

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

June 13, 2022 7:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

Meeting No.: 2022-13 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar
ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt, City and Borough Manager

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

III. ROLL CALL

IV. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

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

V. APPROVAL OF MINUTES

A. January 10, 2022 Special Assembly Meeting 2022-01 Draft Minutes

B. May 4, 2022 Special Assembly Meeting 2022-11 Draft Minutes

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 2021-36 An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.**

In 2017, the Assembly established an interim Alternative Development Overlay District for downtown Juneau. Since then, the Community Development Department and the Planning Commission have worked on drafting permanent regulations. This ordinance would establish the permanent regulations for downtown residential properties, which would modify existing lot size, lot width, vegetative cover, structure heights, and setbacks. These proposed regulations would create options for residential development that are more consistent with the current neighborhoods.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Lands, Housing, and Economic Development Committee.

b. **Ordinance 2022-28 An Ordinance Authorizing the Manager to Lease Office Space at the Juneau Police Department Headquarters to the U.S. Drug Enforcement Administration.**

Juneau, like other communities, uses multiple approaches to help people avoid abusing illicit drugs. One of the approaches is partnering with other law enforcement agencies to decrease the transportation and distribution of illicit drugs into Southeast Alaska. The federal government is interested in expanding the partnerships with the Juneau Police Department by assigning two U.S. Drug Enforcement Administration officers to work out of the JPD Headquarters. This ordinance would allow JPD to lease the necessary space.

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

c. **Ordinance 2022-06(b)(A) An Ordinance Appropriating \$333,402 to the Manager for a Grant to Aiding Women in Abuse and Rape Emergencies (AWARE) for Construction of a Retaining Wall; Grant Funding Provided by the Alaska Department of Commerce, Community and Economic Development.**

This ordinance would appropriate \$333,402 in grant funding to Aiding Women in Abuse and Rape Emergencies (AWARE) to construct a retaining wall to protect the existing emergency shelter supporting low to moderate income individuals, especially domestic violence survivors. This funding is awarded through the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community, and Economic Development. Funds will be passed through the CBJ to AWARE, who will be responsible for construction and project management. CBJ will provide in-kind match for administrative costs that are already appropriated in the FY23 budget.

The Assembly Human Resources Committee reviewed five proposals for the CDBG grant during the September 13, 2021 meeting and recommended the Assembly support the AWARE application.

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

2. Resolutions

a. **Resolution 2987 A Resolution Supporting the Operational Needs of the Alaska Department of Fish and Game at the Downtown NOAA Dock.**

The Alaska Congressional delegation, led by Senator Sullivan, is proposing legislation for NOAA to convey federal property near the bridge to CBJ at fair market value. Docks & Harbors has long viewed this facility as integral to contiguously link the Juneau waterfront from the bridge to the AJ Dock. Although many steps are still required, that legislation would initiate a process of transferring federal property to local municipal control. Docks & Harbors has produced planning documents that could repurpose this area to support small cruise ship infrastructure and to encourage the federal government to homeport future NOAA vessels to Juneau.

The existing 2.4 acre federal facility also contains an ADFG warehouse building, which supports the ADFG R/V MEDEIA. This 110 foot vessel moors in Harris Harbor on US Fish & Wildlife floats. In 2004, ADFG and NOAA established a 30-year use agreement which allows ADFG access to the warehouse and the NOAA Dock. This resolution would signal the CBJ's intent to ensure the ADFG operational need will be honored should a property conveyance occur.

