

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

January 10, 2022 7:00 PM

Zoom Webinar/Telephonic/FB Livestream

Meeting No. 2022-02 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar
ID: 915 1542 4903 - this will be a virtual meeting only.

Submitted By:

Duncan Rorie Watt, City and Borough Manager

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

III. ROLL CALL

IV. SPECIAL ORDER OF BUSINESS

A. Snow Plow Drivers Appreciation

B. Instruction for Public Participation

This meeting will be conducted via Zoom only. Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's phone line at 586-5278 by 3 p.m. on Monday, January 10, 2022 or send an email to City.Clerk@juneau.org and provide their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org. When attending the zoom webinar [login info listed at top of agenda] please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue and then press *6 to unmute your phone when you are called upon to speak.

For up to the minute meeting calendar/details with links to the Zoom webinars, check our online CBJ Meeting Calendar at <https://juneau.org/calendar>.

V. APPROVAL OF MINUTES

A. 2021-09-29 Special Assembly Meeting Minutes - Draft

B. 2021-12-15 Special Assembly Meeting Minutes-Draft

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VIII. CONSENT AGENDA

- A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
- B. Assembly Requests for Consent Agenda Changes
- C. Assembly Action

- 1. Ordinances for Introduction

- a. **Ordinance 2021-43 An Ordinance Providing for the Issuance and Sale of Hospital Revenue Bonds in One or More Series in the Aggregate Principal Amount of Not to Exceed \$20,000,000 to Provide Financing for Capital Improvements to Bartlett Regional Hospital; Providing for the Form and Terms of the Bonds; Providing a Method of Payment Therefor; and Reserving the Right to Issue Revenue Bonds on a Parity with the Bonds upon Compliance with Certain Conditions.**

This ordinance would allow Bartlett Regional Hospital to issue up to \$20 million of revenue bonds to partially fund the construction of the Crisis Stabilization Center and renovations to the Emergency Department. These bonds would be repaid entirely from Hospital revenues, and do not commit any CBJ general funds for future repayment. These bonds are expected to be repaid over 20 years.

The Hospital Board reviewed this request at its September meeting. The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting.

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

- b. **Ordinance 2021-08(b)(am)(V) An Ordinance Appropriating \$265,000 to the Manager for the Trail Improvement Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration, Federal Lands Access Program.**

This ordinance would appropriate \$265,000 as funding to partially relocate and reconstruct the Mount Jumbo Trail from Savikko Park to the Treadwell Ditch. The Federal Lands Access Program is administered through the Federal Highway Administration to improve access from non-federal lands to federal lands with an emphasis on high-use recreation sites. A local match requirement of \$28,787 will be provided by previously appropriated funds from the Trail Improvement CIP (P46-112) and in-kind labor. Trail Mix will reconstruct the trail in 2022 and 2023.

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

- c. **Ordinance 2022-02 An Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Private Dock Owners.**

Docks & Harbors does not currently have the authority under to manage private dock reservations. In 2021, Ordinance 2020-38 authorized a one-year pilot program so Docks & Harbors could accommodate Goldbelt Inc.'s request for managing the reservations at the Seadrome Dock and Merchant's Wharf Float. The pilot program

was successful. This ordinance would amend Title 85 by making the pilot program permanent.

The Docks & Harbors Board believes a moorage reservation system operated by Docks and Harbors provides both efficiencies and cost savings for the private owner and D&H. The Board considered this action at its December 8 Operations-Planning Meeting and its December 16 regular board meeting. The Docks & Harbors Board will hold a public hearing on for this ordinance on January 19.

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

2. Resolutions

a. **Resolution 2973 A Resolution Adopting an Alternative Allocation Method for the FY2022 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.**

This resolution would facilitate the CBJ's participation in the State's FY2022 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2020 from fisheries business activities within the CBJ's qualifying area.

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

It is anticipated that the CBJ's share will be approximately \$2,250.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

a. **Riverbend Elementary School Roofing Replacement**

This project consists of demolition of the existing roof assembly down to plywood decking and replacement with asphalt shingle roofing assembly including insulation, plywood sheathing, new ridge and roof-to-wall vents, gutters, downspouts, roof anchors and other work indicated in the contract documents. This project also includes limited removal and reinstallation of mechanical hoods and vents and electrical items.

