

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

February 7, 2022 7:00 PM

Assembly Chambers/Zoom Webinar/FB Livestream

Meeting No: 2022-03 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar
ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

III. ROLL CALL

IV. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

The Assembly will follow COVID protocols in accordance with CDC guidelines, CBJ ordinances & resolutions, and COVID mitigation strategies at the time of the meeting. Assemblymembers will be meeting in person, to the extent possible. **In-person public participation will be limited on a first come, first served basis in accordance with room capacity protocols. All attendees will be required to wear a mask regardless of vaccination status.** *Attendees in excess of the room capacity protocols may be requested to participate via Zoom webinar.* Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

V. APPROVAL OF MINUTES

A. October 25, 2021 Assembly Reorganization Meeting #2021-25 Draft Minutes

B. November 22, 2021 Assembly Meeting #2021-26 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. **Ord. 2022-04 An Ordinance Amending the Parking Requirements of the Land Use Code.**

This ordinance would repeal and replace large portions of the parking regulations in the CBJ. Notably, the existing parking districts would change, and the proposed downtown parking district would no longer have parking requirements. Additionally, this ordinance expands the applicability of parking waivers and fee-in-lieu for most parking requirements.

This ordinance was developed through eleven Title 49 Committee meetings, one Planning Commission Committee of the Whole, and two Planning Commission regular meetings. On January 25, 2022, the Planning Commission recommended the Assembly adopt this ordinance.

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

b. **Ord. 2022-10 An Ordinance Amending the Land Use Code Regarding Marijuana Establishment Requirements.**

This ordinance would remove the five-year conditional use permit review and insert a marijuana establishment abandonment provision. The five-year review requirement has not resulted in any substantive revisions to existing conditional use permits, and repealing it would ease a unique burden imposed on marijuana businesses.

The Planning Commission recommended adopting this ordinance at its meeting on January 25, 2022.

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

c. **Ord. 2022-11 An Ordinance Amending the Street Vending Requirements of Title 62 Regarding Parking.**

The CBJ regulates street vending to specific parking districts with a permit. This is a companion ordinance to the parking ordinance (Ordinance 2022-04) to keep the parking district names consistent. If the new parking districts maps are adopted in Ordinance 2022-04, then this ordinance would amend the street vending opportunities to be consistent with the new parking districts.

This ordinance topic was included in the January 25, 2022, Planning Commission meeting.

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

d. **Ordinance 2022-12 An Ordinance Amending the Comprehensive Plan Related to the Long Range Waterfront Plan.**

The Long Range Waterfront Plan amendment includes direct replacement of text and an image to amend the tidelands portion of planning Area B to allow for a large cruise ship berth and moorage for government vessels. The amendment framework on page 63 of the LRWP contemplates a cruise ship dock at the Subport and includes a set of recommendations for such a development. The revised Appendix B includes the amendment criteria in the LRWP and the criteria established by the Visitor Industry Task Force in context with the proposed amendment.

The Manager recommends the Assembly introduce this ordinance and set it for public testimony at the February 28, 2022 meeting and for public hearing at the March 7, 2022 meeting.

- e. **Ordinance 2022-13 An Ordinance Repealing the Confidentiality Provision for Real Estate Transaction Disclosures and Establishing a Penalty for Failure to Disclose a Real Estate Transaction.**

In late 2020, Ordinance 2020-47 was enacted and it generally required buyers to disclose property sale information to the CBJ Assessor, who was then required to keep those sale disclosures confidential. The confidentiality provision was included to encourage disclosures. Unfortunately, property sale disclosure rates have not increased, and the confidentiality provision has created inequities. This ordinance repeals the confidentiality provision and imposes a civil penalty of \$50 per day if a property sale disclosure is not provided within 90 days. The ultimate goal of property sale disclosures is still to ensure assessments comply with state statute and property taxation is equitable.

The Assembly Finance Committee reviewed this topic on May 28, 2021, and reviewed this ordinance on February 2, 2022.

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

- f. **Ordinance 2021-08(b)(am)(W) An Ordinance Transferring \$720,000 from CIP B55-078 RRC Detox Additions, CIP B55-082 Hospital Deferred Maintenance, and CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive and Site Improvements.**

This request would provide \$720,000 in funding to repair multiple water and wastewater issues associated with the upper hospital campus from the Rainforest Recovery Center to the new Behavioral Health Facility, prior to the new facility's completion. Nearly all of the proposed transfers are reallocating funds from completed projects; the only ongoing project will retain sufficient funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at the January 24, 2022 meeting.

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

- g. **Ordinance 2021-08(b)(am)(X) An Ordinance Appropriating \$20,000,000 to the Manager for the Planning, Design, and Construction of Bond-Funded Capital Improvement Projects at Bartlett Regional Hospital, and Deappropriating \$4,000,000 from the Manager for the Crisis Stabilization Capital Improvement Project; Funding Provided by Hospital Revenue Bond Proceeds.**

This ordinance would appropriate \$20,000,000 of bond proceeds for the planning, design, and construction of the following projects at Bartlett Regional Hospital (BRH):

Emergency Department Addition (CIP B55-083)
\$12,000,000

Crisis Stabilization Center (CIP B55-080)
8,000,000

\$

This ordinance deappropriates \$4,000,000 of BRH fund balance which was previously appropriated to partially fund the Crisis Stabilization CIP. The net effect is a shift of costs from BRH fund balance to bond proceeds, which preserves BRH fund balance for other uses.

The Hospital Board and Assembly Finance Committee have approved the debt issuance which is expected to close in mid-April.

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

- h. **Ordinance 2021-08(b)(am)(Y) An Ordinance Appropriating \$25,000 to the Manager for a Grant to Sealaska Heritage Institute for the 2022 Celebration Event; Funding Provided by General Funds.**

This ordinance would appropriate \$25,000 of general funds for a grant to Sealaska Heritage Institute to support the 2022 Celebration event. Due to uncertainty surrounding the pandemic, this grant was removed from the fiscal year 2022 budget. Prior to this fiscal year, funding for this event has been included biennially in past budgets, and a similar grant will be included biennially in future budgets.

The Assembly Finance Committee reviewed this request at its February 2, 2022 meeting.

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

- i. **Ordinance 2021-08(b)(am)(Z) An Ordinance Appropriating up to \$2,000,000 to the Manager for the Purchase of a Used Gondola for Eaglecrest Ski Area; Funding Provided by General Funds.**

Eaglecrest staff has identified a used gondola (an aerial mountain lift with enclosed cars as opposed to open chairs) in Austria that can be purchased for \$2,000,000; inclusive of the shipping to Juneau. The gondola is appropriately sized and scaled for installation at Eaglecrest to facilitate all-season access to the top of the mountain. This ordinance would appropriate general funds for the purpose of purchasing the gondola and getting it delivered to Juneau. Once received, the gondola could not be installed until Eaglecrest secures additional funding for the necessary mountain improvements—including the base station, towers, and summit station—necessary to facilitate the installation, estimated to be an additional \$4,500,000.

Assembly Finance Committee reviewed this request at the February 2, 2022 meeting.

The Manager recommends the Assembly introduce this ordinance, refer it to the Committee of the Whole, and set it for public hearing at the next regular Assembly meeting.

2. Resolutions

- a. **Resolution 2968 A Resolution Naming City and Borough of Juneau Property Legally Described as Archipelago Lot 2A "Peratrovich**

Plaza" in Honor of Elizabeth Peratrovich

In December 2020, Docks & Harbors completed Phase I of the Downtown Waterfront Improvement project which expanded the Seawalk and added a bus staging area. This property owned by CBJ is recognized as Archipelago Lot 2A. The term Archipelago is often used by CBJ staff and downtown patrons to generally describe this area. Docks & Harbors staff has contemplated other appropriate names which would provide wayfinding opportunities to this area along the waterfront, but none were generally descriptive to the new development. In September, Ms. Crystal Worl, in partnership with CBJ and Sealaska Heritage Institute (SHI), created and installed a 60 foot by 28 foot mural of Elizabeth Peratrovich along the face of the southeast wall of the Marine Parking Garage. This mural is now a prominent feature along the waterfront.

At its October 28 regular meeting, the Docks & Harbors Board voted to recommend the Assembly change the name of this area from Archipelago Lot 2A to Peratrovich Plaza. Docks & Harbors has consulted with Elizabeth's son (Roy Jr.) and Elizabeth's granddaughter (Betsy) as well as the artist and SHI. All have had favorable responses to the name change.

The Assembly Human Resources Committee reviewed this at its meeting on January 10, 2021. The Systemic Racism Review Committee considered this ordinance at its December 14, 2021, meeting, and forwarded it to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

- b. **Resolution 2977 A Resolution Amending the City and Borough Personnel Rules to Establish a Threshold Wage for All Current and Future Eaglecrest Employees Based on the State of Alaska's Minimum Wage.**

This resolution would approve CBJ personnel rule changes recently approved by the Eaglecrest Board of Directors, so that no current or future Eaglecrest employee will be paid below Alaska minimum wage. An attached memorandum from Director Hargrave describes the changes in more detail.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

- a. **Bid Award: BE22-188 Meadow Lane Improvements**

This project generally includes reconstruction of Meadow Lane between Stikine Street and the southern end.

Bids on this project were opened on January 26, 2022. Results of the bid opening are as follows:

BIDDER	TOTAL BID
Coogan Construction Co.	\$2,088,347.00
<i>Engineer's Estimate</i>	\$2,160,052.00

The City Manager recommends awarding this project to Coogan Construction Co. for the total amount bid of \$2,088,347.00.

4. Liquor License

a. **Liquor License Renewal & Transfers**

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

Liquor License Renewal

License Type: Wholesale-General, License #5294

Licensee: GFA Corporation d/b/a Co-Ho Imports AK

Location: 2092 Jordan Ave. Suite 550, Juneau

Liquor License Transfers of Controlling Interest

License Type: Beverage Dispensary, License #3695

Licensee: South of the Bridge LLC d/b/a Louie's Douglas Inn

Location: 915 3rd Street, Douglas

License Type: Recreational Site-Grandfathered AS04.11.201(d), License #5711

Licensee: South of the Bridge LLC d/b/a The Old Tower Bar @ Eaglecrest

Location: 3000 Fish Creek Rd, 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 and transfer 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 renewal and transfers.

5. Other Items for consent

a. **Marijuana License Renewal for License #11605**

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal application.

Marijuana License Renewal

License Type: Standard Marijuana Cultivation Facility License: #11605

Licensee: Always Redeye LLC, d/b/a Stoned Salmon Farms

Location: 2005 Anka St., Juneau

The above marijuana license renewal is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed this renewal and found the business to be in compliance with CBJ Code. The Assembly packet contains the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's office upon request.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana license #11605.

6. Transfers

- a. **Transfer Request T-1041 A Transfer of \$1,401,033 from Various Capital Improvement Projects to CIP R72-161 Misty Ln. Reconstruction, CIP R72-156 Harris St. Reconstruction, CIP R72-132 Calhoun Ave. Improvements – Main to Gold, and CIP R72-151 Robbie Rd., Ling Ct., and Laurie Ln.**

This request would transfer \$1,401,033 to capital improvement projects in the design process in preparation for bidding for the 2022 construction season. The requested transfers are in response to significant cost escalation that has occurred over the past year due to inflation, supply chain issues, and other economic factors. This funding is provided by projects nearing completion or that are ready to be closed; any ongoing projects will retain sufficient funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at the January 24, 2022 meeting.

The Manager recommends approval of this transfer.

- b. **Transfer Request T-1042 A Transfer of \$496,725 from CIP U76-115 Kaiser Forcemain Replacement and CIP U76-121 Collection System Pump Station Upgrade to CIP U76-100 Glacier Hwy. Sewer – Anka to Walmart.**

The Kaiser Forcemain Replacement CIP is complete and ready to close with \$296,725 available funding remaining. This request will transfer the remaining funding from the Kaiser Forcemain Replacement CIP and \$200,000 from the Collection System Pump Station Upgrade CIP to the Glacier Highway Sewer – Anka to Walmart CIP. The total transfer of \$496,725 will provide for the relocation of the Gruening Park pump station generator building and associated wastewater infrastructure that the Alaska Department of Transportation (ADOT) has requested be removed from the right-of-way to accommodate ADOT's Glacier Highway reconstruction project.