The City Manager recommends the Assembly adopt this resolution.

b. **Resolution 2988 A Resolution Proclaiming June as JUNEAU PRIDE MONTH 2022 and Encouraging the People of Juneau to Celebrate the Diversity of Our Community.**

This resolution would recognize June 2022 as Juneau Pride Month and encourage the community to join in celebrating Alaska's diversity. Juneau Pride Month is sponsored each year by *Southeast Alaska Gay and Lesbian Alliance*, the organization that provides social and support services to the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community in Juneau and Southeast Alaska. Juneau Pride Month celebrates the diversity of Juneau, and of the LGBTQ community's tremendous contributions to our community, state, nation, and world. Juneau Pride Month will be celebrated by inviting the entire Juneau community to participate in a week of cultural events, beginning Saturday June 17 and highlighted by the annual Pride Picnic, held at Sandy Beach on Sunday, June 26 from 12:00 p.m. to 4:00 p.m..

The City Manager recommends the Assembly adopt this resolution.

c. **Resolution 2989 A Resolution Encouraging the Prompt and Full Closure and Cleanup of the Tulsequah Chief Mine and Urging the B.C. Government to Oppose any Extension of the Receivership Process.**

The Tulsequah Chief Mine is located approximately 10 miles from the Alaska border and upstream from the Taku River. The Tulsequah Chief Mine closed in 1957 and acid rock drainage has been leaching since. The Taku River is usually Southeast Alaska's largest overall salmon producer, with Southeast's largest run of coho and king salmon. The Taku River basin is of tremendous and unique ecological, customary and traditional use, cultural, commercial and recreational fisheries value. As a community with substantial cultural, economic, and recreational connections to the vitality of the Taku River basin, this resolution would join the City & Borough of Juneau Assembly into calling for the prompt closure and clean up of the Tulsequah Chief Mine.

The Mayor and the Deputy Mayor requested that this resolution be placed on the agenda.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

a. **Bid Award: Marine Park Deckover, BE21-203**

This project would deckover the location of the removed Marine Park lightering float. It would demolish a portion of the existing Alaska Steamship Wharf dock, drive piles and install a new wooden ADA ramp on the seawalk. It would install a section of concrete deck, new lawn space, install an electrical capstan winch on dolphin #1 and handrails along with other related work. The proposed reconfiguration of the Marine Park Deckover results from modifications necessary to safely accommodate ADA access on the seawalk and improve access to Marine Park as well as providing necessary safety improvements to dolphin #1 for cruise ship moorage.

Funding for this project is part of the Waterfront Seawalk Fund CIP H51-113.

Bids were opened on June 8, 2022. One responsive bid was received. The bid protest period expires at 4:30 p.m. on June 15, 2022.

Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Trucano Construction Co., Inc.	\$2,504,284.00
Engineer's Estimate	\$1,800,000.00

The Docks and Harbors Board recommended this bid award at a special public meeting held on June 8, 2022.

The City Manager recommends award of this project to Trucano Construction Company, Inc. in the total bid amount, for a total award of \$2,504,284.00.

b. **RFB 23-007 Term Contract for Processing and Disposal of Abandoned Vehicles**

This is a term contract for processing and disposal of abandoned vehicles. Bids on this project were opened on June 1, 2022. The following bids were received:

BIDDER	TOTAL BID
Channel Construction, Inc.	\$146,150.00

The City Manager recommends award of this project to Channel Construction, Inc. on the basis of having the lowest responsive and responsible bid price in the amount of \$146,150.00 based on total bid.

c. **Bid Award: Harris Street Reconstruction, BE22-195**

This project includes reconstruction of Harris Street and Seventh Street from the intersection of Harris and Fourth Street to the intersection of Seventh and Gold Street. Bids on this project were opened on May 18, 2022. The bid protest period expired on May 23, 2022. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Coogan Construction Co.	\$1,727,081.00
Admiralty Construction, Inc.	\$1,771,715.00
North40 Construction Corp.	\$1,816,645.00
<i>Engineer's Estimate</i>	<i>\$1,686,615.00</i>

The City Manager recommends award of this project to Coogan Construction Co. for the total amount bid of \$1,727,081.00.

