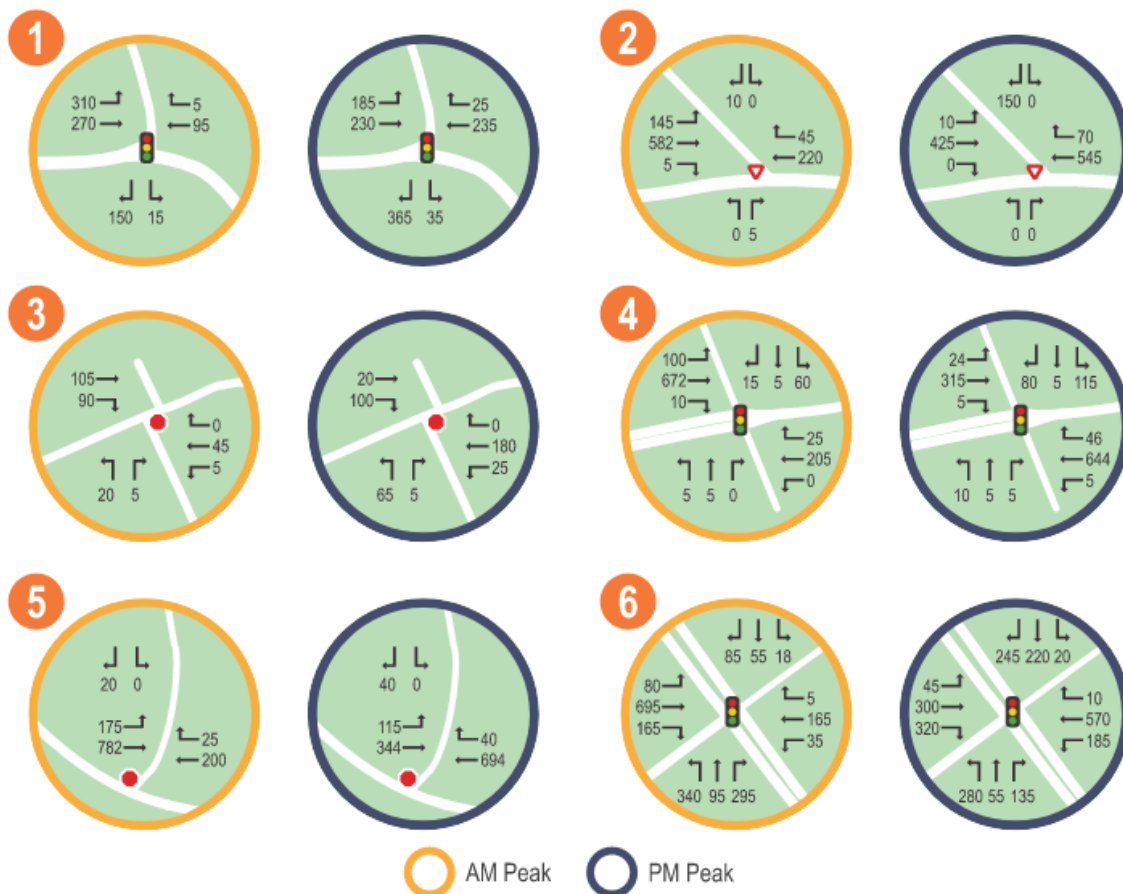


Figure 4: Future 2035 No-Build Traffic Volumes

Queue Length Analysis

Table 15 includes the expected 95th percentile queue at each study intersection approach. As shown, no queue exceeds available storage during the AM and PM peak hours.

Table 15: Future Year (2035) No-Build Queue Lengths

Intersection	NB			SB			EB			WB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Egan Drive & Main Street												
Available Storage				-		140	150	-			-	
AM 95 th Percentile				40		0	120	60			60	
PM 95 th Percentile				40		60	80	80			100	
Egan Drive & Whittier Street												
Available Storage		-	100		-	100	200	-		100	-	
AM 95 th Percentile		20	0		60	40	80	180		0	60	
PM 95 th Percentile		20	20		100	60	40	120		20	160	
Egan Drive & W 10th Street												
Available Storage	350	-		200	-	230	330	-	150		-	150
AM 95 th Percentile	60	80		140	280	0	180	220	140		100	60
PM 95 th Percentile	200	200		60	160	0	160	160	0		200	140
Egan Drive & Willoughby Avenue¹												
Available Storage		-				-	570					
AM 95 th Percentile		20				0	100					
PM 95 th Percentile		0				0	20					
Willoughby Avenue & Whittier Street¹												
Available Storage		-						-			-	
AM 95 th Percentile		40						0			20	
PM 95 th Percentile		60						0			20	
Egan Drive & Glacier Avenue¹												
Available Storage						400	200				-	
AM 95 th Percentile						0	60				0	
PM 95 th Percentile						0	80				0	

¹ Queues provided for stopped movements only.

Future Year (2035) Operations with Development**Intersection Operations**

Figure 5 shows the total traffic expected at study intersections in 2035, with the Aak'w Landing development. Table 16 includes the expected traffic operations at each study intersection under existing signal timing and turn movement configuration conditions. These conditions result in LOS D at the Egan Drive / 10th Street and Egan Drive / Whittier Street intersections during the AM and PM peak hours. All other intersections operate within an acceptable level for mobility standards.

Table 16: 2035 Intersection Operations with Development

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street	A	9	—	B	11	—
Egan Drive & Whittier Street	D	40	—	D	37	—
Egan Drive & W 10 th Street	D	40	—	C	33	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	11	NB	A/B	14	NB
Egan Drive & Glacier Avenue	A/B	11	SBR	B/C	15	SBR

¹ Non-NEMA intersection phasing.

² LOS for unsignalized intersection shown as worst LOS for the Major/Minor approaches.

³ Critical Movement listed for unsignalized intersections.

As required by AAC, mitigation is needed at the Egan Drive / W 10th Street and Egan Drive / Whittier Street intersections due to the identification of unacceptable levels of operation (LOS D or worse).

Pedestrian Operations

Table 17 includes the existing delay and LOS at study area intersections for pedestrians (reported using the 5th Edition HCM delay methodology). Pedestrian delay for the intersection leg expected to experience the most delay is reported. All study area intersections are expected to operate within an acceptable level for mobility standards during the AM or PM peak hours.

Table 17: 2035 Pedestrian Operations with Development

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Approach Delay ¹	X-Walk Score ²	LOS	Approach Delay ¹	X-Walk Score ²
Egan Drive & Main Street	C	—	2.8	B	—	2.2
Egan Drive & Whittier Street	C	—	2.8	C	—	2.8
Egan Drive & 10 th Street	C	—	3.0	C	—	3.0
Egan Drive & Willoughby Avenue	C	15.6	—	C	14.4	—
Willoughby Avenue & Whittier Street	A	2.3	—	A	3.3	—
Egan Drive & Glacier Avenue	C	17.0	—	C	20.0	—

¹ Approach delay for two-way stop-controlled intersections only.

² X-Walk Score = Crosswalk LOS Score for signalized intersections only.



Figure 5: Future 2035 Build Volumes

Queue Length Analysis

Table 18 includes the expected 95th percentile queue at each study intersection approach. As shown, the only queue which exceeds available storage during the AM and PM peak hours is the eastbound left from Egan Drive onto Main Street at the Egan Drive / Main Street intersection.

Table 18: Future Year (2035) with Development Queue Lengths

Intersection	NB			SB			EB			WB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Egan Drive & Main Street												
Available Storage				-		140	150	-			-	
AM 95 th Percentile				40		0	160	100			60	
PM 95 th Percentile				80		120	100	100			120	
Egan Drive & Whittier Street												
Available Storage		-	100		-	100	200	-		100	-	
AM 95 th Percentile		120	40		80	40	100	280		40	80	
PM 95 th Percentile		100	40		100	60	40	200		60	180	
Egan Drive & W 10th Street												
Available Storage	350	-		200	-	230	330	-	150		-	150
AM 95 th Percentile	80	100		160	280	40	220	220	160		100	60
PM 95 th Percentile	200	200		60	160	0	140	160	0		200	140
Egan Drive & Willoughby Avenue¹												
Available Storage		-				-	570					
AM 95 th Percentile		20				0	120					
PM 95 th Percentile		0				0	40					
Willoughby Avenue & Whittier Street¹												
Available Storage		-						-			-	
AM 95 th Percentile		60						20			20	
PM 95 th Percentile		60						20			40	
Egan Drive & Glacier Avenue¹												
Available Storage						400	200					
AM 95 th Percentile						0	60					
PM 95 th Percentile						0	80					

¹ Queues provided for stopped movements only.

Site Circulation Review

In addition to typical engineering analysis considerations, the current site plan (Figure 7) was evaluated for qualitative site circulation considerations that should be taken under advisement prior to finalizing the site plan. The site currently plans two access points on Whittier Street, one in the approximate location of the existing driveway used to access the parcel and a second to the south. No additional access to Egan Drive is proposed with the current site plan.

Site circulation concerns include the following:

- Eastbound turning radius from Egan Drive: Final site plans should confirm design vehicles (busses/coaches) can safely turn from Egan Drive to Whittier Street. The turning radius of the southwest intersection corner should be modified as needed.
- Parking and loading of all commercial vehicles is currently anticipated within the site's parking garage levels. This will allow for minimized conflict between development related traffic and other network traffic.

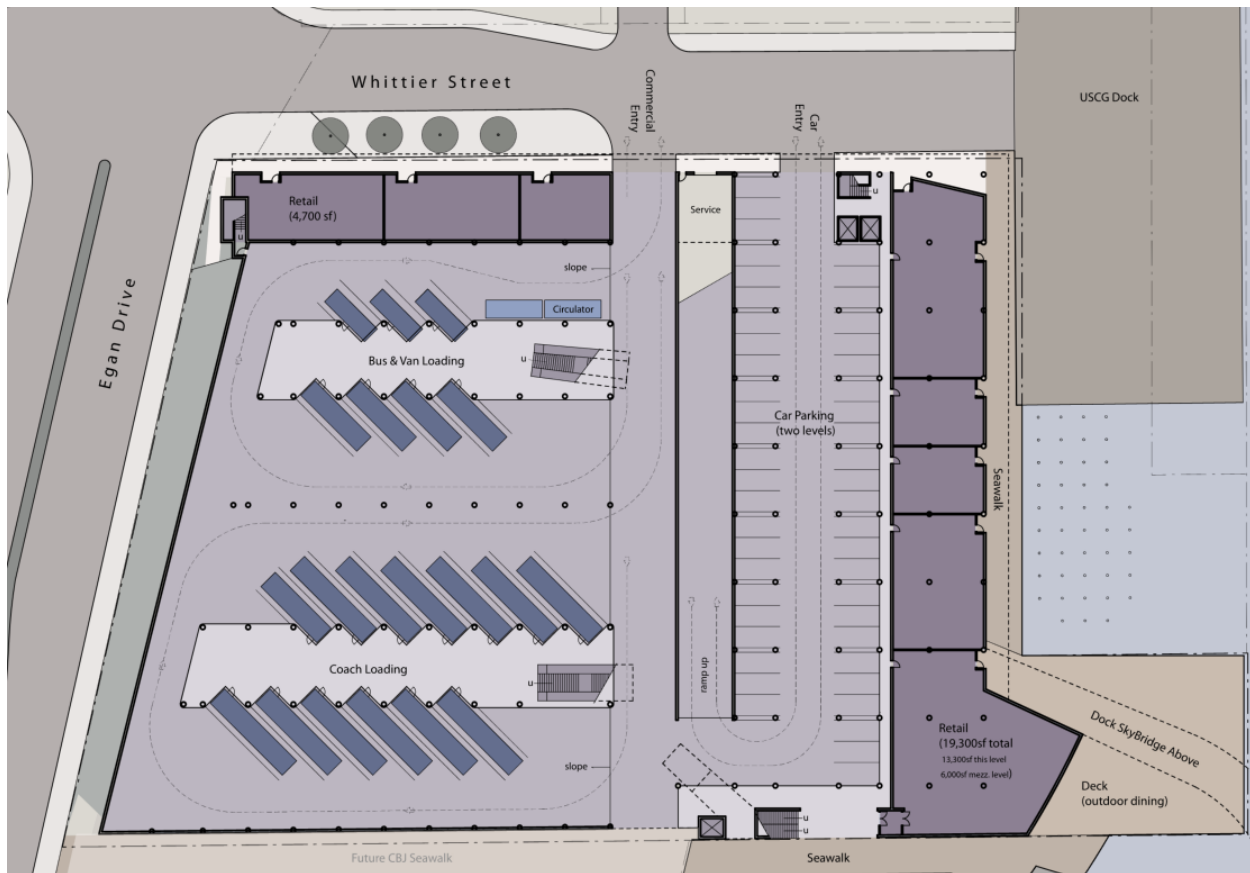


Figure 6: Proposed Site Plan

Mitigation Summary

The following section details any measures which would aid in meeting operational deficiencies (LOS D or worse) due to added traffic associated with the proposed development.

Egan Drive / W 10th Street

Based on the needs identified in the Future Year (2035) with Development, the following improvements to the Egan Drive / W 10th Street intersection are recommended:

- **AM Peak Hour Signal Timing Updates:** Update AM Peak Hour traffic signal timing plan after construction of the Aak'w Landing development based on actual field counts. This traffic analysis indicates a re-optimized green split could resolve the LOS concern. An example green split is provided in the Appendix with results shown in Table 19.
- **Crosswalk Removal:** consider removal of the northern intersection crosswalk which runs concurrent with the W 10th Street signal phase. This would remove the possibility of an extended green split to serve a low-utilization crosswalk. Connectivity of the pedestrian network is maintained through the south crosswalk.

