

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

August 1, 2022 7:00 PM

Assembly Chambers/Zoom Webinar

Meeting No. 2022-18 <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. Special Recognition: First Juneau-Based Ukrainian Refugees

B. 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. June 13, 2022 Regular Assembly Meeting 2022-13 DRAFT Minutes

B. June 14, 2022 Special Assembly Meeting 2022-14 DRAFT Minutes

C. June 15, 2022 Special Assembly Meeting 2022-15 DRAFT Minutes

D. June 27, 2022 Special Assembly Meeting 2022-16 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 2022-41 An Ordinance Authorizing the Manager to Execute a Lease with the Juneau Arts and Humanities Council for Use of the Juneau Arts and Culture Center Building.**

The State of Alaska conveyed the former Armory Building and property to the City and Borough of Juneau in 2006. In 2007 the City began leasing the building now known as the Juneau Arts and Culture Center (JACC) to the Juneau Arts and Humanities Council (JAHC) to rent and manage the performance and exhibit space for community arts and cultural events. This ordinance will authorize the JAHC to continue to lease and operate the JACC for the benefit of the community by providing arts and cultural opportunities for Juneau and the surrounding Southeast communities. In identifying the JAHC's nonprofit status and the public service it provides, the Assembly has leased the JACC to the JAHC at less than fair market value in accordance with CBJC 53.09.270. The LHED Committee reviewed this lease request at its June 27 meeting and provided a motion of support to continue to lease this property to the JAHC for the lease rate of \$500.00 per month for the first three years and \$1,000.00 per month for the last two years.

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

- b. **Ordinance 2022-06(b)(F) An Ordinance Appropriating \$9,563 to the Manager for the Statter Harbor Phase IIIC Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game.**

Docks and Harbors has been awarded an additional \$9,563 in Clean Vessel Act grant funding from the Alaska Department of Fish and Game to construct, manage, and maintain sewage pumpout stations in Statter Harbor. This award increases the grant appropriated under Ordinance 2019-06(AF). A local match requirement of \$3,188 will be provided by previously appropriated funds from the Statter Harbor Phase IIIC CIP (H51-108).

The Docks and Harbors Board approved this request at the July 28, 2022 meeting.

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

- c. **Ordinance 2022-06(b)(G) An Ordinance Appropriating \$5,000,000 to the Manager for the North State Office Building Parking Capital Improvement Project; Grant Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.**

CBJ has been awarded a \$5 million designated legislative grant through the Alaska Department of Commerce, Community, and Economic Development. This grant provides partial funding for the planning, design and construction of additional parking

levels above the North State Office Building Parking Garage. Additional project funding will be provided by temporary 1% sales tax, if extended by voters during the October election. This project is #10 on CBJ's FY23 Legislative Priority List.

The Public Works and Facilities Committee will review this request at the August 8, 2022 meeting.

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

d. **Ordinance 2022-06(b)(H) An Ordinance Appropriating \$292,000 to the Manager for the Eagle Valley Center Capital Improvement Project; Grant Funding Provided by the Rasmuson Foundation.**

The Rasmuson Foundation has awarded CBJ a \$292,000 grant to renovate the Eagle Valley Center. This grant funding will supplement the 2020 voter approved general obligation bond funding for energy efficiency improvements. With the grant funding, the project work will include a new, more efficient exterior building shell, new windows and doors, electric boiler and hot water system, electrical upgrades, a potable water filtration system from a well, rot removal, and site drainage improvements.

The Public Works and Facilities Committee will review this request at the August 8, 2022 meeting.

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

e. **Ordinance 2022-06(b)(J) An Ordinance Transferring \$116,600 from the Manager's Office to Engineering and Public Works for Grant Writing and Consulting.**

This ordinance would transfer \$116,600 from the Manager's Office to Engineering and Public Works for grant writing and consulting. The grant writer position was created in FY22 and funded by Ordinance 2021-08(b)(am)(H) in an effort to identify, prioritize, and pursue funding opportunities available to the city from an unprecedented level of federal stimulus infused into the economy. Establishing the grant writer position in Engineering and Public Works facilitates collaboration and partnership between grant writing and likely infrastructure grant recipients within CBJ (such as Transit, Streets, etc.). The grant writer position will be partially funded by CIPs, making available additional funding for grant consulting from Blank Rome, LLP.

The Public Works and Facilities Committee will review this request at the August 8, 2022 meeting.

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

2. Resolutions

a. **Resolution 2997 A Resolution of the City and Borough of Juneau Supporting the Operational Needs of the Juneau District Heating Proposal in the Downtown Vicinity.**

Our Congressional delegation, led by Senator Sullivan, is proposing legislation which would authorize conveyance of the downtown NOAA dock to CBJ at fair market value. Docks & Harbors has long viewed this NOAA facility as integral to contiguously

link the Juneau waterfront from the bridge to AJ Dock and is critical to advancing envisioned development. Since 2017, Juneau District Heating has been in discussion with NOAA to conceptually plan for seawater supply and discharge lines to be located from their Subport Lot at 300 Egan Drive through the existing NOAA dock. The intent of Resolution 2997 is to reassure, in the event CBJ acquires the NOAA dock, that the needs and interests of Juneau District Heating will be reasonably accommodated by CBJ.

The City Manager recommends the Assembly adopt Resolution 2997.

- b. **Resolution 2998 A Resolution Supporting the City and Borough of Juneau's Application for a Safe Streets for All Planning Grant to Develop a Safety Action Plan and Committing to Zero Roadway Fatalities by 2050.**

This resolution supports CBJ's application to the federally funded Safe Streets for All program for a grant to develop a Safety Action Plan and commits CBJ to zero roadway fatalities by 2050. Such a commitment is required by the grant.

The plan will analyze historical safety data and trends and recommend projects and initiatives. A Safety Action Plan will allow CBJ to be eligible for future implementation grants for specific projects such as Lemon Creek Multimodal Path. It will also facilitate advocating with ADOT for safety improvements on state roads. The grant requires a 20% which would be appropriated from area wide street sales tax.

The City Manager recommends the Assembly adopt Resolution 2998.

- c. **Resolution 2989(b) A Resolution Encouraging the Prompt and Full Closure and Cleanup of the Tulsequah Chief Mine and Urging the British Columbia 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 and Borough of Juneau Assembly into calling for the prompt closure and cleanup of the Tulsequah Chief Mine.

This resolution is at the request of the Deputy Mayor and the City Manager has no recommendation on this policy matter.

3. Bid Award

- a. **Augustus Brown Pool Mechanical and Electrical Upgrades, BE23-019**

This project consists of renovation of the existing 17,700 SF pool building to replace existing mechanical and electrical equipment that is past its useful life, and making code-required and functional improvements to the building's architectural layout. The

alternate work includes replacement of leisure pool finishes and the main entrance doors and finishes.

Bids were opened for this project on July 26, 2022. The bid protest period expired at 4:30 p.m. on July 27, 2022. Results of the bid opening were as follows:

Bidders	Base Bid	Alt. No. 1	Alt. No. 2	Alt. No. 3	Total Bid
Dawson Construction LLC	\$3,498,000	\$384,500	\$175,700	(\$32,000)	\$4,026,200
Schmolck Mechanical Contractors	\$3,731,757	\$371,940	\$218,570	(\$55,000)	\$4,267,267
<i>Architect's Estimate</i>	\$2,555,000	\$200,500	\$50,000	(\$40,000)	\$2,765,500

The City Manager recommends award of this project to Dawson Construction, LLC, for the base bid and alternates 1 and 2 for a total amount of \$4,058,200.

b. Centennial Hall Ballroom Renovation, BE22-204

This project renovates the ballrooms at Centennial Hall including HVAC, flooring, and room dividers. The alternate work includes structural upgrades and additional acoustical wall paneling. Bids for the project came in over original estimates, which will require using more of the \$2.8M added with the 2023 CIP than originally anticipated. Staff expects approximately \$1.6M to remain available for future projects at Centennial Hall.

Bids were opened for the project on July 27, 2022. The bid protest period expired at 4:30 p.m. on July 28, 2022. Results of the bid opening were as follows:

Bidders	Base Bid	Alt. No. 1	Alt. No. 2	Alt. No. 3	Total Bid
Carver Construction LLC	\$6,038,165	\$302,730	\$120,382	(\$40,878)	\$6,420,399
Dawson Construction LLC	\$6,264,450	\$237,500	\$106,230	(\$51,775)	\$6,556,405
Alaska Commercial Contractors, Inc.	\$6,378,000	\$330,000	\$145,000	(\$36,000)	\$6,817,000
Island Contractors, Inc.	\$7,070,000	\$330,000	\$115,000	(\$38,600)	\$7,476,400
<i>Architect's Estimate</i>	\$5,560,000	\$290,000	\$245,000	(\$115,000)	\$5,980,000

The City Manager recommends award of this project to Carver Construction, LLC, for the total amount bid of \$6,420,399.

IX. PUBLIC HEARING

- A. Ordinance 2022-34 An Ordinance Providing for the Levy and Collection of a Temporary 1% Areawide Sales Tax on the Sale Price of Retail Sales, Rentals, and Services Performed within the City and Borough of Juneau, to be Effective October 1, 2023, and Providing for a Ballot Question Ratifying the**

Levy.

This ordinance would place the question of extending the 1% temporary sales tax on the October 4, 2022, regular municipal election ballot. The current 1% temporary sales tax expires on September 30, 2023. If approved, the temporary 1% tax would be extended for five years, until September 30, 2028.

If extended, the temporary tax is estimated to generate a total of \$60.2 million in sales tax revenue. The Assembly has designated funds to the following projects areas:

- Deferred maintenance of CBJ and JSD facilities
- Replacement public safety equipment for JPD and CCFR
- Redevelopment of Gastineau Avenue, Telephone Hill, and North SOB Parking Garage
- Affordable housing initiatives, including further development of Pederson Hill
- Harbor expansion and maintenance
- Childcare support
- Lemon Creek multi-modal path
- Relocation of City Museum
- Contribution to the Restricted Budget Reserve
- Information technology upgrades

This topic was reviewed by the Assembly Finance Committee at its meeting on March 12, and by the Committee of the Whole at its meetings on May 2 and June 27. The Committee of the Whole recommended the ordinance be brought to the full Assembly for consideration. The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2022-37 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$35,000,000 to Finance Construction and Equipping of a New City Hall for the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 4, 2022.

This ordinance would send a bond package to the voters to consider in the municipal election on October 4, 2022. This ordinance would send one general obligation bond proposition of up to \$35 million for the construction and equipment of a new city hall. The total project cost, with underground parking, is currently estimated at \$41.3 million, and the Assembly has already appropriated \$6.3 million of general funds.

The new city hall would be built on Whittier Avenue, across the street from the state museum. A new facility would have a number of positive attributes for the City and our citizens, including the following: an end to office space rent payments in excess of \$800,000 annually, the freeing up of historical apartment spaces, and the ability for customers and employees to do municipal business in a more efficient manner as CBJ offices would be located in one place, instead of five different locations. Additionally, a new structure would be more economical to maintain; the existing City Hall is one of our most expensive municipal buildings to maintain.

The Committee of the Whole selected 450 Whittier Avenue as the preferred site for a new city hall during the April 11, 2022 meeting. The Assembly requested staff draft an ordinance to submit a proposition to the voters on the October 4, 2022 election ballot during the June 6, 2022 Committee of the Whole meeting. The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2022-38 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$6,600,000 to Finance Construction and Equipping of Park Improvements within the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 4, 2022.

This ordinance would send a bond package to the voters to consider in the municipal election on October 4, 2022. This ordinance would send one general obligation bond proposition of up to \$6.6 million for the construction and equipment of park improvements within CBJ, including:

- Turf and track surfacing for sports facilities at Adair Kennedy Park
- A new public use cabin
- Areawide trail maintenance

The Committee of the Whole discussed this request during the June 27, 2022 meeting. The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

This ordinance is being introduced at the request of the Mayor.

The City Manager does not have a recommendation on this ordinance.

D. Ordinance 2021-08(b)(am)(AT) An Ordinance Appropriating \$500 to the Manager for the Bartlett Regional Hospital Rainforest Recovery Center; Funding Provided by a Donation from the Second to None Motorcycle Club.

This ordinance would appropriate a \$500 donation from the Second to None Motorcycle Club for Bartlett Regional Hospital's Rainforest Recovery Center to support addiction rehabilitation and recovery programs throughout the state.

The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

E. Ordinance 2022-06(b)(E) An Ordinance Appropriating \$40,000 to the Manager to Conduct a Statistically Valid Survey of Juneau Voters Related to Removing Sales Tax on Food; Funding Provided by General Funds.

This ordinance provides funding to the Manager to contract with a research firm experienced in conducting statistically valid surveys. The firm will provide survey design services and conduct the survey. The survey will begin with education on the topic and conclude with questions that 1) assess whether or not the survey taker approves of removing sales tax on food, and 2) regardless of their approval, seeks input on the method by which CBJ revenue should be replaced if sales tax were removed from food. Revenue replacement options would include annual sales tax, seasonal sales tax, and property tax. The Assembly discussed and decided to proceed with this survey at its June 27, 2022 Committee of the Whole meeting.

The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

F. **Ordinance 2022-06(b)(B) An Ordinance Appropriating \$20,000 to the Manager for Short-Term Rental Data Collection; Funding Provided by Hotel-Bed Tax Funds.**

The Assembly discussed the topic of short-term rentals and provided direction to begin the process of collecting data on short-term rentals so the Assembly can be better equipped to make policy decisions. This appropriation would enable the Manager to contract with a third-party vendor that monitors short-term rental websites to report data about the location and ownership of short-term rental units, number of nights rented, type of short-term rental (i.e. full-house, shared house, apartment), and estimated rental rates.

In addition to the June 6, 2022 Committee of the Whole meeting, the Assembly discussed the registration piece of this topic at its July 7, 2022 Finance Committee meeting. The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

G. **Ordinance 2022-06(b)(C) An Ordinance Appropriating \$25,000 to the Manager to Publicly Oppose the Repeal of Mandatory Real Estate Price Disclosure; Funding Provided by General Funds.**

In October 2020, the Assembly adopted Ordinance 2020-47(am) to require the disclosure of real estate transaction prices to the Borough Assessor. Due to lack of compliance and legal issues with the confidential provision with the original ordinance, the Assembly amended the law by ordinance in February 2022 to make sales prices public and institute a civil fine for failure to disclose. A referendum to repeal these ordinances has been certified for the October 2022 ballot. The Assembly's stated intent with these ordinances was to give the Assessor more access to market sales information in the interest of more accurate assessments for all property owners. A repeal would give the Assessor less information which would force the Assessor to speculate about real estate market activity. Less sales information and more speculation about the market would result in less accurate assessments that are more prone to surprising value corrections. With passage of this appropriating ordinance, the Assembly and appointed officials would be able to publicly support the merit of mandatory price disclosure and oppose its repeal.

The Assembly may determine that it is inappropriate for staff to advocate for the outcome of this ballot proposition and may decline to adopt this Ordinance. During public hearing of this Ordinance, the Assembly should debate the best way to provide the public with information about the reasons why the Administration recommended and the Assembly approved the requirement for disclosure of property sale prices. As it is likely that the sponsors of the referendum will advocate in favor of passage, it is important for the Assembly to consider how the public may understand its action in balancing the needs of privacy of financial information and the needs of equitable taxation.

The Systemic Racism Review Committee reviewed this request at the July 12, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

H. **Ordinance 2022-06(b)(D) An Ordinance Appropriating \$25,000 to the Manager to Publicly Support a General Obligation Bond for the Construction and Equipment of a New City Hall; Funding Provided by General Funds.**

The Committee of the Whole selected 450 Whittier Street as the preferred site for a new city hall during the April 11, 2022, meeting. The Assembly requested staff draft an ordinance to submit a proposition to the voters on the October 4, 2022, election ballot during the June 6, 2022,

Committee of the Whole meeting. This ordinance would appropriate \$25,000 for the Assembly and appointed officials to advocate for this proposition and educate the public of the merits of construction of a new city hall prior to the October election.

Whether or not to authorize the construction of a new city hall is an important long-term decision for the community. In accordance with AS 15.13.145, this ordinance will allow staff to properly and accurately convey information to the public and will allow staff to participate in debates regarding the merits of the proposal.

Absent municipal participation in this important public decision, voters are likely to not have access to the facts or best arguments in favor of the proposal for a new City Hall.

The Systemic Racism Review Committee reviewed this request at the July 12, 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/Non-Profit Late-Filed Real Property Tax Exemption Applications

There are ten 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. Regulation 20 CBJAC 40.520 Class A Endorsement Taxi Rate Change

The Commercial Passenger Vehicle (CPV) regulations provide for Class A endorsement (taxi rates and fees). The proposed regulations provide for an increase in the two discrete rates, the flag drop and the mileage rate. The flag drop rate would increase from \$3.40 to \$4.00 and the mileage rate would increase from \$0.22 per one-tenth mile to \$0.25 per one-twelfth mile. The proposed regulations would also eliminate two discrete additional fees, the \$1.00 Airport to and from fee and \$1.50 Cruise Ship Dock fee. Finally, the proposed regulations would replace the existing language describing the taxi cleaning fee, but would not change this rate.

The Manager recommends the Assembly adopt this regulation.

C. Parise Request to Purchase City Property

D. L3Harris Request to Lease City Property at the JPD Station for Communications Equipment

In June 2022, the City Manager received an application from L3Harris to lease space at the Juneau Police Station located at 6255 Alaway Avenue. The CBJ has a signed MOA with the Federal

Aviation Administration (FAA), which grants the FAA space for a Wide Area Multilateration Aerial Radar Surveillance System (WAM) equipment cabinet and tower space for antennas at Lemon Creek. L3Harris has submitted a letter from the FAA with their application stating that L3Harris holds a contract with the Federal Aviation Administration.

At this point in time, the application has been received and the next step in processing the application is for the Assembly to determine “whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land” (53.09.260).

The LHED Committee reviewed this request at its meeting on June 27, 2022, and provided a motion of support for leasing this property to L3Harris.

The Manager recommends the Assembly pass a motion of support to work with L3Harris as the original proposer in accordance with City Code 53.09.260.

E. **Notice of Appeals: Goldstein Improvement Company v. CBJ Finance Department/Assessors Division**

Greg Adler, on behalf of Goldstein Improvement Company, filed two Notices of Appeal regarding real property valuations by the Assessor from 2022 as follows:

Appeal to Assembly #2022-AA01 for the property located at 110 Seward St., parcel #1C070A020030

Appeal to Assembly #2022-AA02 for the property located at 122 Front Street, parcel #1C070A020011

State law (AS 29.45.210(d)) provides that a taxpayer can appeal a Board of Equalization decision to Superior Court within 30 days of distribution of the Board of Equalization decision—not to the Assembly. Additionally, CBJ Charter has two provisions that may be relevant: CBJ Charter 3.16(b) (allowing appeals from Boards created by the Assembly to the Assembly) *with* CBJ Charter 3.11 (prohibiting the Assembly from giving orders on administrative matters to an employee of the Manager). Prior to the expiration of the 30 day window to appeal the Board of Equalization decisions to superior court, the City Clerk informed Mr. Adler that the Assembly would likely address these subject matter jurisdiction issues before deciding the merits of the appeals and that may cause Mr. Adler to forego his ability to timely appeal the Board of Equalization decision to superior court.

The Assembly needs to decide if it is going to accept these appeals, and if it is going to appoint a presiding officer or appoint a hearing officer.

If the Assembly decides to accept these appeals, it should accept them for the limited purpose of receiving briefing from the parties and deciding if it has jurisdiction over the subject matter of these appeals.

XII. STAFF REPORTS

A. Telephone Hill

Pursuant to legislation passed by the State of Alaska this year, conveyance of the Telephone Hill properties has begun. As part of that process, the State Department of Transportation will first

convey the property to the State Department of Natural Resources, which will then convey the property to CBJ.

There are a number of residents on the hill that cooperatively lease the properties on a month-to-month basis. The State has determined that as part of the inter-Departmental transfer that it must terminate the existing lease, those notices went out on Friday 7/29. The Manager has communicated to the neighborhood association that CBJ's goal is to have a public process on how to manage and redevelop the property – which is a tremendous opportunity for Downtown Juneau and to plan for a “soft landing” for the renters of the properties. The goal is to provide a seamless transition that will allow a continuance of occupancy in the short run. It is hard to imagine a scenario where tenants won't be able to stay for at least an additional six months, perhaps longer.

The City Manager recommends that this topic be forwarded to the Lands, Housing and Economic Development Committee for regular updates, beginning with the August 8, 2022 meeting. I also recommend that the Assembly tonight verbally support the notion of a “soft landing” in our decision making.

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. **Labor Negotiations**

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

THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING
DRAFT Meeting Minutes – June 13, 2022

MEETING NO. 2022-13: The Regular Assembly Meeting of the City and Borough of Juneau Assembly was held at City Hall and virtually via Zoom Webinar and called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

Assemblymember Greg Smith led the Assembly in the flag salute.

II. LAND ACKNOWLEDGMENT

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

III. ROLL CALL

Assemblymembers Present: Mayor Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, ‘Wáahlaal Gíidaak, Greg Smith, Carole Triem, Alicia Hughes-Skandijs, Christine Woll, Wade Bryson

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Assistant City Attorney Sherri Layne, Finance Director Jeff Rogers, Port Director Carl Uchtyl, Engineering/Public Works Director Katie Koester

IV. SPECIAL ORDER OF BUSINESS

A. Proclamation Juneau Pride Month (see Res. 2988 under Consent Agenda)

Mayor Weldon read a proclamation to honor June as Juneau Pride Month and presented it to members of SEAGLA (Southeast Alaska LGBTQ+ Association).

B. Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform.

V. APPROVAL OF MINUTES

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

C. May 4, 2022 Special Assembly Meeting #2022-11 DRAFT Minutes

MOTION by Ms. Hale to approve the minutes of the Jan 10, 2022 Special Assembly meetings, with

corrections, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

MOTION by Ms. Woll to approve the minutes of the May 4, 2022 Special Assembly meetings, with corrections, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

VI. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Kirby Day, a Juneau resident, provided an update on the Tourism Best Management Program. He said that through the month of May, the hotline has received 37 calls from 29 different callers. He said that for comparison purposes, in the 2019 tourist season, they had received 24 calls during the same period. He said this year's calls are a mix between issues related to vehicles and parking, whale watching or wake caused by boats, emissions, aircraft noise, and the sight of large screen TVs. He said they have gotten the ships to turn those TVs off completely now while in port. He said that the additional calls are not a surprise since we have gone through two years without tourism. TBMP and CBJ has reached out to the community to encourage use of the hotline and he thinks that is part of why they are seeing a higher call rate. The concerns are typically addressed within 3-4 after receiving a hotline call. He said the only challenge there is that the administrator is also an EMT so she may be called away for EMT service. He said the other concerns they've seen is due to the low staffing of the crossing guards and other tourism employers following the worker shortage nationwide. He said that TBMP will continue to address community concerns.

Ms. Gladziszewski asked Mr. Day to provide the hotline number. Mr. Day said the hotline number is 907-586-6774 and the email is hotline@traveljuneau.com and they are encouraging reports via email as it is easier to forward those to the operators.

Mr. Smith asked Mr. Day if he could share any information he had on how full the ships may be that are coming into port. Mr. Day said that he doesn't have all the data but it does vary from 40% capacity to 90% capacity for those numbers that he is aware of. He said there is a lot of fluidity with COVID protocols/requirements and his guess is that they may end up around 1 million overall visitors by the end of the summer but that is truly just a guess at this point.

Mayor Weldon thanked Mr. Day for his testimony and called for a brief at ease to ascertain the topic(s) of those who have signed up to testify.

Upon coming back from the Mayor's recess, there were technical difficulties causing the sound from those wishing to testify via Zoom to be inaudible by those in the Assembly Chambers. Mayor Weldon determined that since those on Zoom could still hear what was happening in the Chambers, she would continue with the meeting.

Ms. Kim Metcalfe, who had signed up in advance to testify via Zoom, indicated that she will try to testify at a future meeting since the technical difficulties prevented her from speaking at this time.

Mr. Albert Shaw, a Juneau resident and former City Council member, was present in the Assembly Chambers testified about the Eaglecrest Gondola. He said he was in favor of gondola but that the problem was that while it is right idea, it is being proposed for the wrong mountain. He said that in December 1958 they discussed the Eaglecrest plan and they not only had one but two mountains to develop. He said that where gondola needs to go is Mt. Troy. He said the Assembly needs to stop and ask the critical question: “Is it in the right place?”

Assemblymember Hale thanked Mr. Shaw for his testimony and asked if he has spoken with Mr. Scanlan and the Eaglecrest Board about this. Mr. Shaw answered that he has not spoken with them and had been out of the country and just now found out about the proposed location but that he would be more than happy to discuss this issue with them.

Assemblymember Smith asked Mr. Shaw to explain why he felt the gondola should it be on Mt. Troy as opposed to the proposed alignment? Mr. Shaw said that the area they want to place it is already being served by the Black Bear chair. He said that he has a long list of things for why it should be on Mt. Troy and he’d be more than happy to meet with Mr. Smith to explain it all.

Mayor Weldon noted that while there were some others who had initially signed up to testify, they have since crossed their names off the list. She again apologized to those via Zoom for the inability to have testimony via Zoom.

VIII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes.

None.

C. Assembly Action

MOTION by Ms. Gladziszewski to approve the Consent Agenda with removal of Resolution 2989 and asked for unanimous consent. *Hearing no objections, the Consent Agenda, as amended, was adopted by unanimous consent.*

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 cleanup 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.

This resolution was removed from the consent agenda at the request of Deputy Mayor Maria Gladziszewski.

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
<i>Engineer's Estimate</i>	<i>\$1,800,000.00</i>

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 Licenses

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.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2021-08(b)(am)(AG) and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

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.

Public Comment

None.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2021-08(b)(am)(AJ) and asked for unanimous consent.

Objection was noted by Assemblymember Smith for purposes of a question. He asked Manager Watt about the timelines involved with this ordinance given that the Assembly has not made final decisions on how to proceed about putting a question on the ballot or if there needs to be an answer on this before the coming months prior to the election.

Mr. Watt explained that the Assembly needs to know the answer on appropriating this before the Assembly could move forward on placing a question on the ballot. That would help them know the appropriate amount to go on the ballot. He said that the voters would have to approve that if it did go to the ballot. If the Assembly did not put a question on the ballot or the voters did not approve a ballot question, this funding would be available for use in renovations of the current City Hall.

Mr. Smith said that did answer his questions but he will continue to maintain his objection as his main concerns have to do with timing as it relates to other ballot topics as well as the uncertainties with the Governor's decisions related to past school bond debt reimbursements and concerns with the amounts in reserve.

Deputy Mayor Gladziszewski also noted her objection and is also concerned about the planned reserved as well as the potential vetoes by the governor.

Mr. Bryson spoke in favor of the passage of this ordinance and all the reasons to build a new city hall and encouraged other members to also vote in favor of this ordinance. Mayor Weldon also spoke in support of passing the ordinance.

Roll Call Vote on Adoption of Ordinance 2021-08(b)(am)(AJ)

Yeas: Bryson, Hale, Hughes-Skandijs, Triem, Woll, 'Wáahlaal Gíidaak, and Weldon

Nays: Smith, Gladziszewski

Motion passed 7:2

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.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2022-06(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

Mayor Weldon said that the Assembly did what they said they would be doing when they met at the Assembly retreat. They instructed the Manager to increase the budget somewhat to take some pressure off. She noted they were left with a healthy fund balance by previous Assemblies and this Assembly decided to spend down some of that fund balance and they have done that and tried to be careful with their expenditures. She said that while she understands that those expenditures weren't favored by all the public but they did what they set out to do with respect to their Assembly goals. She commented that now that they have spent some of those reserves, they do need to be careful and prudent on spending going forward. She shared the following quote from a former Assemblymember, "We can not spend and not tax, we can spend and tax, but we can't spend and not tax." She said they can now look forward to some more excitement next year.

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	-0-
Fire Service Area	0.31	-0-
Areawide	6.60	-0-
Operating Total	9.36	-0-
Debt Service	1.20	-0-
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.

Public Comment

None.

Assembly Action

MOTION by 'Wáahlaal Gíidaak to adopt Ordinance 2022-08(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

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.

Public Comment

None.

Assembly Action

MOTION by Ms. Woll to adopt Resolution 2975(b) as amended by the Assembly Finance Committee and asked for unanimous consent. *Hearing no objection, the motion passed.*

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.

Public Comment

None.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2022-24 as amended by the amendments on pages 99 and 100 and also to make a correction on page 100 of the packet on line 42 where it says “qualified voters” to read “qualified voter” and asked for unanimous consent.

Ms. Woll objected for purposes of a question. On packet page 100, line 52, it states “all petition booklets and copies of booklets must be surrendered to the Election Official within 60 days of issuance.” She said that she went back and checked the amendments as it was introduced at the last meeting and this sentence was followed by “for destruction.” and she was curious if that was removed intentionally or if that was a mistake.

Mr. Palmer said that was an intentional removal of the language to make it clear that what is clear is that the books are returned to the Clerk and that the Clerk would destroy them in the time required by the CBJ records retention schedule and not for immediate destruction. The records retention schedule currently provides for that information to be retained for five years.

Mr. Smith said that they had heard concerns and asked if staff could speak to the concerns about the names and information on the petition being used for retaliation purposes if they are turned into the Clerk. Mr. Palmer said that the fundamental starting point is that this Assembly body of nine members passes legislation regularly and that the public has the right, through the initiative process, to also bring legislation forward for consideration. He noted that when legislation is initiated by a petitioners committee, that petitioners committee basically stands in place of the Assembly. He said that functionally, when those petition books are provided to the petitioners committee to be taken around for signing, those are public records that belong to the city and are open for public inspection. When those records get returned to the city, whether they have a sufficient number of signatures or not, they are turned into the Clerk’s office and the Clerk’s office holds onto those records for a five year period and then they get destroyed. If someone wants to file a request for public records to obtain the information from those books, the bulk of that information is disclosable to the public. There is some information that voters submit that is redacted because it is considered confidential.

Additional discussion took place with Mr. Smith asking how this compares with the process used by the State Division of Elections. Mr. Palmer said he couldn’t speak to how the Division of Elections process is handled but he did note that there is state law specific to non-home rule municipalities that requires that all petition books shall be returned and filed with the Clerk. He said that our Charter is ambivalent specifically on the filing part. This amendment would remedy that and make it consistent with state law as it applies to non-home rule municipalities. Mr. Smith and Mr. Palmer then addressed the fact that this leads to the fact that the public has, through the petition process, the power to enact legislation but it also has great responsibility associated with that process.

Ms. Woll said that her questions had to also do about some of the same concerns raised regarding the security of the information contained in the booklets. She noted that when this was initially discussed, the proposed language was an attempt at keeping the information more secure and said that maybe they are more secure in our hands but that because it is subject to public records requests, it may be more open. She asked for those petitions that may not have been successful in obtaining the requisite number of signatures, what the reason is to have those books returned to the city. Ms. McEwen explained that when a voter signs a petition book, they are required to provide one of the following personal identifiers: the last four digits of their social security number SSN, their Voter ID number, their year of birth, or their driver’s license number. She explained that if/when a public records request may be received for

the petition books, those identifiers would be redacted from the records before being provided to the requestor. Ms. McEwen noted that by having the books in our custody, we can control the release of that confidential information whereas we cannot do that if the booklets are not filed with the Clerk. Ms. Woll thanked the Clerk for that explanation and said that cleared up her confusion and concerns.

Ms. Hale said that she was originally concerned about these same concerns and she was originally going to offer an amendment. She said she has given this a lot of thought and had a lot of conversations about it and what this boils down to is that the right to petition the government comes with responsibilities. She said that just as someone who wishes to testify on a matter before the Assembly, they are required to identify themselves and do it publicly. So too, if someone is petitioning the government, that means that they are offering themselves and their names to petition the government. She said that she too places a lot of value on the concern about people's privacy but that responsibility of the citizenry take precedence in this case.

Ms. Gladziszewski said that it is her understanding that people who are petitioning are going to be making copies of the booklets and that would mean that the confidential information may still be out there if only the originals are filed with the Clerk. Ms. McEwen pointed to the language in the amendment on packet page 100, lines 50-51 which states that "all petition booklets and copies of booklets must be surrendered to the Election official..." and was included to address that concern specifically.

Mayor Weldon asked if there were any remaining or additional objections Ms. Hale's motion for adoption with the amendments as noted from packet page 99 and 100. Mr. Smith pointed to page 99 line 12 and that the word "a" should be inserted between the word "at" and "time" so that line 12 read: "...election day and closed at **a** time designated for the close of the polls on..." Mayor Weldon asked Ms. Hale to include that change to her amendment as well which she did.

Hearing no objection, Ordinance 2022-24 was adopted as amended.

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.

Public Comment

None.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2021-08(b)(am)(AS) and asked for unanimous consent.

Hearing no objection, the motion passed.

X. UNFINISHED BUSINESS

None.

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.

Assembly Action

MOTION by Ms. Gladziszewski that the Assembly has considered the two applications from Mr. Larry Hooton and William T. Kramer and for the Assessor to accept these applications for consideration and asked for unanimous consent. *Hearing no objection, the motion passed.*

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

Mr. Watt noted that this request is for a LEED exemption request. He noted that the packet had three memos in the packets, one from CBJ Architect Jeanne Rynne, one from the Juneau Commission on Sustainability Chair Gretchen Kaiser, and one from Engineering/Public Works Director Katie Koester, all recommending the Assembly grant a LEED exemption request for the Bartlett Regional Hospital Emergency Department addition project.

MOTION by Ms. Gladziszewski for the Assembly to exempt the BRH Emergency Department Addition project from the LEED certification requirements because it is a non-separated portion of the hospital and therefore not eligible for LEED certification. *Hearing no objection, that motion passed.*

XII. STAFF REPORTS

None.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon wished everyone Happy Pride Month. She said that she saw many Assemblymembers at Celebration and that 'Wáahlaal Gíidaak had the best seat in the house during the toddler regalia review. Mayor Weldon said that she also attended the symphony on Saturday night with the "Night at the Oscars." She said that the Assembly has seen many emails and she has been working on an ordinance she will be bringing forward with a proposed bond package for Adair-Kennedy for possibly \$5 million towards a Turf Field and to resurface the track.

B. Committee Reports

Committee of the Whole (COW) Chair Gladziszewski reported that the COW met on June 6 at which they discussed many items including short term rentals and housing action plan updates and the 1% Sales Tax project proposals and the new City Hall. She said the next meeting is scheduled for June 27.

Assembly Finance Committee (AFC) Chair Triem reported that the Assembly passed the results of their months of budget discussions earlier during this meeting. Ms. Triem said that although she has said numerous times that they would not be having a July AFC meeting, she has changed that decision and they will be holding an AFC meeting on July 6 to discuss all things housing that are finance related.

Lands, Housing and Economic Development Committee (LHEDC) Chair Hale reported that they met on June 6. They received a first quarter tourism update from Ms. Alix Pierce and she is doing a great job. Ms. Hale reported that the Travel Juneau MOA (memorandum of agreement) was approved by the committee with some minor changes. Staff is moving forward with signing that MOA. She said that CBJ's internal gravel pricing will be going up by about double. This is for capital projects that CBJ does.

Public Works & Facilities Committee (AFC) Chair Bryson reported that their committee met on June 6 and discussed the BRH LEED Exemption request and alternative procurement for BRH. He said they received an update on a circulator study. They also received an update from Jim Denton from Alaska Waste to let them know that there will be more odor coming because they will be drilling more wells into the dump, likely in July, but that is to help release some of those built up methane gases so it may be stinkier for a while.

Human Resources Committee (HRC) Chair Hughes-Skandijs reported that the regular HRC meeting scheduled for 6/13 was cancelled since the Full Assembly sitting as the HRC will be meeting on Tuesday, 6/14 and Wednesday, 6/15 to interview applicants for the Airport Board, BRH Board, Planning Commission, and Eaglecrest Boards. Both meetings will be held virtually via Zoom starting at 5:30p.m.

C. Liaison Reports, Assembly Comments and Questions

Ms. Gladziszewski said she had no report.

Mr. Smith said that there was no meeting of the Juneau Housing and Homelessness group since the last meeting, their next meeting is scheduled for Thursday, 6/16. He said that due to personal reasons, he

was not able to attend the Eaglecrest Board meeting earlier in June and there has not been a UAS Community Council Meeting. He said that, like the Mayor, he also attended Celebration which was a great event. He saw the grand opening of the SEALASKA Heritage Institute Arts Campus where the Mayor gave a great speech. He attended the Trail Mix open house and he dropped in at the Filipino Consul General Fly In. He wished a Happy Father's Day to all dads and those who serve in the place of dads. He also wished everyone a Happy Juneteenth.

Ms. Woll reported that Docks & Harbors met since the last Assembly meeting and spent the bulk of their time discussing the proposed 1% sales tax projects which they sent the Assembly a letter about. They discussed the proposed federal legislation that would potentially convey the NOAA property near the bridge to CBJ. She reported that the Systemic Racism Review Committee met on the Tuesday following the last Assembly meeting and reviewed the legislation that was on this agenda under Public Hearing. She said the SRRC also discussed several ordinances that did not make it on tonight's Assembly agenda and they had a lively discussion about how to possibly replace revenues if sales tax was exempted from food sales. Similar to the Assembly, they were unable to get five votes to send any recommendations on to the Assembly but it was an interesting conversation, nonetheless.

Ms. Hale reported that the Chamber of Commerce Board met on June 8 and talked about a lot of things and she reported that with respect to the Iron Man coming to Juneau, all athletes have housing at this point. She said that recent Chamber meetings included a legislative wrap up by Senator Kiehl, and that Admiralty Environmental gave a report on cruise ship discharges. She also stated that the BRH Board is finalizing candidates for the CEO position and there will soon be meet and greets for those applicants.

‘Wáahlaal Gíidaak reported that she did get to Celebration over the last few days and it has been a whirlwind of family and activities which has been wonderful. She said that she hasn't been to a recent school board meeting due to many other things happening in her life this past spring including getting married, and then getting COVID. She reported that the School Board will be meeting again tomorrow and one of their agenda items is to rename Riverbend Elementary School to KAX̱DIGOOWU HÉEN. She said they will also be talking about the regalia wearing at graduation during tomorrow's meeting as well.

Ms. Triem reported that the Aquatics Board has not met since the last regular Assembly meeting but they are working on scheduling an open house for candidates for the Manager's Position and to look out for invitations to that open house. She said that JCOS will be having a staff liaison change and it is shifting staffing duties from the CDD Department to Engineering/Public Works instead and she gave a big thanks to Beth McKibben who has been serving as the staff support to JCOS for many years. Ms. Triem noted that she attended Celebration as much as she could and she gave a huge thank you to staff at SHI and everyone who volunteered to help bring that about.

Ms. Hughes-Skandijs attended a PRAC meeting on June 7 where they discussed the proposed disc golf course at Treadwell Historic Park. She said there was a lot of public engagement at the meeting both pro and against with people testifying to the PRAC. In the end, the PRAC approved the Disc Golf course at least for this summer. She also reported that at the Planning Commission meeting, they heard the appeal

from the Glory Hall and decided to remand the case back to the CDD Director. She said the Planning Commission made another interesting finding regarding the definition of density but that will be something that may eventually come back to the Assembly with larger implications.

Ms. Hughes-Skandijs also reported that she attending the Juneau Commission on Aging (JCOA) meeting. They found out that they did not get the AARP grant for senior playground. They also had a lively discussion on Airbnb's, tiny homes, and the JCOA is ready to fix the world if they are allowed to. She wished everyone Happy Pride Month and thanked all those who were involved in putting on Celebration.

Mr. Bryson reported that the Airport Board met on June 9 at which time they said farewell to Deputy Manager Scott Rinkenberger who will be moving out of Juneau. He said the airport will hold its annual emergency simulation drill on July 23. He also noted that the special insurance policy premiums have doubled over last year. Mr. Bryson said that the baggage belt that carries the luggage from the back of the luggage area out to the plane area is ancient and they are having a difficult time but it will be more than 1 year out before it will be resolved.

Mr. Bryson reported that the LEPC met and also discussed the airport drill scheduled for July 23. The testing and vaccines will be ending on June 15. He said that yesterday, he rowed river rafts for Alaska Travel Adventures down the river for three boatloads of tourists and it was quite exciting.

‘Wáahlaal Gíidaak said that she forgot to add that each year at Celebration, they designate a different community to lead Celebration. This year, they have chosen a group from Whitehorse to lead the next Celebration and she thought it might be a good idea, if Sister Cities Committee can help coordinate it, to reach out and partner with Whitehorse to bring over a good contingency of delegates.

Ms. Gladziszewski asked for an update on the status of the referendum petition process. Mayor Weldon said she saw the Clerks working through the weekend on that task and she asked Ms. McEwen to report on that status. Ms. McEwen said they have been doing signature review and it will likely be close to see whether or not the petitions have a sufficient number of signatures. If they do not have a sufficient number of signatures, additional booklets can be printed up and they would have an additional 10 days to go out and collect signatures from registered voters who had not yet had their signatures approved.

D. Presiding Officer Reports

None.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. EXECUTIVE SESSION

A. Collective Bargaining Update

MOTION by Ms. Triem for the Assembly to recess into Executive Session, to discuss matters which may impact the finances of the City and Borough, specifically for the purposes of discussing collective bargaining, and asked for unanimous consent.

Ms. Woll disclosed that she has a conflict of interest as it relates to the IAFF union and she will recuse herself from all discussion which specifically addresses that union's negotiations.

Hearing no objection, the motion to go into Executive Session passed by unanimous consent

The Assembly recessed into Executive Session at 8:39p.m. and then reconvened the meeting at 10:17p.m. following Executive Session.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 10:18 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – June 14, 2022

MEETING NO. 2022-14: The Special Assembly Meeting of the City and Borough of Juneau Assembly was held virtually via Zoom Webinar and called to order by Mayor Beth Weldon at 7:46p.m.

II. ROLL CALL

Assemblymembers Present: Mayor Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, ‘Wáahlaal Gíidaak, Greg Smith, Carole Triem, Alicia Hughes-Skandijs, and Wade Bryson

Assemblymembers Absent: Christine Woll

Staff Present: Deputy Clerk Diane Cathcart

III. APPROVAL OF AGENDA

The agenda was approved as presented.

IV. AGENDA TOPICS

A. Bartlett Regional Hospital Board Appointments

There were two (2) vacant seats on the Bartlett Regional Hospital Board due to various circumstances. One seat was for a term beginning immediately and ending December 31 2022; since this is seat was within six-months of its term coming due, an applicant could also be appointed for a full term beginning January 1, 2023 and ending December 31, 2025. The second seat was for a term beginning immediately and ending December 31, 2023.