4. Liquor License

a. **13 Liquor License Renewals**

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, License #673

Licensee: Juneau's Waterfront Restaurants LLC d/b/a Pier 49 Seafood Station

Location: 406 S. Franklin St. Suite Retail B & Adjoining Pier, Juneau

License Type: Beverage Dispensary, License #4842

Licensee: Up The Creek, Inc., d/b/a Twisted Fish Company

Location: 550 S. Franklin St., Juneau

License Type: Restaurant/Eating Place, License #1416

Licensee: Taku Glacier Lodge Inc., d/b/a Taku Glacier Flightseeing/Salmon Bake

Location: Taku Valley Lot 75, Juneau

License Type: Beverage Dispensary, License #4788

Licensee: Tailwind Inc., d/b/a Roma Bistro

Location: #2 Marine Way, Suite 106, Juneau

License Type: Beverage Dispensary, License #3755

Licensee: Tailwind Inc., d/b/a Hangar on the Wharf

Location: #2 Marine Way, Juneau

License Type: Beverage Dispensary, License #4797

Licensee: Tailwind Inc., d/b/a Hangar on the Wharf Ballroom

Location: #2 Marine Way Suite 105, Juneau

License Type: Beverage Dispensary-Tourism, License #5649

Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions (outside security @ JIA)

Location: 1873 Shell Simmons Dr. Suite 220, Juneau

License Type: Beverage Dispensary-Tourism, License #5631

Licensee: Tailwind JNU, LLC d/b/a Tailwind Concessions (inside security @ JIA)

Location: 1873 Shell Simmons Dr. Suite 220, Juneau

License Type: Package Store, License #2066

Licensee: Fred Meyer Stores Inc., d/b/a Fred Meyer #158

Location: 8181 Glacier Hwy., Juneau

License Type: Restaurant/Eating Place, License #3733

Licensee: Catapult Inc., d/b/a Flight Deck

Location: 2 Marine Way, Suite 128, Juneau

License Type: Distillery, License #5905

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.

Location: 5429 Shaune Dr., Juneau

License Type: Distillery, License #5901

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Distilling Co.

Location: 5366 Commercial Blvd., Juneau

License Type: Brewery, License #2534

Licensee: Alaskan Brewing LLC, d/b/a Alaskan Brewing Co.

Location: 5429 Shaune Dr., Juneau

Staff from the 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 2021-08(b)(am)(AG) An Ordinance Appropriating \$1,500,000 to the Manager for the Information Technology Infrastructure Upgrades Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$1,500,000 of general funds for information technology needs at CBJ, including cyber security and system modernization upgrades that do not fit in the traditional operating budget framework.

The Assembly Finance Committee reviewed this request at the March 12, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the April 11, 2022 meeting. The

Systemic Racism Review Committee reviewed this request at the April 5, 2022 meeting and forwarded it to the full Assembly for public hearing. The Assembly held public hearing on this ordinance on April 25, 2022, and moved to postpone a decision on this ordinance until June 13, 2022.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2021-08(b)(am)(AJ) An Ordinance Appropriating \$6,300,000 to the Manager for the New City Hall Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$6,300,000 of general funds as initial funding for the New City Hall capital improvement project. Although the Assembly has not made final decisions on replacing or renovating the current city hall, appropriating these funds now will ensure funding is available to move the project forward once final decisions have been made. This project is ranked #4 on CBJ's FY23 Legislative Priority List.

Appropriating these funds now will also give the Assembly more flexibility in its decision-making on the 1% sales tax project list, potentially freeing up capacity for other worthy expenditures. In accordance with direction from the June 6 Committee of the Whole, an ordinance placing a general obligation debt question on the fall ballot to fund the New City Hall project will be introduced at the regularly scheduled Assembly meeting on July 11, 2022. This appropriation would also reduce the cost of that proposed debt issuance.

The Assembly Finance Committee reviewed this request at the March 12, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the April 11, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the April 5, 2022 meeting and forwarded it to the full Assembly for public hearing. The Assembly held public hearing on this ordinance on April 25, 2022, and moved to postpone a decision on this ordinance until June 13, 2022.