Egan Drive / Whittier Street

Based on the needs identified in the Future Year (2035) with Development, the following improvements to the Egan Drive / Whittier Street intersection are recommended:

- **Traffic Signal Modification:** A modification to the existing traffic signal is recommended to remove the northbound/southbound split phase timing. This modification would require concurrent updates to the intersection striping and laneage to remove the northbound and southbound through-lefts in favor of through-rights. The full extent of the traffic signal modification should be coordinated during design with DOT&PF.
- **Peak Hour Signal Timing Updates:** Update AM and PM Peak Hour traffic signal timing plans after construction of the Aak'w Landing development based on actual field counts. This traffic analysis indicates a re-optimized green split in conjunction with the traffic signal modification will resolve the LOS concern. An example green split is provided in the Appendix with results shown in Table 19.

Table 19 includes the expected traffic operations at each study intersection under the mitigated signal timing and turn movement configurations. As shown, all intersections operate within an acceptable LOS after implementation of the above recommendations.

Table 19: 2035 Intersection Operations with Development (with Mitigation)

Intersection	AM Peak Hour			PM Peak Hour		
	LOS	Delay	Critical Movement	LOS	Delay	Critical Movement
Egan Drive & Main Street	A	9	—	B	11	—
Egan Drive & Whittier Street	B	16	—	B	17	—
Egan Drive & W 10 th Street	C	31	—	C	33	—
Egan Drive & Willoughby Avenue	A/B	14	NB	A/A	9	EBL
Willoughby Avenue & Whittier Street	A/B	11	NB	A/B	14	NB
Egan Drive & Glacier Avenue	A/B	13	SBR	B/C	16	SBR

Table 20 includes the expected 95th percentile queue at each study intersection approach. As shown, the only queues which exceed available storage during the AM and PM peak hours are the eastbound right from W 10th Street onto Egan Drive at the Egan Drive / W 10th Street intersection and the southbound left from Whittier Street onto Egan Drive at the Egan Drive / Whittier Street intersection.

Table 20: Future Year (2035) with Mitigation Queue Lengths

Intersection	NB			SB			EB			WB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Egan Drive & Main Street												
Available Storage				-		140	150	-			-	
AM 95 th Percentile				120		40	140	100			80	
PM 95 th Percentile				60		100	100	100			120	
Egan Drive & Whittier Street												
Available Storage	200	-		90	-		200	-		100	-	
AM 95 th Percentile	120	60		80	40		80	500		60	60	
PM 95 th Percentile	100	60		100	80		40	200		60	160	
Egan Drive & W 10th Street												
Available Storage	350	-		200	-	230	330	-	150		-	150
AM 95 th Percentile	80	100		140	300	60	220	220	160		100	60
PM 95 th Percentile	220	220		60	180	0	140	160	20		240	140
Egan Drive & Willoughby Avenue¹												
Available Storage		-				-	570					
AM 95 th Percentile		20				0	240					
PM 95 th Percentile		0				0	20					
Willoughby Avenue & Whittier Street¹												
Available Storage		-						-			-	
AM 95 th Percentile		40						20			20	
PM 95 th Percentile		60						20			40	
Egan Drive & Glacier Avenue¹												
Available Storage						400	200					
AM 95 th Percentile						0	100					
PM 95 th Percentile						0	100					

¹ Queues provided for stopped movements only.

CONCLUSIONS

The proposed Aak'w Landing development is a three-phase multi-use development opening in Downtown Juneau during the year 2025. The three phases of the development will consist of underground bus and passenger vehicle parking garage with approximately 52,000 square feet of retail space, 11,000 square feet of high-turnover restaurant space, and 20,000 square feet of cultural museum space. Access to the development will be provided via a new driveway at the base level of the parking garage on Whittier Street. The proposed development as currently planned will add approximately 83,000 square feet of multi-use space off Egan Drive, generating 323 trips in the AM and 483 trips in the PM peak hours.

The following is a list site circulation recommendations and mitigations required by the development to meet AAC level of service requirements.

- **Site Circulation**

- Eastbound turning radius from Egan Drive: Final site plans should confirm design vehicles (busses/coaches) can safely turn from Egan Drive to Whittier Street. The turning radius of the southwest intersection corner should be modified as needed.
- Parking and loading of all commercial vehicles is currently anticipated within the site's parking garage levels. This will allow for minimized conflict between development related traffic and other network traffic.

- **Egan Drive / W 10th Street**

- AM Peak Hour Signal Timing Updates: Update AM Peak Hour traffic signal timing plan after construction of the Aak'w Landing development based on actual field counts. This traffic analysis indicates a re-optimized green split could resolve the LOS concern.
- Crosswalk Removal: consider removal of the northern intersection crosswalk which runs concurrent with the W 10th Street signal phase. This would remove the possibility of an extended green split to serve a low-utilization crosswalk. Connectivity of the pedestrian network is maintained through the south crosswalk.

- **Egan Drive / Whittier Street**

- Traffic Signal Modification: A modification to the existing traffic signal is recommended to remove the northbound/southbound split phase timing. This modification would require concurrent updates to the intersection striping and laneage to remove the northbound and southbound through-lefts in favor of through-rights. The full extent of the traffic signal modification should be coordinated during design with DOT&PF.
- Peak Hour Signal Timing Updates: Update AM and PM Peak Hour traffic signal timing plans after construction of the Aak'w Landing development based on actual field counts. This traffic analysis indicates a re-optimized green split in conjunction with the traffic signal modification will resolve the LOS concern. An example green split is provided in the Appendix with results shown in Table 19.



February 16, 2025

Mr. Sean Sjostedt
PND Engineers, Inc.
9360 Glacier Highway, Suite 100
Juneau, AK 99801

Dear Mr. Sjostedt:

The Marine Exchange of Alaska (MXAK) conducted a comprehensive navigational study to assess the potential impacts of the construction of the proposed Huna Totem Dock (HTD) on other maritime operations within the Port of Juneau. The study considered various orientations of the dock extending from shore into the harbor to determine an optimal position for vessels' safe approach and departure, minimizing navigational risks and impacts to other maritime activities within the Port.

To support this analysis, MXAK used data from its Automatic Identification System (AIS) to review maritime traffic patterns within the port area and to identify potential navigational conflicts. Additionally, the study evaluated the routes of float planes operating in port waters in proximity to passenger launches/lifeboats as they transit to and from cruise ships positioned offshore in the anchorage area. MXAK also reviewed environmental data from the NOAA dock adjacent to the Coast Guard facility, and MXAK's weather sensors and tidal current sensors in the Port. The data for wind and current are of importance and these environmental factors can impact the safe operation of large cruise ships within the confined waters of the Port.

1. Overview: The Port of Juneau's maritime operations during the cruise season have expanded dramatically over the past 20 years. More vessels, comprised of very large cruise ships (several over 1,000 feet long) and increased activity with tour-related small passenger vessels, cruise ship shore launches, and floatplanes are now operating in the Port area. The waters available for vessels and aircraft to operate in the port complex have been reduced by the construction of larger docks that extend into Port waters to accommodate larger cruise ships as well as the use of the Port's anchorage area by cruise ships. The planned implementation of limiting five large cruise ships calling on Juneau in a single day, agreed to by the cruise industry and the City and Borough of Juneau, will stabilize or reduce port congestion. In lieu of cruise ships anchoring or positioning offshore, the proposed addition of the HTD to moor cruise ships is designed to enhance safety and efficiency. While docking of vessels will reduce emissions generated by the operation of shore launches and cruise ship generators, this report is focused on evaluating the navigational risks that need to be addressed in approving and for the orientation and building of the proposed HTD.

2. Maritime Safety: Based on AIS data, the most significant positive safety impact of constructing the HTD will be the reduction in the risk of a serious maritime incident between a floatplane and a vessel. This risk arises when a large cruise ship anchors or positions itself offshore and utilizes the vessel's shore launches and lifeboats to transfer passengers to and from the port.

When not moored to a dock, cruise ships' slow-moving lifeboats have been employed to transport thousands of passengers between vessels and shore. The cruise ships and their lifeboats navigate within the same confined waters where numerous floatplanes operate for passenger pickup and drop off near the Wharf area. Float planes are restricted in their ability to maneuver during high-speed takeoff and landing sequences. The risk of collision involving a floatplane and a cruise ship's lifeboat is elevated as their routes normally intersect at right angles to each other. Additionally, large cruise ships positioned offshore present blind spots that prevent floatplane pilots and lifeboat operators from seeing each other until lifeboats are clear of the cruise ship and likely in the float plane's path.

MXAK's data on this activity is limited as not all lifeboats, and no aircraft, are equipped with AIS. However, data generated from AIS equipped lifeboats and shore launches show thousands of transits in this area. Figure (7) is photo of a float plane and vessel collision in Vancouver, BC, in 2024. It shows accidents between float planes and boats have happened elsewhere.

The objective of Huna Totem's plans to construct an additional dock in Juneau is to provide all large cruise ships a mooring berth in lieu anchoring or dynamic positioning. This will eliminate both the need to transport passengers and crew to and from the Port with their boats and the risk of a float plane colliding with a cruise ship lifeboat or shore launch.

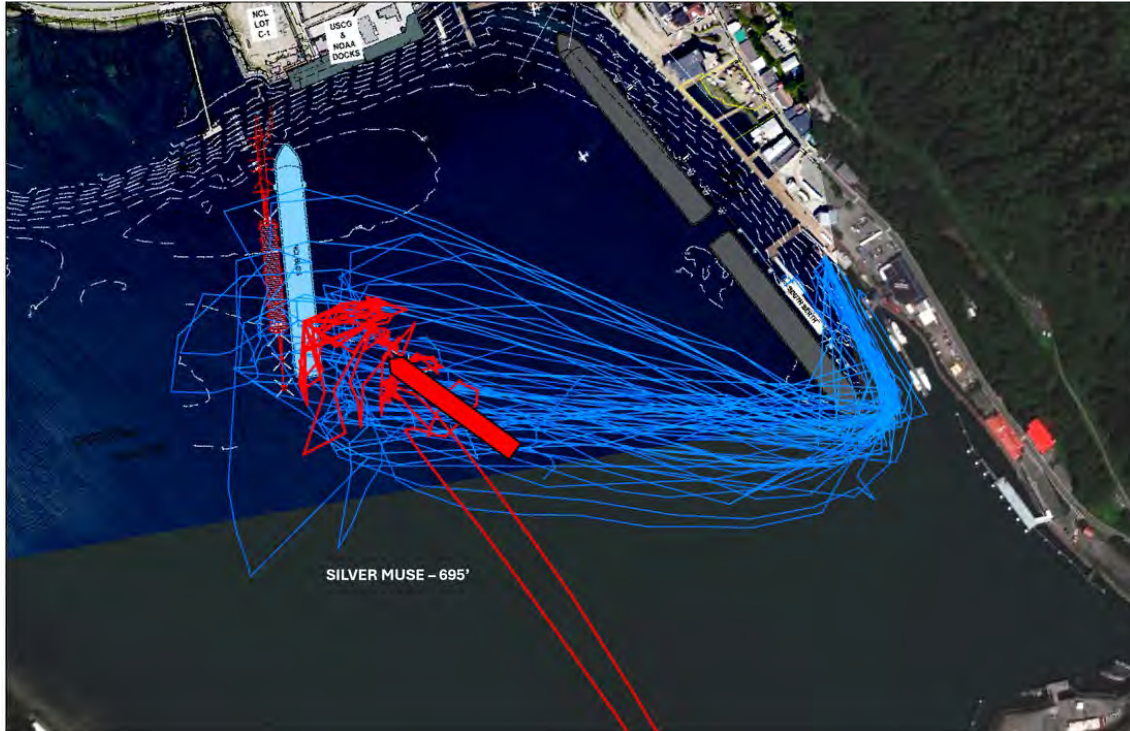


Figure (1). The 695-foot cruise ship SILVER MUSE is a smaller cruise ship with a capacity of 596 passengers. The solid red ship icon is based on the dimensions of the ship. The red lines are generated from the AIS/GPS location that is normally at the bridge of the vessel and show how the ship movements due to wind and currents. The transits of the vessel's shore launches (blue) show their routes when transporting passengers and crew to and from shore. Larger cruise ships have nearly 10 times as many passengers and transits to shore.



Figure (2). The track of a float plane to the Wharf that intersects with the lifeboat and shore launch with passengers and crew transits to and from shore.