The Full Assembly, sitting as the Human Resources Committee met immediately preceding this Special Assembly meeting and interviewed applicants: Dennis Dewitt, Lisa Petersen, and Max Mertz.

Human Resources Committee (HRC) Chair Alicia Hughes-Skandijs forwarded the following recommendations for appointment to the Bartlett Regional Hospital Board of Directors:

Lisa Petersen to a term beginning immediately and expiring December 31, 2023 and **Max Mertz** to a term beginning immediately and expiring December 31, 2025. *Hearing no objection, those appointments were approved.*

B. Planning Commission Appointment

Due to a resignation on the Planning Commission, there was one vacant seat on the Planning Commission for an unexpired term beginning immediately and ending December 31, 2024. One Applicant, Robert Henricksen, submitted an application and returned their advanced interview questions in-order to be considered and interviewed.

HRC Chair Hughes-Skandijs reported that the committee decided to reopen the application period for the Planning Commission seat for 30 days and to hold interviews with at least three applicants with the current applicant moving forward for consideration during the next interview process.

C. Airport Board Appointments

The Juneau International Airport Board consists of seven members appointed by the Assembly to serve without compensation for staggered three-year terms. Per CBJ Code 05.01.010(b) no more than three members of the airport board may be a tenant under a lease with the airport, or an officer or employee of a tenant under lease with the airport. There were three open seats with terms running July 1, 2022 through June 30, 2025.

The Full Assembly, sitting as the Human Resources Committee, interviewed the following applicants for the Airport Board: Theresa Yvette Soutiere, Jodi Garza (incumbent), and Chris Peloso (incumbent). HRC Chair Alicia Hughes-Skandijs forwarded the following recommendations: appointment of **Theresa Yvette Soutiere** to a seat beginning July 1, 2022 and ending June 30, 2025 and to reappoint **Chris Peloso** and **Jodi Garza** to Airport Board seats beginning July 1, 2022 and ending June 30, 2025. *Hearing no objection, those appointments were approved.*

V. PUBLIC PARTICIPATION

None.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the Special Assembly meeting was adjourned at 7:48 p.m.

Signed: _____
Diane Cathcart
Deputy Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – June 15, 2022

MEETING NO. 2022-15: The Special Assembly Meeting of the City and Borough of Juneau Assembly was held virtually via Zoom Webinar and called to order by Mayor Beth Weldon at 7:43p.m.

II. ROLL CALL

Assemblymembers Present: Deputy Mayor Maria Gladziszewski, Michelle Hale, ‘Wáahlaal Gíidaak, Greg Smith, Carole Triem and Alicia Hughes-Skandijs

Assemblymembers Absent: Mayor Weldon, Christine Woll and Wade Bryson

Staff Present: Deputy Clerk Diane Cathcart

III. APPROVAL OF AGENDA

The agenda was approved as presented.

IV. AGENDA TOPICS

A. Eaglecrest Ski Area Board Appointments

The Eaglecrest Ski Area Board is a seven member board appointed by the Assembly to serve for staggered three-year terms. There were three seats with terms up for appointment beginning July 1, 2022 and ending June 30, 2025 and one vacant seat for an unexpired term beginning immediately and ending June 30, 2024.

The Full Assembly, sitting as the Human Resources Committee met immediately preceding this Special Assembly meeting and interviewed applicants: Jonathan Dale (incumbent), Stephanie Warpinski, Robert Divelbess, Charlie Herrington, Craig Brown, and Norton Gregory. Human Resources Committee (HRC) Chair Alicia Hughes-Skandijs forwarded the following recommendations for appointment: to reappoint **Jonathan Dale** to the Eaglecrest Board for a term beginning July 1, 2022 and ending June 30, 2025 and to appoint **Stephanie Warpinski** and **Norton Gregory** both to terms on the Eaglecrest Board beginning July 1, 2022 and ending June 30, 2025. *Hearing no objection, those appointments were approved.*

Ms. Hughes-Skandijs also reported that the HRC will reopen the application period for 30 days for the unexpired seat and move forward the applicants who interviewed into the next interview process.

B. Docks & Harbors Board Appointments

The Docks & Harbors Board is a nine member board appointed by the Assembly to serve for staggered three-year terms. There were three seats with terms up for appointment with terms beginning July 1, 2022 and ending June 30, 2025. The Full Assembly, sitting as the Human Resources Committee met immediately preceding this Special Assembly meeting and interviewed applicants: Russell Peterson,

Deborah Hart and Annette Smith. Incumbent Lacey Derr was unavailable to interview via Zoom due to travel status and her interview question responses stood in place of an interview.

HRC Chair Alicia Hughes-Skandijs forwarded the following recommendations for appointment: to reappoint **Annette Smith** and **Lacey Derr** to the Docks and Harbors Board for terms beginning July 1, 2022 and ending June 30, 2025 and to appoint **Deborah Hart** to the Docks and Harbors Board for a term beginning July 1, 2022 and ending June 30, 2025. *Hearing no objection, those appointments were approved.*

V. PUBLIC PARTICIPATION

None.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the Special Assembly meeting was adjourned at 7:48 p.m.

Signed: _____
Diane Cathcart
Deputy Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – June 27, 2022

I. CALL TO ORDER

MEETING NO. 2022-16: The Special Assembly Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers and virtually via Zoom Webinar and called to order by Mayor Beth Weldon at 6:04p.m.

II. LAND ACKNOWLEDGMENT

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

III. ROLL CALL

Assemblymembers Present: Mayor Weldon, Deputy Mayor Maria Gladziszewski, Michelle Hale, ‘Wáahlaal Gíidaak, Greg Smith, Carole Triem, Christine Woll, and Wade Bryson

Assemblymembers Absent: Alicia Hughes-Skandijs

Staff Present: City Manager Rorie Watt, Deputy Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Engineering/Public Works Director Katie Koester

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

V. SPECIAL ORDER OF BUSINESS

Instruction for Public Participation

Ms. McEwen provided instruction to the listening public on how to participate in the meeting via the Zoom platform.

V. PUBLIC PARTICIPATION

None.

VI. AGENDA TOPICS

A. Resolution 2991 A Resolution Amending the Personnel Rules and Approving Economic Terms between the City and Borough of Juneau and Non-represented Employees.

This Resolution would provide authority to increase pay for unrepresented employees by 3% in Fiscal Year 2023. The City and Borough is currently negotiating new Collective Bargaining Agreements

(CBA) with three represented groups of employees. Represented employee pay is governed by the CBAs that expire on June 30, 2022; CBJ expects that negotiation of new CBAs will be completed this summer as all parties continue to negotiate in good faith. Current negotiations indicate that represented employees will receive not less than a 3% increase to the general salary schedule in FY23. Wage increases for represented employees will be implemented as soon as CBAs are ratified.

The CBJ has numerous unrepresented employees accounting for about 40% of the workforce (i.e. department directors, many supervisors, and many employees in planning/permitting, parks/rec, human resources, and law). CBJ has traditionally extended pay increases to unrepresented employees that are commensurate with negotiated CBAs. Although CBA negotiations remain incomplete, in order to stay competitive for recruitment and retention of unrepresented employees, CBJ must move forward with a pay increase for unrepresented employees. The effective date in this resolution corresponds with the first pay period in FY23. It is likely that an additional salary adjustment for unrepresented employees will be necessary once the negotiation of CBAs are complete.

The City Manager recommends the Assembly adopt this resolution.

Public Comment

None.

Assembly Action

MOTION by Ms. Gladziszewski to adopt Resolution 2991 and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

B. Ordinance for Introduction: Ordinance 2022-35 An Ordinance Authorizing an Alternative Procurement Method Related to the City and Borough's Mendenhall Waste Water Treatment Plant Infrastructure Upgrade.

CBJ Charter 9.14 requires alternative procurement methods for public improvements to be approved by ordinance by the Assembly. This ordinance approves an alternative procurement for the Supervisory Control and Data Acquisition (SCADA) project at Mendenhall Wastewater Treatment Plant. The procurement method proposed is Construction Manager at Risk (CMAR), a methodology where a contractor is selected based on qualifications and is involved in design. CMAR is an industry standard for highly complex projects. SCADA is the complex brain of the treatment plant. Because we cannot turn the treatment plant off-line during this upgrade, a CMAR procurement method provides the greatest assurance that the treatment plant will stay fully operational during this upgrade.

The Public Works and Facilities Committee reviewed and approved this request at the June 6, 2022 meeting.

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

Assembly Action

MOTION by Ms. Gladziszewski to introduce Ordinance 2022-35 and set it for public hearing at the next regular Assembly meeting and asked for unanimous consent. *Hearing no objection, the motion passed by unanimous consent.*

MOTION by Ms. Gladziszewski to recess the Special Assembly meeting for purposes of convening the Committee of the Whole Worksession after which they will reconvene the Special Assembly meeting to meet in Executive Session, and she asked for unanimous consent. *Hearing no objection, the motion to recess passed by unanimous consent and the meeting recessed at 6:11p.m.*

VIII. EXECUTIVE SESSION

A. Update on Labor Negotiations

Following adjournment of the Committee of the Whole Worksession, Mayor Weldon reconvened the Special Assembly meeting at 9:10p.m. for the purpose of going into Executive Session.

MOTION by Ms. Triem for the Assembly to recess into Executive Session, to discuss matters which may impact the finances of the City and Borough, specifically for the purposes of discussing collective bargaining, and asked for unanimous consent.

Ms. Woll disclosed that she has a conflict of interest as it relates to the IAFF union and she will recuse herself from all discussion which specifically addresses that union's negotiations.

Hearing no objection, the motion to go into Executive Session passed by unanimous consent

The Assembly reconvened the public session after returning from Executive Session at 9:40p.m.

VII. ADJOURNMENT

There being no further business to come before the Assembly, the Special Assembly meeting was adjourned at 9:40 p.m.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor

Presented by: The Manager
Presented: 08/01/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-41

An Ordinance Authorizing the Manager to Execute a Lease with the Juneau Arts and Humanities Council for Use of the Juneau Arts and Culture Center Building.

WHEREAS, in 2006, the State of Alaska conveyed to the City and Borough of Juneau (CBJ) the property known as the National Guard Armory, to be used for public purposes; and

WHEREAS, on October 12, 2007, a lease agreement was executed between the City and Borough of Juneau and the Juneau Arts and Humanities Council (JAHC) for the use of the former Armory building, renamed the Juneau Arts and Culture Center (JACC); and

WHEREAS, the purpose of leasing the JACC to the JAHC was to alleviate a chronic need for performance and exhibit space by allowing the JAHC to manage the building as a community arts facility; and

WHEREAS, since that time, the JAHC has used and managed the JACC for the JAHC's nonprofit public purposes and to rent the space for community arts and cultural uses; and

WHEREAS, in identifying the JAHC's nonprofit status and the public service it provides, the CBJ has leased the JACC to the JAHC at less than fair market value; and

WHEREAS, it is the intent of the CBJ that the JAHC continue to operate the JACC for the benefit of the community by providing arts and cultural opportunities for Juneau and the surrounding Southeast communities; and

WHEREAS, the Lands, Housing, and Economic Development Committee (LHED Committee) reviewed this lease request and provided a motion of support to continue to lease this property to the JAHC for the lease rate of \$500.00 per month for the first three years and \$1,000.00 per month for the last two years.

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

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

Section 2. Authorization to Lease. The Manager is authorized to negotiate and execute a lease agreement with the Juneau Arts and Humanities Council for the property described as:

Lot A of Trust Land Survey 2007-01, Juneau Subport Subdivision, according to the official Survey Plat No. 2007-29, recorded May 15, 2007, in the Juneau Recording District, First Judicial District, State of Alaska.

and generally depicted on the map attached as Exhibit A.

Section 3. Minimum Essential Terms and Conditions.

A. The initial term of the lease shall be five years, ending in 2027. The JAHC may renew the lease for two additional five-year terms, for a maximum of 15 years, subject to written approval by the City and Borough of Juneau. The option to renew must be exercised by providing written notice to the CBJ no later than three months prior to the expiration of the underlying lease term.

B. The lease payment shall be in an amount equal to \$500.00 per month for the first three years, then \$1,000.00 per month for the last two years. The LHED Committee shall set the rate for any lease extensions after the initial five-year term. The JAHC shall be responsible for all utilities, landscaping, snow plowing, and any real property tax required by law.

C. The leased premises may be used for the JAHC's nonprofit public purpose to provide arts and cultural opportunities to the community. The JAHC may charge user fees for rental of the space at a rate approved by the CBJ. The JAHC shall be responsible for collecting and remitting sales tax to the extent required by law.

D. The JAHC may sublease the premises upon written consent and approval of the sublease document by the CBJ. All subleases must comply with CBJ Code, and shall be for the purpose of furthering the JAHC's mission statement to provide arts and cultural opportunities or to otherwise enhance or increase the arts and cultural experience provided at the JACC. Rental fees for subleases shall be in accordance with CBJ Title 53, shall be held in trust by the JAHC for the City and Borough of Juneau, and shall be remitted to the CBJ on an annual basis. However, the JAHC may retain actual expenses incurred by the JAHC in managing the subleases as provided for by the lease agreement. It is the intent of the CBJ, subject to and conditional upon appropriation for that purpose, that sublease rental fees submitted to the CBJ be used to fund deferred maintenance costs for the JACC.

E. The lease agreement, and any sublease approved by the CBJ, must require the lessee (or sublessee) to be bound by and comply with the use restrictions contained in the Real Property Purchase Agreement and Quitclaim Deed by which the CBJ obtained ownership of the property.

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

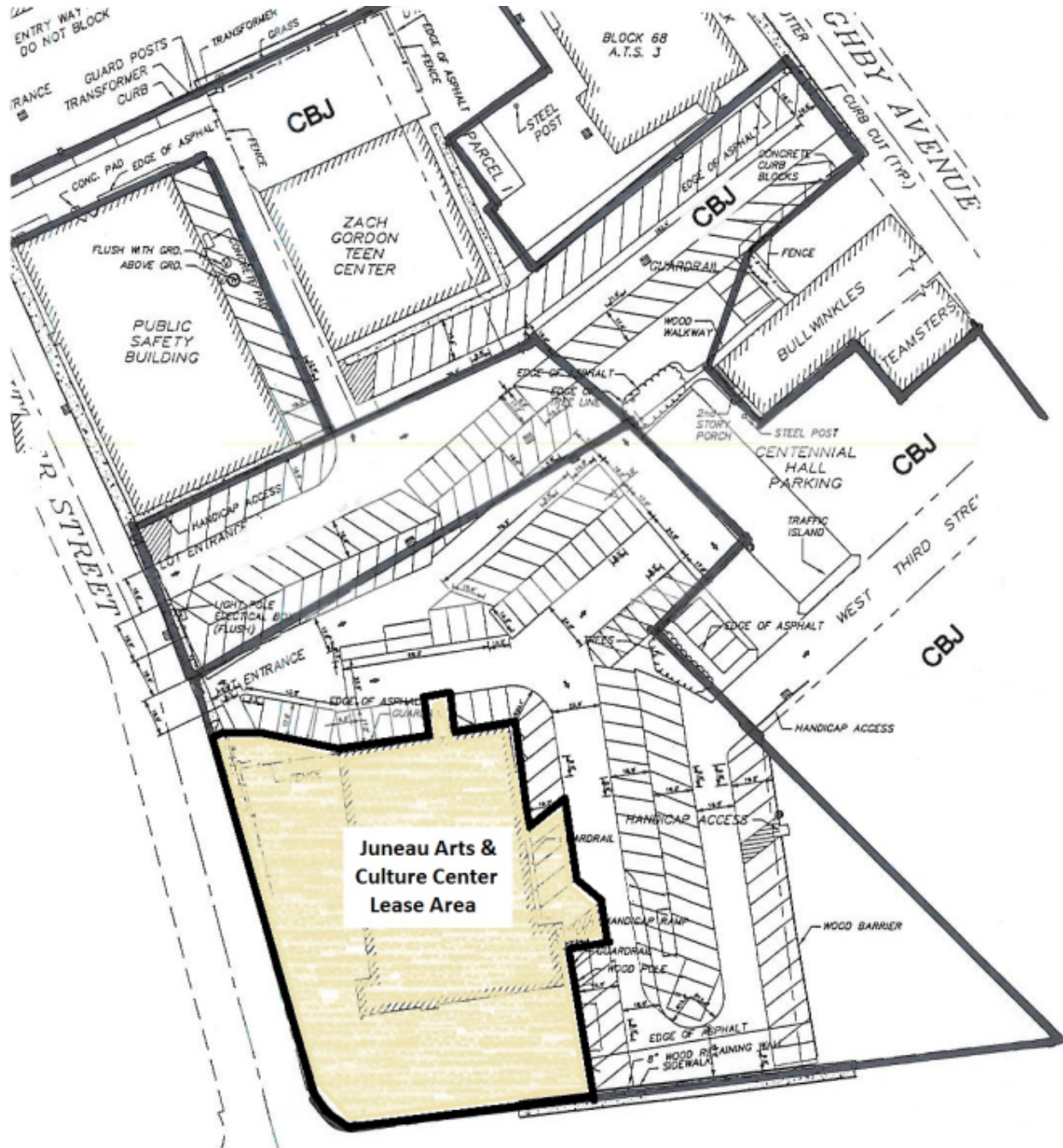
Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Exhibit A – Ordinance 2022-41



Presented by: The Manager
Introduced: August 1, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(F)

An Ordinance Appropriating \$9,563 to the Manager for the Statter Harbor Phase IIIC Capital Improvement Project; Grant Funding Provided by the Alaska Department of Fish and Game.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$9,563 for the Statter Harbor Phase IIIC Capital Improvement Project (H51-108).

Section 3. Source of Funds

Alaska Department of Fish and Game	\$9,563
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: August 1, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(G)

An Ordinance Appropriating \$5,000,000 to the Manager for the North State Office Building Parking Capital Improvement Project; Grant Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$5,000,000 for the North State Office Building Parking Capital Improvement Project (D12-101).

Section 3. Source of Funds

Alaska Department of Commerce, Community, and Economic Development	\$5,000,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: August 1, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(H)

An Ordinance Appropriating \$292,000 to the Manager for the Eagle Valley Center Capital Improvement Project; Grant Funding Provided by the Rasmuson Foundation.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$292,000 for the Eagle Valley Center Capital Improvement Project (P46-115).

Section 3. Source of Funds

Rasmuson Foundation	\$292,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: August 1, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(J)

An Ordinance Transferring \$116,600 from the Manager's Office to Engineering and Public Works for Grant Writing and Consulting.

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

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

Section 2. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$116,600 be transferred from the Manager's Office to Engineering and Public Works for grant writing and consulting.

Section 3. Source of Funds

Manager's Office	(\$116,600)
Engineering and Public Works	\$116,600

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

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 08/01/2022
Drafted by: B. Brown

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2997

A Resolution of the City and Borough of Juneau Supporting the Operational Needs of the Juneau District Heating Proposal in the Downtown Vicinity.

WHEREAS, in 2017 Juneau District Heating purchased approximately one acre at 300 Egan Drive (Subport Lot 2CA) for the purpose of constructing an energy plant where a network of heat exchangers and seawater heat pumps would transfer energy from seawater for distribution to heat buildings in Juneau; and

WHEREAS, the proposed Juneau District Heating concept would feature zero carbon emissions and 100% renewable energy where the heat source is entirely from Gastineau Channel, replacing diesel boilers and lowering operating costs to downtown building facilities; and

WHEREAS, the City and Borough of Juneau Comprehensive Plan, Climate Action Plan, and Juneau Renewable Energy Strategy all acknowledge that Juneau is an ideal community for district heating; and

WHEREAS, the NOAA Ted Stevens Marine Research Institute has successfully employed technologies similar to what Juneau District Heating is proposing; and

WHEREAS, Juneau District Heating has worked with NOAA for several years and developed conceptual plans to access the downtown NOAA Dock and NOAA tidelands for raw seawater supply and discharge in support of a heat pump energy system; and

WHEREAS, Juneau District Heating will also need to access tide and submerged lands which are owned and managed by the City and Borough of Juneau; and

WHEREAS, in March 2016 the City and Borough of Juneau Assembly signaled their strong support to the vision of Juneau District Heating.

Section 1. That the City and Borough of Juneau continues to strongly support the Juneau District Heating conceptual plans and is committed to ensuring all property conveyances required by Juneau District Heating to achieve full operational capability would be favorably considered by the Assembly.

Adopted this _____ day of _____, 2022.

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 08/01/2022
Drafted by: B. Brown

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2998

A Resolution Supporting the City and Borough of Juneau's Application for a Safe Streets for All Planning Grant to Develop a Safety Action Plan and Committing to Zero Roadway Fatalities by 2050.