The Public Works and Facilities Committee reviewed this request at the January 24, 2022 meeting.

The Manager recommends approval of this transfer.

IX. PUBLIC HEARING

- A. **Ordinance 2021-35 An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District.**

The public has expressed an interest to allow small-scale commercial uses in higher density multi-family residential neighborhoods. There is also an interest to allow neighborhood-scale mixed-use development along commercial corridors. The zoning districts currently adopted in Title 49 do not adequately accommodate those interests, and the proposed NC and MU3 zoning districts would change that.

Some key features of these new districts include smaller lot sizes, densities ranging from 15 to 30 dwelling units per acre, a prohibition on new single-family development, building height limits of 35 feet, and increased setbacks and landscaping requirements when abutting a single-family residential zoning district.

The Planning Commission discussed this topic on June 22, 2021, and recommended that the Assembly adopt this ordinance.

The Lands, Housing and Economic Development Committee discussed this topic on August 30, 2021, and recommended that the Assembly adopt this ordinance.

The Systemic Racism Review Committee (SRRC) discussed this ordinance on December 14, 2021, and recommended forwarding to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

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

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

The Hospital Board reviewed this request at its September meeting. The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at its January 11, 2022 meeting and forwarded it to the full Assembly for public hearing.

The City Manager recommends the Assembly adopt this ordinance.

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

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

The Systemic Racism Review Committee reviewed this request at its January 11, 2022 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

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

Docks & Harbors does not currently have the authority under to manage private dock reservations. In 2021, Ordinance 2020-38 authorized a one-year pilot program so Docks & Harbors could accommodate Goldbelt Inc.'s request for managing the reservations at the Seadrome Dock and Merchant's Wharf Float. The pilot program was successful. This ordinance would amend Title 85 by making the pilot program permanent.

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

The Manager recommends the Assembly adopt this ordinance.

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

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

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

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

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

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

The Assembly Committee of the Whole considered this ordinance again on January 24, 2022.

This is a policy matter for the Assembly and the City Manager does not have a recommendation.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

A. Regulation 05 CBJAC 15.060 Vessel Lightering Fee

05 CBJAC 15.060 Vessel lightering fee

Docks & Harbors proposes a regulation change to 05 CBJAC 15.060 which is assessed on anchored cruise ships dropping off or picking up passengers at CBJ owned downtown facilities. In calendar year 2019, this fee netted the Docks Enterprise \$16,200. The proposed change would increase the fee charged to the cruise ship from \$600 to \$1700 per day and adjust annually to the Consumer Price Index. This fee has not been changed since 2005. Additionally, the regulation updates the language to reflect the new lightering float which has been relocated to the Port Field Office Float, behind the Goldbelt Tram Building.

New US Coast Guard regulations require additional port security personnel to achieve compliance under the mandatory Facility Security Plan. Docks & Harbors has adjusted the upcoming budgets to reflect additional staffing level needs. This increase will help to improve the revenue forecast. The current 2022 schedule anticipates 55 cruise ship lightering days.

The Board considered this action at its November 9 Finance Subcommittee Meeting, November 10 Operations-Planning Meeting, and November 18 regular board meeting. After the requisite minimum 21-day notice period, the Docks & Harbors Board held a public hearing at a special board meeting on January 19. There were no written or oral comments to this regulation change.

The City Manager recommends the Assembly adopt this regulation.

XII. STAFF REPORTS

XIII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports
 - 1. **Oral update from the Municipal Attorney**

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

- A. **Collective Bargaining Contract Negotiation Strategy**

XVI. SUPPLEMENTAL MATERIALS

- A. Assembly Goals and Objectives 2022

XVII. ADJOURNMENT

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

THE CITY AND BOROUGH OF JUNEAU, ALASKA
ASSEMBLY REORGANIZATION MEETING
DRAFT Meeting Minutes - October 25, 2021

MEETING NO. 2021-25: The City and Borough of Juneau Regular Assembly Meeting was held in the Assembly Chambers, and was called to order by Mayor Beth Weldon at 7:00p.m.

I. FLAG SALUTE

LAND ACKNOWLEDGEMENT

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

II. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Municipal Clerk McEwen provided instructions to the listening public on how to participate and provide public testimony through the Zoom platform.

B. Special Recognition: Outgoing Assemblymember Loren Jones

Ms. Gladziszewski commended Mr. Jones for his diligent, dedicated service to the community as Bartlett Regional Hospital Boardmember and as an Assemblymember. Ms. Gladziszewski said that she will miss him, and spoke to his impressive ability to remember past legislation.

Ms. Hughes-Skandijs thanked Mr. Jones for his mentorship and guidance, particularly towards newly appointed Assemblymembers.

Mr. Bryson thanked Mr. Jones for consistently sharing his insight and wisdom. He said that it would be difficult for the Assembly to replace his institutional knowledge and vast experience.

Ms. Triem expressed her gratitude towards Mr. Jones for helping her take his place as Chair of the Assembly Finance Committee. She was thankful for his mentorship, and described herself as being pleasantly surprised by their friendship. She referenced Mr. Jones’ social media postings of his cooking, and looked forward to sharing recipes with him in the future.

Ms. Woll referenced some advice given by Mr. Jones' during the How to Run for Public Office workshop, in which he cautioned attendees to avoid becoming too concerned with getting credit or recognition for their service. Ms. Woll ironically shared that the "Millennial Caucus" of Assemblymembers have an unofficial competition over who can receive the most compliments from Mr. Jones during an Assembly meeting; as they all hold his opinion in such high regard.

Mr. Smith thanked Mr. Jones for his near-decade of public service and dedication, describing it as an admirable quality that he aspires to someday achieve.

Ms. Hale thanked Mr. Jones for all of his work, and also spoke to his incredible memory.

Mr. Palmer shared that he has learned a significant amount from Mr. Jones, and thanked him for educating CBJ staff and the Assembly with his institutional knowledge.

Mr. Watt described Mr. Jones as a colleague and a mentor, and appreciated his ability to gently nudge staff and the Assembly in the right direction. He added that Mr. Jones often advocated for CBJ staff, to the point that staff members have grown to trust his opinion. Mr. Watt spoke to Mr. Jones' sincere, foundational belief in the Open Meetings Act, and his notable dedication to ensuring that the Assembly conducts their business in public. Mr. Watt also noted that his mother avidly follows Mr. Jones on social media, and advised him to include more vegetables in his cooking.

Mr. Barr echoed Ms. Woll's comments about Mr. Jones' advice regarding public service, adding that his motive has always been to help the community at large. He spoke to Mr. Jones' ability to recall and connect pieces of information, and jokingly stated that he would have made a great reference librarian. Mr. Barr thanked Mr. Jones for his service.

Mayor Weldon chronicled the extent of Mr. Jones' career: serving in the United States Marine Corps; earning his Master's Degree in 1975; working as a Service Coordinator Counselor for CBJ's Alcoholism Central Agency; and holding positions in Corrections, the Governor's Office, the Legislature, and Health and Social Services. Mr. Jones served two terms on the Bartlett Regional Hospital Board of Directors, and also served on the Juneau School District's Strategic Planning Committee.

Mayor Weldon stated that Mr. Jones' wealth of knowledge has been extremely valuable to all during his time on the Assembly, and has become known for his willingness to attend any meeting. During his tenure, Loren Jones served with twenty-four Assemblymembers, five Mayors, two City Managers, three City Attorneys, and five Public Works Directors. Loren Jones served as chair on every Assembly Standing Committee, including Deputy Mayor, and attended nearly 3,000 meetings. Mayor Weldon expressed appreciation for his wisdom and his dedication to the community, and said that she will miss having him on the Assembly.

On behalf of the Assembly, Ms. Gladziszewski gifted Ms. Larae Jones with a bouquet of flowers, and Ms. Triem gifted Mr. Jones with a wine decanter and wine glasses.

Mr. Jones congratulated Ms. Hale, ‘Wáahlaal Gíidaak, and Mayor Weldon on their respective elections, and said that they were returning/joining a very dedicated group of individuals. He shared that he will be attending a Housing & Development Task Force meeting on October 29. He said that it had been a great pleasure to serve Juneau, and described it as a very rewarding – and at times frustrating – task.

Mr. Jones mentioned that he had thought extensively on what kind of parting message to leave with the Assembly; and decided to bring attention towards two City positions that the Assembly would not be able to function without: the Clerk and the Deputy Clerk. He acknowledged the tireless amount of work put in by Municipal Clerk Beth McEwen and Deputy Clerk Diane Cathcart. He spoke to their ability to find the answer to any question, and referenced a time when the Clerks were able to find Assembly Meeting Minutes from the 1980s for him.

Mr. Jones also spoke to the value of the “Three R’s”: City Manager Rorie Watt, Deputy Manager Robert Barr, and City Attorney Robert Palmer. He advised the Assembly to listen to their input and to ask questions prior to Assembly meetings. Lastly, Mr. Jones encouraged Assemblymembers to attend meetings, even meetings that they might not particularly have any interest in, as it is still an opportunity to learn something.

Mr. Jones thanked the citizens of Juneau for electing him to serve three full terms as an Assemblymember, he thanked his partner, Larae, for over 50 years of marriage, and he thanked the Assembly, shaking each of their hands before exiting the meeting.

The Assembly took a break at 7:32p.m. The meeting resumed at 7:39p.m.

IV. SPECIAL ORDER OF BUSINESS ASSEMBLY REORGANIZATION

Mayor Weldon explained the process of Assembly Reorganization: ‘Wáahlaal Gíidaak was sworn in as an Assemblymember this morning with her family, which left Mayor Weldon and Michelle Hale remaining to be sworn into the Assembly tonight.

City Attorney Robert Palmer swore in Mayor Weldon to her second term as Mayor, and Michelle Hale to her second term as an Assemblymember.

MOTION by Ms. Triem to nominate Maria Gladziszewski as Deputy Mayor, and asked for unanimous consent. *Hearing no objections, Maria Gladziszewski was selected as Deputy Mayor.*

V. APPROVAL OF MINUTES

None.

VI. MANAGER’S REQUEST FOR AGENDA CHANGES

None.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

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 for the Assembly to adopt the Consent Agenda. *Hearing no objections, the Consent Agenda was adopted by unanimous consent.*

1. Ordinances for Introduction

a. Ordinance 2021-40 An Ordinance Amending Title 40 Regarding the Hospital Board of Directors Authority.

Over the last few years, Bartlett Regional Hospital has seen high demand for certain medical services, especially behavioral health services. The BRH Board has been reviewing its campus plan and determined the increased demand on medical services is best met by buying or leasing property off of the hospital campus. This ordinance is one step to allowing the BRH Board of Directors to buy or lease property away from the hospital for medical services. If the BRH Board of Directors wants to buy property, the Board would also need to request a specific appropriation from the Assembly, which would need to be approved by a separate ordinance. (See CBJC 53.04.020) If the BRH Board of Directors wants to provide emergency medical services, like emergency behavioral health services, outside of the City and Borough of Juneau, the Board would also need to request specific authority from the Assembly, which would likely need to be approved by the other municipality. (See CBJ Charter 2.3 and A.S. 29.35.020).

The Systemic Racism Review Committee will take up this ordinance at its next meeting.

The City Manager recommends the Assembly introduce this ordinance and refer it to the Hospital Facilities Task Force.

b. Ordinance 2021-08(b)(am)(J) An Ordinance Appropriating \$70,000 to the Manager as Funding for a Community Development Plat Reviewer; Funding Provided by General Funds.

This ordinance would appropriate \$70,000 of general funds for a plat review position in the Community Development Department (CDD). The position already exists in CDD however was unfunded in the FY22 budget. Funding this position for the remainder of the fiscal year would help CDD perform timely and accurate plat reviews, revise and update zoning ordinances, and ensure optimization and effectiveness of the land use code.

The Assembly Finance Committee will review this request at the November 3, 2021 meeting. The Systemic Racism Review Committee will review this request at its next meeting.

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

c. Ordinance 2021-08(b)(am)(K) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I Street to CIP R72-141 Hospital Drive Improvements.