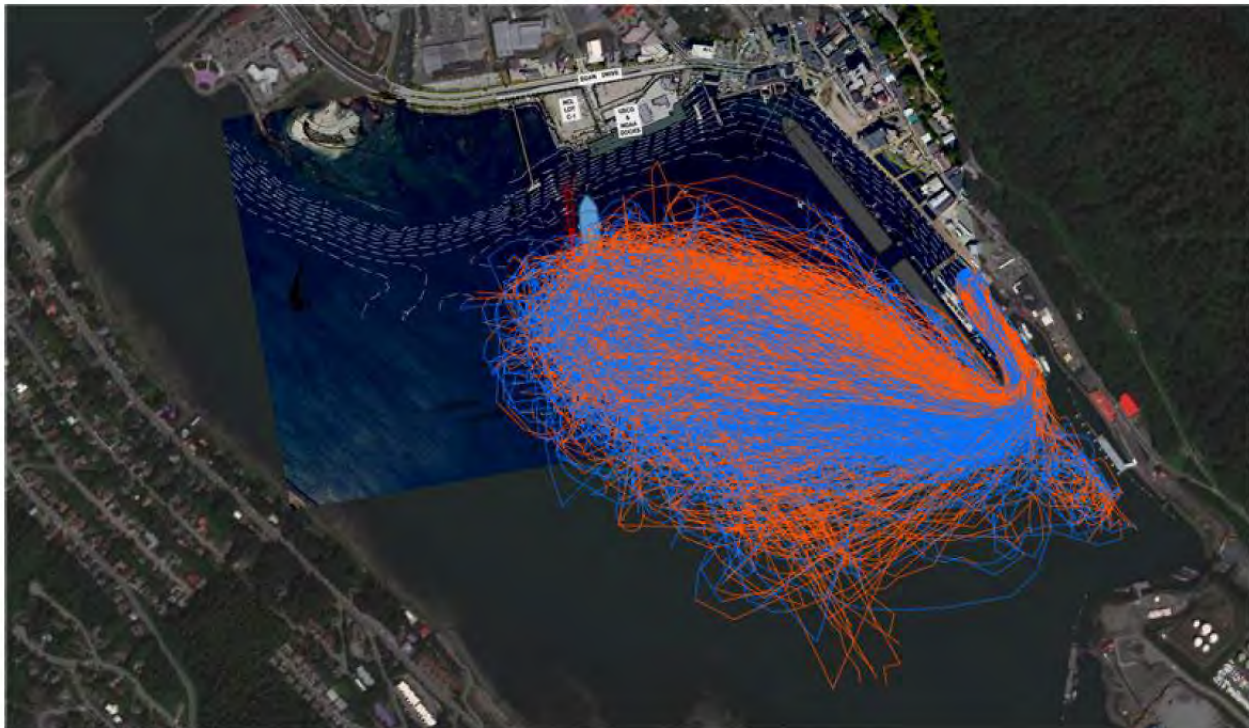


Figure (3). Cruise ship lifeboat transits, 900 eastbound (blue) and 900 westbound (orange), to and from port with passengers and crew in 2024. Transits cross the path of floatplanes landing and taking off.



Figure (4). A floatplane landing on its return to the Wharf behind a cruise ship positioned off the Coast Guard station.



Figure (5). Open water navigation is reduced when large cruise ships are anchored. Floatplanes arriving and departing to the Wharf area take off and land in the waters between the vessel in anchorage and the Port of Juneau's docks. Three shore launches/lifeboats are shown at the starboard side of the cruise ship.



Figure (6). A floatplane on final approach between a cruise ship at AJ dock, and a fishing boat. Photo captured from a sailboat operating in the area.



Figure (7). In August 2024, a floatplane taking off collided with a pleasure craft in Vancouver, BC, resulting in extensive damage and serious injuries.

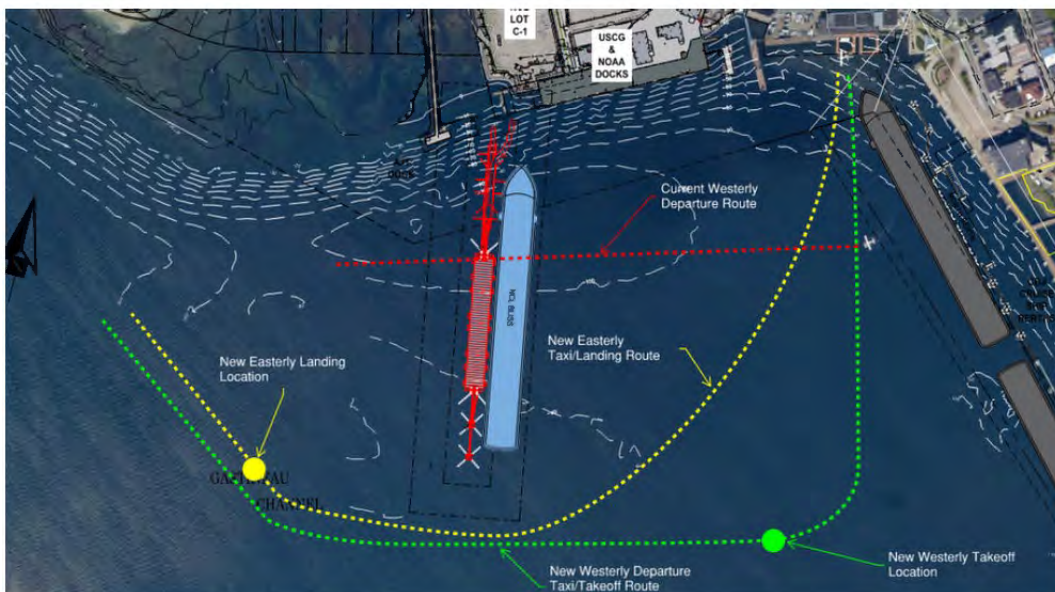


Figure (8). Proposed HTD dock and approximate new floatplane takeoff and landing routes. Graphic provided by Wings Airways.

3. Proposed Dock's Impact on Navigation of Cruise Ships: The substantial maritime activity in the Port during the cruise season presents navigational challenges to all vessels. Floatplanes that are not displayed on these graphics are also affected by vessels transiting, anchoring or operating in the port area. The current practice of accommodating all large cruise ships by anchoring or positioning a large cruise ship offshore, due to the lack of docks, interferes with other cruise ships' transits to and from a berth as this reduces the sea room available for other vessels to maneuver. The following graphics show the cumulative transits of cruise ships in the Port during the month of July 2024 as well as the transits of all vessels during that month.

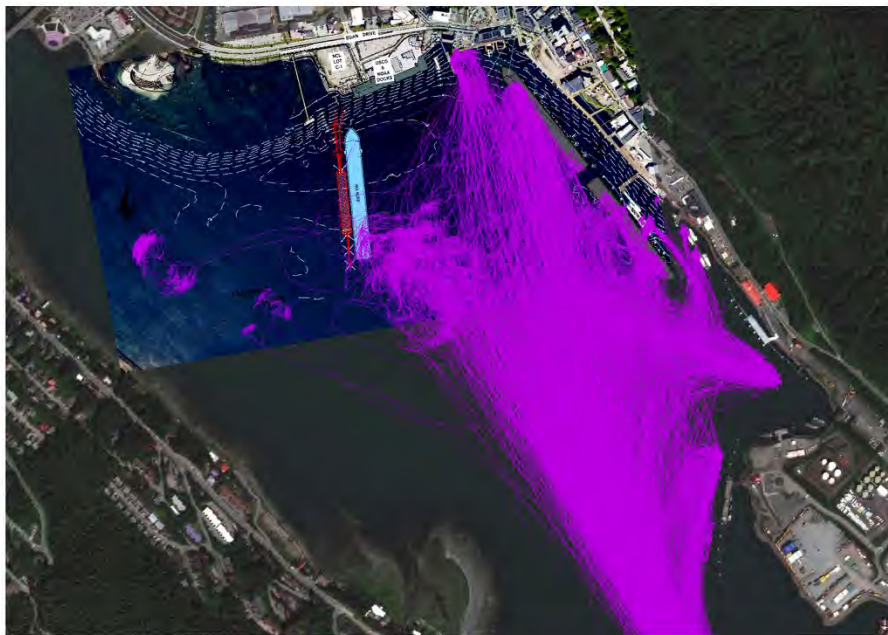


Figure (9). AIS tracks of all cruise ships operating in the port of Juneau during the July 2024 cruise season with the proposed HTD overlaid.

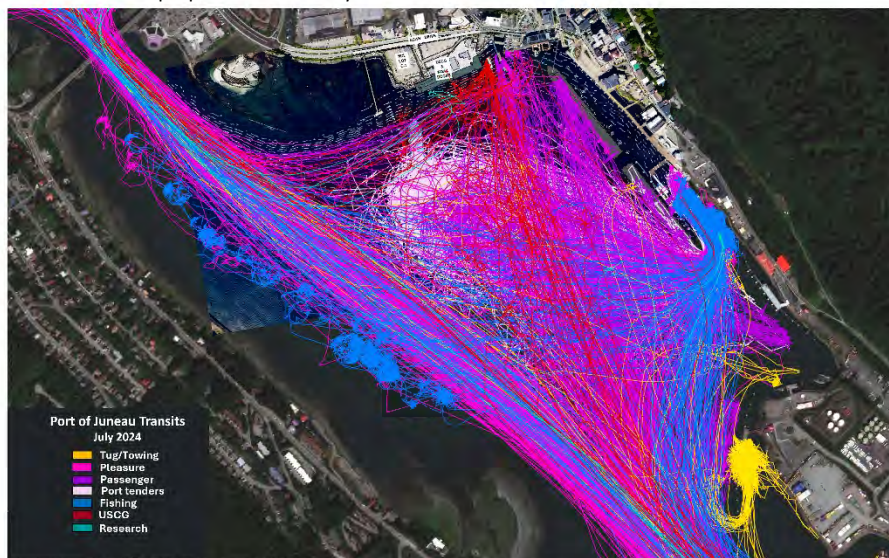


Figure (10). All AIS equipped vessels operating in the port of Juneau during the July 2024 cruise season with the proposed HTD overlaid.

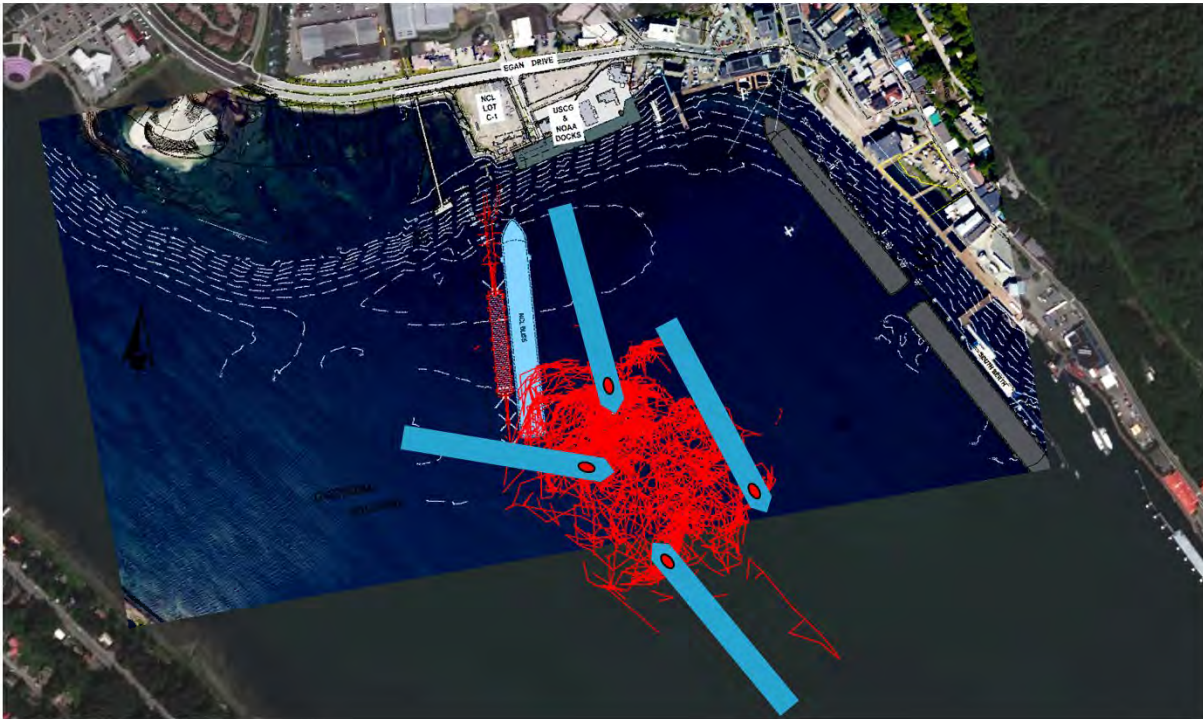


Figure (11). Positions of cruise ships stationed offshore with the proposed HTD overlayed. These cruise ships were positioned offshore 58 days of the 2024 cruise season. Ship icons represent entire vessels' profiles based on their dimensions and headings provided by AIS. The red dots indicate the location of the GPS/AIS antenna from which the entire vessel profiles are developed and graphically presented, which highlight that AIS tracks don't show the entire footprint of the vessel, only the bridge position.

The impact of vessels at anchor on the maneuvering of large cruise ships to and from berth is shown by the AIS generated graphics below. With the lack of tugs, the maneuvers to and from berth were done solely with the vessels' propellers and bow and stern thrusters. While anchored vessels and the proposed HTD both reduce open water for vessels to navigate, pilots and vessel captains have demonstrated they are able to do so without incident. However, when high winds and or currents are encountered, large cruise ships' maneuverability is affected and more sea room is needed to adjust to the elements. At times environmental factors increase the risk of operations to the point a Juneau arrival is cancelled, much like is done by Alaska Airlines.

It is evident that the proposed HTD will provide more open water for cruise ships to navigate to other facilities. Included are several figures that demonstrate how cruise ships navigated to and from docks when a ship was positioned offshore.