WHEREAS, Safe Streets for All is a discretionary grant program funded through the Infrastructure Investment and Jobs Act to support planning, infrastructure, behavior, and operational initiatives to prevent death and serious injury on roads and streets for all roadway users; and

WHEREAS, if the City and Borough's grant application were successful, the required 20% local match would be appropriated by the Assembly using area wide street sales tax funds as a source; and

WHEREAS, Safe Streets for All consists of two programs: a planning grant to develop a Safety Action Plan and funding to implement action plan initiatives; and

WHEREAS, a municipality must have adopted a Safety Action Plan to be eligible to apply for implementation of action plan initiatives such as separated trails, medians, narrowed roadways, traffic calming, and programs to encourage safe driving practices; and

WHEREAS, a Safety Action Plan will develop a comprehensive set of projects and strategies to address safety concerns based on an analysis of existing conditions and historical trends, crash severity and contributing factors, assessment of current policy, plans, and guidelines; and

WHEREAS, the Safety Action Plan will be developed under the guidance of the Public Works and Facilities Committee with collaboration from local, state, federal, and tribal governments, and robust public and stakeholder engagement taking into consideration equity and inclusion of underserved communities; and

WHEREAS, the Safety Action Plan will help the City and Borough of Juneau to effectively advocate to the State Department of Transportation for federally funded infrastructure projects; and

WHEREAS, every roadway-related death or serious injury is a tragedy that has a devastating impact on our community and should be avoided; and

44 WHEREAS, the City and Borough of Juneau Assembly is committed to taking actions
45 large and small to ensure our roadways are safe for all users including pedestrians,
46 bicyclists, users of public transportation, motorists, and commercial vehicle operators.
47

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

51 **Section 1.** That the Juneau Assembly supports an application to the Safe Streets for
52 All Discretionary Grant Program to develop a Safety Action Plan for the City and Borough
53 of Juneau.
54

55 **Section 2.** That the Juneau Assembly commits to a goal of zero roadway fatalities or
56 serious injuries by 2050.
57

58 **Section 3. Effective Date.** This resolution shall be effective immediately after its
59 adoption.
60

61 Adopted this _____ day of _____, 2022.
62

63 _____
64 Beth A. Weldon, Mayor

65 Attest:
66
67
68

69 _____
Elizabeth J. McEwen, Municipal Clerk
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Presented by: Gladziszewski
Presented: 06/13/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2989(b)

**A Resolution Encouraging the Prompt and Full Closure and Cleanup
of the Tulsequah Chief Mine and Urging the British Columbia
Government to Oppose any Extension of the Receivership Process.**

WHEREAS, the Taku River is one of Southeast Alaska's largest overall salmon producers, with Southeast's largest run of coho and king salmon. The Taku produces ten thousands of Chinook, coho, sockeye, chum, and pink salmon, as well as significant populations of steelhead trout, cutthroat trout, Dolly Varden char, and eulachon; and

WHEREAS, the Taku River is of tremendous and unique ecological value for use by customary and traditional ("subsistence"), cultural, commercial, and recreational fisheries; and

WHEREAS, Juneau commercial fishermen and commercial salmon processors have historically fished for and processed salmon returning to the Taku River; and

WHEREAS, the Tulsequah Chief Mine has been discharging toxic acidic wastewater into the Taku watershed since it was abandoned in 1957. The ongoing pollution is detrimental to maximum salmon production and is in violation of the Canadian Fisheries Act, British Columbia mine permits and water quality standards, and an agreement with the Taku River Tlingit First Nation; and

WHEREAS, Alaska legislators, fishing and tourism groups, businesses, and other Alaskans have made cleanup of the Tulsequah Chief Mine a main goal in discussions with British Columbia provincial and Canadian federal officials for many years, with the concerted effort finally showing results; and

WHEREAS, the Taku is the traditional territory of Tlingit people on both sides of the border. The Douglas Indian Association, the federally recognized tribe in Alaska, and the Taku River Tlingit First Nation, based in Atlin, British Columbia, have both called for the cleanup and closure of the Tulsequah Chief Mine; and

WHEREAS, Chieftain Metals Corporation, the current owner of the Tulsequah Chief Mine, is in a court-ordered bankruptcy receivership process that is scheduled to end this August and this process has complicated cleanup efforts; and

WHEREAS, there is concern that a creditor of Chieftain Metals could petition the court to extend the receivership process, which could delay or prevent the mine closure and cleanup; and

WHEREAS, the government of British Columbia has made commitments to close and cleanup the Tulsequah Chief Mine and issued a draft reclamation plan in 2020; and

WHEREAS, continued pressure and attention from Alaska will be critical to ensuring British Columbia opposes any extension of the receivership process and moves aggressively to take over the mine, clean it up, and close it down.

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

Section 1. Tulsequah Chief Mine Closure and Remediation. The City and Borough of Juneau Assembly strongly urges the State of Alaska and the United States federal government to make it clear to British Columbia and the Canadian federal government that the receivership process must end as scheduled this August and that British Columbia should then move aggressively to take over the abandoned mine, close it down, and permanently stop the acid mine drainage.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

DATE: July 28, 2022

FROM: Caleb Comas *CC*
Contract Administrator

FILE: 2182

SUBJ: BID RESULTS:
Augustus Brown Pool Mechanical & Electrical Upgrades
Contract No. BE23-019

Bids were opened for the subject project on July 26, 2022. The bid protest expired at 4:30 p.m. on July 27, 2022. Results of the bid opening are as follows:

Bidders	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3	Total Bid
Dawson Construction, LLC	\$3,498,000	\$384,500	\$175,700	(\$32,000)	\$4,026,200
Schmolck Mechanical Contractors	\$3,731,757	\$371,940	\$218,570	(\$55,000)	\$4,267,267
Architect's Estimate	\$2,555,000	\$200,500	\$50,000	(\$40,000)	\$2,765,500

Project Manager: Steve Tada

This Project consists of renovation of the existing 17,700 SF pool building to replace existing mechanical and electrical equipment that is past its useful life, and making code required and functional improvements to the building's architectural layout. The alternate work includes replacement of leisure pool finishes and the main entrance doors and finishes.

Funding Source: Temporary Sales Tax, Sales Tax, and General Fund

Total Project Funds: 8,395,000 (included reroof approx. \$600K total project costs)

CIP No. P44-086

Construction Encumbrance: \$4,058,200

Construction Contingency: \$405,820

Consultant Design: \$841,320

Consultant Contract Administration/Inspection: \$111,715

CBJ Administrative costs: \$118,233

Project Contingency: \$405,820

Staff recommends award of this project to Dawson Construction, LLC, for the base bid and alternates 1 and 2 for a total amount of \$4,058,200.

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____



MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

FROM: Caleb Comas *CC*
Contract Administrator

SUBJ: BID RESULTS:
Centennial Hall Ballroom Renovations
Contract No. BE22-204

DATE: July 28, 2022

FILE: 2069

Bids were opened for the subject project on July 27, 2022. The bid protest period will expire at 4:30 p.m. on July 28, 2022. Results of the bid opening are as follows:

Bidders	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3	Total Bid
Carver Construction, LLC	\$6,038,165	\$302,730	\$120,382	(\$40,878)	\$6,420,399
Dawson Construction, LLC	\$6,264,450	\$237,500	\$106,230	(\$51,775)	\$6,556,405
Alaska Commercial Contractors, Inc	\$6,378,000	\$330,000	\$145,000	(\$36,000)	\$6,817,000
Island Contractors, Inc	\$7,070,000	\$330,000	\$115,000	(\$38,600)	\$7,476,400
<i>Architect's Estimate</i>	<i>\$5,560,000</i>	<i>\$290,000</i>	<i>\$245,000</i>	<i>(\$115,000)</i>	<i>\$5,980,000</i>

Project Manager: Lisa EaganLagerquist

This project renovates the ballrooms at Centennial Hall including HVAC, flooring, and room dividers, the alternate work includes structural upgrades and additional acoustical wall paneling. Bids for the project came in over original estimates, which will require using more of the \$2.8M added with the 2023 CIP than originally anticipated, staff expects approximately \$1.6M to remain available for future projects at Centennial Hall.

Funding Source: GO Bond, Hotel Tax, and Temporary Sales Tax.

Total Project Funds: \$10,064,379

CIP No. P47-073

Construction Encumbrance: \$6,420,399

Construction Contingency: \$642,000

Consultant Design: \$532,710

Consultant Contract Administration/Inspection: \$161,789

CBJ Administrative costs: \$235,000

Project Contingency: \$321,000

Pending the outcome of the protest period, staff recommends award of this project to Carver Construction, LLC, for the total amount bid of \$6,420,399.

Approved: _____

Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____



Presented by: The Manager
Presented: 07/11/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-34

An Ordinance Providing for the Levy and Collection of a Temporary 1% Areawide Sales Tax on the Sale Price of Retail Sales, Rentals, and Services Performed within the City and Borough of Juneau, to be Effective October 1, 2023, and Providing for a Ballot Question Ratifying the Levy.

WHEREAS, the present 5% areawide sales tax rate in the City and Borough comprises a permanent 1% tax, a temporary 1% tax, and a temporary 3% tax, CBJC 69.05.020; and

WHEREAS, the 1% temporary component of the sales tax expires on September 30, 2023, unless the voters approve extending the duration of the tax; and

WHEREAS, the Assembly has determined that an extension of the temporary 1% sales tax, to become effective on October 1, 2023, for a period of five years, would provide a stable revenue base for important municipal services and projects; and

WHEREAS, with the extension of the 1% temporary tax, the total sales tax rate in the City and Borough would remain unchanged at 5%.

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

Section 1. Classification. Section 2 of this ordinance, if approved by a majority of qualified voters voting on the question pursuant to Sections 3 and 4, shall be of a general and permanent nature and shall become a part of the City and Borough code, until it expires under its own terms. Sections 3 and 4 are noncode sections.

Section 2. Amendment of Section. CBJ 69.05.020 Imposition of rate, is amended to read:

69.05.020 Imposition of rate.

(a) There shall be levied and collected a tax equal to the percentage of the selling price on retail sales and rentals made and services performed within the City and Borough as follows:

- (1) Within the entire City and Borough – 1%
- (2) Within the entire City and Borough – an additional 3%

(3) Effective October 1, ~~2018~~ 2023 within the entire City and Borough – an additional 1%.

(4) Subsection (a)(3) of this section shall be automatically repealed on September 30, 2028.

...

Section 3. Submission to the Voters. In accordance with Section 9.17 of the Home Rule Charter of the City and Borough of Juneau, the question of whether the extension of the temporary 1% areawide sales tax herein provided shall be levied and collected effective October 1, 2023, for a period of five years, shall be submitted to the qualified voters of the City and Borough at the next regular municipal election. The Municipal Clerk shall prepare the ballot proposition as provided by this ordinance and shall perform all necessary steps in accordance with law to place this proposition before the voters at the next regular municipal election.

Section 4. Proposition. The proposition to be submitted to the voters as required by Section 3 shall read substantially as follows:

Explanation

Juneau currently has a permanent 1% sales tax, a temporary 1% sales tax, and a temporary 3% sales tax. The existing temporary 1% sales tax is automatically repealed on September 30, 2023. The total of all CBJ sales taxes currently levied is 5%.

This ballot proposition would continue the current 1% temporary sales tax rate for an additional five years, until September 30, 2028. Accordingly, if this proposition is approved, the total sales tax rate would remain at 5%.

It is the intent of the Assembly that taxes collected under this proposed extension of the temporary 1% areawide sales tax be appropriated by the Assembly for the following purposes:

- Deferred maintenance of CBJ and JSD facilities
- Replacement of public safety equipment for JPD and CCFR
- Redevelopment of Gastineau Avenue, Telephone Hill, and North State Office Building Parking Garage
- Affordable housing initiatives, including further development of Pederson Hill
- Harbor expansion and maintenance
- Childcare support
- Lemon Creek multi-modal path
- Relocation of City Museum
- Contribution to the Restricted Budget Reserve
- Information technology upgrades

PROPOSITION NO. _____

Authorization to Extend the Temporary 1% Areawide Sales Tax Effective October 1, 2023, for a Period of Five Years.

Shall the City and Borough of Juneau, Alaska, continue to levy and collect a temporary 1% areawide sales tax on the sale price of retail sales, services, and commercial rentals within the City and Borough for an additional five years , effective October 1, 2023, until September 30, 2028. If this proposition is approved, the total sales tax would remain at five percent.

Extend the 1% sales tax for five years YES []

Extend the 1% sales tax for five years NO []

Section 5. Effective Dates.

(a) The amendment of subsection (a) of CBJ 69.05.020 set forth in Section 2 of this ordinance shall become effective on October 1, 2023, if the proposition required by Sections 3 and 4 of this ordinance is approved by a majority of the qualified voters of the City and Borough voting on the proposition at the next regular municipal election.

(b) Sections 3 and 4 of this ordinance authorizing the submission of the ballot proposition to the qualified voters of the City and Borough shall be effective 30 days after adoption of this ordinance.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 07/11/2022
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-37

An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$35,000,000 to Finance Construction and Equipping of a New City Hall for the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 4, 2022.

WHEREAS, a new City Hall for the City and Borough of Juneau, Alaska (the “City and Borough”) is needed in order to meet the current and future needs of the City and Borough; and

WHEREAS, the new City Hall project described in Section 3 below (the “Project”) has been identified and approved by the Committee of the Whole as necessary to meet the needs of the City and Borough; and

WHEREAS, in order to provide funds for paying the cost of constructing and equipping the Project, it is deemed necessary and advisable that the City and Borough issue and sell its unlimited tax levy general obligation bonds in the principal amount of not to exceed \$35,000,000 (the “Bonds”);

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

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

Section 2. Findings. The Assembly of the City and Borough hereby finds and declares that the construction and equipping of the Project identified in Section 3 hereof is necessary and is in the best interest of the inhabitants of the City and Borough.

Section 3. Purposes. The Assembly has determined that the City and Borough is in need of the construction and equipping of a new City Hall in order to consolidate staff into a single facility. The Project will be energy efficient and include below ground parking for City and Borough resident use.

The foregoing are herein referred to as the “Project.” The cost of all necessary architectural, engineering, design, and other consulting services, inspection and testing, administrative and relocation expenses, costs of issuance of the Bonds and other costs incurred in connection with the Project that is approved by the electors shall be deemed capital improvement costs of the approved

Project. The approved Project may be completed with all necessary furniture, equipment and appurtenances.

If the City and Borough shall determine that it has become impractical to accomplish any portion of the approved Project by reason of changed conditions or needs, incompatible development or costs substantially in excess of those estimated, the City and Borough shall not be required to accomplish such portions and shall apply Bond proceeds as set forth in this section.

Interest earnings on Bond proceeds may be used and applied by City and Borough, at the direction of the City Manager or his or her designee, for the Project or for other capital improvements or for the retirement of the Bonds or other general obligation bonds of the City and Borough.

If the approved Project has been completed in whole or in part, or its completion duly provided for, or its completion found to be impractical, the City and Borough may apply Bond proceeds or any portion thereof as provided in Section 10.10 of the Home Rule Charter.

In the event that the proceeds of sale of the Bonds, plus any other monies of the City and Borough legally available, are insufficient to accomplish the approved Project, the City and Borough shall use the available funds for paying the cost of those portions of the approved Project for which the Bonds were approved deemed by the Assembly most necessary and in the best interest of the City and Borough. No Bond proceeds shall be used for any purpose other than a capital improvement.

Section 4. Details of Bonds. The Assembly hereby authorizes the issuance of general obligation bonds in order to fund the costs of the Project described in Section 3 (the “Bonds”). The Bonds shall be sold in such amounts and at such time or times as deemed necessary and advisable by the Assembly and as permitted by law and shall mature over a period of up to 25 years of date of issue. The Bonds shall be issued in an aggregate principal amount of not to exceed \$35,000,000. The Bonds shall bear interest to be fixed at the time of sale or sales thereof. Both principal of and interest on the Bonds shall be payable from annual tax levies to be made upon all of the taxable property within the City and Borough, without limitation as to rate or amount and in amounts sufficient with other available funds, to pay such principal and interest as the same shall become due.

The full faith, credit, and resources of the City and Borough are hereby irrevocably pledged to the payment of both the principal and interest on such Bonds. The exact form, terms, conditions, contents, security, options of redemption, and such other matters relating to the issuance and sale of said Bonds as are deemed necessary and advisable by the Assembly shall be as hereinafter fixed by ordinance and resolution of the City and Borough.

Section 5. Submission of Question to Voters. The Assembly hereby submits to the qualified electors of the City and Borough the proposition of whether or not the City and Borough should issue the Bonds for the purpose of financing the costs of the approved Project at the regular municipal election to be held on October 4, 2022.

The City and Borough clerk shall prepare the ballot proposition to be submitted to the voters as provided by this ordinance and shall perform all necessary steps in accordance with law to place the proposition before the voters at the regular election.

Section 6. Ballot Proposition. The proposition to be submitted to the qualified voters of the City and Borough as required by Section 5 above shall read substantially as follows:

Explanation

The proposition will authorize the issuance of \$35,000,000 in general obligation bond debt for paying the cost of construction and equipping of a new City Hall, including below ground parking. The total annual debt service costs, assuming an interest rate of 4.88%, will be approximately \$2,454,000. This amount of debt service would require an annual property tax levy of approximately \$29.60 per \$100,000 of assessed value (assuming that the overall estimated bond tax levy of \$42.62 per \$100,000 will be reduced due to operational savings by the City and Borough). This example of a property tax levy is provided for illustrative purposes only.

PROPOSITION NO. 1

GENERAL OBLIGATION BONDS

\$35,000,000

For the purpose of constructing and equipping a new City Hall, including below ground parking within the City and Borough, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 25 years of their date of issue, in the aggregate principal amount of not to exceed \$35,000,000?

BONDS, YES ☐

BONDS, NO ☐

After voter approval of the proposition and in anticipation of the issuance of the Bonds, the City and Borough may issue short term obligations, under such date and in such amount, form, terms, maturity, and bearing such rate or rates of interest, all as may hereafter be fixed by ordinance of the City and Borough, consistent with limitations imposed by State law and by the Home Rule Charter and Code of the City and Borough.

Section 7. Notice of Election. The Assembly shall cause a notice of election to be published once a week for three consecutive weeks in a newspaper for general circulation in the City and Borough. The first notice shall be published not later than September 14, 2022, which is 20 days prior to the regular municipal election. The notice shall contain the information required by Section 10.5 of the Home Rule Charter of the City and Borough.

Section 8. Effective Dates.

(a) The authority to issue general obligation bonds proposed in Section 6 of this ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 4, 2022, if a majority of the qualified voters voting on the proposition set forth in Section 6 votes for the proposition.

(b) Section 6 of this ordinance authorizing the submission of the ballot proposition to the qualified voters of the City and Borough shall become effective thirty days after adoption of this ordinance.

Adopted this 1st day of August, 2022.

Beth Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 07/11/2022
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-38

An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$6,600,000 to Finance Construction and Equipping of Park Improvements within the City and Borough, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 4, 2022.

WHEREAS, certain park improvements within the City and Borough of Juneau, Alaska (the “City and Borough”) are needed in order to meet the current and future needs of the City and Borough; and

WHEREAS, the new park projects described in Section 3 below (the “Projects”) has been identified and approved by the Committee of the Whole as necessary to meet the needs of the City and Borough; and

WHEREAS, in order to provide funds for paying the cost of constructing and equipping the Project, it is deemed necessary and advisable that the City and Borough issue and sell its unlimited tax levy general obligation bonds in the principal amount of not to exceed \$6,600,000 (the “Bonds”);

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

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

Section 2. Findings. The Assembly of the City and Borough hereby finds and declares that the construction and equipping of the Projects identified in Section 3 hereof is necessary and is in the best interest of the inhabitants of the City and Borough.

Section 3. Purposes. To improve public health and access to outdoor recreation by improving parks and recreational facilities, including, but not limited to, the following, the Assembly has determined that the City and Borough is in need of certain park improvements including

- Installation of an artificial turf field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park,
- New Public Use Cabin, and

- Areawide trail maintenance.

The foregoing are herein referred to as the “Projects.” The cost of all necessary architectural, engineering, design, and other consulting services, inspection and testing, administrative and relocation expenses, costs of issuance of the Bonds and other costs incurred in connection with the Projects that is approved by the electors shall be deemed capital improvement costs of the approved Project. The approved Projects may be completed with all necessary furniture, equipment and appurtenances.

If the City and Borough shall determine that it has become impractical to accomplish any portion of the approved Projects by reason of changed conditions or needs, incompatible development or costs substantially in excess of those estimated, the City and Borough shall not be required to accomplish such portions and shall apply Bond proceeds as set forth in this section.

Interest earnings on Bond proceeds may be used and applied by City and Borough, at the direction of the City Manager or his or her designee, for the Project or for other park capital improvements or for the retirement of the Bonds or other general obligation bonds of the City and Borough.

If the approved Projects have been completed in whole or in part, or their completion duly provided for, or its completion found to be impractical, the City and Borough may apply Bond proceeds or any portion thereof as provided in Section 10.10 of the Home Rule Charter.

In the event that the proceeds of sale of the Bonds, plus any other monies of the City and Borough legally available, are insufficient to accomplish the approved Projects, the City and Borough shall use the available funds for paying the cost of those portions of the approved Projects for which the Bonds were approved deemed by the Assembly most necessary and in the best interest of the City and Borough. No Bond proceeds shall be used for any purpose other than a capital improvement.

Section 4. Details of Bonds. The Assembly hereby authorizes the issuance of general obligation bonds in order to fund the costs of the Projects described in Section 3 (the “Bonds”). The Bonds shall be sold in such amounts and at such time or times as deemed necessary and advisable by the Assembly and as permitted by law and shall mature over a period of up to 15 years of date of issue. The Bonds shall be issued in an aggregate principal amount of not to exceed \$6,600,000. The Bonds shall bear interest to be fixed at the time of sale or sales thereof. Both principal of and interest on the Bonds shall be payable from annual tax levies to be made upon all of the taxable property within the City and Borough, without limitation as to rate or amount and in amounts sufficient with other available funds, to pay such principal and interest as the same shall become due.