Bids were opened on this project on December 14, 2021. The bid protest period expired at 4:30 p.m. on December 15, 2021. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Dawson Construction, LLC	\$2,394,700.00
Earhart Roofing Co., Inc.	\$2,470,775.00
Coogan Construction Co.	\$2,498,000.00
Carver Construction, LLC	\$2,556,411.61
<i>Architect's Estimate</i>	<i>\$2,500,000 to \$2,900,000</i>

The City Manager recommends that this project be awarded to Dawson Construction, LLC for the total amount bid of \$2,394,700.00.

b. **Calhoun Avenue Reconstruction**

This project consists of the reconstruction of Calhoun Avenue from the Gold Creek Bridge to the intersection of West 7th Street. Work generally includes concrete slab removal, excavation, shot rock borrow, 2" minus shot rock with D-1 base course, asphalt pavement, curb and gutter, concrete sidewalk, ADA ramps, replacement of storm drain pipe, catch basins, manholes, sewer pipes, insulated HDPE water main and apparatuses, traffic control markings, signs and other miscellaneous work.

Bids were opened on this project on December 14, 2021. The bid protest period expired at 4:30 p.m. on December 16, 2021. Results of the bid opening are as follows:

Responsive Bidders	Total Bid
North40 Construction Corporation	\$1,885,217.00
Coogan Construction Co.	\$2,032,599.00
Glacier State Contractors	\$2,330,943.00
Admiralty Construction Inc.	\$2,670,555.00
<i>Engineer's Estimate</i>	<i>\$1,559,777.00</i>

The City Manager recommends award of this project to North40 Construction Corporation for the total amount bid of \$1,885,217.00

4. **Liquor License**

a. **16 Liquor License Renewals for 2022-2023**

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

Liquor License Renewals

License Type: Beverage Dispensary-Tourism, License #2541

Licensee: MGO Inc., d/b/a Juneau Airport Travel Lodge

Location: 9200 Glacier Hwy, Juneau

License Type: Beverage Dispensary-Tourism, License #3824

Licensee: Hospitality Group LLC, d/b/a Frontier Suites Hotel

Location: 9400 Glacier Hwy, Juneau

License Type: Package Store, License #661

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

Location: 621 Willoughby Ave, Juneau

License Type: Package Store, License #4422

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

Location: 9106 Mendenhall Mall Rd, Juneau

License Type: Package Store, License #1129

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

Location: 5235 Glacier Hwy, Juneau

License Type: Package Store, License #521

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

Location: 465 W. Willoughby Ave, Juneau

License Type: Package Store, License #4742

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

Location: No Premises, Juneau

License Type: Package Store, License #2976

Licensee: No Creek Jack Inc., d/b/a Duck Creek Market

Location: 9951 Stephen Richards Dr., Juneau

License Type: Restaurant Eating Place, License #2812

Licensee: Genuine Ventures, LLC d/b/a Tracy's King Crab Shack

Location: 432 S. Franklin St., Juneau

License Type: Beverage Dispensary, License #728

Licensee: JD Entertainment, Inc. d/b/a The Island Pub

Location: 1102 2nd St., Douglas

License Type: Package Store, License #271

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

Location: 156 S. Franklin St., Juneau

License Type: Restaurant Eating Place, License #5231

Licensee: Alaska Sustainable Seafood's LLC, d/b/a Deckhand Dave's

Location: 127-139 S. Franklin St., Juneau

License Type: Restaurant Eating Place, License #5482

Licensee: Alaska Sustainable Seafood's LLC, d/b/a Deckhand Dave's

Location: 356 S. Franklin St., Juneau

License Type: Beverage Dispensary-Tourism, License #5430

Licensee: Mac Ventures LLC, d/b/a McGivney's Sports Bar & Grill

Location: 51 Egan Dr., Juneau

License Type: Beverage Dispensary-Tourism, License #175

Licensee: CNH Holding LLC, d/b/a Breakwater Inn Restaurant & Lounge

Location: 1711 Glacier Ave., Juneau

License Type: Beverage Dispensary-Tourism, License #1378

Licensee: Alaskan Hotel & Bar Inc., d/b/a Alaskan Hotel

Location: 167 S. Franklin St., Juneau

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

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

IX. PUBLIC HEARING

A. Ordinance 2021-46 An Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

This ordinance would amend the existing CBJ COVID-19 mitigation strategies (currently Ord. 2021-42). Staff proposed changes to the text of the ordinance and to Exhibit A reflecting the changing COVID-19 disease situation, CDC guidance, and availability of vaccines for children as young as five. The attached memo from Deputy City Manager Barr describes the changes from Ordinance 2021-42. The changes are also depicted in the ordinance and in Exhibit A with strikethroughs and underlining.

The Systemic Racism Review Committee reviewed this ordinance at its November 23, 2021, meeting and forwarded it to the full Assembly for public hearing. This ordinance was last discussed by the Assembly Committee of the Whole on December 20, 2021, who forwarded it to the January 10, 2022, regular Assembly meeting for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2021-08(b)(am)(S) An Ordinance Appropriating \$2,000,000 to the Manager for the Capital Civic Center Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$2,000,000 of general funds for the Capital Civic Center CIP. This project is an expansion of Centennial Hall that will include upgrades to satisfy the goals of the business community, the travel industry, and the arts economy. This appropriation would provide funds for a 30% complete plan set to develop a more detailed cost estimate of the entire project.