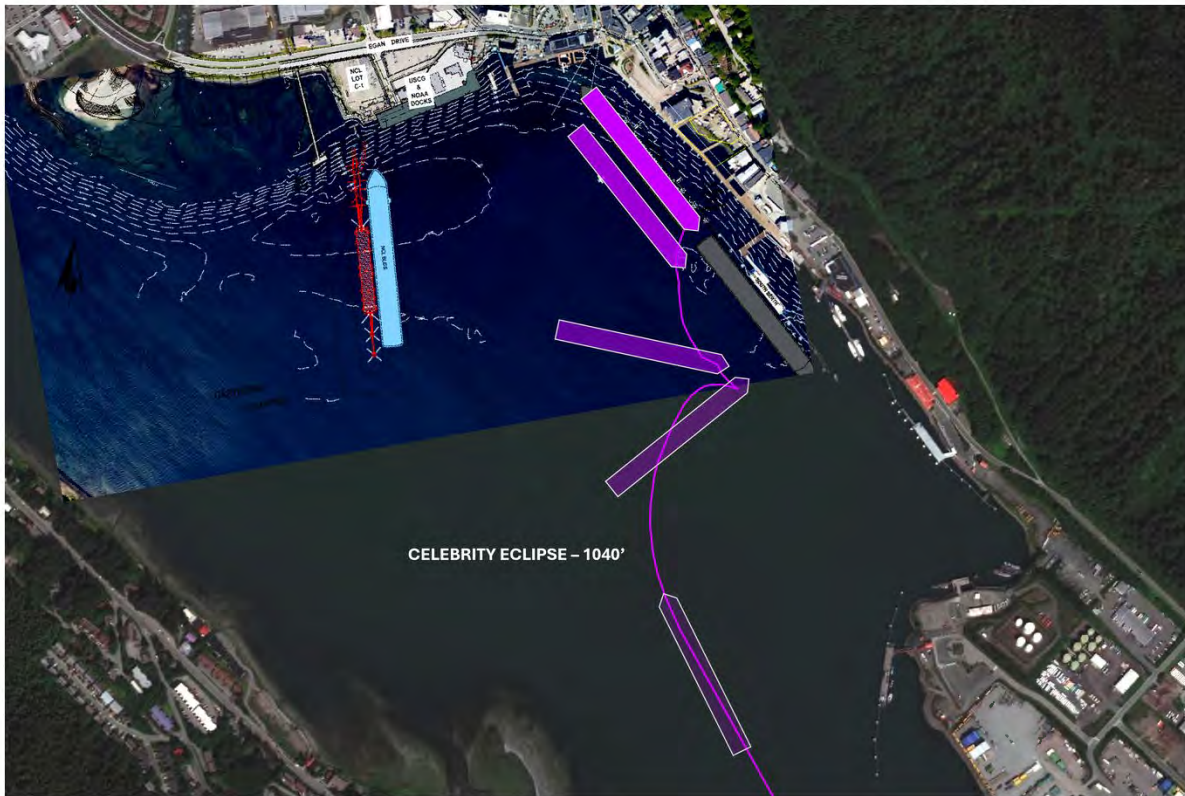


Figure (12). A maneuver by the 1,040-foot CELEBRITY ECLIPSE backing into the Port of Juneau's North Dock. The proposed HTD was superimposed to determine if the dock would interfere with the vessel's maneuver.

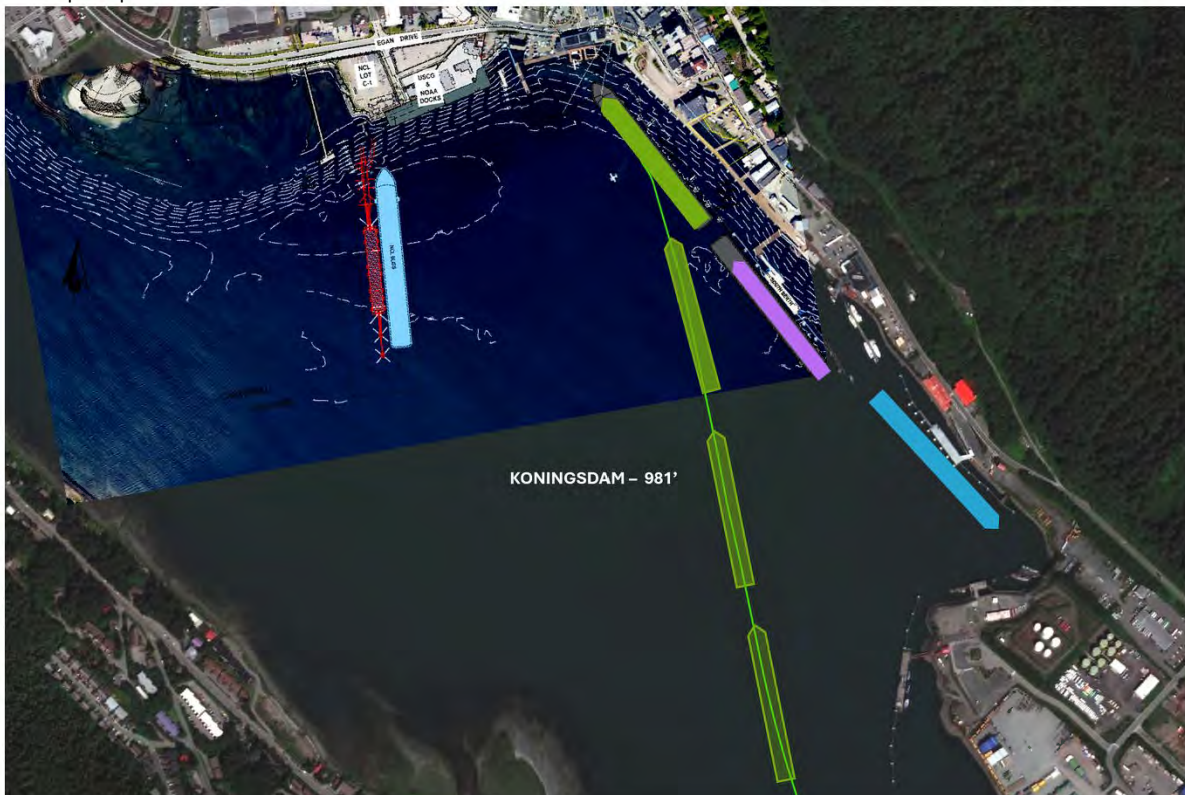


Figure (13). KONINGS DAM's approach to Port of Juneau's North Dock with overlay of the proposed HTD.

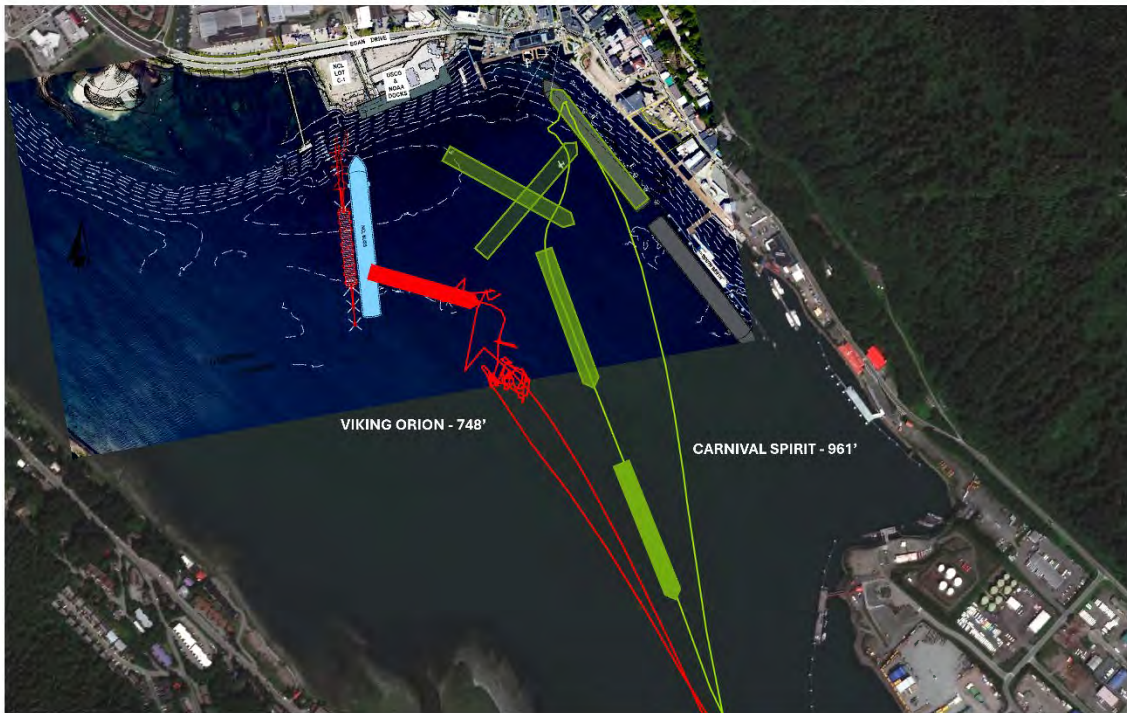


Figure (14). CARNIVAL SPIRIT departure from Port of Juneau, North Dock with VIKING ORION at anchor with overlay of the proposed HTD.

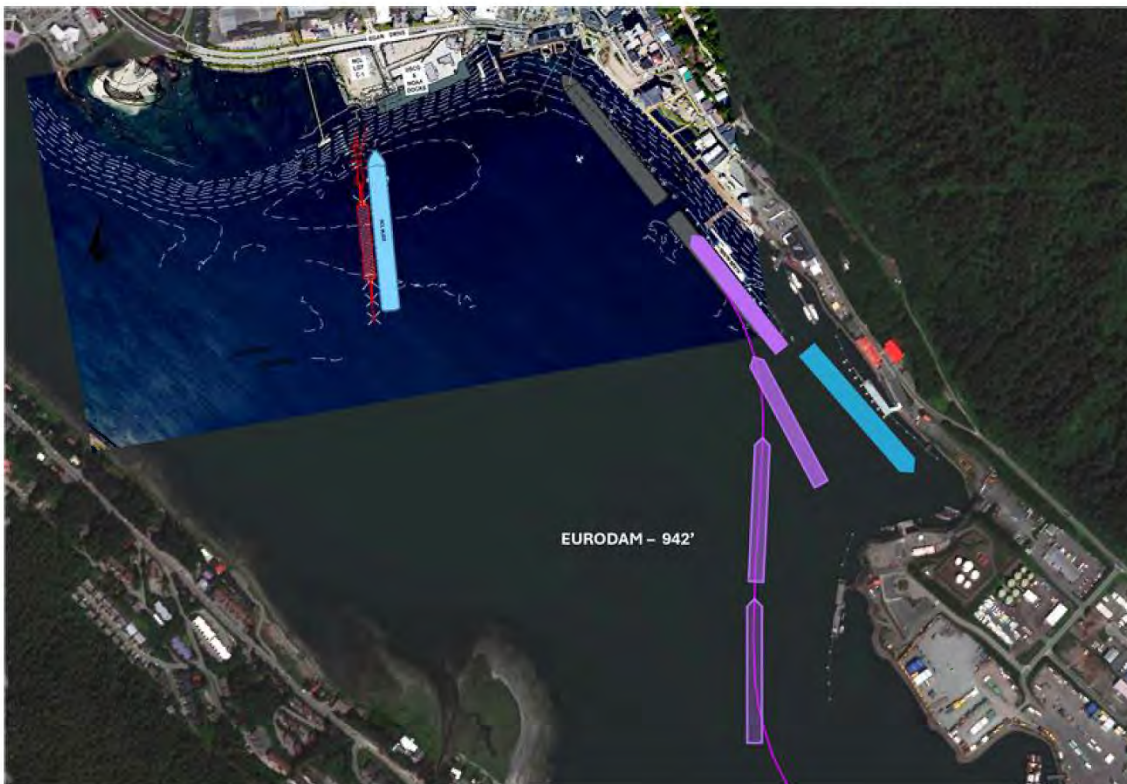


Figure (15). EURODAM arrival to Port of Juneau's South Dock with overlay of the proposed HTD.

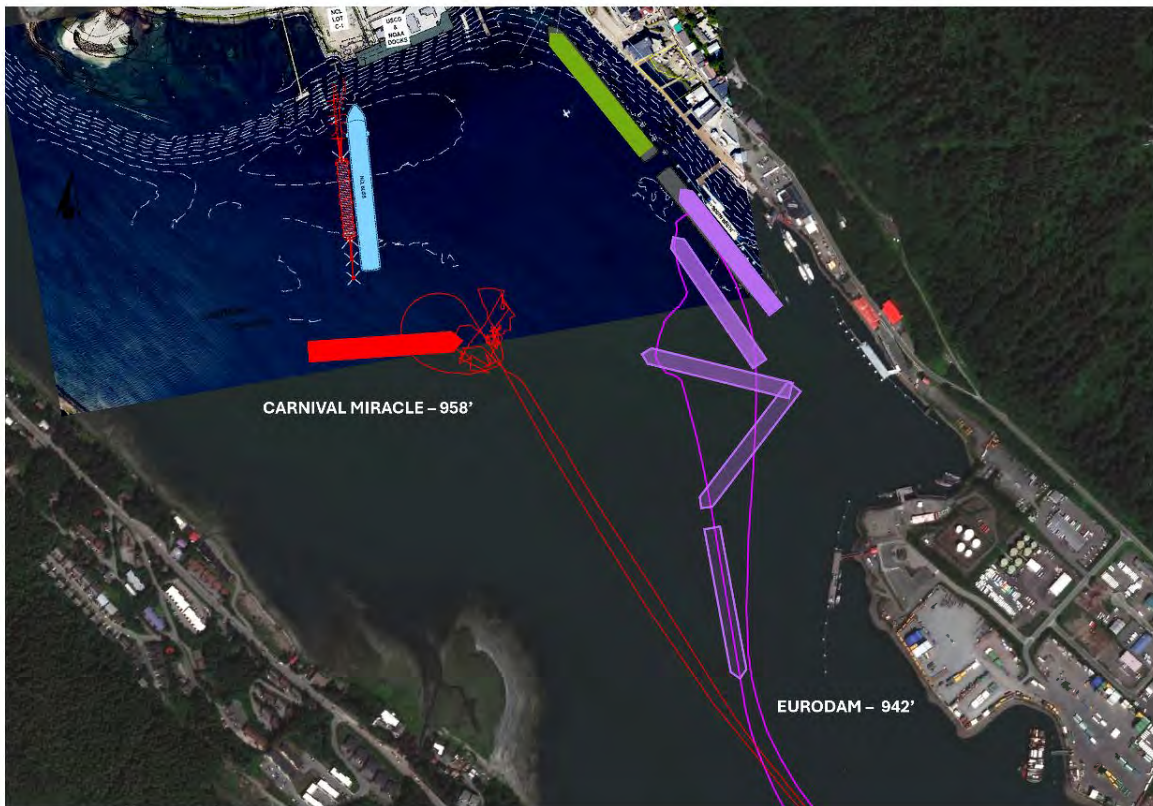


Figure (16). EURODAM departure from the South Dock with CARNIVAL MIRACLE at anchor with overlay of the proposed HTD.