This ordinance would transfer \$200,000 from the Douglas Highway Water – David to I Street CIP (W75-061) to the Hospital Drive Improvements CIP (R72-141) to facilitate the replacement of an aging water main connected the Salmon Creek Water Filter Plant and the hospital campus. The existing pipe is near the end of its design life and in close proximity to the new Bartlett Behavioral Health Facility’s foundation. It is most economical to replace the pipe in conjunction with the construction of the new building to avoid having to excavate the site at a later time.

The Douglas Highway Water project is complete and has water utility funds available to transfer to cover this necessary work.

The Public Works and Facilities Committee reviewed this request at the September 20, 2021 meeting, The Systemic Racism Review Committee will review this request as its next meeting.

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

d. Ordinance 2021-08(b)(am)(L) An Ordinance Appropriating \$650,000 to the Manager as Funding for the Bag Belt Replacement and Parking Lot Paving Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate Airport CARES Act funding for the planning and design phases of the Bag Belt Replacement and Parking Lot Paving capital improvement projects, to be appropriated as follows:

Bag Belt Replacement (A50-105)	\$50,000
Parking Lot Paving (A50-106)	\$600,000

Funding appropriated for the Bag Belt Replacement CIP would provide for planning and design costs to replace aging and unreliable components of the outbound baggage conveyor system. Funding appropriated for the Parking Lot Paving CIP would provide for planning and design costs for subsurface investigation and repaving of the parking lots at the airport.

The Airport Board approved this request at the May 13, 2021 meeting.

The Public Works & Facilities Committee reviewed this request at the June 7, 2021 meeting. The Systemic Racism Review Committee will review this request at their next meeting.

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

e. Ordinance 2021-08(b)(am)(M) An Ordinance Appropriating \$41,000 to the Manager as Funding for Assemblymember, Mayor, and Certain Board Compensation Increases; Funding Provided by General Funds and Hospital Funds.

This ordinance would appropriate \$41,000 for Assemblymember, Mayor, and certain board compensation increases for the remainder of fiscal year 2022. These increases were authorized by Ordinance 2021-20(b)(am) effective January 1, 2022, and are appropriated as follows:

Assemblymembers	\$15,600
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Hospital Board of Directors	\$13,200
Mayor	\$7,800
Planning Commissioners	\$4,400

Hospital funds provide for the Hospital Board of Directors' compensation increase. General funds provide for the Assemblymember, Mayor, and Planning Commissioner compensation increases.

The Systemic Racism Review Committee will review this request at its next meeting.

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

f. Ordinance 2021-08(b)(am)(N) An Ordinance Appropriating \$36,135 to the Manager as Funding for Multiple Training Events for the Juneau Police Department; Grant Funding Provided by the United States Department of Justice, Office of Justice Program, FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The Juneau Police Department has been awarded \$36,135 in grant funding from the U.S. Department of Justice for training on various subjects, including polygraph examination, SWAT, 911 administration, crime statistic reporting, and civilian leadership,

No local match is required for this grant.

The Systemic Racism Review Committee will review this request at its next meeting.

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

2. Resolutions

a. Resolution 2969 A resolution Supporting Full Funding (\$11,492,760) of the State of Alaska Municipal Harbor Facility Grant Program in the FY2023 State Capital Budget. This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately \$11 million in harbor grant funding since the program's inception. Most recently, CBJ has received a \$125,000 grant for zinc anode installation at Harris Harbor, which was completed in September 2021.

Docks & Harbors has submitted an application this year for \$2 million for the next phase of Aurora Harbor. The City & Borough of Juneau along with other communities are poised to contribute \$11,492,760 in local match funding for FY2023 towards five harbor projects of significant importance for Alaska. The Docks & Harbors Board reviewed this resolution at its regular board meeting on September 30, 2021, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

a. RFB 22-107 Purchase and Delivery of Emulsion Polymer as Specified for CBJ

Wastewater

After a year-long testing process, Bid No. 22-107 was issued to two prequalified vendors, whose polymer produced acceptable levels of efficiency for the CBJ wastewater treatment facilities. Of the two vendors, only Northstar Chemical, Inc., chose to respond.

The non-responding vendor provided a notice of “no bid”, explaining that due to their size and the current market conditions they were not able to guarantee delivered as specified and required by the bid contract.

Northstar Chemical, Inc., has been a capable vendor for CBJ in the past, and is a larger company with multiple locations; therefore, there is currently no evidence for concern on their ability to fulfill the bid specifications at this time. The results of the only bid, opened on October 6, 2021, are as follows:

Bidder	Total Bid
Northstar Chemical, Inc. (OR)	\$309,120.00

The City Manager recommends award of this bid to Northstar Chemical, Inc., on the basis of having the lowest responsive and responsible bid price.

b. RFB 22-007 Taku Seawalk Releveling Project

This project would remove and replace a portion of the existing seawalk adjacent to Taku Smokeries, Twisted Fish Restaurant and the Fisherman’s Memorial. Work includes removal of seawalk timbers, placement of classified fill, concrete curbing, reinstallation of salvaged and new timbers and other related work. The proposed releveling of the seawalk is necessary to address resettlement in existing grade and is necessary to safely accommodate safe pedestrian access on the seawalk and to the Fisherman’s Memorial.

Funding for this project is supported by the Seawalk Major Maintenance CIP containing Marine Passenger Fees, State Marine Passenger Fees, Port Development Fees and Sales Tax monies.

Bids were opened on September 28, 2021. The bid protect period expired at 4:30p.m. on September 29, 2021. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Island Contractors, Inc.	\$107,100.00
H. Watt Scott General Contractors	\$306,227.00
Engineer’s Estimate	\$119,000.00

The Docks and Harbors Board recommended award of this project to Island Contractors, Inc. for the total amount bid of \$107,100, at its meeting on September 28, 2021.

The City Manager recommends award of this project to Island Contractors, Inc. for the total amount bid of \$107,100.

4. Liquor License

a. Liquor License Renewal Liquor License #2844

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Renewal

License Type: Beverage Dispensary, License #2844

Licensee: Sandbar LLC, d/b/a The Sandbar

Location: 2525 Industrial Blvd., Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above license and recommend the Assembly waive its right to protest the renewal application. Copies of the documents associated with this license 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 renewal.

5. Other Items for consent

a. Marijuana License Renewals

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications.

Marijuana Renewal License

License Type: Retail Marijuana Store License: #10800

Licensee: The Fireweed Factory LLC d/b/a The Fireweed Factory LLC

Location: 237 Front St., Juneau

License Type: Standard Marijuana Cultivation Facility License: #10270

Licensee: Top Hat LLC d/b/a Top Hat LLC

Location: 2315 Industrial Blvd Suite A., Juneau

The above marijuana license renewals are before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed these renewals and found the businesses to be in compliance with CBJ Code. The assembly packet contains the AMCO notices to the local governing body. Additional license application documents are available through the Clerk's office upon request.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana licenses #10800 and #10270.

6. Transfers

a. Transfer Request T-1039 A Transfer of \$150,000 from CIP R72-136 Areawide Drainage Improvements to CIP R72-140 Capital Avenue - Willoughby to Ninth.

This transfer will provide additional funding for the disposal of contaminated soil discovered during the Capital Avenue reconstruction.

Because the soil is contaminated with lead and mercury, the Alaska Department of Environmental Conservation requires that it be disposed at an appropriate landfill facility in Washington or Oregon, which significantly increases the disposal cost. The \$150,000 in

supplemental funding is requested to be transferred from the Areawide Drainage Improvements CIP. Projects in that CIP will be reprioritized to provide this needed funding.

The Public Works and Facilities Committee reviewed this request at its September 20, 2021 meeting.

The City Manager recommends approval of this transfer.

IX. PUBLIC HEARING

A. Ordinance 2020-09(BC) An Ordinance Appropriating to the Manager the Sum of \$7,260,772 to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2021 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$7,260,772 for the State of Alaska's FY2021 8.85% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau	\$3,576,682
Bartlett Regional Hospital	\$3,684,090

Funding is provided by the Alaska Department of Administration, authorized by passage of HB205 during the 2020 legislative session. This is a housekeeping ordinance to properly account for these on-behalf contributions to the state-managed retirement fund and has no impact on the CBJ or BRH's finances.

The Systemic Racism Review Committee reviewed this request at the October 19, 2021 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. Bryson for the Assembly to adopt Ordinance 2020-09(BC) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(BC) was adopted by unanimous consent.*

B. Ordinance 2020-10(C) An Ordinance Appropriating \$700,000 for a Portion of the Juneau School District's Fiscal Year 2021 Public Employees' Retirement System (PERS) and Teacher Retirement System (TRS) Contribution; Funding Provided by State Revenue.

This ordinance would appropriate \$700,000 for a portion of the State of Alaska's FY2021 8.85% PERS and 17.91% TRS benefit rate paid on-behalf of the Juneau School District.

Funding is provided by the Alaska Department of Administration, authorized by the passage of HB205 during the 2020 legislative session.

The Juneau School District is required to budget these on-behalf contributions in their annual request. However, the FY21 budget was inadvertently based on prior year rates. This ordinance reconciles the differences between the appropriated FY21 budget and the actual on-behalf contributions made by the state. This is a housekeeping ordinance to properly account for these on-behalf contributions, and has no impact on JSD or CBJ finances.

The Juneau School District Board reviewed this request at the September 14, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 19, 2021 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 Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2020-10(C) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-10(C) was adopted by unanimous consent.*

C. Ordinance 2020-09(BD) An Ordinance Transferring \$350,964 from the Marine Passenger Fee Fund to the Port Development Fee Fund for Port Management and Customs Operations.

In FY2021 the City and Borough of Juneau was awarded a \$2.4 million designated legislative grant from state marine passenger fees to support the marine enterprise in responding to and mitigating the risk of COVID-19. Of this amount, \$2.1 million was used to offset lost passenger fee revenue by paying the debt obligation on the 16B dock bond. The remaining amount paid a portion of the Dock Department's port management and customs operational costs, which typically would have been supported by marine passenger fees.

This housekeeping ordinance would transfer \$350,964 of budget authority from the Marine Passenger Fee Fund to the Port Development Fee Fund to fund a portion of the Dock Department's operational costs from state marine passenger fees.

The Systemic Racism Review Committee reviewed this request at the October 19, 2021 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 Ms. Triem for the Assembly to adopt Ordinance 2020-09(BD) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(BD) was adopted by unanimous consent.*

D. Ordinance 2020-09(BE) An Ordinance Appropriating to the Manager the Sum of \$20,900,000 as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2021 Operating Budget; Funding Provided by Various Sources.

This ordinance would appropriate \$20,900,000 as partial funding for Bartlett Regional Hospital's (BRH) FY21 operations. BRH's operating costs increased substantially in FY21 due to the addition of a mental and behavioral health program, retention of staff for COVID-19 screening and triage, and elevated costs for personal protective equipment, oxygen, and medication. Additional unanticipated expenses included an upgrade to the hospital's HVAC system and the setup of a molecular lab.

This supplemental appropriation will be funded as follows:

Federal Revenue - CARES Act Provider	
Relief Funds & Misc. Grants	\$7,100,000
State Revenue - COVID-19 Response Funding	\$4,000,000
Private Grant – Premera (for Behavioral Health Facility)	\$1,000,000
Private Grant – Alaska Community Foundation	\$900,000
Additional Outpatient Revenue	\$5,000,000
Draw on Hospital Fund Balance	\$2,900,000

The Bartlett Regional Hospital Finance Committee reviewed this request at the September 10, 2021 meeting. The Bartlett Regional Hospital Board reviewed this request at the September 28, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 19, 2021 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 'Wáahlaal Gíidaak for the Assembly to adopt Ordinance 2020-09(BE) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(BE) was adopted by unanimous consent.*

E. Ordinance 2020-09(BF) An Ordinance Appropriating to the Manager the Sum of \$24,750,000 as Funding for the City and Borough of Juneau's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by State and Federal Revenue.