The full faith, credit, and resources of the City and Borough are hereby irrevocably pledged to the payment of both the principal and interest on such Bonds. The exact form, terms, conditions, contents, security, options of redemption, and such other matters relating to the issuance and sale of said Bonds as are deemed necessary and advisable by the Assembly shall be as hereinafter fixed by ordinance and resolution of the City and Borough.

Section 5. Submission of Question to Voters. The Assembly hereby submits to the qualified electors of the City and Borough the proposition of whether or not the City and Borough should issue the Bonds for the purpose of financing the costs of the approved Project at the regular municipal election to be held on October 4, 2022.

The City and Borough clerk shall prepare the ballot proposition to be submitted to the voters as provided by this ordinance and shall perform all necessary steps in accordance with law to place the proposition before the voters at the regular election.

Section 6. Ballot Proposition. The proposition to be submitted to the qualified voters of the City and Borough as required by Section 5 above shall read substantially as follows:

Explanation

The proposition will authorize the issuance of \$6,600,000 in general obligation bond debt for paying the cost of undertaking certain park improvements including installation of an artificial turf field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, new Public Use Cabin and areawide trail maintenance. The total annual debt service costs, assuming an interest rate of 4.66%, will be approximately \$621,000. This amount of debt service would require an annual property tax levy of approximately \$10.79 per \$100,000 of assessed value. This example of a property tax levy is provided for illustrative purposes only.

PROPOSITION NO. 2

GENERAL OBLIGATION BONDS

\$6,600,000

To improve public health and access to outdoor recreation by improving parks and recreational facilities, including, but not limited to, installation of an artificial turf field for baseball and softball and replacing the track surface at Adair-Kennedy Memorial Park, new Public Use Cabin and areawide trail maintenance within the City and Borough, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 15 years of their date of issue, in the aggregate principal amount of not to exceed \$6,600,000?

BONDS, YES ☐

BONDS, NO ☐

After voter approval of the proposition and in anticipation of the issuance of the Bonds, the City and Borough may issue short term obligations, under such date and in such amount, form, terms, maturity, and bearing such rate or rates of interest, all as may hereafter be fixed by ordinance of the City and Borough, consistent with limitations imposed by State law and by the Home Rule Charter and Code of the City and Borough.

Section 7. Notice of Election. The Assembly shall cause a notice of election to be published once a week for three consecutive weeks in a newspaper for general circulation in the City and Borough. The first notice shall be published not later than September 14, 2022, which is 20 days prior to the regular municipal election. The notice shall contain the information required by Section 10.5 of the Home Rule Charter of the City and Borough.

Section 8. Effective Dates.

(a) The authority to issue general obligation bonds proposed in Section 6 of this ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 4, 2022, if a majority of the qualified voters voting on the proposition set forth in Section 6 votes for the proposition.

(b) Section 6 of this ordinance authorizing the submission of the ballot proposition to the qualified voters of the City and Borough shall become effective thirty days after adoption of this ordinance.

Adopted this 1st day of August, 2022.

Beth Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 11, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-08(b)(am)(AT)

An Ordinance Appropriating \$500 to the Manager for the Bartlett Regional Hospital Rainforest Recovery Center; Funding Provided by a Donation from the Second to None Motorcycle Club.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$500 for the Bartlett Regional Hospital Rainforest Recovery Center.

Section 3. Source of Funds

Donation Revenue	\$500
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 11, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(E)

An Ordinance Appropriating \$40,000 to the Manager to Conduct a Statistically Valid Survey of Juneau Voters Related to Removing Sales Tax on Food; Funding Provided by General Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$40,000 to conduct a statistically valid survey of Juneau voters related to removing sales tax on food.

Section 3. Source of Funds

General Funds	\$ 40,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 7/11/2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(B)

An Ordinance Appropriating \$20,000 to the Manager for Short-Term Rental Data Collection; Funding Provided by Hotel-Bed Tax Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$20,000 as funding for Short-term Rental Data Collection.

Section 3. Source of Funds

Hotel-Bed Tax Funds	\$20,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 11, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(C)

An Ordinance Appropriating \$25,000 to the Manager to Publicly Oppose the Repeal of Mandatory Real Estate Price Disclosure; Funding Provided by General Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$25,000 to publicly oppose the repeal of mandatory real estate price disclosure.

Section 3. Source of Funds

General Funds	\$ 25,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: July 11, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-06(b)(D)

An Ordinance Appropriating \$25,000 to the Manager for Public Support of a General Obligation Bond for the Construction and Equipment of a New City Hall; Funding Provided by General Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$25,000 for public support of a general obligation bond for the construction and equipment of a new city hall.

Section 3. Source of Funds

General Funds	\$ 25,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

2022 4th Late File List to AssemblyHardship List:

Name	Parcel Number	Property Address
RICHARD EARL PARTIN	5B1401000201	6210 JACKIE ST UNIT 1

Late File Senior & Disabled Veteran Exemption List:

Name	Parcel Number	Property Address
JAMES T CRAIG	1D050L130111	2950 SIMPSON AVE
SHARON GAIPTMAN	1C060U04G010	800 F STREET UNIT G1
BRENDA M HOLDENER	1D050L520220	2551 VISTA DR APT D202
RICHARD EARL PARTIN	5B1401000201	6210 JACKIE ST UNIT 1
BRAD RIDER	6D0801000080	6150 N DOUGLAS HWY
CORT SAVIERS	5B2501120060	9014 GEE ST
JAMES THOMPSON	6D1101050030	10037 N DOUGLAS HWY
MICHAEL VUILLE	5B2501310080	8583 DURAN ST

Non-Profit Exemption List:

Name	Parcel Number	Property Address
The Glory Hall	1C070B0M0010	247 S Franklin St

I was not aware of the deadline
for filing

Richard E. Carter

Received

JUL 21 2022

CBJ-Assessors Office

City and Borough of Juneau
Attn.: City Council
Subject: Consideration of late VA disability verification

Thursday, July 14, 2022

Greetings,

I would like to submit our VA Disability Verification Letter for consideration of a waiver for part of our property tax, which is obviously after the March 31st deadline.

I sincerely apologize for this oversight, but having been unable to travel and gain access to the Czech Republic during the Covid pandemic, my wife was in Europe visiting her 91 year-old father—this coupled with my having hand surgery immediately upon her return quite honestly occupied our minds and we simply assumed each other had taken care of this.

I have an alarm set on my computer calendar, but the VA had replaced my laptop as part of a vocational rehabilitation class, and a number of my contacts and calendar items did not get transferred.

One might think with something that's so important they would actually write it on a paper calendar, but I guess at my age I'm still learning.

Anyway, I've updated my computer calendar, added it to my phone calendar, and of course have written it on our wall calendar. I am almost certain that I won't make this mistake again in the future.

Thank you very much in advance for your kind consideration of this request.

Sincerely,

James Craig
Alena Craigova
2950 Simpson Ave.
Juneau, AK 99801

Received

JUL 20 2022

CBJ-Assessors Office

PO Box 20385

(residence: 800 F Street)

Juneau, AK 99802-0385

July 20, 2022

The Honorable Beth Weldon, Mayor
and members of the CBJ Assembly
155 S Seward
Juneau, AK 99801

Dear Mayor Weldon and Assembly,

I am writing to request reinstatement of my senior property tax exemption that lapsed when my late husband and I did not apply for the Permanent Fund Dividend. Upon Peter's death, I paid what was owed and ultimately requalified for the PFD – which, I thought, automatically renewed my senior property tax exemption. Upon receipt of my full tax bill earlier this month and then speaking with staff, I now know I had to reapply for the exemption prior to a March 31st deadline.

I am writing to request the ability to file for the exemption now, filled out and attached, as per city staff, and to have my senior property tax exemption reinstated for this tax year's payment.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Gaipman", with a long horizontal flourish extending to the right.

Sharon Gaipman

July 14, 2022

Brenda M. Holdener
2551 Vista Dr D202
Juneau, AK 99801

CBJ-Assessor's Office
JUL 14 2022

Juneau Assembly
City and Borough of Juneau
155 S. Seward Street
Juneau, AK 99801

Dear Assembly Members,

I respectfully request your consideration in accepting my Disabled Veterans eligibility letter, which is attached, to receive the Disabled Veterans Exemption for 2022 Real Property Taxes.

I understand that I have missed the deadline of March 31, 2022 for submission. I do not have a reasonable explanation other than I totally forgot that a VA (Veterans Affairs) benefits letter is required to be submitted yearly. I know that the eligibility for the Disabled Veterans Exemption is also tied to PFD eligibility. I verified online that I am PFD eligible. Thank goodness I remembered to put my application in for the PFD!

Your consideration is greatly appreciated.

Sincerely,



Brenda M. Holdener

Attachment: Department of Veterans Affairs letter dtd July 14, 2022

I was not aware of the deadline
for filing

Richard E. Carter

Received

JUL 21 2022

CBJ-Assessors Office

To Tuncu Assembly

I didn't realize I had to
fill out an application for
exemption. Thought it was
automatic for some reason

Brad Rubin

Received

JUL 13 2022

CBJ-Assessors Office

 Reply  Reply All  Forward



Tue 7/12/2022 1:56 PM

Cort Saviers 
Re: Property tax exemption?

To: Jillian Olson

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Thank you, I will do that. I've been working/ going to school out of town since January. My fiancé has been checking the mail and I should have let her know to let me know when the property tax paperwork came in the mail.

To: CBJ Assessors Office and the CBJ Assembly

08 July 2022

From: James Thompson

Subj: Disabled Veteran Property Tax Exemption

CBJ Assembly,

I am writing today to request that my exemption on the first \$150,000 of the property tax on my primary dwelling in Juneau be restored. I was previously told by the CBJ Assessors office that I was required to submit a letter from the Department of Veterans Affairs attesting to my Disability rating once every two years. As I submitted the letter last year it was my understanding that I was in compliance for this year. Upon receiving my property tax assessment in the mail this year I discovered that this was not the case and am thereby attempting to correct this issue. I have submitted a VA disability letter dated 08 July 2022 along with this letter of request to the assessors office in this pursuit.

I would also sincerely request that the assembly discuss the feasibility of amending the process to streamline this arduous and frankly redundant waste of everyone's time. My VA disability rating will never decrease, the rating is the result of incurable maladies I sustained during 20 years of service in the US Navy. I was told that if I could get the VA to issue a permanent letter of disability (which I'm told their policy does not allow them to do) that one letter would be sufficient. Since that forever letter from the VA is not a possibility hopefully a local effort by the Assembly could afford some relief to this frustrating CBJ policy might be possible.

Lastly, as a fourth generation Alaskan it seems absurd that the intent of the States founders to say thank you for military service has strayed so far from its intention at inception. The founder's intent as stated at the time was to waive collecting property taxes from disabled veterans in its entirety. The idea being if you literally sacrificed a part of yourself for the common good they could say thank you by not taxing your property. Since a sum had to be named for the provision, the then incomprehensible sum of \$150,000 was chosen. Perhaps it would have been more helpful had they tied the amount to current prices of an average 3 bedroom home in perpetuity, but since they did not maybe it would be appropriate to revisit this limit at the State Legislature level. At this point this heartfelt meaningful thank you from the state and borough has by now warped and twisted into a frustrating paperwork initiative that at best puts a dent in the ridiculous amounts that property values have now soared too.

Thank you for your time and whatever consideration and relief you all may be willing or able to provide.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Thompson", with a long horizontal flourish extending to the right.

James Thompson
10037 N Douglas Hwy
Juneau, Alaska 99801



July 12, 2022

City and Borough of Juneau Assembly
155 S. Seward Street
Juneau, Alaska 99801

Received

JUL 12 2022

CBJ-Assessors Office

Dear Assembly Members:

Re: Senior Citizen Property Exemption

In the mail, I received my 2022 Real Property Tax Bill. The amount was in full. I contacted the City and Borough of Juneau's Assessor's Office regarding the senior citizen property exemption and the process was explained.

I can only claim ignorance for not submitting the proper form under the March 31, 2022 deadline, since I was unaware of the process.

Please accept this request so I can receive the property exemption for this filing period. My parcel number is 5B2501310080. As a responsible tax payer, I have paid property taxes for this home since 1995. I humbly beg for your acceptance of this plea for lenience.

Thanks for your consideration,

A handwritten signature in cursive script that reads "Michael Vuille".

Michael Vuille
8583 Duran Street
Juneau, AK 99801



JUNEAU HOUSING FIRST COLLABORATIVE
dba THE GLORY HALL
8715 Teal St. Juneau, AK 99801
(907)586-4159 info@feedjuneau.org

RE: 247 S Franklin St Property Tax Exemption Application

Dear CBJ Assembly,

As you know, the Glory Hall has been providing emergency shelter services to Juneau's most vulnerable community members since 1991. The services we have been providing are nothing short of lifesaving and essential. Until last year, the bulk of our services were provided at 247 S Franklin St. This changed in July of 2021 when we completed construction of our new shelter at 8715 Teal St. We, however, never stopped using 247 S Franklin St to continue to support our work. For many months after we moved to the valley, we were cooking all our meals at 247 S Franklin St, and we continued to provide emergency shelter to several patrons at our 247 S Franklin St building. We have never stopped supporting our operations with this building. Despite all of this, the CBJ changed our exempt status without properly notifying us, as it was somehow assumed that our building was "vacant." This was absolutely never the case, and we were never asked by the city if this was the case. We received no email or phone call to inquire about our buildings use or to let us know that the status had changed. This property has been exempted from property taxes for decades and we have never had to reapply because we fall into a charitable use. We were shocked to learn only recently that this had changed, and we feel we were not given adequate and proper notice. Our services save lives and the bill that we received for \$12,253.49 will be a burden to our operations. We respectfully ask that you accept our property tax exemption appeal for FY22.

Sincerely,

Chloe M Papier

TGH Interim Executive Director

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 20, Chapter 40 COMMERCIAL PASSENGER VEHICLES

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE MANAGER ADOPTS THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 20.40.130(b).

Section 2. Amendment of Regulation. 20 CBJAC 40.520 Class A endorsement, is amended to read:

20 CBJAC 40.520 Class A endorsement.

- (a) A Class A endorsement shall authorize the holder to provide taxi services subject to the following conditions:
 - (1) A certificate endorsed for Class A service may not be endorsed for any other type of service.
 - (2) The certificate shall require the service to operate and maintain no fewer than six vehicles. At least three of the vehicles shall be in service at all times.
 - (3) Taxicab passengers shall be charged only at the rates specified in this section.
 - (A) *Flag drop.* ~~\$3.40~~ \$4.00 shall be the initial starting fare to be charged for all taxicab services except for charter or battery jump services. No mileage, waiting time, or other charges are included in the charge for flag drop.
 - (B) *Mileage rate.* The rate of ~~\$0.22~~ \$0.25 for each one-twelfth mile shall be charged and measured by taximeter.
 - (C) *Waiting time.* The rate of \$0.75 for each minute of waiting time shall be measured by the taximeter and charged to the customer. Waiting time shall be charged when stopped and during traffic delays. Time and mileage shall be charged alternately and not concurrently.
 - (D) *Taxi tour rate.* The rate of \$70.00 per hour shall be charged to a passenger for the reservation of the services of the vehicle. The minimum charge for a taxi tour is \$35.00 for up to one half-hour of service. For taxi tour service in excess of the minimum half-hour charge, the time may be calculated in ten minute increments for which the charge is \$12.00. No other units of time or charges are allowed.
 - (E) *Extra adult passenger.* A charge of \$0.50 shall be added to the fare for each passenger over the age of 12 years and each bag in excess of two per

passenger. This charge does not apply if there is only one passenger over the age of 12 years. This charge does not apply to the taxi tour rate.

(F) *Delivery charge.* A charge of \$3.00 shall be added to the mileage rate for transport and delivery of items without a passenger. This does not apply to the taxi tour rate.

(G) *Battery jump.* The rate for providing an electrical boost to the battery of another vehicle shall be a charge of \$20.00.

~~(H) Airport to and from destination fee \$1.00~~

~~(I) Cruise Ship Dock to and from destination fee \$1.00~~

~~(JH) Customer soilage of taxi fee \$100.00~~ *Cleaning fee.* \$100.00 shall be charged for cleaning of taxi made necessary by any passenger.

Note: Licensee recovery of this fee shall be by civil process only.

~~(KI) Mendenhall Glacier fee \$1.50~~

(4) Every taxicab operated under the provisions of this chapter shall be equipped with a rate card provided by the city, setting forth the schedule of fares and charges. The rate card shall be posted inside the vehicle in a location visible to passengers.

(5) Taxis shall be limited to vehicles designed to carry no more than eleven passengers including the driver.

(6) The holder of a certificate endorsed for Class A service shall maintain one central place of business owned or leased by the holder and operated by the holder at which all business records shall be available for inspection, and from which all of the holder's taxis and no other taxis shall be dispatched. The central place of business is not required by these regulations to be available for walk-in service to the public.

(7) A wheelchair accessible vehicle registered to a certificate endorsed for taxi service shall entitle the holder to a waiver of the registration fees for that vehicle, and to a ten percent reduction in the Class A endorsement fee. Except for reasonable time for maintenance, not to exceed 30 days annually, the vehicle must be one of the three vehicles available for Class A service to qualify for the reduction in fees.

(b) Violation of subsection (a) above is an infraction.

Section 4. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on July 5, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

Duncan Rorie Watt
City Manager

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

Benjamin Brown
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____, 2022.
They were adopted by the Assembly.

Date: _____
Elizabeth J. McEwen, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

- 1. These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
- 2. After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- 3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- 4. Effective date: _____.

Date: _____
Elizabeth J. McEwen, Municipal Clerk

From: [Sarah Dolan](#)
To: [Robert Barr](#); [Robert Palmer](#); [Susan Phillips](#); [Deb Senn](#); [Benjamin Brown](#); [Bob Dilley](#)
Subject: FW: Comment about cabs
Date: Tuesday, July 5, 2022 2:50:05 PM

Public comment regarding taxi rate change:

From: Emily Lozada [mailto:emily_lozada@yahoo.com]
Sent: Tuesday, July 05, 2022 12:53 PM
To: Sarah Dolan
Subject: Comment about cabs

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello-

As a Resident of Juneau I see a lot of cabs that get called and if your a resident you can be waiting 1.5 to 2 hrs for a cab to come! That is not right....

The Orange cab dispatcher is so rude, she will ask where are you going? If we are calling a cab for a possible fare, it doesn't matter where they are going, she will then say she has no one and tell you to call someone else...

This cab fare increase should NOT be increased, it's bad enough if it is a short distance you are going, they will not come!!!

They need to realize everyone is seeing this inflation, I don't get a incentive to go drive to work....

This is NOT right!!!

The cab service here in Juneau is ridiculous!

Thanks for your time!

[Sent from Yahoo Mail for iPhone](#)

Deb Senn

From: Sarah Dolan
Sent: Tuesday, July 5, 2022 2:50 PM
To: Robert Barr; Robert Palmer; Susan Phillips; Deb Senn; Benjamin Brown; Bob Dilley
Subject: FW: Taxi Cab Flag Drop

Public comment regarding taxi rate change:

-----Original Message-----

From: Joleen Wheeland [mailto:jobevland@outlook.com]
Sent: Tuesday, July 05, 2022 2:05 PM
To: Sarah Dolan
Subject: Taxi Cab Flag Drop

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

There needs to be a central phone line or email address to submit complaints regarding service, denial of service, etc. Dropping my truck off at Affordable Auto at 8:00 am, called 586-2121 - was told the wait would be an hour; dialed 586-1111 the dispatcher hung up on me once I said where I was and where I needed to go. Glacier Taxi sent someone right over. Go to facebook Juneau Community Collective, lots of people posting complaints about making reservations for early morning flights, cab companies agreeing to the reservations and never showing up, leaving people stranded.

Sent from my iPhone

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Mayor Beth Weldon and the Juneau Assembly
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Parise Request to Purchase City Property
DATE: July 25, 2022

In May 2021 the Lands Office received an application to purchase City Property from James Parise, the owner of 12005 Glacier Highway. The City property is managed by the Parks Department and the 2016 Land Management Plan states that this property is to be retained for public access to the shoreline and as a stream corridor. The property is 0.14 acres with road frontage on Glacier Highway and was granted to the City by the State in 1982. In 1985 this property was included in Ordinance 89-76am which preserved certain municipal land for the Juneau open space and park system.

The City has ownership of many similar properties that provide neighborhood access to the shoreline throughout the Borough all of which are designated as "retain" in the Land Management Plan. One thing that makes this property unique is that prior to CBJ ownership the parcel was undeveloped ROW. When the CBJ received ownership, it was not as ROW, but as a land parcel.

In 2021, the City received a request from PEAK Construction for an easement across this property. Parks staff recommended denial of the easement to the Parks and Recreation Advisory Committee (PRAC) stating that this is not in the best interest for the public and is not consistent with the Parks & Rec Master Plan. At the June 6, 2021 meeting the PRAC requested that City staff work with the applicant and bring forward a more definitive proposal rather than accept staff's recommendation of denial.

Parks, CDD, Lands, and the City Attorney 's Office staff determined that an easement was problematic for following the Land Use Code, and that a disposal and lot consolidation would be more conforming with Code. As a condition of the sale, the City can plat a public access and utility easement from Glacier Highway to the shoreline in order to retain public access, thus complying with the Land Management Plan and accomplishing the direction from the PRAC. The new application was reviewed by the PRAC on April 5, 2022, and the PRAC passed a motion, 3 to 2, recommending against the disposal of this property.