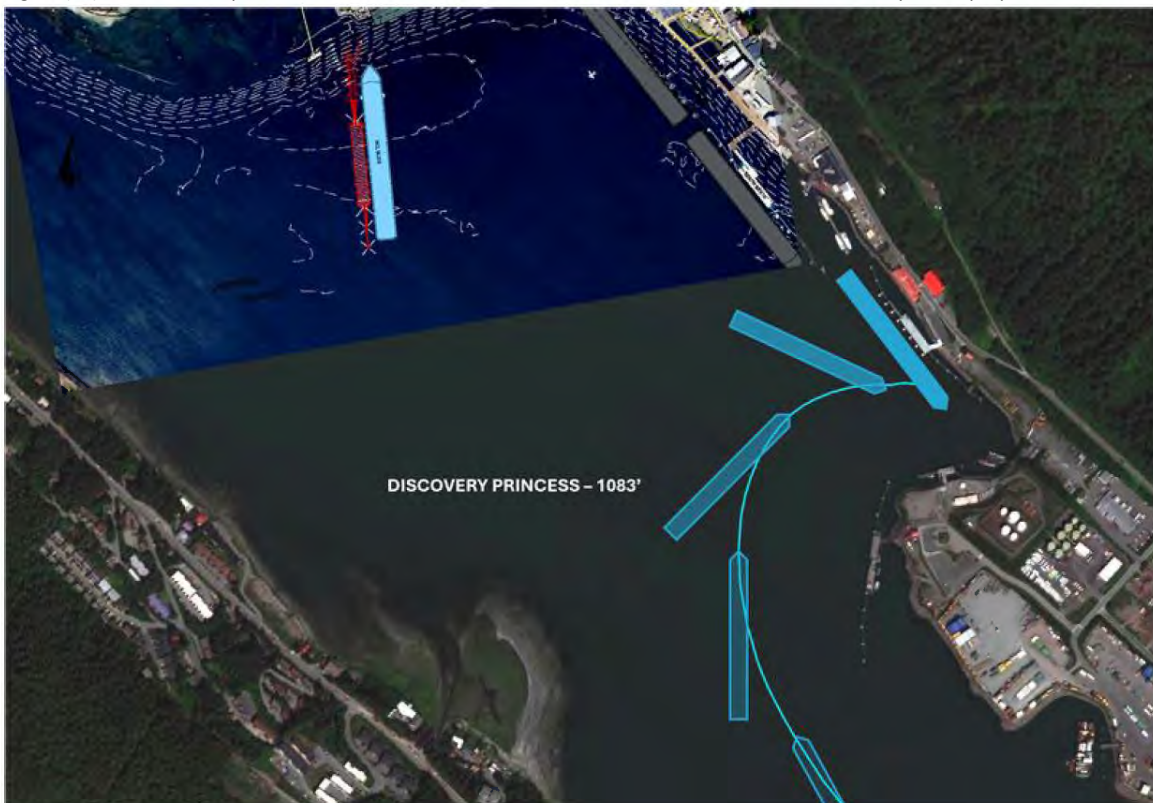


Figure (17). DISCOVERY PRINCESS arrival to Franklin Dock with overlay of the proposed HTD.

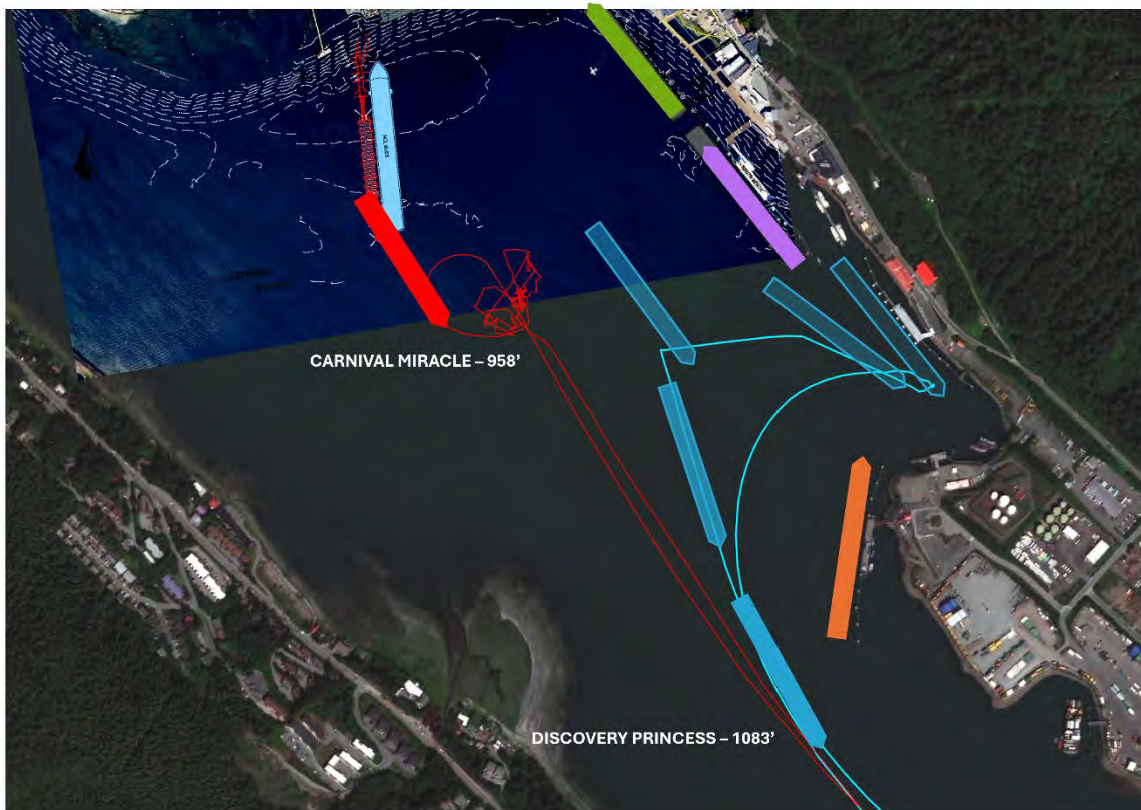


Figure (18). DISCOVERY PRINCESS departure from Franklin Dock with CARNIVAL MIRACLE at anchor, with 3 other cruise ships at berth, and an overlay of the proposed HTD.

4. Proposed Dock's Impact on Navigation of Other Vessels: A wide range of vessels other than cruise ships operate in the Port of Juneau. Some of the routes they take when transiting or operating in the Port will be impacted by the proposed HTD. In most cases these vessels would not need to adjust their routes to avoid the proposed HTD. However, these same vessels often need to maneuver to avoid colliding with anchored cruise ships, other vessels, and floatplanes. Large vessels at anchor cause blind spots that prevent a vessel underway behind the ship from sighting an approaching float plane. The blind spot also prevents a float plane pilot from seeing a vessel on a course that will intersect with the float plane's landing path early enough to adjust course or abort a landing. The following figures show the 2024 cruise season historical tracks of various types of boats equipped with an AIS transponder and how the proposed dock would require some vessels to change the routes they have previously taken to avoid impacting the dock and/or any vessel moored to it.

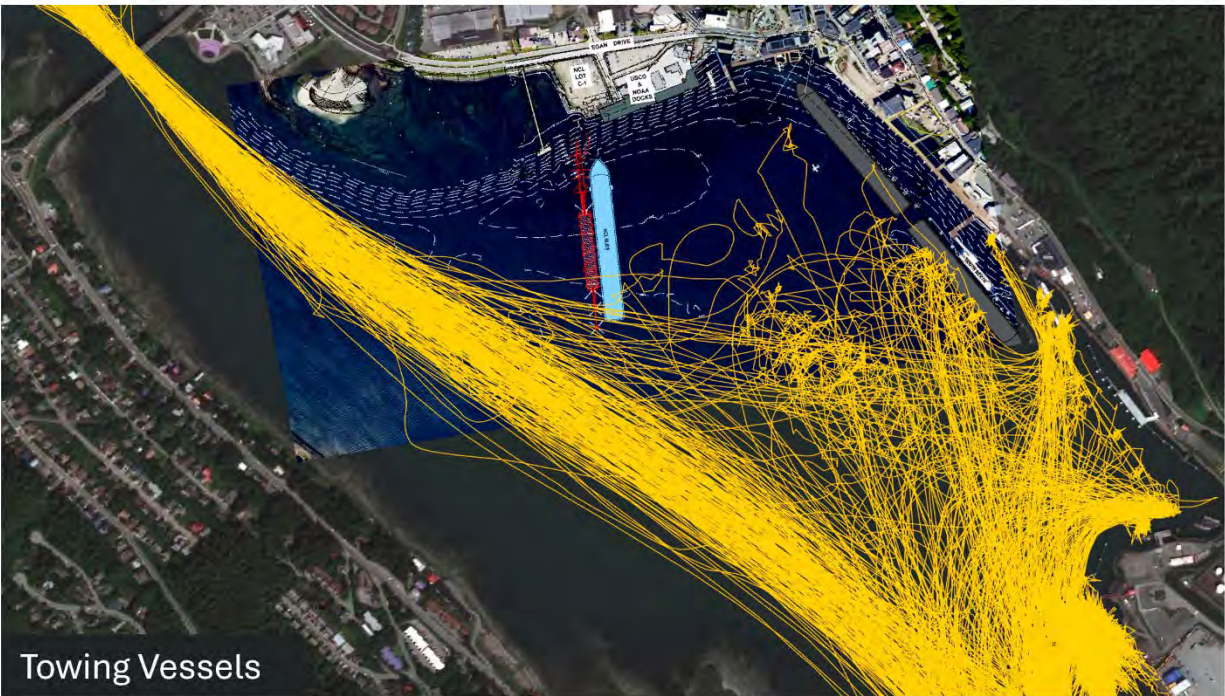


Figure (19). Tug routes when operating in the port when towing an oil barge to deliver fuel to Petro Marine Services, taking on fuel at the Petro Marine Dock, or while towing barges to and from facilities north of the Juneau Douglas Bridge, i.e. Samson Tug and Barge and Channel Construction. The graphic shows this traffic would not be substantially impacted. The proposed HTD is overlaid.

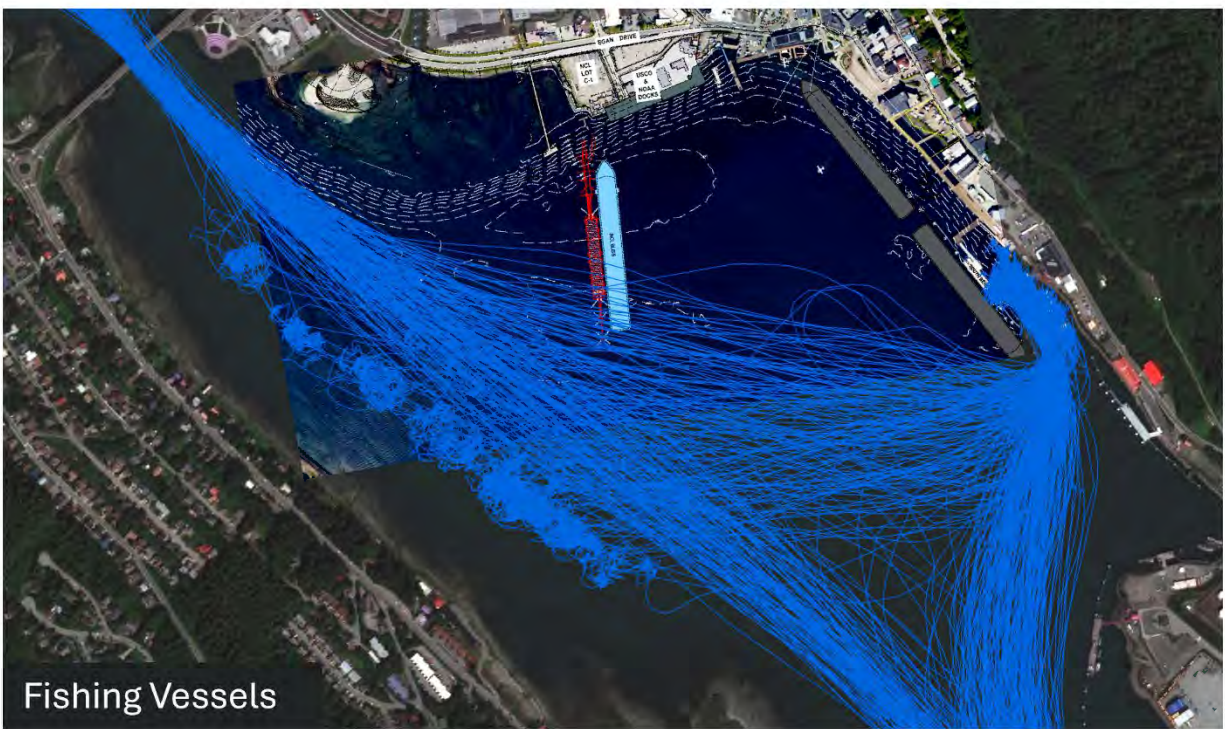


Figure (20). Routes fishing vessels equipped with AIS normally take when transiting to and from the Petro Marine fuel dock, DIPAC, Taku Fisheries or transiting to and from the port to go fishing. The graphic shows this traffic would not be substantially impacted. The proposed HTD is overlaid.