This ordinance would appropriate \$24,750,000 for the City and Borough of Juneau's FY2021 COVID-19 related costs. State revenue from the Department of Health and Social Services (DHSS) is provided for COVID-19 screening costs at the Juneau International Airport and community testing and vaccination. Federal revenue is provided for public safety salaries, emergency hires, and commodities and services related to the pandemic. Federal revenue is comprised of funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Federal Emergency Management Agency (FEMA), American Rescue Plan Act (ARPA), and the U.S. Department of Justice (DOJ). Funding for this appropriation is estimated as follows:

State Revenue:

DHSS COVID-19 Community Grant	\$423,600
DHSS Airport Screening	<u>\$1,100,000</u>
Total State Revenue:	\$1,523,600

Federal Revenue:

CARES/FEMA Funding	\$20,267,500
ARPA Funding	\$2,858,900
DOJ Coronavirus Emergency Grant	<u>\$100,000</u>
Total Federal Revenue:	\$23,226,400

Total Revenue: **\$24,750,000**

Any expenditures ineligible for reimbursement from the funding sources listed above will be covered by general funds. The Systemic Racism Review Committee reviewed this request at its October 19, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2020-09(BF) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(BF) was adopted by unanimous consent.*

F. Ordinance 2021-08(b)(am)(E) An Ordinance Appropriating \$24,000 to the Manager as Funding for a Building Survey and Inventory of the Juneau Townsite Historic Neighborhood; Grant Funding Provided by the Alaska Department of Natural Resources.

The Juneau Townsite Historic Neighborhood is a mixed-use commercial and residential neighborhood, located between the Downtown and Chicken Ridge historic districts. This ordinance would appropriate \$24,000 of grant funding to survey and inventory approximately 87 structures in the area and document their historical significance. This survey will determine whether the Juneau Townsite Historic Neighborhood is eligible to be listed on the National Register of Historic Places. The benefits of becoming a listed district include access to Historic Tax credits and Historic Preservation Fund grants. These benefits would be available for property owners for rehabilitation and maintenance work.

CBJ's Community Development Department, City Museum, and Historic Resources Advisory Committee will partner with a historic architecture consultant to perform the scope of work for this project. Total project costs are estimated to be \$41,659. The 40% local match requirement will be met with CBJ personnel service costs, for which expenditure authority has already been appropriated in the FY22 operating budget.

The Historic Resources Advisory Committee recommended CBJ staff apply for this grant at the February 3, 2021 meeting. The Systemic Racism Review Committee reviewed this ordinance at the October 19, 2021 meeting and forwarded it to the full Assembly for public hearing. The SRRC recommended that additional data on the racial makeup of neighborhoods be gathered and presented when topics of this nature come forward in the future.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2021-08(b)(am)(E) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(E) was adopted by unanimous consent.*

G. Ordinance 2021-08(b)(am)(F) An Ordinance Appropriating \$24,730 to the Manager as Funding for Facility Security Enhancements for Docks and Harbors; Grant Funding Provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency, FY21 Port Security Grant Program.

This ordinance would appropriate \$24,730 for the purchase and installation of security camera equipment for Docks and Harbors' Auke Bay Loading Facility. Grant funding in the amount of \$24,730 is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency. There is no local match requirement for this grant.

The Docks and Harbors Board reviewed this request at its September 30, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 19, 2021 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 for the Assembly to adopt Ordinance 2021-08(b)(am)(F) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(F) was adopted by unanimous consent.*

H. Ordinance 2021-08(b)(am)(G) An Ordinance Appropriating \$1,000,000 to the Manager for COVID-19 Emergency Response Management; Funding Provided by General Funds.

This ordinance would provide \$1,000,000 of general funds for expenditures necessary to respond to the COVID-19 pandemic that are not otherwise reimbursed by the Federal Emergency Management Agency (FEMA) or the State of Alaska Department of Health and Social Services (DHSS). Anticipated response costs include COVID-19 testing, vaccination, public

communications, personal protective equipment, sheltering of vulnerable populations, and quarantine and isolation.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 19, 2021 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 Ms. Gladziszewski for the Assembly to adopt Ordinance 2021-08(b)(am)(G) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(G) was adopted by unanimous consent.*

I. Ordinance 2021-08(b)(am)(H) An Ordinance Appropriating \$120,000 to the Manager as Funding for a Grant Writer; Funding Provided by General Funds.

In response to the economic downturn resulting from the COVID-19 pandemic, the federal government is infusing the economy with an unprecedented amount of federal stimulus. A significant amount of funding will be made available in grants to municipal governments and agencies. CBJ should make every effort to apply for grant opportunities that would bring funding to Juneau in support of established community priorities. To that end, this ordinance would appropriate \$120,000 of general funds for a centralized grant writer position to identify, prioritize, and pursue funding opportunities available to the city.

The Assembly Finance Committee reviewed this request at the September 1, 2021 meeting and directed CBJ staff to draft an appropriating ordinance for introduction. The Systemic Racism Review Committee reviewed this ordinance at the October 19, 2021 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. Bryson for the Assembly to adopt Ordinance 2021-08(B)(am)(H) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(B)(am)(H) was adopted by unanimous consent.*

J. Ordinance 2021-38 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Honsinger Pond Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11; Located Near 7900 Honsinger Drive.

The developer of the Honsinger Pond Subdivision requested to rezone nine lots (2, 3, 4, 5, 6, 10, 11, 12 and 13) from Industrial to General Commercial. The Planning Commission, on August 10,

2021, found the proposal was for more than two acres, expanded an existing zoning district, and substantially conformed to the Resource Development designation of the Comprehensive Plan maps. However, the Planning Commission recommended the Assembly rezone different lots (2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13) because of the noise concerns from the airport, height compatibility with the airport, wildlife conflicts at the airport, visibility from Egan, and align with nearby existing land uses.

The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 19, 2021 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 Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2021-38 and asked for unanimous consent. *Hearing no objections, Ordinance 2021-38 was adopted by unanimous consent.*

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

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

There are six 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 these applications.

Assembly Action:

Ms. Gladziszewski listed the following hardship exemption applicants: Nanci Spear, David Hutchins, and late filed senior exemption applicants: William Holbrook, Michael Pilling, Ronald Hightower, and Tim O'Donnell and stated that the Assembly had reviewed and considered each of these applications on an individual basis.

MOTION by Ms. Gladziszewski for the Assembly to accept the hardship and late filed exemption applications and to refer all applications to the Assessor's Office for further action. *Hearing no objections, all applications were forwarded to the Assessor's Office.*

B. Franklin Foods' Request to Buy City Property

On June 3, 2021, David McCasland of Franklin Foods LLC submitted an application to purchase City property located at 139 S. Franklin St. This property was formally Gunakadeit Park and is roughly 4,000 square feet. Currently the property is being leased to Franklin Foods as part of their food court. McCasland has a contract to purchase the former Gastineau Apartments property located at 127 S. Franklin St., which is adjacent to the City's property. The sale of the property would be contingent on Franklin Foods acquiring the adjacent property and consolidating the properties to conform to the land use code.

The Parks and Recreation Advisory Committee took up this proposal on September 7, 2021 and recommended disposal of the property. On September 27, 2021, the Lands Housing and Economic Development Committee forwarded this application for the purchase of the lot at 139 S. Franklin Street to the Assembly with a motion of support for working with the original proposer, with a contingency that the sale of this land would be dependent on a successful purchase of the adjoining property.

The Manager requests a motion of support to work with the original proposer towards the disposal of City property through a negotiated sale.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Triem for the Assembly to pass a motion of support for the City Manager to work with the original proposer towards the disposal of City property through a negotiated sale; and asked for unanimous consent.

Ms. Gladziszewski reported that the LHEDC recommended the Assembly include a contingency that the sale is dependent on the successful purchase of the adjoining property.

Ms. Triem restated her motion.

MOTION by Ms. Triem for the Assembly to pass a motion of support for the City Manager to work with the original proposer towards the disposal of City property through a negotiated sale; with a contingency that the sale of this land would be dependent on a successful purchase of the adjoining property. *Hearing no objections, the motion passed by unanimous consent.*

XII. STAFF REPORTS

A. 2021 Election Report

Municipal Clerk Beth McEwen thanked the Municipality of Anchorage's Clerk and Election Staff for their assistance in this year's election; and express gratitude for Deputy Clerk Diane Cathcart for her assistance during the election. The packet included a report of the 2021 Municipal Election to the Assembly. Ms. McEwen said she was available to answer any Assembly questions regarding the report or the election process in general.

Ms. Hale thanked Ms. McEwen and Ms. Cathcart for their work. She mentioned a local news article which reported that a large number of ballots were unable to be counted due to a lack of postmark, and recalled the Clerk's Office encouraging voters to witness the postal clerk postmark their mail-in ballot in person. Ms. Hale asked if this would be a feature in future vote by mail elections, and also asked if the Post Office is no longer regularly postmarking mail.

Ms. McEwen explained that Clerk's Office staff have been trying to communicate with the Mendenhall Valley Postmaster General to discuss this matter, however, the Postmaster General has been unavailable to be reached directly. She referenced a policy featured on the Post Office's website, which states: "The Postal Service's policy is to postmark all ballots mailed by voters, whether they are prepared by election officials, or mailed with a stamp affixed by the voter. Be sure to check collection times posted on election boxes, and at post office locations and retail facilities."

Ms. McEwen said she was very disappointed to see that a substantial number of ballots had not received a postmark. Because the majority of these un-postmarked ballots were received on October 7, her assumption is that these ballots were mailed by the voters in a timely manner; but because there was not a postmark on the ballot, the Canvass Review Board deemed that they could not be counted per the City Code. Ms. Hale thanked Ms. McEwen for reaching out to the Post Office.

Mr. Bryson asked Ms. McEwen if the Assembly should reconsider having future by-mail elections, given that the voter turnout for the 2021 Election was lower than last year's.

Mr. Watt said that if the Assembly wished to discuss the future of vote by mail elections, then that discussion could be held during a Committee of the Whole meeting. He reminded the Assembly that, prior to this election, they had appropriated funds to remodel the Thane Warehouse and to purchase vote by mail election-specific equipment.

Ms. Triem referred to a table which indicated the number of registers voters in Juneau gradually increased each year for the past three decade, while the turnout percentage has decreased within the same amount of time. She asked Ms. McEwen if she could explain this trend.

Ms. McEwen explained that there had been State statutes enacted over the past few years which allowed for anyone who applied for a Permanent Fund Dividend to become automatically registered to vote. She further explained that the statutory language to remove a voter from the state registration list requires a lengthy process conducted through the State Division of Elections, and voters themselves need to de-register themselves if they move out of state. Ms. McEwen clarified that the voter registration process is not maintained by the City, but through State statutes and regulations.

Mr. Watt noted the likelihood of the voter turnout percentage being underreported by at least 10%, as there are not 27,000 adults in Juneau who are eligible to vote. He also clarified that Juneau statistically has higher turnout during years in which the Mayor runs, years with hotly contested races, general obligation bonds, school projects, sales tax, etc. Generally, he found that this election year would typically feature a lower voter turnout.

Ms. Gladziszewski said that she was not interested in discussing this further at a future COW meeting.

‘Wáahlaal Gíidaak noticed that the percentages seem to trend when coincided with larger statewide elections.

Mr. Smith noted that over the past ten years, there have only been three elections with voter turnout higher than this year’s election. He asked Ms. McEwen if she had any concerns regarding security and voter integrity throughout this year’s election.

Ms. McEwen said that the Canvass Review Board had identified five duplicate ballots that will be referred to the Law Department for legal review. Other than that, she had no concerns regarding the security or integrity of the 2021 Election, and explained that duplicate votes cast can sometimes result from a non-fraudulent issue that still warrants investigation.

Ms. Triem and Ms. Hale both echoed Ms. Gladziszewski’s sentiments, and also did not wish to discuss this at a future COW meeting.

Ms. Gladziszewski expressed concern regarding the ballots that were not counted due to not receiving a postmark, and asked Ms. McEwen to provide an update to the Assembly after getting in contact with the Postmaster General. Ms. McEwen clarified that she had extensively worked with the Post Office throughout the ballot design process to ensure that the ballots followed Postal Service protocols. She added that the un-postmarked ballots were being received from post offices all over the country, not just in Juneau.

Mayor Weldon asked if the Assembly wished to have a discussion per Mr. Bryson’s request regarding the future of vote by mail elections.

Ms. Hale reiterated her comments that she did not feel that this was the appropriate time to have that discussion, and future Assemblymembers can make those changes if necessary.