The LHEDC reviewed this application at the April 4, 2022 meeting. At this meeting Assembly member Smith moved that the Lands, Housing and Economic Development Committee forward this proposal to CDD to review the disposal/easement application prior to the LHED providing direction on if to proceed. This motion failed 2:2. Assembly member Wáahlaal Gíidaak moved to retain the property and not seek disposal. This motion also failed 2:2. Prior to this meeting the neighbor on the opposite side of this City property called and said they have some interested in this property but never filled out an application or provided any additional detail.

City code 53.09.260 states, "the proposal shall be reviewed by the Assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals."

In accordance with 53.09.260 the Assembly has three options for processing this applicant:

Option 1: Retain this property for public use

Option 2: Enter into direct negotiates with the applicant

Option 3: Solicit additional proposals from other interested Parties

This issue needs to be brought to resolution, the LHED was unable to move a recommendation to the Assembly. The applicant, staff and the neighborhood need direction. The Assembly can provide direction tonight or refer the matter to Committee. No action by the Assembly will result in Option 1 – the property will be retained for public use.



**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 11, 2022, 5:00 P.M.

- I. CALL TO ORDER**
- II. LAND ACKNOWLEDGEMENT**
- III. ROLL CALL** - Chair Hale called the meeting to order at 5:05 pm.
Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak
Members Absent: none
Liaisons Present: Chris Mertl, Parks and Recreation; Mandy Cole, Planning Commission
Liaisons Absent: Lacey Derr, Docks and Harbors
Staff Present: Dan Bleidorn, Lands Manager; Jill Maclean, CDD Director; Michele Elfers, Parks & Recreation Deputy Director; Di Cathcart, Deputy City Clerk
- IV. APPROVAL OF AGENDA** – The agenda was approved as presented.
- V. APPROVAL OF MINUTES** – March 7, 2022 Draft Minutes were approved as presented.
- VI. AGENDA TOPICS**

A. Parise Request to Purchase City Property

Mr. Bleidorn discussed this topic. Mr. Bryson asked if any area of this property is designed to encourage public use. Mr. Bleidorn replied that there is no direct or manicured access to the shoreline. This property was acquired from the State.

Mr. Smith asked if CDD reviewed this before it went to the PRAC and what type of information would we expect from CDD. Mr. Bleidorn replied that the PRAC is the first step and CDD would be involved after initial support to work with the original proposer. Chair Hale noted that we do not have a positive proposal from the PRAC to move this forward, they didn't recommend this proposal and moved that this property was to be retained.

Mr. Mertl commented that he's available as a resource. PRAC spent a fair bit of time talking about this last week and denied it. Back in 2021 Parks and Recreation did send out postcards mailers to the neighborhood and 60 of those that responded said that there should not be an easement granted, this was when the original proposal was for an easement, not for a purchase. The other thing that I want to follow up on is that the department is seeing more applications to purchase parkland and if you look at policy we're supposed to hold lands in public trust and dispose certain lands for private use when disposal serves the public interest. One of the main reasons why we did deny the purchase of the property, keeping in mind that it is part of the larger Auke Bay neighborhood plan, is that there are limited public access points to the waterfront.

Mr. Bryson asked how we can help this citizen correct their driveway problem. Mr. Bleidorn replied that this is a complex question. A few years ago the State DOT worked with the previous owner when they redid the highway. The DOT paid them for the land they needed to fix the property and work on the right-a-way, similar to what they did with the city in Auke Bay. In theory that payment could have gone to correct the driveway access. We're in a situation now where there's some type of non-conforming issue, or a driveway access safety issue, and it is next to vacant city property, which is vacant city open space park property. We want to be careful with the disposal of this property. Since this application has come forward we've heard from the adjacent neighbor because that property just sold and they may be

interesting in trying to acquire part of this property, if the Assembly decides to move forward from it. There's a very similar waterfront access out at Tee Harbor where, if this moves forward, I wouldn't be surprised if we have an application for that as well. When we talk about disposing of property, we should consider the long term effects and the precedent that it could set. I think the answer to your question is I'm not certain that Park property should be the go-to way to resolve driveway accesses from adjacent property owners. That being said, if the Assembly chooses to work with this applicant and dispose of this property, we can go through the process. It's difficult for staff to recommend in favor when the adopted plans recommend against.

Mr. Smith asked that Ms. Maclean speak on the non-confirming issues. Ms. Maclean commented that she's not certain whether it is non-conforming without conducting a non-conforming situation review. Mr. Bleidorn did mention that the previous owner was reimbursed by the DOT, they laid out the improvements that they made to Glacier Highway out there, they would have to meet code and federal highway standards to do so and use the funding that they do to complete that work. I would imagine and trust that that work was done to code. As far as being non-compliant, I can't say, but what I can say is that the access that they have today would most likely be legal, because it existed previously. Where CDD and the land use code runs into trouble is that access for a lot is to be through your frontage, which is what exists today. If they were granted an easement from the other property I don't know that we could legally permit that through the land use code. Right now, with the information I have available it's either to not grant the easement, sell the land, which is against PRAC's recommendation and may not meet the adopted plans, or allow the situation to remain as is, which is the condition in which the current owners purchased the property. I don't see a good way forward with the easement itself. Mr. Smith asked about the backup documents were for an easement and this is now for a disposal and should we consider different things between these two. Ms. Maclean commented that the applicant was wondering if this would be possible and looking at the code for the easement itself I kept running into the roadblock that this needed to be frontage. This initially started as an easement, as that was thought of as the easiest way forward and when that didn't pan out the applicant pivoted to try and purchase the property.

Chair Hale commented to Mr. Bryson's question about what the applicant can do. One question from a PRAC member was why the applicant can't rebuild the garage so that it's a usable garage. Ms. Hale understands that that is a possibility in this situation. Chair Hale did drive by the location and noted that the garage appears to be on pilings because the land is steep, which can be workable toward a solution.

Chair Hale noted there was two options; forward this to CDD to review and come back to the LHED committee or retain the property, which would stop the process. Mr. Bleidorn requested that the committee approach CDD to confirm the proposals meet the land use code.

Planning Commissioner Cole noted that the CBJ comp plan clearly advises against this type of disposal. While still having sympathy for the property owner, this issue is more about the City disposing of lands that don't meet the criteria in the comp plan, which has implications across the community.

Mr. Bryson asked if it would be possible to grant a small easement in the corner of this land if we are not able to dispose of it to allow this individual to make a correction to their driveway. Mr. Bleidorn replied that that is how we got started with this, granting an easement and retaining ownership for its intended purposes and then we started to hit roadblocks on allowing access with adjacent property. If this is the direction we want to go then want to make sure we are following city code.

Wáahlaal Gíidaak commented that she is leaning toward the idea that this would create a dangerous precedence with these requests and asked if the city grant that offers the ability for people to build an apartment would apply in this situation if they did want to rebuild their garage. Ms. Maclean replied that the accessory apartment grant is specifically to create accessory apartment units and it's about \$6,000, which this garage work would exceed that amount. But the grant is just strictly to build an accessory apartment. Wáahlaal Gíidaak followed up and noted her question wasn't for the applicant to use that grant to build a garage but if he wanted to build an apartment on top of a new garage then he could possibly access this grant. Ms. Maclean confirmed.

Mr. Smith comment on the lack of access now, are there plans from the city to provide that access. Mr. Bleidorn replied that no, this is a DOT right-a-way and we are a neighbor to this property. Mr. Smith replied that he understands this has been marked as retained as parkland access to the beach. Mr. Bleidorn confirmed that it is part of the open space city property and is listed as retained in the land management plan for shoreline access, a street border and the city only has a few dozen of them. Mr. Smith asked if there was some way that the city could require a condition on this lot to provide access to the waterfront if this land were to be disposed of and would this be part of CDD review. Mr. Bleidorn replied that if the assembly gives the approval to negotiate the sale of this property then during those negotiations Lands would work with Parks to try and meet their demands for this property to continue to utilize it, which is why an easement would be added to allow access to the shoreline if the property were to be sold. Mr. Smith commented that if the point of this lot is to provide access to the shoreline but there is no shoreline access then the city could potentially work with the property owner and provide shoreline access.

Smith moved that Staff request that the Lands, Housing and Economic Development Committee forward this proposal to CDD to review the disposal/easement application prior to the LHED providing direction on if to proceed.

Wáahlaal Gíidaak objected and spoke to her objection. She felt we are setting a dangerous precedent, we have the recommendation from the PRAC and what this means to continue to shuffle this down the road if the intent is not to pass it and we are just getting people's hopes up that this is something that we would pass and she would like to see this committee stop this now rather than shuffle this along.

Mr. Bryson objected for a comment, he agrees with the comp plan and city staff is required to go by the operating plan, they do not have a choice and must abide by that, whereas the assembly are asked to rule by common sense and sometimes those two things are contradictory. Mr. Smith helped sway his decision by pointing out that we have land that is not in the plans to be used, doesn't have the access it needs, and is not developed. We have a situation where a private individual wants to use this land, add to the tax rolls, and it's the right thing to do to make his driveway safer and the city would maintain the easement on this land. We do follow recommendations and have denied other land requests but in this situation it is the right thing to vote in favor.

Ms. Cole commented that even if CDD determines the legality of this disposal, there may be an adjacent neighbor who would be interested in this land if it were for sale. I imagine the city in consideration of disposing of this land was careful with public interest, if the land was up for grabs there may be additional steps rather than going to the original proposer. Mr. Bleidorn commented that staff has had 2 phone calls about this property, one from the neighbor and about access points out at Tee Harbor.

Mr. Smith commented that he hopes this is something that CDD would consider and made this motion to give CDD a chance to look at this and could it have another public use, such as room for parking.

Mr. Mertl commented that there is limited public access at Auke Bay. This sliver of land is important and part of the Auke Bay neighborhood plan and believes there is long term plans for some sort of a sea walk. With a large majority of Auke Bay being in private ownership these access points are critical even though they are not developed now. Same with a future road easement that we may have into a steep terrain. We have been able to put in roads and offer new housing in some of these locations. If we give up this right then there are some concerns. Another point is that Mr. Mertl spoke with P&R director Schaaf last week after the PRAC denied this and confirmed that disposal of parkland is unusual and was concerned that we need to retain parkland for public interest.

Chair Hale commented that this is not a recommendation from staff, but from PRAC that this property to be retained. Having lived previously on a staircase, this is not a unique situation and there are a lot of steep places in Juneau. We have seen a picture of a car parked in front of the garage but not in it, so there is a garage at this location with the possibility that the car not be parked illegally on the sidewalk.

Motion vote: Mr. Bryon – yes, Wáahlaal Gíidaak – no, Mr. Smith – yes, Chair Hale – no

Motion fails 2:2

Chair Hale noted that the failed motion leads to a question that now we need to know what happens to this situation. Mr. Bleidorn replied that this would be a great question for the city attorney office. We could also ask the committee if they want this back with more information or try for another motion or to keep it how it is now.

Mr. Smith commented that we should hear what the options for a motion would be and we should hear from attorney's office. Chair Hale replied that there are two options for motions, one would be to retain, which would mean that the city would retain the property and any further action would stop; and the other motion could be that we move this on to the assembly. Mr. Bleidorn replied that the motions would be to retain the property, work with the original proposer on the disposal of this property or to solicit additional bids. If requested to work with the original proposer this is the first step in a long process, we next go to CDD and would we put a big, red notice signs along the property. At that point we might come back to LHED after PC review and determine that we want to work with both property owners if the other adjacent neighbor was interested.

Wáahlaal Gíidaak moved retain the property and do not seek disposal.

Motion vote: Wáahlaal Gíidaak – yes, Mr. Bryson – no, Mr. Smith – no, Chair Hale – yes

Motion fails 2:2

Mr. Bleidorn suggested to table this topic and have staff meet with applicant one more time to gather more information for the committee.

B. Ordinance 2022-23 an Ordinance Temporarily Closing Auke Lake for the 2022 IRONMAN Alaska Triathlon and Providing a Penalty.

Juneau is set to host the first IRONMAN Alaska triathlon on August 7, 2022, with 1,500 race participants. The race's swimming course consists of a 2.4-mile loop around Auke Lake, which is normally open to motorized vessels each day during the summer and other public uses. This ordinance would temporarily close Auke Lake to motorized vessels and other public uses on August 6-7, 2022 to minimize user conflicts related to the race.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee move ordinance 2022-23 temporarily closing Auke Lake for the 2022 IRONMAN Alaska Triathlon. Motion passed, no objections.

C. 35 Mile ORV Riding Park

Michele Elfers discussed this topic. Chair Hale asked about the perched culverts, if that is when a culvert is so high that the salmon can't jump into it to cross the road and that the development of this area would not preclude that action, it might just make certain things more complicated if that comes up in the future. Ms. Elfers confirmed that was a fair assessment.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee make a recommendation of support to the Assembly for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

Mr. Smith objected for a comment, to thank staff on their hard work.

Motion passed, not further objections.

D. Draft Travel Juneau MOA for Lands, Housing, and Economic Development Committee Review

Chair Hale asked that he LHED committee review the draft MOA and bring back any suggestions, modification, or comments to this committee.

**VII. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS -
None**

**VIII. STANDING COMMITTEE TOPIC
A. 2022 LHED Committee Goals – No update**

IX. NEXT MEETING DATE – May 2, 2022

X. ADJOURNMENT - Chair Hale adjourned the meeting at 6:00 PM.

Timestamp	Should the City & Borough of Juneau grant a permanent easement across a 0.14-acre public Beach Access to allow an adjacent property owner to build a new driveway?	Comments:	First and last name:	Email address:	Residence location:
2021/08/18 11:47	Yes		Arthur Drown	arthur.drown@juneau.org	Douglas
2021/08/18 11:47	Yes		Sara Murray	saracrearick@gmail.com	Downtown
2021/08/18 11:55	Yes		Jeff Hedges	jthedges76@gmail.com	Douglas
2021/08/18 12:08	Yes		Michelle Brown	akgal57@gmail.com	Out the road
2021/08/18 12:20	No	According to Ordinance No. 85-76am, PRESERVING CERTAIN MUNICIPAL LAND FOR THE JUNEAU OPEN SPACE AND PARK SYSTEM, this land was protected so that the general public can access public land, including shorelines, islands, etc. I fear that granting a permanent easement would unlock this possibility for more land owners and slowly remove access to public spaces. The reason many of us choose to live in Juneau is for free, easy, and equitable access to beautiful spaces such as our shorelines. Projects like this make public land access less accessible, even with the addition of the public use path proposed.	Kaitlyn Conway	kaitlynconway0123@gmail.com	Downtown
2021/08/18 1:22	No	The City should maintain complete and unfettered ownership of all their dedicated park lands for the long term benefit of the public. By granting a PERMANENT easement for a driveway across these park lands, the current Assembly will be severely limiting future options for public use (or development) of this parkland parcel. The proposed driveway location will occupy the parcel's only easily accessible entry point from Glacier Hwy as half the parcel's Hwy frontage is occupied by a ADOT retaining wall and concrete traffic barrier wall. The proposed driveway easement access point between the end of the wall and the NW corner of the parcel corner is the only "flat" area suitable for construction of a dedicated P&R "trailhead", and the only place the city could construct public off-street parking on the parcel's Glacier Hwy frontage. By dedicating the proposed driveway easement CBJ will lose options for future access improvements.	Alan Steffert	Asteffert@gmail.com	Douglas
2021/08/18 3:25	No	And the reason he can't use his own land is? It looks like he can do it on his own property. Do we not have a street view of this to see why he can't build on his own land?	Melinda Campbell	Mybella_13@msn.com	Lemon Creek
2021/08/18 3:53	No	Why are they asking for more space when they could keep it all on their already owned property? Seems wrong to be asking for more of this stolen land ðŸ™–	Kaasgiteen Jalynn Gregory	jalynnakins@gmail.com	Auke Bay
2021/08/18 4:11	Yes		David Miller	millerdavem@gmail.com	Valley
2021/08/18 4:41	No	Allowing neighbors to buy the few slices of public access to the beach/water is a slippery slope. I wouldn't have any problem if it wasn't already so limited or if the city was expanding access, but I don't see that happening. I feel for the owner, but this would be a bad precedent.	Kevin Siwicke	kswicke@gmail.com	Lemon Creek
2021/08/18 4:47	Yes	Let the man do his thang	Rex Paden	jsphpaden21@gmail.com	Auke Bay
2021/08/18 5:45	No		AshLee Peterson	Ashleeann1015@hotmail.com	Valley
2021/08/18 5:45	No		Josh Campbell	Josh_campbell386@hotmail.com	Valley
2021/08/18 5:51	Yes		Karla Bush	kgbush@gmail.com	Douglas
2021/08/18 6:16	No		Jon Helfetz	Jonhelfetz@yahoo.com	Douglas
2021/08/18 6:22	No	This needs to be reserved for public access to the beach.	Marrisa Peterson	Marrisapeterson@yahoo.com	Valley
2021/08/18 6:38	No	There needs to be parking constructed at the location to accommodate the vehicles of people using this location to access Auke lake. The granting of this access will forever have there be no parking available at this location. There are more and more people using this location and the parking along glacier Hwy is not adequate or safe.	Anonymous Juneau resident	Anonymous Juneau resident	Auke Bay
2021/08/18 7:38	Yes	There is not enough parking, so it infringes on the bike path and side walk. It will be much safer for the home owners and people driving in from out the road on that busy stretch of highway, especially when the homeowners have to back out into traffic.	Mary Frances Griggs	maryfgriggs@hotmail.com	Auke Bay
2021/08/18 7:47	No	If this application is granted, I would recommend a requirement to mark the pedestrian footpath as "Public Beach Access" at the highway and at the beach. I've seen multiple cases (in Juneau and elsewhere) where residents of adjacent properties try to obscure, block, or otherwise impede the public from using access easements as intended. This proposed easement would eliminate any reasonable possibility for parking near the beach access. It would be a shame if it turned into one beachfront property owner taking away public access from the majority.	Tom Wilson	Tomtom69@yahoo.com	Auke Bay
2021/08/18 7:47	No		Nicole Garmon	nikkigarmon1@gmail.com	Valley
2021/08/18 7:58	No	If granted it will set precedence for water front land owners to block public access as has happened in California and Hawaii. Do not go down this road please.	Patricia Jouppi	Pjouppi.art@gmail.com	Valley
2021/08/18 8:15	No	Public access has great present and future value and should not be given up. As Auke Bay is more densely developed (per the Auke Bay Plan) this access will have even greater value. The trail/easement approach does not serve public purpose in the long-term.	Karla Hart	karlahart@gmail.com	Valley
2021/08/18 8:43	No	I believe the original protection put in place in 1986 is still a good standard. Public access is critical in Juneau to individuals wanting to recreate.	Sarah Rauchenstein	Skatrauch@gmail.com	Valley