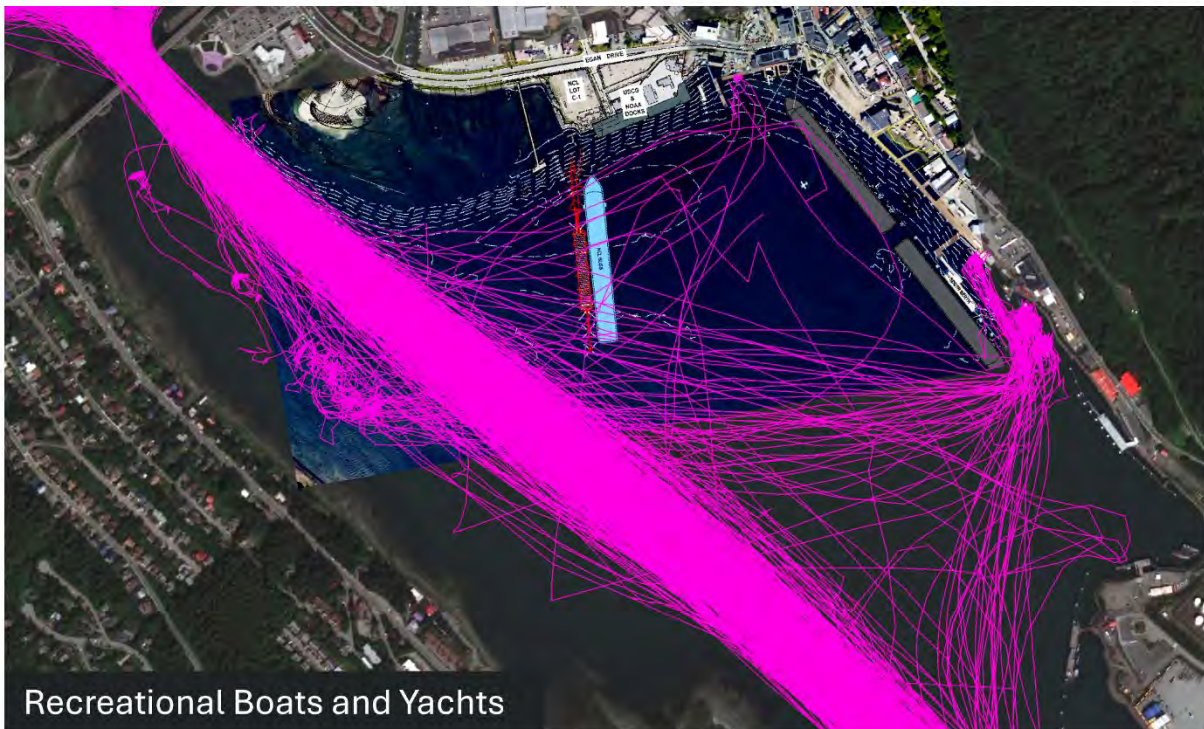


Figure (21). Routes of recreational/pleasure vessels equipped with AIS when transiting to and from the Taku Oil dock, yachts transiting to moor at the Port's dock, or heading into or out of port, with the proposed HTD overlaid.

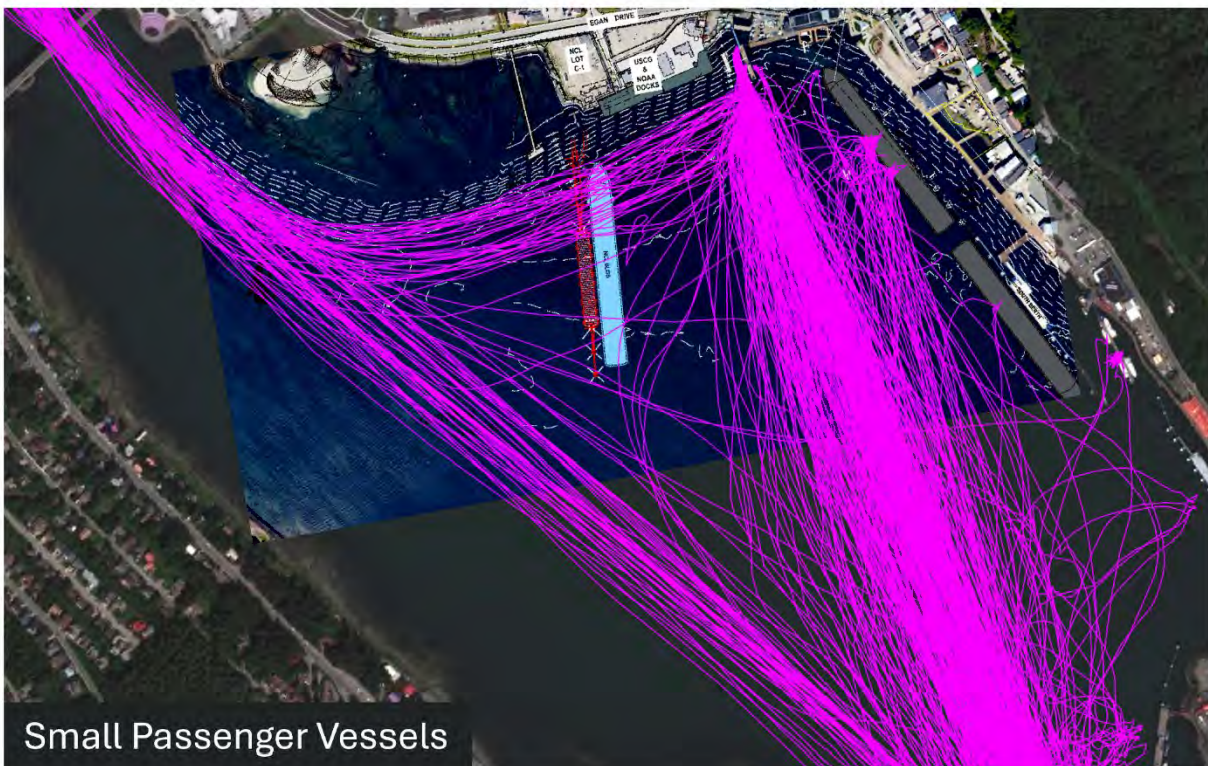


Figure (22). Routes of smaller passenger vessels (Allen Marine, UnCruise Adventures) equipped with AIS and able to sail under the Juneau Douglas Bridge. The routes they have taken to the Wharf area in the past will need to be adjusted to navigate further offshore to avoid striking the HTD and the vessel moored to it.

5. Proposed Dock's Impact on Coast Guard Vessels and the Coast Guard Dock: Depending on the Coast Guard's plans for refurbishing their dock and incorporating the adjacent NOAA dock, the proposed HTD could impact the arrival and departure of larger Coast Guard vessels. The HTD would present a barrier on the western side of the dock that could complicate mooring and departure of their larger vessels. However, larger Coast Guard vessels avoid the Coast Guard dock in favor of mooring at the Port of Juneau's docks. Additionally, Coast Guard vessels do not arrive and depart daily and larger cutters like the 420-foot HEALY often use tugs to assist in mooring. At times NOAA vessels have also moored at the Coast Guard's dock. Currently the Coast Guard is planning on stationing the 370-foot STORIS in Juneau. This vessel has dynamic positioning capabilities and thus is highly maneuverable. This ship should easily be able to maneuver to and from the Coast Guard dock with no assistance. The Coast Guard dock is also used by the Alaska based 225-foot buoy tenders and smaller patrol boats. The proposed HTD would not interfere with these vessels arrival and departure.



Figure (23). Coast Guard Cutters HEALY and STORIS.

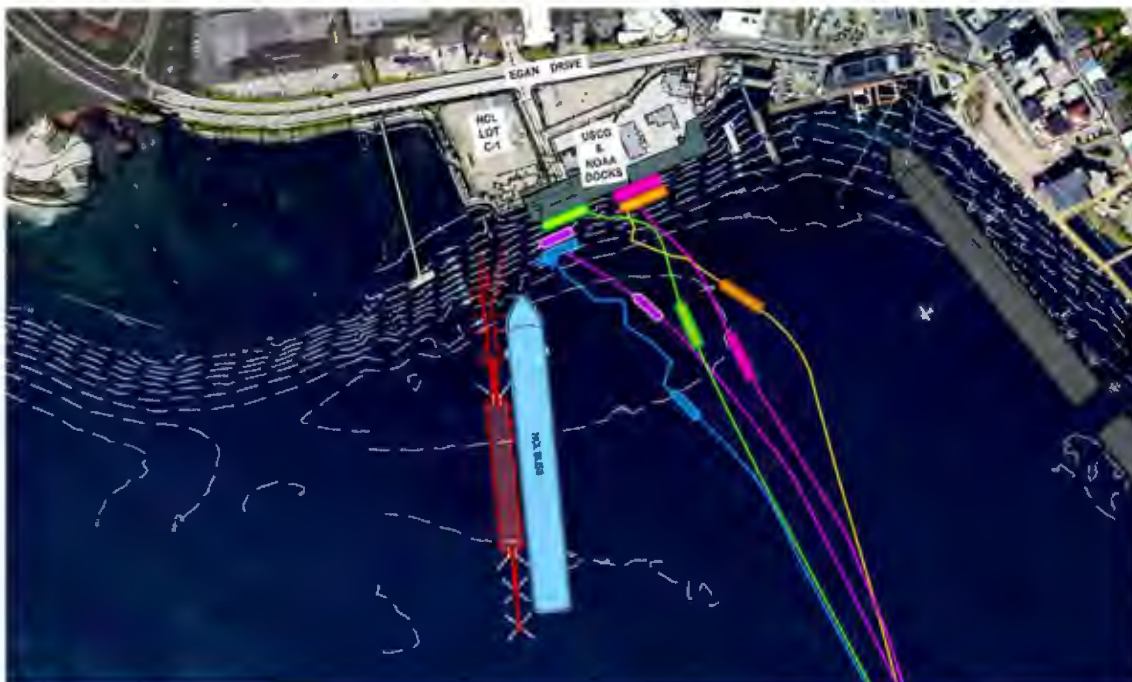


Figure (24). Coast Guard 225-foot buoy tenders arriving at the Coast Guard's dock in 2024 with the HTD dock overlaid.

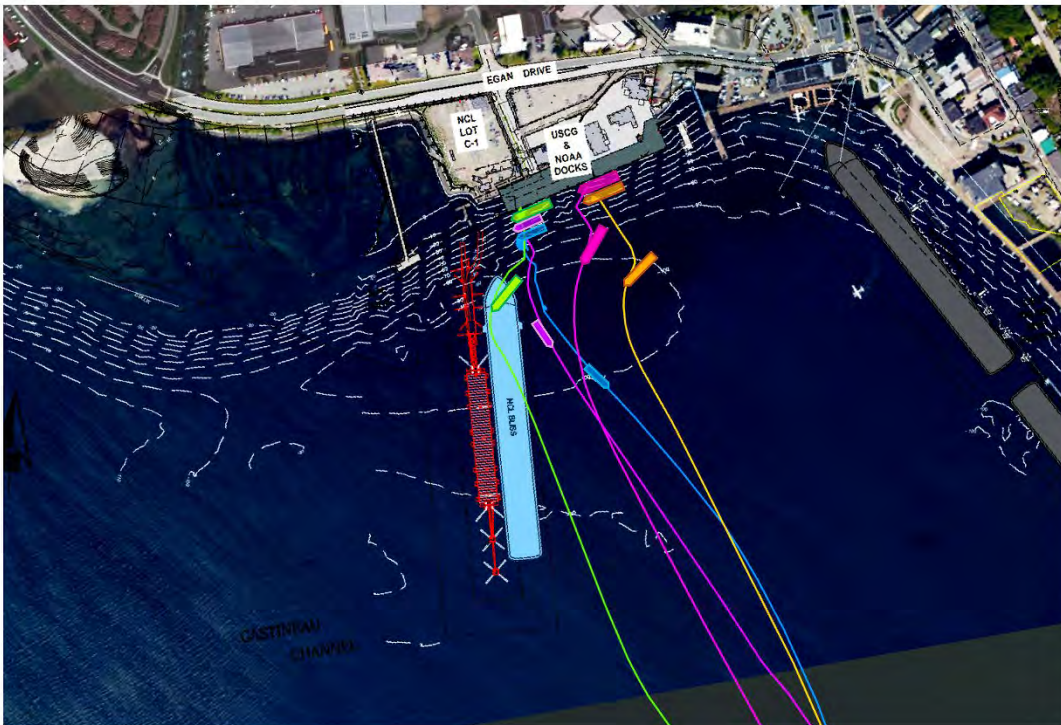


Figure (25). Maneuvers of Coast Guard 225-foot buoy tenders departing the Coast Guard's dock in 2024 with proposed HTD overlayed.