B. Landfill Update

Mr. Watt gave a brief update on operations at the landfill. The Assembly has received public comment that described the self-delivery system at the landfill as challenging, due to the landfill requiring (but not providing) hard hats and vests. CBJ staff has been communicating with landfill staff, and Mr. Watt explained that it is the landfill’s intent to adjust public procedure that allows citizens to transfer their garbage through a containerized system.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon shared the list of Committee Chairs and Liaisons:

Ms. Gladziszewski as Deputy Mayor; Ms. Triem as Assembly Finance Committee Chair; Ms. Hughes-Skandijs as Human Resources Committee Chair; Ms. Hale as Lands, Housing, and Economic Development Committee Chair; and Mr. Bryson as Public Works and Facilities Committee Chair.

MOTION by Ms. Gladziszewski for the Assembly to approve the appointment list of the Assembly Committee and Liaison assignments as presented. *Hearing no objections, the assignments were appointed as presented.*

Mayor Weldon shared a comment from Mr. Jones: “If you want to know more about the Assembly, go to all the Committees; if you want to know more about what the City is doing, go to the Empowered Boards and Commissions; if you want to know about what the community is up to, go to the Boards and Commissions.”

Mayor Weldon also welcomed ‘Wáahlaal Gíidaak to the Assembly.

B. Committee and Liaison Reports

Due to the new committee chairs being appointed at tonight’s meeting, some Chairs reported on their previously held committees and liaison assignments.

Lands Housing & Economic Development Committee (LHEDC) Chair Gladziszewski reported that the LHEDC last met on September 27 to discuss the Travel Juneau ordinance. The next LHEDC meeting is scheduled to be held on November 1.

Ms. Gladziszewski also reported that the Housing & Development Task Force has met twice since the last Assembly meeting. The most recent meeting produced recommendations for the Assembly for improvements to the Code regarding the pre-application process. The next HDTF meeting is scheduled to be held on October 29.

Assembly Finance Committee (AFC) Chair Triem shared that the AFC has not met since the last Assembly meeting, as the last meeting was cancelled. The next AFC meeting is scheduled to be held on November 3.

Public Works and Facilities Committee (PWFC) Chair Hale reported that the PWFC last met on September 20. The next PWFC meeting is scheduled to be held on November 1.

Human Resources Committee (HRC) Chair Bryson reported that the HRC did not meet prior to tonight’s meeting. The next HRC meeting is scheduled to be held on November 22.

Mr. Bryson shared that he attended his final Eaglecrest Board meeting on October 7, where they received a presentation on introducing the luge sport to Eaglecrest. The Board is trying to increase the amount of cross-country ski time by creating additional snow paths. There was an Eaglecrest Board retreat held on October 16.

Ms. Hughes-Skandijs shared that the Docks & Harbors Board will provide a report on the Dock Electrification with the Assembly within the coming weeks. She reminded the Assembly of an appropriation of funds meant to go towards the Docks & Harbors (D&H) Board that was never fully addressed. D&H discussed this at their most recent meeting, and would like to provide additional input regarding the appropriation.

Ms. Triem shared that the last Aquatics Board meeting met with technical difficulties and was cancelled as a result. The next Aquatics Board meeting is scheduled to be held on October 26. Ms. Triem has attended several planning meetings with the Alaska Municipal Climate Network for a presentation to be shared with the Alaska Municipal League. She also met with AELP staff to attend a meeting on economics and public finance of utilities.

‘Wáahlaal Gíidaak greeted the Assembly, and Mayor Weldon said that she would be looking forward to her first report at the next Regular Assembly meeting.

Ms. Hale reported that the Bartlett Regional Hospital (BRH) Board last met on September 28, where they discussed staff shortages and the introduction of a new doctor from Anchorage. The next BRH Board meeting is scheduled to be held on October 26. She reported that the Alaska Municipal League Board (AML) met to discuss previous resolutions, tribal recognition, commending the Conference of Young Alaskans, and the upcoming AML Conference in November.

Ms. Woll shared that the Downtown Business Association (DBA) will hold its annual meeting on November 19 at 8:30a.m. DBA Board Election nominations are due by November 1. DBA will be hosting a variety of Halloween-themed festivities, and are beginning conversations with the JACC about hosting a safe Gallery Walk in December. Ms. Woll also reported that Travel Juneau had not met since the last Assembly meeting, but are currently busy working on logistics for the Iron Man competition. The Juneau Commission on Aging (JCOA) met once since the last Assembly meeting, and are reviewing funding opportunities from the Biden administration. The next JCOA meeting is scheduled to be held on October 26. The Systemic Racism Review Committee (SRRC) has met three times since the last Assembly meeting, and have officially completed their first cycle of reviewing legislation using their review criteria. Ms. Woll encouraged the Assembly to attend an SRRC meeting to observe the thorough review process. The next SRRC meeting is scheduled to be held on October 26. Ms. Woll also visited the new Glory Hall and the new Youth Shelter, and found them both to be warm and inviting.

Mr. Smith shared that the Airport Board met to discuss improvements on the Jordan Creek Watershed across the street from the airport. The FAA is considering banning alcohol sales in airports due to a significant increase in disruptive passengers. Mr. Smith notified the Assembly that he was a member of the Poverty and Opportunity Task Force, a legislative task force put into place by the House of Representatives to examine some of the root causes of poverty. He was also looking forward to the Rock A’akw Indigenous Music Festival scheduled to take place on November 5-6. Mr. Smith also attended the Orange Shirt Rally to remember the children who perished and those who survived the Indian Boarding Schools. He thanked the Clerk’s Office for their efforts in this year’s election.

Ms. Gladziszewski attended the Board of Education (School Board) meeting on October 19, where they thanked departing Boardmembers and welcomed newly elected Boardmembers. The Superintendent reported that they are working on student surveillance testing, and ways to reduce the amount of time spent in quarantine with the State Medical Team. The School Board also passed the Land Acknowledgement to be read at the beginning of upcoming meetings. The Association of Alaska School Boards will be meeting in December, though many Boardmembers

said that they would not be attending and expressed dismay at the AASB for holding an in-person event in high-transmission Anchorage.

C. Presiding Officer Reports

None.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned by Mayor Beth Weldon at 9:00p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

**THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING**

DRAFT Meeting Minutes – November 22, 2021

MEETING NO. 2021-26: 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. <https://juneau.zoom.us/j/91515424903>.

I. FLAG SALUTE

II. LAND ACKNOWLEDGMENT

Mr. Smith 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 in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

III. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Robert Barr, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Parks and Recreation Director George Schaaf, Port Director Carl Uchytel, Airport Manager Patty Wahto, Engineering/Public Works Director Katie Koester, Community Development Director Jill Maclean, CDD Planning Manager Alexandra Pierce, CDD Senior Planner Beth McKibben, CDD Planner Irene Gallion

IV. SPECIAL ORDER OF BUSINESS

A. 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. August 23, 2021 Regular Assembly Meeting DRAFT Minutes

MOTION by Ms. Woll for the approval of the August 23, 2021 Regular Assembly meeting minutes, 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

None.

VI. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes.

Mr. Bryson requested items d. [Ord. 2021-08(b)(am)(O)] and e. [Ord. 2021-08(b)(am)(P)] be pulled from the Consent Agenda.

Ms. Gladziszewski requested item c. [Ord. 2021-46] be pulled from the Consent Agenda.

C. Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda with the removal of the items c., d., and e. as listed above with item c. Ordinance 2021-46, to be introduced tonight and referred to the Assembly Committee of the Whole, and she asked for unanimous consent. *Hearing no objections, the Consent Agenda was adopted as amended by unanimous consent.*

1. Ordinances for Introduction

a. Ordinance 2021-44 An Ordinance Amending the Uniform Sales Tax Code Related to the Sale of Goods and Services Aboard Cruise Ships.

This ordinance would require the collection of sales tax on the sales of goods and services on-board cruise vessels while in the Gastineau Channel. Sales that occur inside the borough boundary but outside the Gastineau Channel would remain exempt.

On September 2, 2020, the Assembly Finance Committee considered and discussed a repeal of the exemption. The Assembly heard Ordinance 2020-48 at its regular meeting on October 27, 2020, but it referred the ordinance back to the Assembly Finance Committee for amendments.

On November 3, 2021 the Assembly Finance Committee revisited this subject and adopted an amendment to the original concept. This ordinance (2021-44) replaces last year's version and implements the "channel-only" sales taxability on-board cruise ships.

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

b. Ordinance 2021-45 An Ordinance Authorizing the Docks and Harbors Board to Lease ATS 615 in Tee Harbor to Lisa Haffner-Ritter on behalf of Donohue's Marina LLC.

This ordinance would allow the current lessee to exercise preferential rights to enter into a new 35-year lease with the City & Borough of Juneau. The existing 55-year lease was authorized by the State of Alaska in 1966, transferred to the City & Borough of Juneau in February 2001 and is currently managed by Docks & Harbors. The lessee, Lisa Haffner, is requesting to excise preferential lease rights for the 3.18 acre parcel which is located in Tee Harbor. 35 years is the maximum lease length authorized under CBJ code. An appraisal was completed by Horan & Company on October 12 with a recommended lease rent of \$5545.12 annually. The Docks & Harbors Board reviewed the lease request and appraisal at its October 28 regular board meeting.

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

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

This ordinance would amend the existing CBJ COVID-19 mitigation strategies (currently Ord. 2021-42). Staff has proposed a changes to the text of the ordinance and to Exhibit A reflecting the changing COVID-19 disease situation, CDC guidance, and availability of vaccines for children as young as five. Staff proposes the substance of the ordinance remain the same except for the addition of clarifying language in Section 3(b), which is denoted with underlining. Staff proposes various changes to Exhibit A as follows:

- When required, masking applies to vaccinated and unvaccinated people in most cases;
- Removal of the “green” category until public health guidance solidifies around the nature of transitioning from pandemic to endemic;
- Change the standards at the minimal level to be all recommendations in lieu of requirements;
- Stop using the “modified high” category and, instead, require masking at the “moderate” level.

Finally, I want to thank the staff at Bartlett Regional Hospital, especially the traveling healthcare workers who are here until January 22, 2022.

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

[Ordinance 2021-46 removed from Consent Agenda, introduced, and referred to the Assembly Committee of the Whole.]

d. Ordinance 2021-08(b)(am)(O) An Ordinance Appropriating \$5,500,000 to the Manager as Funding for the Seawalk and Statter Harbor Phase IIIC Capital Improvement Projects; Funding Provided by General Funds.

This ordinance would appropriate \$5,500,000 of general funds for the Seawalk and Statter Harbor Phase IIIC capital improvement projects, to be appropriated as follows:

Statter Harbor Phase IIIC (H51-108)	\$3,000,000
Seawalk (H51-113)	\$2,500,000

This appropriation provides for CBJ's commitment to the cruise industry of \$3 million of non-passenger fee funding towards the completion of the Statter Harbor Phase IIIC project. Funding appropriated for the Seawalk project provides for a triangular shaped portion of marine walk in front of Marine Park.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting.

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

[Ordinance 2021-08-(b)(am)(O) removed from Consent Agenda, see page 8-9 for Assembly Action.]

e. Ordinance 2021-08(b)(am)(P) An Ordinance Appropriating up to \$2,880,000 to the Manager for the Purchase of 2.8 Acres from the University of Alaska Southeast for the Juneau Fisheries Terminal; Funding Provided by General Funds.

This ordinance would appropriate \$2,880,000 of general funds for the purchase of approximately 35,000 square feet of uplands and two acres of tidelands from the University of Alaska Southeast (UAS). Docks and Harbors is currently leasing this property from UAS to support commercial fisheries and commercial boat repair activity. Continuation of the lease after expiration in May 2022 will result in a significant increase in leasing costs to the Docks and Harbors enterprise, which cannot be recovered through existing subleases. Investment in the purchase of this property will reduce ongoing operating costs and alleviate pressure on Docks and Harbors user fees.

The Committee of the Whole reviewed this request at the November 1, 2021 meeting.

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

[Ordinance 2021-08-(b)(am)(P) removed from Consent Agenda, see page 9 for Assembly Action.]

f. Ordinance 2021-08(b)(am)(Q) An Ordinance Appropriating \$150,000 to the Manager for a Grant to the Juneau Community Foundation to Support Sheltering Operations at The Glory Hall; Funding Provided by General Funds.