The Committee of the Whole reviewed this request at its November 29, 2021 meeting. The Assembly Finance Committee reviewed this request at the January 5, 2022 meeting. The Systemic Racism Review Committee reviewed this request at its December 14, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2022-01 An Ordinance Repealing the Temporary Sales Tax Exemption for Sales of Cost of Power Adjustments on Electrical Power.

In 2008, a massive avalanche damaged the hydroelectric lines serving the community. Electrical power costs for CBJ residents and businesses increased dramatically. The Assembly responded and temporarily exempted the cost of power adjustments on electrical power from sales tax. (Emerg. Ord. 2008-17; Ord. 2008-31). However, the exemption has inadvertently remained in the sales tax code. Because the Assembly in 2008 only intended the exemption for cost of power adjustments to be temporary, this ordinance would repeal that sales tax exemption.

The Assembly Finance Committee reviewed this ordinance at the January 5, 2022, meeting. The Systemic Racism Review Committee reviewed this request at its December 14, 2021, meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2022-03 An Ordinance Authorizing the Municipal Attorney to Update Monetary Values Pursuant to Adjustment Provisions in Previously Adopted Legislation.

Various CBJ ordinances, resolutions, and regulations have automatic monetary adjustment

provisions tied to the Consumer Price Index or other inflation metrics. This ordinance would clarify that the Municipal Attorney is authorized to update those monetary values in the published CBJ Code pursuant to the previously adopted legislation.

The Systemic Racism Review Committee reviewed this request at its December 14, 2021, meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

X. UNFINISHED BUSINESS

A. Ordinance 2021-26(am) An Ordinance Amending the Official Zoning Map by Rezoning Channel View, Lot 1, Located near 4650 North Douglas Highway from D-15 to Light Commercial.

The ordinance involves a rezone request for a 15-acre parcel on North Douglas approximately 1 mile north of the Juneau-Douglas Bridge.

The applicant requested a rezone from D-15 to General Commercial. The Community Development Department recommended a transition rezone from D15 to Light Commercial with conditions and a Comprehensive Plan map amendment. On May 11, 2021, the Planning Commission, instead, recommended a rezone from D15 to Light Commercial because it concluded Light Commercial conforms to the Comprehensive Plan, yet the Planning Commission also recommended the Assembly amend the Comprehensive Plan to allow the requested higher residential densities allowed in commercial districts.

On August 2, 2021, the Assembly tabled Ordinance 2021-27, which would have amended the Comprehensive Plan for this property from Medium Density Residential to High Density Residential.

The Assembly Committee of the Whole discussed this ordinance on July 19, 2021. On August 2, 2021, the Assembly held a public hearing, amended the ordinance with a public infrastructure condition, and an Assemblymember gave notice of reconsideration. On August 23, 2021, the Assembly reconsidered the rezone ordinance and referred it back to Assembly Committee of the Whole. On December 20, 2021, the Assembly Committee of the Whole forwarded the ordinance to the Assembly for public hearing.

On January 3, 2022, the Systemic Racism Review Committee concluded the ordinance would likely perpetuate systemic racism if adopted. The Committee identified the Light Commercial rezone would benefit the developer; the boat storage intended by the developer would benefit people that have enough income to pay for boat storage; and the Light Commercial zoning district as compared to the D-15 zoning district would likely harm people in need of housing, which are disproportionately racial minorities. The Committee questioned whether the 500 feet of public notice was meaningful, identified the lack of public support in the record, questioned the legal compliance with the Comprehensive Plan, and recommended the Assembly seek additional public input.

The City Manager recommends the Assembly refer this ordinance back to the Committee of the Whole for further consideration.

XI. NEW BUSINESS

A. Housing Fund Awards

The Juneau Affordable Housing Fund was established by the Assembly to provide funding for the creation of affordable and workforce housing. Fiscal year 2021 projects were considered by the Assembly Committee of the Whole on December 20, 2021, who recommended the Assembly award the following three projects:

- AWARE Cordova Street project (\$150,000)

- St. Vincent DePaul Channelview project (\$50,000)
- St. Vincent DePaul Teal Street project (\$100,000).

The City Manager recommends the Assembly award Juneau Affordable Housing Funds for fiscal year 2021 as recommended by the Committee of the Whole.

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

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

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

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

XII. STAFF REPORTS

XIII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

XVI. SUPPLEMENTAL MATERIALS

- A. RED FOLDER-Ordinance 2022-01(b) An Ordinance Repealing the Temporary Sales Tax Exemption for Sales of Cost of Power Adjustments on Electrical Power

XVII. ADJOURNMENT

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