2021/08/18 8:59:	Yes	Safety and value. Plus additional income for the city in a time of need. Also should increase the value of the property thereby increasing the property tax long term.	Robert Griggs	brucegriggs@hotmail.com	Auke Bay
2021/08/18 9:17:	No	Why would we give up an access point to the beach?	Robert Marvelle	rmarvelle@hotmail.com	Valley
2021/08/18 9:59:	Yes		Erica	ericax235@gmail.com	Valley
2021/08/18 10:03:	No		Monica Hinson-Wilson	mhinsonwilson@gmail.com	Valley
2021/08/18 10:24:	Yes		Mari Meiners	Mkdysongci.net	Douglas
2021/08/18 10:28:	No		Randy Host	host_randy@yahoo.com	Lemon Creek
2021/08/18 10:32:	No		Patricia Lamson	P.lamson@lsw-family.us	Valley
2021/08/18 11:04:	No	This sale would limit future public access, I am opposed because of that reason. Road/driveway needs to be accessible by public, not just footpath.	Monika Kunat	Mkumat@gmail.com	Douglas
2021/08/19 5:46:	No	The plans should not be approved as is. Having access for vehicles to enter the parcel in the future for parking is in the public's best interest for access. An improved plan might include shared access that allows the proposed driveway split to the owners property as well as public vehicular access to the property that could one day be developed to public parking. This would satisfy both needs, albeit with an overall reduced parking lot footprint.	James Marks	J.t.marks0@gmail.com	Auke Bay
2021/08/19 7:15:	Yes		Greg Anderson	Gregorama99@hotmail.com	Out the road
2021/08/19 10:03:	Yes		Rachel Kelly	rachelangelinekelly@gmail.com	Valley
2021/08/19 10:22:	No	Deny public beach access for a private driveway? No way!	Jon pond	Jpgkak@gmail.com	Downtown
2021/08/19 10:34:	Yes	As long as public beach access is guaranteed, I see no problem with letting them use a piece of public land to improve their property. The city can benefit from the sale and the public can continue to access that part of Auke Bay.	Morgan Stonecipher	morgan.d.stonecipher@gmail.com	Douglas
2021/08/19 11:17:	No	Since your request for comments gives no reasoning for why the application is made, I cannot support it. Why can't the applicant just install a driveway on their own property? Is that impossible? If so, why? Is the purpose of their application only to save them money? What value are public comments when such fundamental information is omitted?	Wayne Coogan	wdc@cooganalaska.com	Auke Bay
2021/08/19 2:39:	No		Bobby	Porter	Valley
2021/08/19 2:40:	No		Ticket Seslar	Seslar@gci.net	Douglas
2021/08/19 5:37:	Yes	There will be better access to beach than currently, and CBJ currently doesn't have funds to do it themselves.	Catherine Sayre	Kittycatsayre@yahoo.com	Downtown
2021/08/20 9:25:	No	Public property is becoming less and less in Juneau. The way the design looks to me, this might give the property owner rights over the access as it would sit on his property. I believe when the access was provided for the public, they were correct in their thinking and it should stay that way. The homeowner already has access to his home and garage and the idea that he needs public property for another access isn't 100% necessary but rather a perk. Please leave it the way it is.	Christopher Wingo	chrisdingo@gmail.com	Douglas
2021/08/21 3:27:	No	It is hard to tell from the drawing if there is a drastic problem with the site that forces someone with significant street frontage to have to grab additional street frontage to make a driveway. The properties on either side of the residence have driveways that go straight from the roadway to the house so what is the reason for this long driveway? The person bought the property knowing the terrain and the constraints of the site so denying the easement should not be an unanticipated and devastating outcome. Granting the easement means the public has to walk up the private driveway to get to the beach access, which is confusing and a barrier to going to that beach access. The location of the proposed public path squashed over to the side farthest from the residence and what looks like a privacy wall makes me wonder if part of the design is to move the public as far from the residence as possible. Lastly, I am having a hard time comparing the drawing in the application to the photo. In the photo it appears that the residence is smaller and further from the street and beach access. Is that an old photo and the house is much larger or is the drawing not to scale giving a false impression of the site?	Carole Bookless	sealettuce-1@yahoo.com	Douglas
2021/08/21 3:40:	No	The owner can do the driveway on their own property. Granting this access will degrade the CBJ parcel to nearly being unusable under normal circumstances. I agree with P&R that access to the parcel will be severely limited. Please do not grant this request.	Jim Preston	jim.preston49@gmail.com	Auke Bay
2021/08/21 6:16:	No	Put the land up for Auction.	Marciano Duran	mduran@acsalaska.net	Valley
2021/08/21 6:52:	Yes		Linda Biefgen	lindablefgen@gmail.com	Auke Bay
2021/08/21 6:54:	Yes	I approve of this, but would recommend that this not set a precedent for future applicants.	Scott McPherson	Dsmac@ak.net	Auke Bay
2021/08/21 7:12:	No	It appears that the applicants already have a driveway with a garage so I don't see any need to acquire CBJ land that offers tideland access for Juneau and it's residence. This CBJ property presently provides tideland access and may provide additional valuable needs in the future for the residence of Juneau.	Larry Holland	elsaholl79@hotmail.com	Auke Bay
2021/08/23 2:06:	Yes	Grant permission ,steep lot not good for access. Get that lot on the tax rolls. Path will still provide access.	George Fisher	glmfisher@gmail.com	Auke Bay
2021/08/23 8:08:	No	Why 16â€™ not 8 for just driveway. Concerned future commercial development with increased tourism and cruise ships currently occurring in Auke Bay	Gale Good	galegood3@gmail.com	Auke Bay
2021/08/23 2:46:	Yes		Mitch Falk	bullwinkies1@gci.net	Auke Bay

2021/08/24 8:18:	Yes	This is a win/win for everyone. The city gives up a tiny bit of land and gets a path to the beach that would probably never be built with city funding. I live in Auke Bay and these kind of improvements need to be made. I do not know the family, but why deny them the ability to use their own property?	Kathleen Samalon	ksamalon@yahoo.com	Auke Bay
2021/08/24 11:24:	No		Kimberly Klein	kimberly.klein@wsialaska.com	Valley
2021/08/25 9:38:	Yes		George Reifenstein	reifenak@icloud.com	Auke Bay
2021/08/25 11:50:	Yes	I would like to know where would parking be for individuals that would use the foot path?	Ashley Aemmer	aemmerad@gmail.com	Auke Bay
2021/08/25 3:00:	No		rebecca charles	beccy01@tbom.com	Auke Bay
2021/08/25 3:39:	No	I am opposed to decreasing public beach access that has been preserved since 1986. This private driveway does not conserve, or protect natural resources utilized by the public within the jurisdiction of the CBJ. I am opposed to the granting of a permanent easement across 0.14 acre of public beach access to allow an adjacent property owner to build a new driveway.	Jerry Medina	akpescador@gci.net	Auke Bay
2021/08/25 5:58:	Yes	CBJ should sell them the entire parcel. Nobody ever uses it for beach access and it has no other potential use.	Craig Loken	craigloken@ak.net	Auke Bay
2021/08/25 7:49:	Yes		Therese Elliott-Harvey	pensalaska@gmail.com	Auke Bay
2021/08/26 2:58:	Yes		PEGGY CHANDLER	chandlerpeggy@aol.com	Auke Bay
2021/08/26 8:48:	No	Public access is prized especially to waterfront locations. As Auke Bay (my neighborhood) expands, this access becomes more important than ever. Please preserve it for everyone.	Laurie Craig	Lauriecraig@gmail.com	Auke Bay
2021/08/26 9:20:	Yes	This seems like a reasonable accommodation to benefit the property owner that should not adversely impact the city's land. This is land the city hasn't done anything with and is seems like the state's recent improvements to Glacier Highway in that spot may have adversely impacted the property owner's existing garage.	Kevin	kevinhenderson56@gmail.com	Auke Bay
2021/08/26 2:27:	No	The likelihood that CBJ will actually develop this access is extremely low. For this reason the CBJ should instead sell the entire parcel or portions thereof to either of the adjacent landowners rather than granting an easement to just one of the adjacent landowners that will diminish the value of the whole parcel. Let the landowner who wants the easement buy the road side portion where they have requested an easement. That sale should be contingent on the concurrent sale of the remaining beachside portion to one of the two adjacent landowners. Not only will this bring in immediate revenue, it will put the entire parcel back on the property tax roles. Thanks for the opportunity to comment.	Tom Williams	tcw-ak@gci.net	Auke Bay
2021/08/26 10:04:	No	Public Access to the beach is highly valued and in very limited supply. The adjacent property owner should use their own land to access their property and not take away public beach access with a driveway on public land. This public beach access may be improved in the future with parking and better public access. The adjacent owner's driveway would impede this.	Theresa Svancara	tjsvancara@hotmail.com	Auke Bay
2021/08/27 11:07:	Yes	I live in Auke Bay and am the neighbor of the property owner. This states that in 1986 Parks & Rec set aside this space to allow access. However, there currently is no access to the beach via the CBJ property. The city hasn't developed this land to allow public access for 35 years and I don't expect they will fund this project in the foreseeable future. The proposed driveway would not impeded anyone from accessing the beach (as there is no current access point). With the owners proposal to add a foot path a footpath to improve access, this seems to be a win-win for the owner and the community.	Adam Dordea	Adamdordea@gmail.com	Auke Bay
2021/08/27 1:01:	Yes		Steve Strickler	drstrickler@gmail.com	Auke Bay
2021/08/27 1:36:	No	Why give away free land to land owners? It doesn't make any sense	Abby	Bowman	Douglas
2021/08/27 5:57:	No		Zoe	Bollingzm@gmail.com	Valley
2021/08/28 1:58:	No	Because this easement would block future public access to the waterfront and property owners already have highway access on their own property.	Dan Palicka	danpalicka@hotmail.com	Out the road
2021/08/28 9:29:	Yes		Eric W. Cole	ericw.cole@hotmail.com	Douglas
2021/08/29 9:19:	No	Public access should be increased not sold off to private ownership,	Mike and Astrid Bethers	mikebethers@gmail.com	Out the road
2021/08/29 11:58:	No	The homeowners have sufficient land to have a driveway developed on their property rather than buying some of the set aside land. This sale/easement would limit what could happen with this public property in future. The proposed path is insufficient. They have to pay like the rest of us to have a driveway on their property.	Nicole whitesides	Netheridge1978@gmail.com	Valley
2021/08/29 6:40:	No	I am opposed to the granting of this easement because the proposed 5' wide access would limit public parking and maintenance access in the future.	Alice Taff	alictaff@gmail.com	Auke Bay
2021/08/30 9:31:	No	The Assembly in 1986 decided to preserved this property for the enjoyment of public beach access in Auke Bay. As described by this announcement, the message is clear. We should all respect the current distribution of lands.	Schery Umanzor	scheryur@gmail.com	Auke Bay
2021/08/30 12:30:	No	I think the city should retain waterfront for public use. Its not apparent from either shore or road that this area is for public access because it is not brushed or marked. I driveway would further discourage access. I think CBJ should do some grooming and brushwork and add signage so that people could enjoy this area of the waterfront. It would be great for shore fishing or small craft launch.	Frances Schrup	Francieland@hotmail.com	Auke Bay
2021/08/30 1:12:	Yes		Kris	iona	Douglas
2021/08/30 3:47:	Yes		Stephen Drake	drakeslanding@gci.net	Auke Bay

2021/08/31 8:34:	No	CBJ should maintain the current preservation of this land as public beach access to Auke Bay and not allow a permanent easement through this tract for private use ingress/egress. Public accesses are very limited in Auke Bay and once a permanent easement is granted this public access will no longer be available for use with exception of a 5' wide path that overlaps with the requested permanent ingress/egress easement. The granting of a permanent easement for the benefit of a residential driveway is not in the best interests of the community of Juneau as future plans for using this dedicated historic public beach access for public parking or other waterfront land uses would be lost.	Mark Pusich	markpusich@pdceng.com	Auke Bay
2021/08/31 10:48:	Yes	I am hoping that the path actually leads to some usable beach for the public.	Ron flint	Ron@nuggetoutfitter.com	Auke Bay
2021/09/01 9:23:	No		Micki Minsch	mickiminsch@gmail.com	Auke Bay
2021/09/01 12:43:	No	Granting a permanent easement is essentially giving away very valuable public access in Auke Bay. There is very little public access and the community would benefit from greater public access. People are often coming into our private driveways looking for beach access. If the City were to grant this permanent easement it would limit options for creating good access for the public. It is not in the public's best interest to tie up valuable public access in an area where there is such limited access already, for the benefit of one property owner. Also, I think the lot is zoned commercial which means that even if the intent is to use for private use now, it could be used commercially for benefit of paying customers instead of the general public. So those who didn't have the means would be limited.	Karen Forrest	kforrest@gci.net	Auke Bay
2021/09/01 1:24:	Yes	Howdy! While at first glance it looks like this should be denied, when one actually goes to the site and looks at the requestor's lot and situation this should be approved as proposed. Additionally, it should be noted that CBJ Lands and Resources parcel (Tax ID 4B2801020130) would be better suited to general public access than this parcel (TAX ID 4B2801020070). Rob Roys 315 W 11th	Rob Roys	Robroys@gmail.com	Downtown
2021/09/01 3:52:	No	I am opposed to granting a permanent easement for this purpose. I'm concerned that by giving this easement, it would prevent any future development of the area by CBJ. For example, there would be no place to put a parking spot. Rather than passing public land over to private individuals, I would encourage CBJ to consider marking public right of ways better, and perhaps making a map of public right of ways available online. People are hesitant to go clambering around without a well identified right of away.	Brita Bishop	britab@ak.net	Valley

U.S. DEPARTMENT OF TRANSPORTATION

**FEDERAL AVIATION ADMINISTRATION
ANTENNA AND RACK SPACE
MEMORANDUM OF AGREEMENT
FOR REAL PROPERTY**

Agreement No: DTFAWN-11-L-00187

Geographical Location: Juneau, Alaska

1. THIS MEMORANDUM OF AGREEMENT (9/98), entered into by and between The City and Borough of Juneau whose interest in the property hereinafter described is that of owner hereby referred to as Grantor, and the United States of America, hereinafter referred to as the GOVERNMENT OR FAA: WITNESSETH: The Parties hereto, and for the consideration hereinafter mentioned, covenant and agree as follows:

2. DESCRIPTION (10/96) - The GRANTOR hereby grants to the GOVERNMENT the following described premises:

- 1.) Space for Communication Circuits at Saddle Mountain (described in Exhibit A) and,
- 2.) Space for the Wide Area Multilateration Aerial Radar Surveillance System (WAM) Equipment cabinet and tower space for antennas at Lemon Creek (described in Exhibit A),

shall be related to the FAA's activities in support of Air Traffic operations.

3. TERM (1/01) - To have and to hold, for the term commencing on October 1, 2009 and continuing through September 30, 2019 inclusive, PROVIDED that adequate appropriations are available from year to year for the payment of rentals.

4. CANCELLATION (8/02) -The GOVERNMENT may terminate this agreement at any time, in whole or in part, if the Real Estate Contracting Officer (RECO) determines that a termination is in the best interest of the Government, on or after November 1, 2009 by giving at least 30 days notice in writing to the GRANTOR. No rental will accrue after the effective date of termination. Said notice will be computed commencing with the day after the date of mailing.

5. CONSIDERATION (NO COST) (AUG-02): The Government shall pay the Grantor no monetary consideration in the form of rental, it being mutually agreed that the rights extended to the Government herein are in consideration of the obligations assumed by the Government in its establishment, operation and maintenance of facilities upon the premises hereby agreed upon.

6. SERVICES AND UTILITIES (10/08)

Services supplied to technical equipment will be supplied 24 hours a day, and seven days a week. The GOVERNMENT will have access to the granted premises at all times, including the use of electrical services without additional payment.

- ELECTRICITY
- SNOW REMOVAL
- GROUND MAINTENANCE
- OTHER SERVICES

2.6.2 Antenna and Rack Space Template

Revised April 2010

OMB Control No. 2120-0595

7. GENERAL CLAUSES:

a. **DAMAGE BY FIRE OR OTHER CASUALTY (10/96)** - If the building or structure is partially or totally destroyed or damaged by fire or other casualty or if environmentally hazardous conditions are found to exist so that the granted premises is untenable as determined by the GOVERNMENT, the GOVERNMENT may terminate the agreement, in whole or in part, immediately by giving written notice to the GRANTOR and no further rental will be due.

b. **MAINTENANCE OF THE PREMISES (10/96)** - The GRANTOR will maintain the demised premises, including the grounds, all equipment, and fixtures, appurtenances furnished by the GRANTOR under this agreement, in good repair.

c. **FAILURE IN PERFORMANCE (10/96)** - In the event the GRANTOR fails to perform any service, to provide any item, or meet any requirement of this agreement, the GOVERNMENT may perform the service, provide the item, or meet the requirement, either directly or through a contract. The GOVERNMENT may deduct any costs incurred for the service or item, including administrative costs, from the rental payments. No deduction of rent pursuant to this clause will constitute default by the GOVERNMENT on this agreement.

d. CONTRACT DISPUTES (11/03)

All contract disputes and arising under or related to this agreement will be resolved through the Federal Aviation Administration (FAA) dispute resolution system at the Office of Dispute Resolution for Acquisition (ODRA) and will be governed by the procedures set forth in 14 C.F.R. Parts 14 and 17, which are hereby incorporated by reference. Judicial review, where available, will be in accordance with 49 U.S.C. 46110 and will apply only to final agency decisions. A GRANTOR may seek review of a final FAA decision only after its administrative remedies have been exhausted.

All Contract Disputes will be in writing and will be filed at the following address:

Office of Dispute Resolution for Acquisition, AGC-70,
Federal Aviation Administration,
800 Independence Ave., SW,
Room 323,
Washington, DC 20591
Telephone: (202) 267-3290,
Facsimile: (202) 267-3720

A contract dispute against the FAA will be filed with the ODRA within two (2) years of the accrual of the agreement contract claim involved. A contract dispute is considered to be filed on the date it is received by the ODRA.

The full text of the Contract Disputes clause is incorporated by reference. Upon request the full text will be provided by the RECO.

e. PROTEST (11/03)

Protests concerning Federal Aviation Administration Screening Information Requests (SIRs) or awards of agreement contracts will be resolved through the Federal Aviation Administration (FAA) dispute resolution system at the Office of Dispute Resolution for Acquisition (ODRA) and will be governed by the procedures set forth in 14 C.F.R. Parts 14 and 17, which are hereby incorporated by reference. Judicial review, where available, will be in accordance with 49 U.S.C. 46110 and will apply only to final agency decisions. A protestor may seek review of a final FAA

2.6.2 Antenna and Rack Space Template

Revised April 2010

OMB Control No. 2120-0595

decision only after its administrative remedies have been exhausted.
Offerors initially will attempt to resolve any issues concerning potential protests with the RECO.

Protests will be in writing and will be filed at:
Office of Dispute Resolution for Acquisition, AGC-70,
Federal Aviation Administration,
800 Independence Ave., SW,
Room 323,
Washington, DC 20591,
Telephone: (202) 267-3290; or
Facsimile: (202) 267-3720

At the same time as filing the protest with the ODRA, the protestor will serve a copy of the protest on the RECO.

A protest is considered to be filed on the date it is received by the ODRA and will be filed: (1) Not later than seven (7) business days after the date the protester knew or should have known of the grounds for the protest; or (2) If the protester has requested a post-award debriefing from the RECO, not later than five (5) business days after the date on which the RECO holds that debriefing.

The full text of the Contract Protest clause is incorporated by reference. Upon request the full text will be provided by the RECO.

f. INTERFERENCE (10/08)

Should interference with the Grantor's facility due to the FAA operations, FAA shall correct the problem immediately. If the Grantor's facility interferes with FAA's equipment then the Grantor will correct the problem immediately.

g. COORDINATION (10/08)

The FAA will provide a written request and must receive permission from the Grantor prior to installing any new equipment at the Lemon Creek facility.

All requests for Saddle Mountain will be coordinated with the City and Borough of Juneau for their portion and with State-ETS in accordance with FAA's existing agreement requirements.

h. NOTICES (10/96)

All notices/correspondence shall be in writing, reference the Agreement number, and be addressed as follows:

Grantor:
City and Borough of Juneau
Juneau Police Department
6255 Alaway Ave
Juneau, Alaska 99801

Government:
Federal Aviation Administration
Real Estate & Utilities Group
222 W 7th Avenue, #14
Anchorage, Alaska 99513

i. The following clauses are incorporated by reference: The full text of these clauses can be found in Standard Space Agreement Form via the Internet at <http://fast.faa.gov>

2.6.2 Antenna and Rack Space Template

Revised April 2010

OMB Control No. 2120-0595

- DEFAULT BY GRANTOR (10/96)
- COMPLIANCE WITH APPLICABLE LAWS (10/96)
- OFFICIALS NOT TO BENEFIT (10/96)
- COVENANT AGAINST CONTINGENT FEES (8/02)
- ANTI-KICKBACK (10/96)
- EXAMINATION OF RECORDS (10/96)
- SUBORDINATION, NONDISTURBANCE AND ATTORNMENT (10/96)
- GRANTOR'S SUCCESSOR (10/96)
- CCR (10/06)
- EFT (10/06)

IN WITNESS WHEREOF, the parties hereto have signed their names:

8a. NAME AND TITLE OF GRANTOR/OWNER <i>(Type or Print)</i> ROD SWOPE	8b. SIGNATURE OF OWNER 	8c. DATE 2/3/2012 (10/96)
THIS DOCUMENT IS NOT BINDING ON THE GOVERNMENT OF THE UNITED STATES OF AMERICA UNLESS SIGNED BELOW BY AUTHORIZED CONTRACTING OFFICER.		
9a. NAME OF REAL ESTATE CONTRACTING OFFICER <i>(Type or Print)</i> Alice L. Salzman	9b. SIGNATURE OF REAL ESTATE CONTRACTING OFFICER 	9c. DATE 2/24/12 (10/96)

2.6.2 Antenna and Rack Space Template

Revised April 2010

OMB Control No. 2120-0595

Exhibit A to DTFAWN-11-L-00187

The following is provided by the City and Borough of Juneau to the FAA:

1. Saddle Mountain- T1 Circuit with a telecommunications radio link to Lemon Creek
2. Lemon Creek-

Within the electronics room:

WAM unit

Rack space for a router

Other end of the T1 from Saddle Mountain

Access to the telco blocks- Commercial Telecommunication to WAM unit and cross connect to T1 off of Saddle.

Space for the RF cable to connect the WAM unit to the Antenna

Roof of the building:

Space for two Antennas

Escorted access for maintenance as required.

Space for the Wide Area Multilateration Aerial Radar Surveillance System (WAM) Equipment cabinet, tower space for two (2) Omni and two (2) GPS antennas at Lemon Creek (described in Exhibit A),

2.6.2 Antenna and Rack Space Template

Revised April 2010

OMB Control No. 2120-0595

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Michelle Hale, Chair of the Assembly Lands Housing and Economic Development Committee

FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

SUBJECT: L3Harris Technologies Inc. Request to Lease CBJ Property

DATE: June 23, 2022

L3Harris Technologies Inc. has requested a lease of CBJ property located at the Juneau Police Department at 6255 Alaway Ave. The CBJ has a signed MOA with the Federal Aviation Administration (FAA), which grants the FAA "space for a Wide Area Multilateration Aerial Radar Surveillance System (WAM) equipment cabinet and tower space for antennas at Lemon Creek". L3Harris has submitted a letter from the FAA with their application stating, "L3Harris holds the Automatic Dependent Surveillance – Broadcast (ADS-B) contract with the Federal Aviation Administration."

Since L3Harris is requesting this lease in order to provide the FAA and the Juneau International Airport with much needed safety data, they have requested this lease be at no cost. The request proposes a wall mounted enclosure that will have two (2) AC L3Harris routers powered by existing UPS outlet. The Juneau Police Department (JPD) will provide data transport from Saddle Mountain via a JPD microwave that will connect to the applicants proposed routers.