This ordinance would appropriate \$150,000 of general funds for a grant to the Juneau Community Foundation (JCF) to support sheltering operations at The Glory Hall. Future funding for this purpose may be considered upon a request from JCF as part of CBJ's annual budget process.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting.

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

g. Ordinance 2021-08(b)(am)(R) An Ordinance Appropriating \$570,000 to the Manager for Expanded Mobile Integrated Health Services in Fiscal Year 2022; Funding Provided by State Revenue and a Private Grant.

This ordinance would appropriate \$570,000 for expanded Mobile Integrated Health services in fiscal year 2022, to be funded as follows:

Southern Region EMS Council, Inc. (SREMSC)	\$540,000
Juneau Community Foundation Grant	\$ 30,000

The SREMSC is providing ARPA funds from the State of Alaska to contract CBJ to perform mobile integrated health services in the community. The Juneau Community Foundation is providing grant funding from Norwegian Cruise Lines for a community paramedic vehicle in support of the expanded services.

Revenue received from the contracted services will partially offset the use of general funds for CBJ's Mobile Integrated Health Program's fiscal year 2022 budgeted expenditures.

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

2. Resolutions

a. Resolution 2966 A Resolution Authorizing the City and Borough of Juneau to Participate in the Community Development Block Grant Program from the Alaska Department of Commerce, Community and Economic Development on behalf of Aiding Women in Abuse and Rape Emergencies (AWARE) to Fund Construction of a Retaining Wall.

Project ideas were solicited from the community for a grant from the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community, and Economic Development (DCCED). Grant proposals must be sponsored by a local government and sent to DCCED by December 3, 2021, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. CBJ has successfully used this method in the past. This year we received five proposals, which were reviewed by the Assembly Human Resources Committee at the meeting on September 13, 2021, with a recommendation to the Assembly to support the AWARE application and submit a Community Development Block Grant application to the Alaska Department of Commerce, Community, and Economic Development. AWARE proposes to use

CDBG funds to construct a retaining wall to protect the existing emergency shelter for low to moderate income individuals, especially those experiencing homelessness or extreme disability.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2970 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.

On October 25, 2021, the Juneau Coordinated Transportation Coalition (JCTC) voted to endorse the following priorities for funding by SFY22 Alaska Department of Transportation and Public Facilities (DOT&PF) Mobility Grants. The JCTC and related community organizations voted to prioritize grant applications to go to this round of grant funding. To be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by motion or resolution by the local municipal government. The following grant applications were submitted and voted on and are listed in priority order:

1. One lift-equipped taxi purchase
2. Taxi voucher program

The new prioritized projects would be considered as an addendum to the CBJ 2015 Juneau Coordinated Human Services Transportation Plan.

The Public Works and Facilities Committee (PWFC), at its November 1, 2021 regular meeting, voted to forward a resolution of support for the grant applications to the Assembly. The resolution would make grant applications possible for funding of the above mobility projects through the DOT&PF Mobility Grant funding.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. Liquor License Transfers & Renewals

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

Liquor License Transfers of Ownership

License Type: Beverage Dispensary, License #644

Transfer From: Wolfpack Ventures LLC d/b/a Salt Alaska

Transfer To: Ronald Martin Burns d/b/a Salt

Location: 200 Seward St., Juneau

License Type: Restaurant/Eating Place, License #2641

Transfer From: Saffron LLC d/b/a Saffron

Transfer To: Spice LLC d/b/a Spice

Location: 112 N. Franklin St., Juneau

Liquor License Renewal

License Type: Beverage Dispensary, License #1166

Licensee: Triangle Club Inc. d/b/a Triangle Club

Location: 251 Front St., Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest the transfer applications and the renewal application. 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 transfers and above-listed liquor license renewal.

4. Other Items for consent

a. Marijuana License Renewals

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications.

Marijuana License Renewals

License Type: Standard Marijuana Cultivation Facility License: #15245

Licensee: North Star Gardens Inc. d/b/a North Star Gardens

Location: 5310 Commercial Blvd 2A, Juneau

(AMCO 60-day comment period ends: 11/23/2021)

License Type: Retail Marijuana Store License: #15246

Licensee: Borealis Mountain Inc. d/b/a Thunder Cloud 9

Location: 5310 Commercial Blvd 2B, Juneau

(AMCO 60-day comment period ends: 11/26/2021)

License Type: Standard Marijuana Cultivation Facility License: #10315

Licensee: Green Elephant LLC d/b/a Green Elephant LLC

Location: 101 Mill St. Suite A, Juneau

(AMCO 60-day comment period ends: 11/28/2021)

License Type: Retail Marijuana Store License: #10844

Licensee: Green Elephant LLC d/b/a Green Elephant LLC

Location: 101 Mill St. Suite B, Juneau

(AMCO 60-day comment period ends: 11/28/2021)

License Type: Standard Marijuana Cultivation Facility License: #11384

Licensee: Green Elephant LLC d/b/a Green Elephant LLC

Location: 8420 Airport Blvd Building B, Juneau

(AMCO 60-day comment period ends: 12/10/2021)

The above marijuana license renewals are before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed these renewals and found the licensees to be in compliance with CBJ Code. The assembly packet contains the AMCO notice to the local governing body. Additional renewal application documents are available through the Clerk's office upon request.

The City Manager recommends the Assembly waive its right to protest the renewals of the above listed AMCO marijuana licenses.

5. Transfers

a. Transfer Request T-1040 A Transfer of \$438,038 from CIP R72-061 Industrial Boulevard to CIP R72-151 Robbie Rd., Ling Ct., and Laurie Ln., CIP R72-154 4th St. Drainage/F-I and Side Streets, and CIP R72-159 W. 3rd and Dixon Reconstruction.

The Industrial Boulevard CIP is complete and ready to close with \$438,038 available funding remaining. This request will transfer the remaining funding from the Industrial Boulevard CIP to three street projects, as follows:

Robbie Rd., Ling Ct. and Laurie Ln. (CIP R72-151)	\$225,000
4th St. Drainage/F-I and Side Streets (CIP R72-154)	\$165,038
W. 3rd and Dixon Reconstruction (CIP R72-159)	\$ 48,000

These projects require additional funding in order to be completed to address bid cost escalation, material price increases, and unforeseen issues discovered during design that could not have been accounted for in initial project budgets.

The Public Works and Facilities Committee reviewed this request at the November 1, 2021 meeting.

The Manager recommends approval of this transfer.

Items Pulled from the Consent Agenda:

d. Ordinance 2021-08(b)(am)(O) An Ordinance Appropriating \$5,500,000 to the Manager as Funding for the Seawalk and Statter Harbor Phase IIIC Capital Improvement Projects; Funding Provided by General Funds.

Assembly Action:

MOTION by Mr. Bryson to table Ordinance 2021-08(b)(am)(O) until such a time that the Assembly can have a financial discussion about this and Ordinance 2021-08(b)(am)(O) now that they have learned that the RAISE grant application has been denied.

Objections noted by Ms. Hale, Ms. Woll, Mr. Smith, and Mayor Weldon.

Members discussed the reasons for their objections and supported moving forward with this ordinance at this time.

Roll Call Vote on the Motion to table Ord. 2021-08-(b)(am)(O)

Yeas: Bryson, Hale, Gladziszewski

Nays: Woll, Smith, Hughes-Skandijs, Triem, 'Wáahlaal Gíidaak, Weldon

Motion failed 3:6.

MOTION by Ms. Triem to introduce Ordinance 2021-08-(b)(am)(O) and set it for public hearing at the next regular assembly meeting. *Hearing no objection, motion carried.*

e. Ordinance 2021-08(b)(am)(P) An Ordinance Appropriating up to \$2,880,000 to the Manager for the Purchase of 2.8 Acres from the University of Alaska Southeast for the Juneau Fisheries Terminal; Funding Provided by General Funds.

Assembly Action:

MOTION by Mr. Bryson to table Ordinance 2021-08(b)(am)(P) for the same reasons stated under his motion for Ordinance 2021-08(b)(am)(O).

Objection noted by Ms. Woll, Ms. Hale, and Mr. Smith.

Members discussed their concerns and objections of tabling or moving this ordinance forward.

Ms. Gladziszewski noted that they originally discussed this ordinance at the Committee of the Whole and she said that she felt it would be better to discuss it further at the Assembly Finance Committee (AFC). She proposed an amendment to Mr. Bryson's motion to table and rather that it be referred to the AFC. Members asked for a parliamentary procedure ruling. After consultation with the City Attorney, it was determined that amendment was not in order and the motion to table would first have to be voted up or down and if voted down, then a motion to refer the ordinance to the AFC would be in order.

Roll Call Vote on the Motion to table Ord. 2021-08-(b)(am)(P)

Yeas: Bryson, Triem, Gladziszewski

Nays: Hale, Woll, Smith, Hughes-Skandijs, 'Wáahlaal Gíidaak, Weldon

Motion failed 3:6.

MOTION by Ms. Gladziszewski to introduce Ordinance 2021-08-(b)(am)(P) and refer it to the Assembly Finance Committee. *Hearing no objection, motion carried.*

IX. PUBLIC HEARING

A. Ordinance 2021-08(b)(am)(J) An Ordinance Appropriating \$70,000 to the Manager as Funding for a Community Development Plat Reviewer; Funding Provided by General Funds.

This ordinance would appropriate \$70,000 of general funds for a plat reviewer position in the Community Development Department (CDD). The position already exists in CDD however was unfunded in the FY22 budget. Funding this position for the remainder of the fiscal year would help CDD perform timely and accurate plat reviews, revise and update zoning ordinances, and ensure optimization and effectiveness of the land use code.

The Assembly Finance Committee reviewed this request at the November 3, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2021-08(b)(am)(J) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(J) was adopted by unanimous consent.*

B. Ordinance 2021-08(b)(am)(K) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I Street to CIP R72-141 Hospital Drive Improvements.

This ordinance would transfer \$200,000 from the Douglas Highway Water – David to I Street CIP (W75-061) to the Hospital Drive Improvements CIP (R72-141) to facilitate the replacement of an aging water main connecting the Salmon Creek Water Filter Plant and the hospital campus. The existing pipe is near the end of its design life and in close proximity to the new Bartlett Behavioral Health Facility's foundation. It is most economical to replace the pipe in conjunction with the construction of the new building to avoid having to excavate the site at a later time.

The Douglas Highway Water project is complete and has water utility funds available to transfer to cover this necessary work.

The Public Works and Facilities Committee reviewed this request at the September 20, 2021 meeting. The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Triem for the Assembly to adopt Ordinance 2021-08(b)(am)(K) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(K) was adopted by unanimous consent.*

C. Ordinance 2021-08(b)(am)(L) An Ordinance Appropriating \$650,000 to the Manager as Funding for the Bag Belt Replacement and Parking Lot Paving Capital Improvement Projects; Funding Provided by Airport CARES Act Funding.

This ordinance would appropriate Airport CARES Act funding for the planning and design phases of the Bag Belt Replacement and Parking Lot Paving capital improvement projects, to be appropriated as follows:

Bag Belt Replacement (A50-105)	\$50,000
Parking Lot Paving (A50-106)	\$600,000

Funding appropriated for the Bag Belt Replacement CIP would provide for planning and design costs to replace aging and unreliable components of the outbound baggage conveyor system.

Funding appropriated for the Parking Lot Paving CIP would provide for planning and design costs for subsurface investigation and repaving of the parking lots at the airport.

The Airport Board approved this request at the May 13, 2021 meeting. The Public Works & Facilities Committee reviewed this request at the June 7, 2021 meeting.

The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by ‘Wáahlaal Giidaak for the Assembly to adopt Ordinance 2021-08(b)(am)(L) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(L) was adopted by unanimous consent.*

D. Ordinance 2021-08(b)(am)(M) An Ordinance Appropriating \$41,000 to the Manager as Funding for Assemblymember, Mayor, and Certain Board Compensation Increases; Funding Provided by General Funds and Hospital Funds.

This ordinance would appropriate \$41,000 for Assemblymember, Mayor, and certain board compensation increases for the remainder of fiscal year 2022. These increases were authorized by Ordinance 2021-20(b)(am) effective January 1, 2022, and are appropriated as follows:

Assemblymembers	\$15,600
-----------------	----------

Hospital Board of Directors	\$13,200
Mayor	\$7,800
Planning Commissioners	\$4,400

Hospital funds provide for the Hospital Board of Directors' compensation increase. General funds provide for the Assemblymember, Mayor, and Planning Commissioner compensation increases.