Figure (26). Maneuvers of Coast Guard 420-foot Coast Guard icebreaker HEALY to and from the Port of Juneau dock with two tugs assisting, with proposed HTD overlayed.

6. Winds and Currents to be Considered in Navigational Assessment: The Marine Exchange of Alaska (MXAK) has installed and operates five weather stations and three tidal current stations in the vicinity of the Port of Juneau funded by CBJ Docks and Harbors. The information from these sites assists vessel captains and pilots with safely maneuvering vessels to and from docks in the confined Port area. The historical records of wind and tidal current have been evaluated to help determine the positioning of the proposed HTD to minimize environmental factors that could incur risk that complicates maneuvers. In some cases, environmental factors may exceed safe operating parameters as determined by captains and pilots conducting docking and departure maneuvers. This could be evaluated using a ship navigation simulator by inputting high wind and current factors. Most docks have go/no-go thresholds based on extreme environmental factors.

MXAK does not have sensors that provide actual current data at the site of the proposed dock. The three MXAK maintained current sensors are installed at Taku Fisheries, the Port's South Dock and the AJ Dock. Review of tidal current data from these sensors indicates the currents rarely exceed 3 knots, however, it is possible currents are greater at times at the proposed HTD location. Due to a prominent choke point, tidal currents in the vicinity of the Juneau Douglas Bridge are considered by many as the strongest in the area and likely have some influence on the currents near the proposed HTD. A temporary tidal sensor could be deployed to obtain better information.

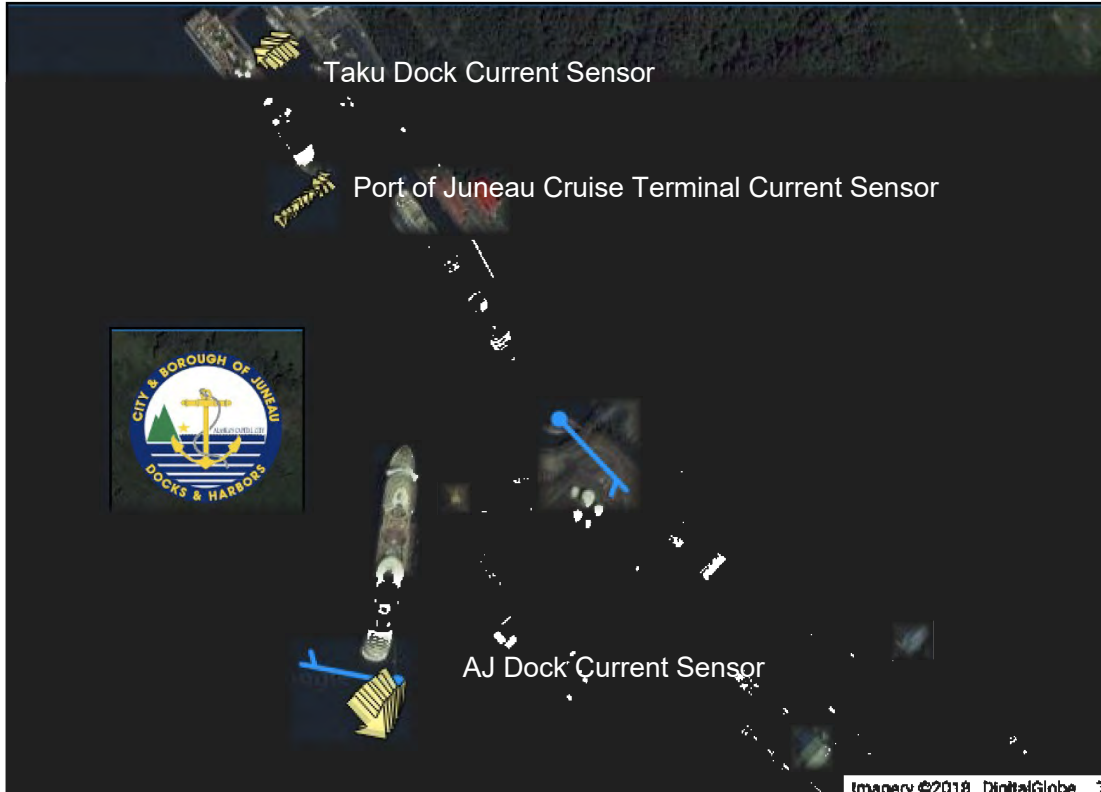


Figure (27). The location of the 3 current sensors in the Port area.

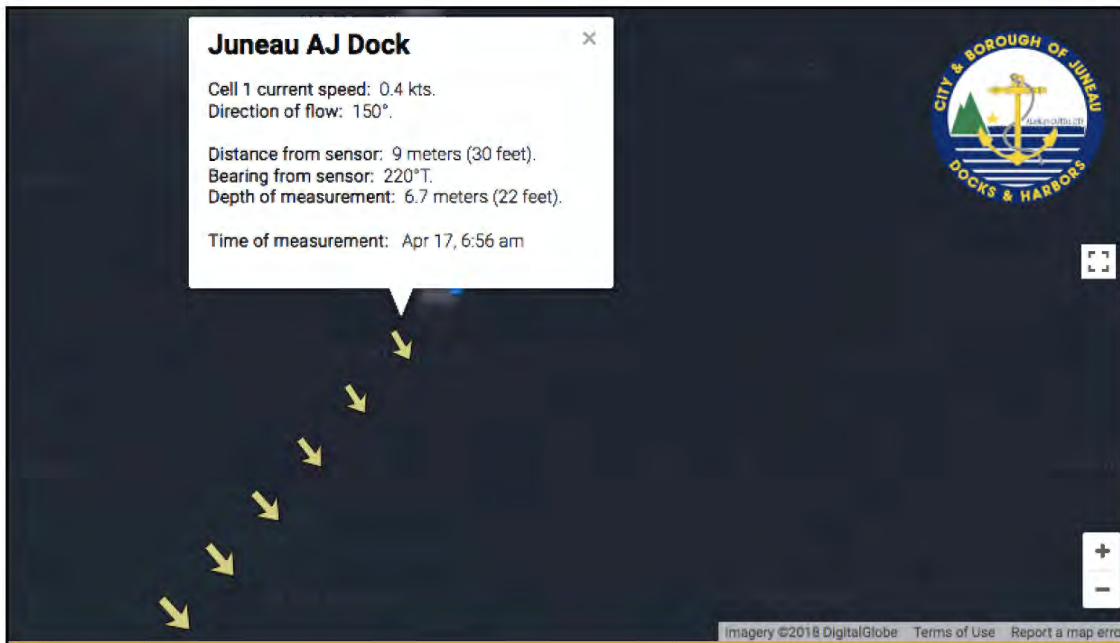


Figure (28). The graphical display of the tidal current data accessible to vessel operators.

TIMESTAMP	HDO	PITCH	ROLL	PRESS	TEMPC	CELL1_SPEED	CELL2_SPEED	CELL3_SPEED	CELL4_SPEED	CELL5_SPEED	CELL6_SPEED	CELL7_SPEED	CELL8_SPEED	CELL9_SPEED	CELL10_SPEED	CELL11_SPEED	CELL12_SPEED	CELL10_DIR	CELL11_DIR	CELL12_DIR	CELL10_D	CELL11_D	CELL12_D	
6/22/2024 12:00	237	1.2	1.5	8.041	8.23	0.8	0.76	1.08	1.02	0.78	0.3	1.49	0.86	0.26	0.8	1.85	2.05	120.9	129.8	137.8	138.9	130	284.6	297.6
6/22/2024 12:05	235	1.2	1.5	8.115	7.88	0.12	0.14	0.38	0.51	0.44	0.65	0.67	0.9	1.37	1.94	2.06	1.97	53.8	2.3	359.7	2.5	22	339.2	333.4
6/22/2024 12:15	236	1.3	1.5	8.297	7.83	0.1	0.14	0.3	0.48	0.48	0.59	0.74	1.07	1.58	1.92	2.2	2.26	293.9	304.3	318.2	324.2	321	318.7	317.4
6/24/2024 22:15	237	1.3	1.4	6.513	9.94	0.12	0.08	0.1	0.05	0.04	0.09	0.72	1.6	2.19	1.95	1.8	1.73	354.2	9.8	355.8	47.8	80.5	352	307.6
6/24/2024 22:20	237	1.3	1.5	6.534	9.95	0.36	0.72	1.29	2.04	2.09	1.88	1.07	0.36	0.61	0.9	1.12	1.3	108.3	116.5	120.1	117.2	115	114.1	107.4
6/25/2024 6:00	236	1.4	1.6	9.203	9.35	0.18	0.27	0.26	0.29	0.3	0.36	0.62	1.05	1.44	1.97	2.28	2.34	0.3	351.7	9.4	19.7	17.9	350.4	330.8
6/25/2024 13:40	236	1.4	1.5	7.662	8.48	0.52	0.67	0.91	1.03	1.15	1.26	1.51	1.65	1.89	2.22	2.34	2.44	26.4	17.2	1.9	357.1	355	351.4	346.9
7/15/2024 11:52	231	1	1.2	7.889	9.44	0.51	0.67	1.28	2.85	1.14	0.55	0.31	0.53	0.7	0.78	0.73	0.9	76.4	91.1	304.9	297.7	91.2	96.6	50
7/15/2024 11:57	237	0.4	1.4	7.853	9.81	0.46	0.25	0.25	0.36	0.32	0.57	1.02	1.66	2.05	2.42	2.44	2.19	292.5	304.1	308.6	310.1	323	317.6	305.2
7/15/2024 12:02	237	0.4	1.4	7.822	9.82	0.46	0.43	0.44	0.44	0.28	0.35	1.08	1.73	2.11	2.18	2.19	1.97	328.7	322.1	322.8	327.1	321	326.1	310.2
7/15/2024 12:07	237	0.4	1.4	7.787	9.85	0.32	0.34	0.67	0.76	0.67	0.66	0.9	1.84	2.8	2.82	2.14	2.55	311	312.1	328.9	338.8	356	30.4	359.1
7/18/2024 12:32	241	0.4	1.4	9.217	8.78	0.25	0.47	0.56	1.19	0.76	1.49	2.46	2.15	2.59	2.42	1.89	1.16	137.7	121.6	121.7	118.8	124	120.2	118.4
7/18/2024 12:37	240	0.4	1.4	9.208	8.79	0.4	0.57	0.74	1.17	1.8	1.95	1.71	2.36	3.11	3.09	3.35	3.63	166.4	162.7	157.6	142.3	134	133.6	138
7/18/2024 12:17	239	0.4	1.4	7.217	9.08	0.36	0.73	0.98	1.08	1.32	1.6	1.89	2.06	1.98	2.05	2.17	2.18	142.8	133.1	130.6	132	131	130.1	131.1
7/22/2024 11:57	236	0.5	1.3	7.578	8.2	0.16	0.29	0.4	0.24	0.4	0.16	0.77	1.63	2.11	2.27	2.18	1.95	340	346.1	347.6	54.5	97.4	93.1	301.1
7/22/2024 12:07	237	0.4	1.3	7.796	8.27	0.4	0.53	0.63	0.66	0.72	0.8	0.9	1.29	2.27	2.73	2.49	2.35	347.3	358.3	4.9	9.3	18.1	20.7	3.2
7/23/2024 12:17	237	0.4	1.4	7.204	8.68	0.33	0.29	0.23	0.18	0.18	0.13	0.58	1.97	2.78	2.86	2.6	2.62	34.2	33.9	35.3	40	81.2	60.3	303.3
7/23/2024 12:22	237	0.4	1.4	7.322	8.48	0.19	0.14	0.04	0.17	0.24	0.29	1	2.21	2.72	2.35	1.8	1.64	236.5	232.4	326	24.3	25.8	340.6	305
7/23/2024 22:47	237	0.4	1.4	6.296	9.95	0.25	0.2	0.12	0.09	0.1	0.13	0.65	1.9	2.55	2.79	2.63	2.67	263.6	253.6	257.4	285	302	321.2	305
7/23/2024 22:52	238	0.5	1.4	6.361	9.97	0.45	0.39	0.4	0.44	0.42	0.5	0.57	0.8	1.41	1.67	2.07	2.22	330.5	342.6	352.6	359.1	15.9	33	17.5
7/25/2024 12:37	239	0.4	1.4	6.14	9.07	0.18	0.24	0.28	0.43	0.78	0.9	0.77	0.71	1.32	2.03	2.61	2.74	179.9	202.8	224.4	260.7	286	291.4	294.3
7/29/2024 12:02	237	0.4	1.4	7.688	9.13	0.04	0.06	0.15	0.55	2.8	0.47	0.25	0.21	0.18	0.08	0.16	0.23	117.8	28.2	118.6	289.3	297	316.4	97.5
7/29/2024 12:03	235	0.3	1.1	7.555	9.02	0.04	0.06	0.15	0.55	2.8	0.47	0.25	0.21	0.18	0.08	0.16	0.23	117.8	28.2	118.6	289.3	297	316.4	97.5

SOUTH_BERTH_OUT - 2024 greater than 2kts(in)																							
TIMESTAMP	PRESS	CELL1_SPEED	CELL10_SPEED	CELL11_SPEED	CELL12_SPEED	CELL10_DIR	CELL11_DIR	CELL12_D															
6/22/2024 12:00	8.041	0.8	0.8	1.85	2.05	92.4	102.2	103.5															
6/22/2024 12:05	8.115	0.12	1.94	2.06	1.97	306.4	305.1	304.8															
6/22/2024 12:15	8.297	0.1	1.92	2.2	2.26	304.6	301.3	299.5															
6/24/2024 22:15	6.513	0.12	1.95	1.8	1.73	306.6	309.9	310.1															
6/24/2024 22:20	6.534	0.36	0.9	1.12	1.3	328.1	327.3	327.6															
6/25/2024 6:00	9.203	0.18	1.97	2.28	2.34	307.1	305.8	306.1															
6/25/2024 13:40	7.662	0.52	2.22	2.34	2.44	342.5	341.4	340.9															
7/15/2024 11:52	7.889	0.51	0.78	0.73	0.9	321.4	330.9	332.2															
7/15/2024 11:57	7.853	0.46	2.42	2.44	2.19	304	302.3	299.4															
7/15/2024 12:02	7.822	0.46	2.18	2.19	1.97	305.1	309.7	307															
7/15/2024 12:07	7.787	0.32	2.82	2.14	2.55	308	297.6	311.4															
7/18/2024 12:32	9.217	0.25	2.42	1.89	1.16	121.2	122.9	127.8															
7/18/2024 12:37	9.208	0.4	3.09	3.35	3.63	129.8	128	124.8															

Figure (29). Records of historical tidal current data, with speeds of each cell of the current sensor in the red boxes.