The Juneau International Airport Manager reviewed this application and is in favor of granting this lease. The Juneau Police Department Radio Electronics Specialist reviewed this application and is in favor of granting this lease.

53.09.270 Disposals for Public Use (b) states:

Disposal to nongovernmental agency. The sale, lease, or other disposal of City and Borough land or resources may be made to a private, nonprofit corporation at less than the market value provided the disposal is approved by the assembly by ordinance, and the interest in land or resource is to be used solely for the purpose of providing a service to the public which is supplemental to a governmental service or is in lieu of a service which could or should reasonably be provided by the state or the City and Borough.

Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support to lease CBJ property to L3Harris Technologies Inc. in accordance with 53.09.270.

Attachments:

1. Application
2. Lease exhibit
3. Request for Agency Confirmation from the FAA



OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202

Phone: (907)586-5278 Fax: (907)586-4552

email: city.clerk@juneau.org

Notice of Appeal

This appeal is governed by CBJ 01-50, the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

☒ Agency Appealed From:

*City and Borough of Juneau, Finance Department,
Assessor Division
See Below and Attached*

☒ Description and Date of Decision:

Parcel # 1C070A020030

Date of Decision: 6/30/2022

*See Below and Attached & Incorporated
by Reference*

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

☒ Party Filing Appeal

*Holdstein Improvement
Company*

Mailing Address

*426 East Rustle Rd
Santa Monica, CA
90402*

Telephone

Fax

Email

310-612-1312

☐ Parties Who Won the Decision Appealed

Mailing Address

Telephone

Fax

Email

gregoryladdere@gmail.com

¹ 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:

- (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
 - (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
 - (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.
- (b) The burden of proof is on the appellant. (Serial No. 92-36 □ 2 (part), 1992).¹

2016 - Appeal Form
Page 2 of 2

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them; argument will be heard later.

Fraud, improper, excessive, and unequal valuation including methodology by the Juneau Assessor; including but not limited to factual errors such as square feet used in valuations. See Attached Notice of Appeal, Table of Contents and Exhibits 1-46 which are hereby incorporated by reference as the legal and factual errors that form the basis of our appeal.

Relief Requested

What should the Assembly do with the action being appealed? send it back, modify it, or something else?

Respectfully, we request the Assembly hear this appeal and resolve this matter. We believe a hearing officer should be appointed to examine and investigate the issues we describe above in "Issues on Appeal." In the interim, we request our property taxes and all property tax payers be assessed at 2020 assessments levels; that an Oversight Board be appointed to watch over the Hearing Officer with an equal number of members coming from commercial property owners; all appeal rights are stayed, including the obligation to file legal actions in Superior Court. We hereby incorporate by reference our Notice of Appeal, Table of Contents and Exhibits 1-46 into the Relief Requested.

Signature

If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.

Date

7/15/2022

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.

Notarized Statement

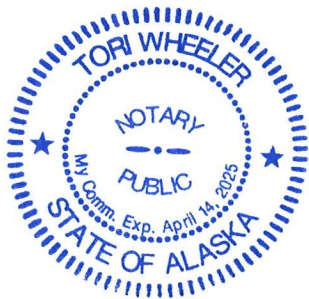
Attention: City Clerk, Juneau, AK

I, Melvin Adler, authorize Hugo Adler
to represent the Goldstein Improvement
Company in all matters.

Melvin Adler
VICE PRESIDENT GOLDSTEIN IMPROVEMENT Co.

I, Hugo Adler, hereby agree to represent
the Goldstein Improvement Company in all
matters. I am authorized to represent the
Goldstein Improvement Company in all matters.

Hugo Adler
July 6, 2022

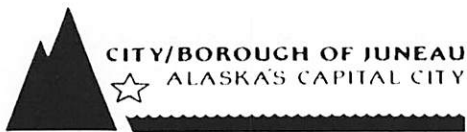


[Signature]
(Signature of Notary Public)

My Commission Expires:
04/14/2025

Notary Seal
07/06/2022

CBJ CLERK
JUL 06 2022
RECEIVED



**Office Of The Assessor
155 South Seward Street
Juneau, AK 99801**

GOLDSTEIN IMPROVEMENT COMPANY
130 SEWARD ST STE 001
JUNEAU AK 99801

NOTICE OF DECISION Page 110 of 119
BOARD OF EQUALIZATION

Date of BOE	Wednesday, June 29, 2022
Location of BOE	Via ZOOM Webinar
Time of BOE	5:30 pm
Mailing Date of Notice	June 30, 2022
Parcel Identification	1C070A020030
Property Location	110 SEWARD ST
Appeal No.	APL20220156
Sent to Email Address:	gregadler@mac.com

ATTENTION OWNER

The Board of Equalization (BOE) held a hearing on the date shown above to consider and decide your appeal of the 2022 Assessed Value for your parcel. Based on the findings of fact and conclusions of law contained in the recorded hearing and record on appeal, the BOE hereby certifies its decision as shown below:

	Before BOE	After BOE
Site/Land	\$967,848.00	\$967,848.00
Building/Improv	\$962,118.00	\$962,118.00
Total	\$1,929,966.00	\$1,929,966.00
Exempt Total	\$0.00	\$0.00
2022 Taxable Value	\$1,929,966.00	\$1,929,966.00

This is a final administrative decision of the Board of Equalization of the City and Borough of Juneau. It may be appealed to the Alaska Superior Court, in Juneau, pursuant to AS 29.45.210(d), CBJ 15.05.200 and the Alaska Rules of Court, if such appeal is filed within 30 days from the mailing/distribution date of this notice.

6/30/2022

Date

David B. Epstein
Digitally signed by
David B. Epstein
Date: 2022.06.30
08:42:24 -08'00'

Chair/Presiding Officer
Board of Equalization

CONTACT US: CBJ Assessor's Office

Phone	Email	Website	Physical Location
Phone (907) 586-5215 Fax (907) 586-4520	Assessor.Office@juneau.org	http://www.juneau.org/finance/	155 South Seward St Room 114

PROPERTY TAX BILLS MAILED JULY 1

PROPERTY TAXES DUE SEPTEMBER 30



OFFICE OF THE MUNICIPAL CLERK

155 S. Seward St., Room 202
Phone: (907)586-5278 Fax: (907)586-4552
email: city.clerk@juneau.org

Notice of Appeal

This appeal is governed by CBJ 01-50, the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

☒ Agency Appealed From: *City and Borough of Juneau, Finance Department, Assessor Division*
see below

☐ Description and Date of Decision: *Parcel # 1C070A020011*
see attached Petition for Review
Incorporated by Reference.
Date of Decision: 6/30/2022

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

☒ Party Filing Appeal	Mailing Address	Telephone	Fax	Email
<i>Goldstein Improvement Company</i>	<i>426 East Rustic Rd</i>	<i>310-612-1312</i>		<i>gregoryladler@gmail.com</i>
	<i>Santa Monica, CA</i>			
	<i>90402</i>			
☐ Parties Who Won the Decision Appealed	Mailing Address	Telephone	Fax	Email
				<i>(gregoryladler@gmail.com)</i>

¹ 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:

- (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
 - (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
 - (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.
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2016 - Appeal Form
Page 2 of 2

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them; argument will be heard later.

Fraud, improper, excessive, and unequal valuation including methodology by the Juneau Assessor; including but not limited to factual errors such as square feet used in valuations. See Attached Notice of Appeal, Table of Contents and Exhibits 1-46 which are hereby incorporated by reference as the legal and factual errors that form the basis of our appeal.

Relief Requested

What should the Assembly do with the action being appealed: send it back, modify it, or something else?

Respectfully, we request the Assembly hear this appeal and resolve this matter. We believe a hearing officer should be appointed to examine and investigate the issues we describe above in "Issues on Appeal." In the interim, we request our property taxes and all property tax payers be assessed at 2020 assessments levels; that an Oversight Board be appointed to watch over the Hearing Officer with an equal number of members coming from commercial property owners; all appeal rights are stayed, including the obligation to file legal actions in Superior Court. We hereby incorporate by reference our Notice of Appeal, Table of Contents and Exhibits 1-46 into the Relief Requested.

Signature

Gregory Adelle

Date

7/15/2022

If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.

Notarized Statement

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to represent the Goldstein Improvement
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Melvin Adler
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July 6, 2022

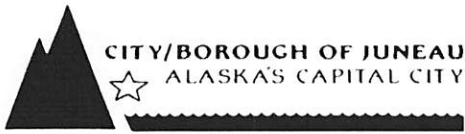


[Signature]
(Signature of Notary Public)

My Commission Expires:
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Notary Seal
07/06/2022

CBJ CLERK
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RECEIVED



**Office Of The Assessor
155 South Seward Street
Juneau, AK 99801**

GOLDSTEIN IMPROVEMENT COMPANY
130 SEWARD ST STE 001
JUNEAU AK 99801

NOTICE OF DECISION Page 114 of 119
BOARD OF EQUALIZATION

Date of BOE	Wednesday, June 29, 2022
Location of BOE	Via ZOOM Webinar
Time of BOE	5:30 pm
Mailing Date of Notice	June 30, 2022
Parcel Identification	1C070A020011
Property Location	122 FRONT ST
Appeal No.	APL20220154
Sent to Email Address:	gregadler@mac.com

ATTENTION OWNER

The Board of Equalization (BOE) held a hearing on the date shown above to consider and decide your appeal of the 2022 Assessed Value for your parcel. Based on the findings of fact and conclusions of law contained in the recorded hearing and record on appeal, the BOE hereby certifies its decision as shown below:

	Before BOE	After BOE
Site/Land	\$1,567,167.00	\$1,567,167.00
Building/Improv	\$496,664.00	\$496,664.00
Total	\$2,063,831.00	\$2,063,831.00
Exempt Total	\$0.00	\$0.00
2022 Taxable Value	\$2,063,831.00	\$2,063,831.00

This is a final administrative decision of the Board of Equalization of the City and Borough of Juneau. It may be appealed to the Alaska Superior Court, in Juneau, pursuant to AS 29.45.210(d), CBJ 15.05.200 and the Alaska Rules of Court, if such appeal is filed within 30 days from the mailing/distribution date of this notice.

6/30/2022

Date

David B. Epstein
Digitally signed by
David B. Epstein
Date: 2022.06.30
08:41:26 -08'00'

Chair/Presiding Officer
Board of Equalization

CONTACT US: CBJ Assessor's Office

Phone	Email	Website	Physical Location
Phone (907) 586-5215 Fax (907) 586-4520	Assessor.Office@juneau.org	http://www.juneau.org/finance/	155 South Seward St Room 114

PROPERTY TAX BILLS MAILED JULY 1

PROPERTY TAXES DUE SEPTEMBER 30

MEMORANDUM**State of Alaska**

Department of Transportation & Public Facilities
Office of the Commissioner

TO: Lance Mearig
Director, Southcoast Region

DATE: July 28, 2022

PHONE NO: 465-3900

FROM: Ryan Anderson, P.E. 
Commissioner

SUBJECT: No Longer Necessary
Decision Telephone Hill
Property Transfer

This memorandum transmits my decision that the purpose for the State of Alaska's acquisition of the Telephone Hill property, located on the corner of Main Street and Egan Drive in downtown Juneau, has been fulfilled. The Department of Natural Resources ("DNR") has been directed to convey the Telephone Hill property to the City and Borough of Juneau ("CBJ") pursuant to 13 SLA 22 (CSHB 349, Amendment 3, signed into law June 29, 2022), which will require as a preliminary matter that the Department of Transportation and Public Facilities ("DOT&PF") transfer to DNR all administrative authority and management rights over the Telephone Hill property for DNR's eventual conveyance to the CBJ. I find that DOT&PF no longer needs to retain the Telephone Hill property in anticipation of construction of public facilities to support the functions of the Alaska Legislature. Therefore, in accordance with AS 35.20.070 and 13 SLA 22, and for all the reasons documented in this memorandum, I direct that you transfer the Telephone Hill property to the DNR.

Purpose and Need for State of Alaska's Acquisition of Telephone Hill

In 1984 the State of Alaska acquired fifteen parcels in downtown Juneau to assemble a property ("Telephone Hill") for the construction of the Juneau Government Center, a proposed legislative hall and facilities to support the operations of the Alaska Legislature."¹ The Telephone Hill property was acquired under the State's eminent domain authority and DOT&PF's authorities to acquire property for the construction and operation of public facilities.² Ultimately, because the Alaska Legislature was able to design and build facilities to meet their needs at a lower cost, the Telephone Hill site became unnecessary for its intended purpose.

The original necessity of the State's acquisition of Telephone Hill was supported by a decision document that examined alternative sites considered for the Legislature's facilities.³ One of the

¹ Declaration of Taking, Case Number 1JU-84-1164 CI (July 25, 1984).

² AS 09.55.240, AS 35.20.020 and AS 44.42.020(b)(2).

³ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C (*Analysis and Summary of the Decision for the Location of the Legislative Hall in Juneau, Alaska*, November 15, 1983).

analyzed sites would have developed properties directly adjacent to the State Capitol (“Site D”), including an elementary school, public park and playground.⁴ While Site D would have provided lower construction costs, there was significant public opposition to development at that site at that time.⁵ The City and Borough of Juneau’s Planning and Zoning Commission also passed a resolution specifically disapproving Site D for State Legislature facilities, which resulted in Site D’s removal from consideration from the State of Alaska’s acquisition and development plans.⁶

Despite historical objections, the State Legislature has incrementally implemented a variant of the Site D development plan over the course of the thirty-five years that the State of Alaska has retained Telephone Hill. In 1999, the Alaska Legislature completed extensive renovations on the former Capital School building, located directly behind the State Capitol, to create the Terry Miller Legislative Office Building. Similarly, renovations on the former Scottish Rite Temple were completed in 2010 to create the Thomas B. Stewart Legislative Office Building. Lastly, in 2012 the Alaska Legislature completed renovations on the former Mission Presbyterian Church to create the Legislative Finance Division’s building. The Alaska Legislature’s incremental development of buildings adjacent to the State Capitol satisfied the former need for additional State Legislature office space and facilities. Therefore, the purpose and need for the State of Alaska’s acquisition of the Telephone Hill property has been met.

DOT&PF Interim Management of Telephone Hill

The Telephone Hill property is used for two primary purposes: the street level portion of the property abutting Main Street and Egan Drive is used for public parking and a public transit center; the hilltop portion of the property is used for single-and multi-family residential purposes. Each of those uses is authorized by the State according to lease terms, and each of the leases contains terms that govern the lessee’s rights if the State decides to no longer pursue construction of the Juneau Government Center and dispose of the property.

1) Parking Garage and Transit Facility Lease: In 1984, the State and the CBJ entered into a Cooperative Use Agreement (“CUA”) regarding the State’s acquisition and development of Telephone Hill. Under the terms of that agreement, the CBJ contributed two million dollars towards the State’s property acquisition costs, and the CBJ was allowed to develop the site for off street parking and other public uses.⁷ Under the CUA, if the State did not develop the Juneau Government Center the CBJ retained a right to reimbursement of its initial contribution, plus five percent annual interest, or a right to the portion of Telephone Hill occupied by the CBJ’s public improvements.⁸ In 2008, the State and the CBJ amended the CUA (“Amended CUA”) to stop the accumulation of interest on the CBJ’s contribution to the Telephone Hill acquisition costs; the Amended CUA also authorized a real property lease that allowed the CBJ’s development of parking and transit infrastructure on the Telephone Hill property at their own expense.⁹

⁴ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at pages 2-3 and 7-8.

⁵ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at pages 7-8.

⁶ Declaration of Taking, 1JU-84-1164 CI (July 25, 1984), Schedule C at page 9.

⁷ CUA at ¶ 3.

⁸ CUA at ¶ 4.

⁹ Amended CUA at ¶¶ 3 and 4.

The 2008 Parking Garage and Transit Facility Lease (“Parking Lease”) provided the CBJ with sufficient property interest to finance, construct and operate a multi-story parking garage and transit center at Telephone Hill.¹⁰ The Parking Lease also capped the State’s potential debt obligation to the CBJ at \$6.4 million.¹¹ If the CBJ acquires the State’s interest in the leased property, the State’s \$6.4 million debt to the CBJ will be deemed the full and agreed upon consideration for a quitclaim deed.¹² If the State terminates the CBJ’s lease prior to the conclusion of the 30-year term, without transferring the property to the CBJ, the State must repay the \$6.4 million debt less an amortized rate for the CBJ’s use of the property.¹³

2) Residential Property Lease: In 2001, the State entered into a lease with a neighborhood association—the Telephone Hill Neighborhood Non-Profit Management Corporation (“the Lessee”)—that allowed the Lessee to sublease the single- and multi-family residential units located on Telephone Hill to residential tenants.¹⁴ The Lessee rents the hilltop portion of Telephone Hill for a single monthly price and is currently a holdover month-to-month tenant.¹⁵ The Lessee is responsible for all residential property management including non-major repairs (less than \$10,000) and collection of rent from all residential sublessees.¹⁶ If the State decides to sell the leased property to a non-public entity, the Lessee has a right of first refusal to purchase the leased property on the same terms and conditions as the intended sale.¹⁷ However, Paragraph 22 specifically exempts transfers “to the State of Alaska or a political subdivision thereof” from this right of first refusal.¹⁸

Conveyance of Telephone Hill to the CBJ

On May 18, 2022, the Senate adopted Amendment 3 to the Committee Substitute for House Bill (CSHB) 349, which directs DNR to convey to the CBJ all rights, title and interests in the Telephone Hill properties. CSHB 349 passed both houses and was signed into law on June 29, 2022. Amendment 3 of CSHB 349 has an effective date of October 1, 2022.

The Legislature directed DNR to convey the Telephone Hill property to the CBJ, although the State-owned land is currently in the management inventory of DOT&PF. AS 35.20.070 authorizes DOT&PF to transfer to DNR land considered no longer necessary for DNR’s disposal of the excess land. Thus, DOT&PF intends to transfer Telephone Hill to DNR so that DNR may timely comply with the Legislature’s directive.

¹⁰ Parking Lease ¶ 3.

¹¹ Parking Lease ¶ 6(A).

¹² Parking Lease ¶ 6(E).

¹³ Parking Lease ¶ 6(C).

¹⁴ Residential Lease ¶¶ 2 and 5.

¹⁵ Residential Lease ¶¶ 4 and 20.

¹⁶ Residential Lease ¶¶ 5, 7 and 13.

¹⁷ Residential Lease ¶ 22.

¹⁸ Residential Lease ¶ 22.

Decision

The purpose for the State of Alaska's acquisition of Telephone Hill has been satisfied by the State Legislature's incremental development of office space in downtown Juneau. Additionally, there has never been an appropriation of construction funds for the development of legislative office space at Telephone Hill in the 35-years that the State of Alaska retained Telephone Hill for that purpose. Without a doubt, Telephone Hill is no longer necessary for the public facility purpose for which it was originally acquired.

Therefore, I direct DOT&PF Southcoast Region to administratively transfer Telephone Hill to DNR, pursuant to AS 35.20.070 and 13 SLA 22, for DNR's conveyance to CBJ. No easement or other occupancy interests were acquired to support the Telephone Hill property, so there are no interests to be vacated under AS 35.20.070. Southcoast Region shall wind down the Parking Lease and the Residential Lease to assist DNR with the required conveyance of the property to DNR.

Dated: July 28, 2022

 7/28/2022

Ryan Anderson, P.E.
Commissioner



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

**NOTICE OF TERMINATION
OF MONTH-TO-MONTH TENANCY**

DATE: July 29, 2022

TO: Telephone Hill Neighborhood Non-Profit Management Corporation
("Tenant Corporation")
Attn: Rachel Beck
214 Dixon St.
Juneau, AK 99801

FROM: State of Alaska, Department of Transportation and Public Facilities ("DOT&PF")
6860 Glacier Highway
PO Box 112506
Juneau, AK 99811-2506

You are hereby notified that pursuant to AS 34.03.290(b) of the Alaska Statutes that the month-to-month tenancy entered into between DOT&PF and Lessee on October 1, 2006 is **terminated effective August 31, 2022**, which is a date at least thirty (30) days after the next periodic rental date of August 1, 2022. The terminated month-to-month tenancy emerged as a holdover tenancy following a previous five-year term lease entered into on October 1, 2001 between DOT&PF and Tenant Corporation and concerns the following residential properties:

- 203 W. 3rd St., Apts. "A" to "E", Juneau, AK 99801;
- 135 W. 2nd St., Juneau, AK 99801;
- 139 W. 2nd St., Juneau, AK 99801;
- 124 Dixon St., Juneau, AK 99801;
- 125 Dixon St., Juneau, AK 99801;
- 128 Dixon St., Juneau, AK 99801;
- 211 Dixon St., Juneau, AK 99801; and
- 214 Dixon St., Juneau, AK 99801.

The Department of Natural Resources ("DNR") has been directed pursuant to 13 SLA 22 (CSHB 349, Amendment 3, signed into law June 29, 2022), to convey to the City and Borough of Juneau ("CBJ") the real property underlying the listed residential properties. As a preliminary matter to the State of Alaska's conveyance of the real property to the CBJ, the DOT&PF must terminate its landlord-tenant relationship with the Tenant Corporation. The Tenant Corporation must immediately notify all subtenants of this termination notice.

The Tenant Corporation may direct to the CBJ any inquiries regarding future rental terms or payment. The CBJ contact person is: Rorie Watt, City Manager, at 907-586-5240 or roric.watt@juneau.org.

Dated: 29 July 2022


D. Lance Mearig, P.E.
Director, DOT&PF Southcoast Region