The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2021-08(b)(am)(M) and asked for unanimous consent. *Hearing no objections, Ordinance 2021-08(b)(am)(M) was adopted by unanimous consent.*

E. Ordinance 2021-08(b)(am)(N) An Ordinance Appropriating \$36,135 to the Manager as Funding for Multiple Training Events for the Juneau Police Department; Grant Funding Provided by the United States Department of Justice, Office of Justice Program, FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The Juneau Police Department has been awarded \$36,135 in grant funding from the U.S. Department of Justice for training on various subjects, including polygraph examination, SWAT, 911 administration, crime statistic reporting, and civilian leadership.

No local match is required for this grant.

The Systemic Racism Review Committee reviewed this request at the October 26, 2021 meeting and forwarded it to the full Assembly for public hearing.

The Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Woll for the Assembly to adopt Ordinance 2021-08(b)(am)(N) and asked for unanimous consent.

Objection by Ms. Hughes-Skandijs for purposes of a comment. She said that she was surprised to see polygraph examinations as part of the training. She also suggested JPD staff provide a presentation on their training programs at a future COW meeting. Ms. Hughes-Skandijs removed her objection.

Hearing no further objections, Ordinance 2021-08(b)(am)(N) was adopted by unanimous consent.

X. UNFINISHED BUSINESS

None.

XI. NEW BUSINESS

A. Recommended Protest of Liquor License #1384 Renewal for Haienadangle LLC d/b/a Bowl of Pho

The Finance Department has recommended protest of liquor license #1384, Haienadangle LLC d/b/a Bowl of Pho, due to non-filing of sales tax returns since 2nd Quarter 2020. This item is on the Assembly Human Resources Committee (HRC) November 22, 2021 agenda for review and recommendation. HRC Chair Hughes-Skandijs will report the HRC's recommendation to the full Assembly for final action; staff will forward final Assembly action to the State Alcohol & Marijuana Control Office (AMCO) and notify the licensee. The AMCO 60-day comment period from the local governing body ends Friday, December 10, 2021.

Human Resources Committee Chair Hughes-Skandijs reported that the HRC recommended the Assembly protest the renewal of Liquor License #1384.

Assembly Action:

Ms. Triem asked Mr. Rogers to explain how the Finance Department contacts a business that is behind on sales tax payments.

Mr. Rogers explained that the Finance Department is required by law to contact all delinquent sales tax filers through their registered address in the event they intend to protest the renewal of a liquor license. He added that this is a unique situation, as this business has not filed for the past five sales quarters, and the Finance Department has not estimated tax for this business. Due to lack of an estimate, the Collections staff has not reached out to this business in regards to the collections effort. If it is the will of the Assembly for Finance to try to reach out to this business, Mr. Rogers said that they would do that. He encouraged the Assembly to maintain the protest, and said that he will ensure that the applicant will have an opportunity to bring their account current.

Ms. Triem thanked Mr. Rogers for his explanation, and commented that it was unusual that the business had not reached out to the Finance Department.

Mr. Bryson said that in all of his years in the Assembly, he had never witnessed a business not respond or appear to a liquor license protest. He asked if there was a cure process in place for unique situations like this, such as a payment plan.

Mr. Rogers said that the Finance Department allows businesses to sign a confession of judgement, and will consider that business in good standing upon signing the confession and regular payments afterwards. In that case, the Finance Department would ask for the protest to be lifted.

Ms. Hale asked Mr. Rogers if he could clarify the number of quarters that this business had paid prior to their delinquency. Mr. Rogers clarified that this business filed for four filing periods – for four quarters – and have not filed for the last five quarters. He explained how this complicated the estimate process.

MOTION by Mr. Smith for the Assembly to protest Liquor License #1384 Renewal for Haienadangle LLC d/b/a Bowl of Pho and asked for unanimous consent. *Hearing no objections, the motion passed by unanimous consent.*

B. Auke Bay Land Exchange

In September, the Division of Lands and Resources and the Community Development Department met with the owner of 11930 Glacier Highway, Karla Allwine. The City had approached Ms. Allwine in the past to express interest in a land trade that would provide the City with access from Glacier Highway to a large tract of City owned land in Auke Bay, adjacent to the Allwine property. Ms. Allwine is agreeable to a fair market value land trade that would provide the City access, as long as it also provides the necessary minimum lot size for a rezone of her property. The 2016 Land Management Plan designated the City owned property as a parcel for near-term disposal. This conceptual land trade could provide the opportunity to facilitate the disposal and development of City owned property in Auke Bay. If approved by the Assembly this land trade would be completed for fair market value as determined by appraisal.

The Manager requests a motion of support to work with the original proposer towards the disposal of City property through a Land Exchange.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Gladziszewski for the Assembly to support this endeavor and asked the City Manager to work with the original proposer.

Mr. Bleidorn explained the reasoning as to why the property could not be designated primarily on City land. He spoke to a building restriction that requires the property be kept at a specific distance away from the property line, which resulted in the City acquiring the Allwine property to maintain this legality.

Hearing no objections, the motion was adopted by unanimous consent.

C. Draft 2022 Assembly Calendar

Ms. McEwen introduced the proposed 2022 Assembly Calendar for Regular Assembly meetings and Assembly Standing Committees, keeping in mind that the Assembly may call for a Special Assembly meeting at their discretion.

The first Regular Assembly meeting of 2022 was proposed to be held on January 10, 2022, in consideration of Assemblymembers and CBJ staff traveling during the holidays.

Mr. Smith noted one correction that the start of the Legislative Session would occur on January 18, 2022, and that there will be no in-person Legislative Reception this year.

MOTION by Mr. Bryson for the Assembly to adopt the proposed 2022 Assembly Calendar as amended and asked for unanimous consent. *Hearing no objections, the 2022 Assembly Calendar was adopted by unanimous consent.*

XII. STAFF REPORTS

Mr. Watt congratulated Alexandra Pierce on her promotion to CBJ's Tourism Manager.

XIII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon shared that she attended the Alaska Municipal League Conference, and thanked Nils Andreassen and Portland Highbaugh for the great effort they put in. She also attended the Alaska Conference of Mayors (ACoM), during which she was selected to serve as vice president of the ACoM. Mayor Weldon reminded the Assembly that the Assembly retreat will be held on Saturday December 4 at 8:30a.m.

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Committee of the Whole (COW) Chair Gladziszewski reported that the COW last met on November 1 to discuss dock electrification and acquiring the UAS property, both of which were featured on tonight's agenda. The next COW meeting is scheduled to be held on November 29, where they will receive updates on the Tourism survey, the Civic Center, and the Juneau Coalition on Housing and Homelessness.

Assembly Finance Committee (AFC) Chair Triem shared that the AFC last met on November 3. Ms. Triem explained that the Onboard Sales Tax Exemption Ordinance had to be reintroduced, and will be set for public hearing in December. The next AFC meeting is scheduled to be held on December 1, where they will discuss the City's budget prior to the Assembly Retreat on December 4.

Lands Housing and Economic Development (LHED) Committee Chair Hale reported that the LHEDC met on November 1 to discuss the Auke Bay Land Exchange, which was featured on tonight's agenda.

Public Works and Facilities Committee (PWFC) Chair Bryson shared that the PWFC met on November 1 to talk about handicap-accessible vans, the Legislative Priority list, and the Compost Capital Improvement Project (CIP). The committee is working on establishing a steering committee in regards to the Civic Center. The next PWFC meeting is scheduled to be held on November 29.

Human Resources Committee (HRC) Chair Hughes-Skandijs shared that the HRC met earlier this evening to review appointments to the Juneau Economic Development Council.

The HRC forwarded the following appointments to the full Assembly for approval:

Juneau Economic Development Council:

- Melissa Kookesh, Jake Carpenter, and Aaron Morrison to terms beginning immediately and ending October 31, 2024.

Hearing no objections, those appointments were granted by unanimous consent.

Ms. Hughes-Skandijs added that the HRC received letters from the Juneau Human Rights Commission in regards to regulations for commercial use that the Aquatics Board had worked on extensively. This letter had been forwarded to the full Assembly and will be introduced at the December 13 Regular Assembly meeting.

Ms. Hughes-Skandijs also mentioned the upcoming appointments for the Hospital Board and the Planning Commission, both of which have three vacant seats available. There is also one vacant seat available on the Systemic Racism Review Committee. The HRC recommended the Assembly conduct those appointments on December 15th and December 16th. The Assembly agreed to hold appointments on those dates.

Mayor Weldon asked the Assembly if they would rather have the SRRC appointment be considered by the full Assembly or by members of the four-member HRC, as the full Assembly typically only reviews applicants of the empowered boards. Mr. Bryson spoke in favor of the full Assembly sitting as HRC to review applicants for the SRRC as needed. He said he felt that the SRRC would benefit from working directly with the Assembly as they are still a fairly new committee.

Liaison Reports, Assembly Comments and Questions

Mr. Bryson reported that the Local Emergency Planning Committee met and discussed adding a Public Health seat to the committee. They are also forming an Iron Man Committee to address concerns and issues that could stem from the Iron Man Competition.

Mr. Bryson reported that the Airport Board met and discussed recent events, including the purchase of a new forklift, and the utilization of CARES Act and CRISA funding. The Airport has also been experiencing issues with those experiencing homelessness and criminal activity. The Airport manager mentioned that they have trespassed more people within the past three months than she had in her entire career.

Mr. Bryson reported that Travel Juneau met on November 19. Travel Juneau will be participating in the aforementioned Iron Man Committee. He also attended the AML Conference, and commended Juneau's Asset Management structure.

Ms. Hughes-Skandijs reported that the Joint Committee with Bartlett Regional Hospital met to review their charge. She said that the Juneau Commission on Aging will meet November 23. The Planning Commission (PC) will also meet on November 23 to review the Legislative Priority list. The PC previously granted a Conditional Use Permit (CUP) for the Warming Shelter at Resurrection Lutheran Church. She noted that the granted CUP featured an expiration date, which is not typical for CUPs.

Ms. Triem reported that the Aquatics Board last met on October 26 to discuss Conditional Use regulations. She said that the Dimond Park Aquatic Center (DPAC) will be closed for a re-deck project in future but the date has not yet finalized. She attended her first Juneau Commission on Sustainability (JCOS) meeting this month, where they reviewed the Engineering/Public Works Annual Sustainability Report. JCOS formulated a letter to the Assembly which listed their priorities ahead of the Assembly Retreat.

Ms. Triem thanked everyone for their support and noted that she was elected Treasurer to the AML Board, and her first AML Board meeting was on November 19. Ms. Triem also shared that she got married earlier this month.

‘Wáahlaal Gíidaak attended the Sister Cities Committee (SCC) meeting on October 26, and familiarized herself with Juneau’s Sister Cities. The committee is currently considering adding photos to their display at the Airport. She shared that she was excited to serve as liaison to Sister Cities Committee. The next SCC meeting is scheduled to be held on November 23.

‘Wáahlaal Gíidaak also attended the School Board meeting on November 9, and said it was interesting to see the student representatives being asked to speak prior to the School Board voting on items. She added that 93% of Juneau School District (JSD) staff have been vaccinated thus far. The School Board recently passed the Tlingit Culture, Language, and Literacy Program oral narrative standards for grades Kindergarten through 5th grade. She explained that previous programs had been taught through a western standard, whereas the recently adopted standards feature instruction that is Tlingit-based. The School Board also recognized that school audits must now include costs associated with school clubs. There have been six JSD resignations since the last meeting, and twelve new hired staff. The next JSD meeting is scheduled to be held on December 14.

‘Wáahlaal Gíidaak also attended the Tlingit & Haida Executive Council Town Hall meeting, where President Peterson reported on his speech given at the White House Tribal Nations Summit. THCC also established a Climate Change Committee and a Climate Change Action Plan.

Ms. Hale reported that the Bartlett Regional Hospital Board met on October 26. The hospital’s capacity was previously restricted, but operations are more stable now. The next BRH Board meeting is scheduled to be held on November 23.