Currents vary due to several factors including but not limited to tides, winds, and precipitation runoff and are generally less than 2 knots. Higher velocity currents have been attributed to the maneuvering of vessels close to the sensors. Real time current sensors provide the best information for captains and pilots to consider when arriving and departing a dock.

Winds experienced in the Port area also vary substantially, but are generally not strong enough to interfere with safe navigation. Very localized wind patterns led the Port of Juneau to fund the previously mentioned weather stations in the harbor area. Based on historical wind data, the proposed HTD orientation minimizes prevailing winds from impacting ships arrivals and departures to the dock.

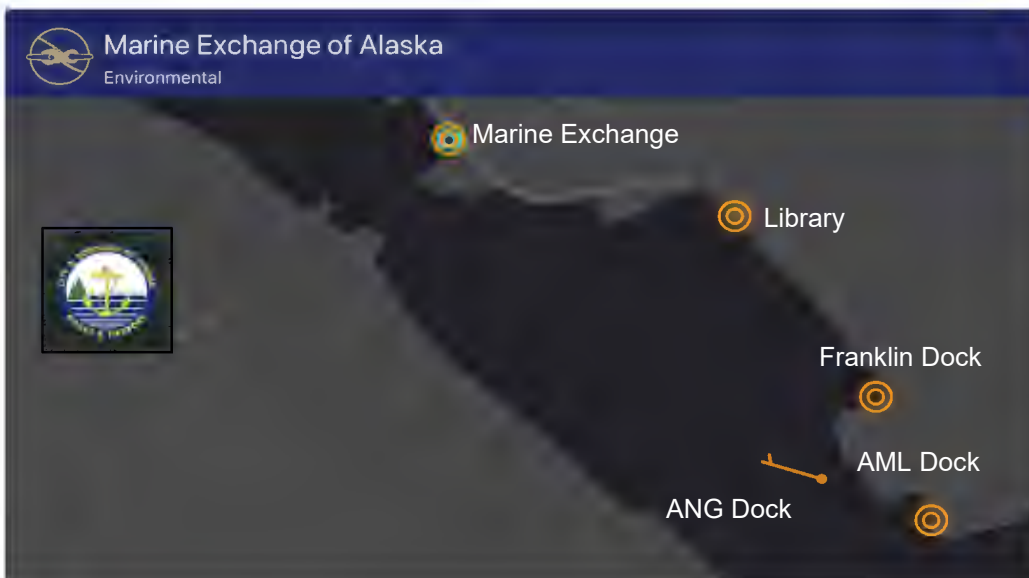


Figure (30). Location of Port of Juneau wind and tidal current sensors.

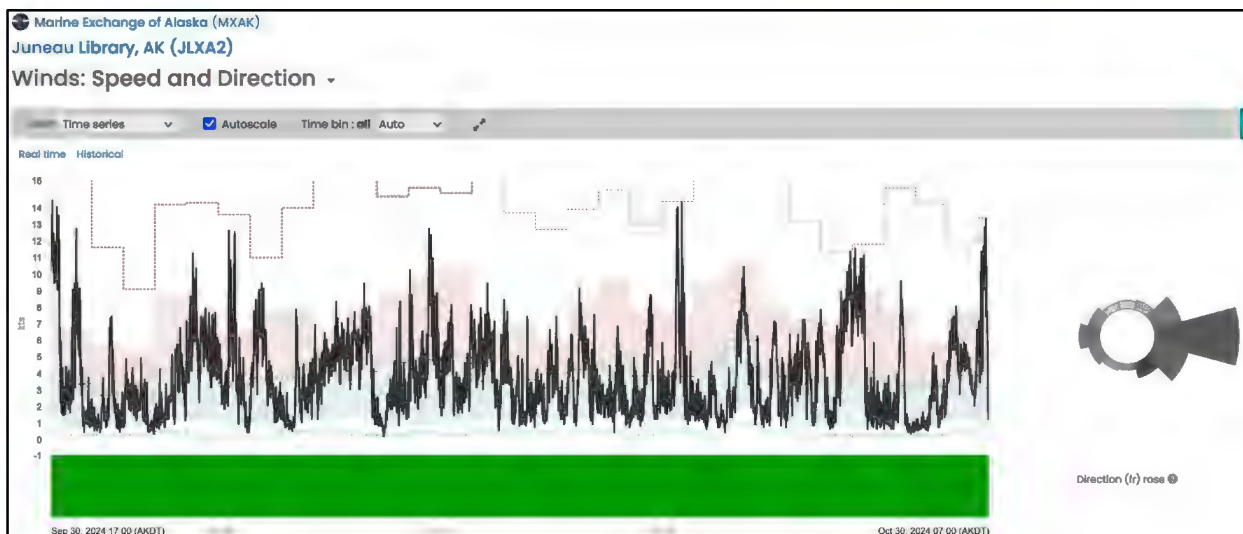


Figure (31). Data from Library weather sensor Sep 30 to Oct 30, 2024. The highest measured wind speed was 18 knots.



Figure (32). Location of NOAA facility wind sensor.



Figure (33). Data from NOAA Facility May 2 – May 31, 2024. The highest measured wind speed was 18.5 knots.



Figure (34). Location of AJ Dock wind sensor.

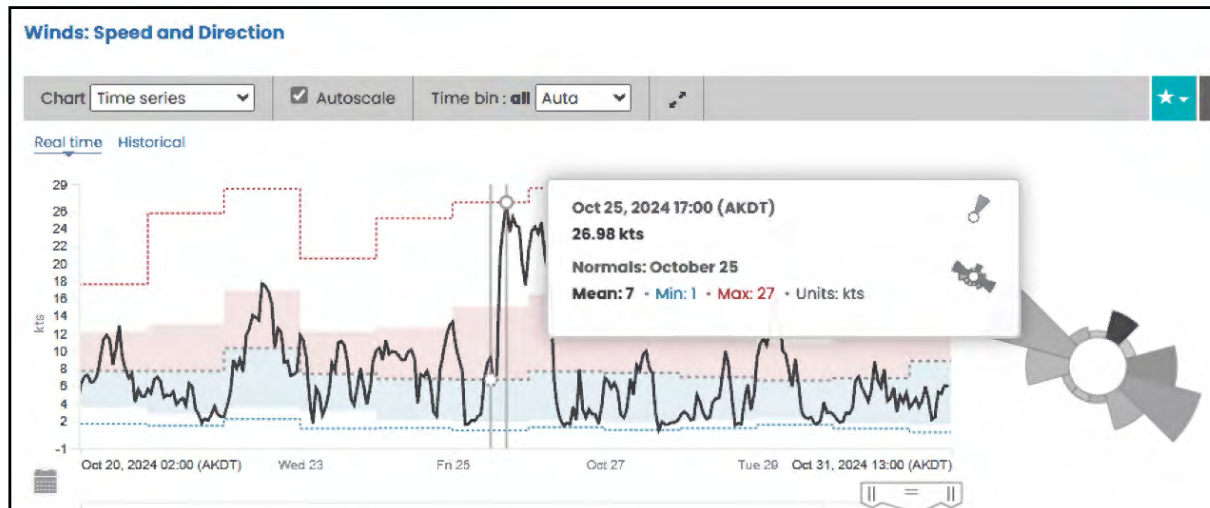


Figure (35). Data from AJ Dock wind sensor during a high wind period in Oct 2024. The maximum speed was 27 knots.

There are instances where environmental conditions interfere with safe navigation of vessels in the port including vessels that would be mooring at the proposed HTD. However, those events do not present an unmanageable risk to the safe navigation of cruise ships mooring or departing shoreside facilities including at the location of the proposed HTD. The installation of wind and current sensors at the proposed HTD would provide the most accurate and relevant real-time environmental conditions that will aid maneuvering decisions made by the captain and pilot.



7. Impacts on the Anchorage Area in the Port: Cruise ships, tugs with barges, large yachts and other vessels have anchored in the port area in the past. The area available to safely anchor a large vessel will be reduced by the HTD, however, the presence of the proposed HTD and the five ship a day limit will prevent the need to anchor large cruise ships offshore. A Coast Guard Safety Zone (see below) limits anchoring in the harbor. The restrictions in anchoring are also noted in the U.S. Coast Pilot. The Coast Guard in providing "permission" to vessels anchoring in the harbor, will likely take into consideration the HTD and limited area available for vessels to anchor.

⦿ **§ 165.1702 Gastineau Channel, Juneau, Alaska—safety zone.**

- (a) The waters within the following boundaries are a safety zone: A line beginning at position 58°17.8' N., 134°24.9' W., in the direction of 140° True to Rock Dump Lighted Buoy 2A (LLNR 23685) at position 58°17.1' N., 134°23.8' W.; thence in the direction of 003° true to a point at position 58°17.4' N., 134°23. 8' W., on the north shore of Gastineau Channel; thence northwesterly along the north shore of Gastineau Channel to the point of origin.
- (b) Special Regulations:
 - (1) All vessels may transit or navigate within the safety zone.
 - (2) No vessels, other than a large passenger vessel (including cruise ships and ferries) may anchor within the Safety zone without the express consent from the Captain of the Port, Southeast Alaska.

Figure (36). Information on the Safety Zone for the Gastineau Channel area of the Port of Juneau is addressed in 33 Code of Federal Regulations, Part 165.

- 186) **Anchorage**
- 187) Anchorage is available off the wharves, northeast of the cable area, in 12 to 19 fathoms, soft bottom. Permission, however, must be obtained from the Coast Guard Captain of the Port prior to anchoring in this area from June through September due to extensive cruise ship traffic.
- 188) The harbor area off the waterfront at Juneau is a **safety zone**. (See 33 CFR 165.1 through 165.9, 165.20, 165.23, and 165.1702, chapter 2, for limits and regulations.)

Figure (37). Federal Regulations, Part 165 The above information on the anchoring of vessels in the Port area is addressed in the U.S. Coast Pilot 9.



Figure (38). The Safety Zone for the Gastineau Channel area of the Port of Juneau is addressed in 33 Code of Federal Regulations, Part 165.

8. Summary: The information provided in this navigation study of the impacts of the proposed Huna Totem Dock identifies both positive and negative impacts on the navigation of vessels in the Port of Juneau for decision makers to consider when evaluating this project. Use of a navigation simulator with the environmental factors and physical details of the proposed HTD in the Port of Juneau is planned. The simulator will be operated by vessel pilots and masters who have navigated large cruise ships under various current and wind conditions and will assess the navigational challenges and go/no go parameters. The experience obtained will help inform the preferred orientation of the HTD, if built.



City and Borough of Juneau
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TO: Deputy Mayor Smith and CBJ Committee of the Whole
DATE: February 24, 2025
FROM: Katie Koester, City Manager
RE: Structure for debate on proposed Huna Totem lease

The purpose of this memo is to explain the order for Assembly debate on the proposed Huna Totem tidelands lease before you today.

1. **PUBLIC TESTIMONY.** At the Lands Housing and Economic Development Committee Huna Totem will give a brief presentation followed by public testimony. Members who are not on LHED are invited to the dais to listen. Please hold questions for Huna Totem until Assembly debate at the Committee of the Whole (immediately following LHED).
2. **ASSEMBLY QUESTIONS.** At the Committee of the Whole, Visitor Industry Director Pierce will introduce the draft ordinance authorizing the lease and the accompanying Resolution authorizing CBJ to apply for state tidelands. This is the time to ask questions of Huna Totem and CBJ staff.
3. **AMENDMENTS.** Members can propose amendment to the ordinance, including making the CUP conditions more stringent or adding conditions. Members cannot remove CUP conditions the Planning Commission included.
4. **HOLD IN COMMITTEE?** If simple conceptual amendments are adopted, Attorney Wright can incorporate them into a draft for introduction on March 3rd. However, more extensive conceptual amendments should be reviewed again by the body before introduction. You can decide to hold the draft ordinance and resolution in committee to discuss at the March 17th COW or introduce it at the next regularly scheduled meeting.