The City Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2022-06(b) An Ordinance Appropriating Funds from the Treasury for FY23 City and Borough Operations.

This ordinance appropriates \$439,606,200 in expenditure authority for the City and Borough of Juneau's FY23 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$426,388,500 of forecast revenue and transfers-in and decreases fund balances, across all funds, by \$13,217,700. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures.

The original ordinance was introduced at the April 4, 2022 Regular Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at the Regular Assembly meeting on April 25, 2022. The AFC referred the amended budget ordinance to the full Assembly for adoption at the May 18, 2022 meeting. The Charter requires adoption of the FY23 operating budget by June 15.

The Systemic Racism Review Committee reviewed this request during April and May.

The City Manager recommends the Assembly adopt this ordinance, as amended by the Assembly Finance Committee.

D. Ordinance 2022-08(b) An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2022 Based Upon the Proposed Budget for Fiscal Year 2023.

This ordinance will establish the mill rates for property taxes for 2022, which funds a significant portion of the City and Borough of Juneau's FY23 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY23 Proposed Budget as amended by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies. For FY23, the AFC recommends no change in mill rate from the FY22 Adopted Budget, resulting in a total mill levy of 10.56 mills, the components of which are:

Operating Mill Rate by Service Area	Millage	Change from FY22 Adopted
Roaded Service Area	2.45	-
Fire Service Area	0.31	-
Areawide	6.60	-
Operating Total	9.36	-
Debt Service	1.20	-
Total	10.56	-

An opportunity for public comment was provided at a Regular Assembly meeting on April 25, 2022. The AFC reviewed the mill rate ordinance at its meetings on April 6 and May 18, 2022, referring the amended ordinance to the full Assembly for adoption.

The Systemic Racism Review Committee reviewed this request during April and May and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance as amended by the Assembly Finance Committee.

E. Resolution 2975(b) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2023 through 2028, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2023.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2023 through 2028, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY23.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 7, 2022 meeting and forwarded the plan to the Assembly. The Planning Commission reviewed the preliminary CIP at its April 12, 2022 meeting. The Systemic Racism Review Committee reviewed this request during April and May.

The CIP resolution was introduced at the April 4, 2022 Regular Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at the Regular Assembly meeting on April 25, 2022. The AFC referred the amended resolution to the full Assembly for adoption at the May 18, 2022 meeting. The Charter requires

adoption of the FY23 CIP by June 15.

The City Manager recommends the Assembly adopt this resolution, as amended by the Assembly Finance Committee.

F. Ordinance 2022-24 An Ordinance Amending the Elections Code for the City and Borough of Juneau Municipal Elections.

This ordinance would amend the election code (1) by aligning code with procedures and practices necessary to conduct an election using our new ballot processing center, and (2) by clarifying language of election procedures. The Assembly Committee of the Whole reviewed this ordinance on May 2, 2022. Given discussion at that meeting, there are proposed amendments included in the packet.

The Systemic Racism Review Committee reviewed this request on May 17, 2022.

The City Manager recommends the Assembly consider the amendments and then adopt this ordinance.

G. Ordinance 2021-08(b)(am)(AS) An Ordinance Appropriating \$2,300,000 to the Manager for the Hospital CT/MRI Replacement Capital Improvement Project; Funding Provided by Hospital Funds.

This ordinance would appropriate \$2,300,000 of hospital funds for the replacement and installation of one MRI and two CT scanners at Bartlett Regional Hospital. The existing apparatus has reached end of useful life and upgrades to the HVAC, electrical, and magnetic shielding are required for installation of the new equipment.

The Public Works and Facilities Committee reviewed this request at the May 2, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the May 17, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

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

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

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

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

B. LEED Exemption Request for Bartlett Regional Hospital Emergency Department Addition

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

- A. **Executive Session: Collective Bargaining Negotiations**

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

XVI.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