Ms. Hale reported that the Housing and Development Task Force met on October 29 and November 12. She met the new Bartlett Regional Hospital CEO Jerel Humphrey. Ms. Hale attended the November 3

JEDC as a sit-in for the Mayor. She also participated in a Juneau Chamber of Commerce meeting on November 4. Ms. Hale attended the Alaska Municipal League Conference and stepped down from her seat on the AML Board.

Ms. Woll shared that the Systemic Racism Review Committee (SRRC) met on October 26, the results from their legislation criteria were included on tonight's agenda. The next SRRC meeting is scheduled to be held on November 23.

Ms. Woll noted that the Docks & Harbors (D&H) Board has met three times since the last Assembly meeting, including their annual retreat. The D&H Board is beginning the public hearing process for the following two rate increases: Passenger for Hire rate increase by 10% (Public Hearing will be held for this on December 18); and United States Coast Guard Lightering fees (Public Hearing will be held for this in January). D&H recently passed a new rate setting policy to ensure that rates are being set in a fair and consistent manner. The D&H Board also discussed CIP and Legislative priorities. The public comment period for Dock Electrification began on November 19, and will be open for 60 days. The D&H Board also recommended renaming the Archipelago Lot to Peratrovich Plaza, in honor of Alaska Native Civil Rights activist Elizabeth Peratrovich.

Ms. Woll said that she enjoyed attending her first AML conference, and found the tribal governance session to be quite interesting.

Mr. Smith attended his first Eaglecrest Board meeting on November 4. The Eaglecrest Board noted that their revenue had been increasing rapidly, but they are losing staff to other opportunities offering better wages. Eaglecrest is working on developing new mitigation measures for the upcoming winter ski season.

Mr. Smith also participated in an Alaska Committee meeting, where they discussed GCI dropping cable television. They spoke to how this would affect viewers who watch the *Gavel to Gavel* program, which is supported by CBJ and the Alaska Committee. KTOO is working on alternative options to broadcast *Gavel to Gavel*, including the utilization of apps and streaming services.

Mr. Smith mentioned that he is working with Engineering/Public Works Director Katie Koester to schedule a meeting of the Joint Assembly/School Board Facilities Committee which they hope to schedule for some time in December. Mr. Smith wished everyone a Happy Thanksgiving and a Happy Hanukkah.

Ms. Gladziszewski reported that the Housing & Economic Development Task Force met on October 29 and November 12, where they recommended removing the requirement for pre-application conference. This recommendation will be forwarded to Planning Commission as a Title 49 change.

Ms. Gladziszewski spoke with Cub Scout Pack #7 on their "Building a Better World" project, which encourages cub scouts to meet with a local leader. They talked about the Assembly, and what it means to be a citizen of a community. She also judged the Juneau high schools' Drama Debate and Forensics tournament last week, and spoke to the talent of the students who participated. She also attended the

AML Conference, where she was elected to serve on the AML Board. Ms. Gladziszewski wished everyone a Happy Thanksgiving.

C. Presiding Officer Reports

1. TDLH LLC (Arndt) v. CDD Director: Oral Status Update

Mr. Palmer reported that this is an appeal of an enforcement action in Duck Creek area. The appeal is currently stayed as the parties are working through permitting options in attempts to resolve the appeal.

2. A & S Rentals LLC v. PC: Oral Status Update

Mr. Palmer explained that this is an appeal of an enforcement action in Downtown Douglas. The hearing is tentatively set to be held on February 9 via Zoom Webinar.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. ADJOURNMENT

There being no further business to come before the Assembly, the Regular Assembly meeting was adjourned at 8:30p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

Presented by: The Manager
Presented: 02/07/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-04

An Ordinance Amending the Parking Requirements of the Land Use Code.

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

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

Section 2. Amendment of Section. CBJ 49.40 Parking and Traffic, Article II Parking and Loading, is repealed and reenacted to read:

ARTICLE II: PARKING AND LOADING

49.40.200 General applicability.

Developers must provide off-street parking spaces for automobiles in accordance with the requirements set forth in this chapter at the time any structure is erected, expanded, or when there is a change in the principal use.

(a) Special Parking Areas.

- (1) *Town Center Parking Area.* The Town Center Parking Area, as depicted in Ordinance 2022-04 is adopted. The Town Center Parking Area consists of the lots within the area bound by West Tenth Street, Egan Drive, West Twelfth Street, D Street, West Ninth Street, C Street and its projection, West Eight Street and its

projection, the rear lot lines of property between 370 through Distin Avenue, Sixth Street and its projection, Harris Street, projection of Third Street, projection of East Street, projection of Second Street, projection of Harris Street, the rear lot lines of property between 143 and 400 Gastineau Avenue, the rear lot lines of property between 511 and 889 South Franklin Street, and Gastineau Channel.

(2) *No Parking Required Area.* The No Parking Required Area, as depicted in Ordinance 2022-04 is adopted. The lots within the area bound by Gastineau Avenue, Second Street, Seward Street, Egan Drive, Ferry Way, South Franklin Street, and Layton Way are excluded from the parking requirements of this chapter. No additional parking is required for development in this area.

(b) *Conforming parking.* The requirements, alternatives and reductions of this chapter can be combined to meet parking requirements of a development.

(c) *Developer responsibility.* Developer must submit documentation to demonstrate that applicable parking code requirements have been met, in conformance with this chapter.

(d) *Owner/occupant responsibility.* The provision and maintenance of off-street parking and loading spaces required in this chapter is a continuing obligation and joint responsibility of the owner and occupants.

(e) *Determination.* The determination of whether the parking requirements of this chapter are satisfied, with or without conditions, and deemed necessary for consistency with this title, must be made by:

- (1) The director for minor development;
- (2) The commission for major development; or

(3) The commission if the development application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

(f) *Expansion.* In cases of expansion of a structure on or after the effective date of Ordinance 2022-04,

(1) The number of additional off-street parking spaces required must be based on the gross floor area added.

(2) No additional parking spaces are required if the additional spaces would amount to less than ten percent of the total required for the development and amount to two or less spaces.

(3) For phased expansion, the required off-street parking spaces is the amount required for the completed development, as determined by the director.

(g) *Change in use.* In cases of a change in use on or after the effective date of Ordinance 2022-04, the number of spaces required will be based on this chapter.

(h) *Replacement and reconstruction of certain nonconforming structures.* Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures in residential districts must be governed by chapter 49.30.

(i) *Mixed occupancy.* Mixed occupancy is when two or more of the parking uses in 49.40.210 share the same lot(s). For mixed occupancy, the total requirement for off-street parking facilities is the sum of the requirements for the uses computed separately.

(j) *Uses not specified.* The requirements for off-street parking in 49.20.320 are based on the requirements for the most comparable use specified, as determined by the director for minor development or by the commission for major development.

(k) *Location.* Off-street parking facilities must be located as provided in this chapter. If a distance is specified, such distance is the walking distance measured from the building being served to the parking provision. Off-street parking facilities for:

- (1) Single-family dwellings and duplexes must be on the same lot as the building served;
- (2) Multifamily dwellings may not be more than 100 feet distant, unless compliant with section 49.40.215; and
- (3) Uses other than those specified above, may be not more than 500 feet distant, unless compliant with section 49.40.215.

(l) *Off-street parking requirements for a lot accessible by air or water only.* Off-street parking requirements do not apply to a lot if it is accessible only by air or water. If the director determines that public access by automobile to the lot later becomes available, the owner of the property must be given notice and within one year must provide the required off-street parking.

49.40.210 Number of off-street parking spaces required.

(a) *General.* The minimum number of off-street parking spaces required must be as set forth in the following table. The number of spaces must be calculated and rounded down to the nearest whole number:

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two bedroom unit	0.6 per two bedroom unit
	2.0 per three or more bedroom unit	0.8 per three or more bedroom unit
Roominghouse, boardinghouse, single-room occupancies with	1 per 2 bedrooms	1 per 5 bedrooms

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
shared facilities, bed and breakfast, halfway house, and group home		
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity
Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices.
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60% of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration.
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area.
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement.
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

(b) *Accessible parking spaces.* Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

Table 49.40.210(b)	
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1100 total spaces in lot

(c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Motels and hotels	5,000—29,999	6,000-60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1

	Gross Floor Area in Square Feet		
Use	All other areas	Town Center Parking District	Loading Space Required
Commercial	5,000—24,999	6,000-50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000-50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000-40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

49.40.215 Parking alternatives.

Parking alternatives are methods of accommodating required parking without building parking on site. A developer may apply for one or more parking alternatives. Parking alternatives may be combined with approved reductions.

(a) *Joint use.* Joint use occurs when the same off-street parking space is used to meet the parking requirement of different uses at different times. Joint use of off-street parking spaces may be authorized when the developer demonstrates there is no substantial conflict in the principal operating hours of the structures and uses involved and subject to the following requirements:

- (1) Any structure or use sharing the off-street parking facilities of another structure or use must be located within 500 feet of such parking facilities, unless a lesser radius is identified in this chapter. A developer may apply to provide off-street parking in an area greater than 500 feet distant, if approved by the commission.
- (2) The developer demonstrates with appropriate analysis or data that there is no substantial conflict in the principal operating hours of the structures or users for which joint use of off-street parking facilities is proposed.

The developer must present to the director a written instrument, proposed by the parties concerned, providing for joint use of off-street parking facilities. Upon approval by the director, such instrument must be recorded by the developer and documentation of recording provided to the director.

(b) *Loading spaces off-site.* The required loading space(s) may be met by an alternative private off-site loading parking space, if the alternate space is determined by the director of adequate capacity and proximity. In no case will the distance exceed standards established in 49.40.200(k).

49.40.220 Parking reductions.

A parking reduction reduces the required off-street parking spaces for a development. A developer may apply for one or more parking reductions. Accessible parking spaces must not be

reduced and must be provided in accordance with subsection 49.40.210(b). Loading spaces must not be reduced and must be provided in accordance with subsection 49.40.210(c).

(a) *Parking waivers.* The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met.

(1) *Standards.* Any waiver granted under this section must be in writing and must include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:

(A) The effect of granting a waiver would result in more benefits than detriments to the neighboring area and community as a whole as identified by the comprehensive plan; and

(B) The effect of granting a waiver will not materially endanger public health, safety, or welfare.

(2) *Relevant information.* The following information may be relevant for the director or commission's review:

(A) Analysis or data relevant to the intended use and related parking demands.

(B) Provision for alternative transportation.

(C) Traffic mitigation measures supported by industry standards.

(D) Bicycle and pedestrian amenities.

(3) *Applications.* Applications for parking waivers must be on a form specified by the director and must be accompanied by a one-time fee as provided in 49.85.

(4) *Public notice.* The director must mail notice of any complete parking waiver application to the owners of record of property located within a 250-foot radius of

the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications should be made concurrently in accordance with CBJ 49.15.230.

(5) *Expiration.* An approved parking waiver expires upon a change in use.

(b) *Town Center Parking Area, Fee-In-Lieu of off-street parking spaces.* In the Town Center Parking Area, a developer may pay a one-time fee in lieu of providing off-street parking spaces to satisfy the minimum parking requirements of this chapter. Fee in lieu can be used in any combination with other parking provisions of this chapter. Any fee in lieu due must be paid in full prior to the issuance of a temporary certificate of occupancy.

49.40.225 Dimensions and signage for Required Off-Street Parking Spaces.

(a) *Standard spaces.*

(1) Except as provided in this section, each standard parking space must consist of a generally rectangular area at least 8½ feet by 17 feet. Lines demarcating parking spaces may be drawn at any angle to curbs or aisles so long as the parking spaces so created contain within them the rectangular area required by this section.

(2) Spaces parallel to the curb must be no less than 22 feet by 6½ feet.

(b) *Accessible spaces.*

(1) Each accessible parking space must consist of a generally rectangular area at least 13 feet by 17 feet, including an access aisle of at least 5 feet by 17 feet. Two accessible parking spaces may share a common access aisle.

(2) One in every eight accessible parking spaces, but not less than one, must be served by an access aisle with a width of at least eight feet and must be designated “van-accessible.”

(3) Accessible parking spaces must be designated as reserved by a sign showing the symbol of accessibility. “Van-accessible” parking spaces must have an additional sign designating the parking space as “van-accessible” mounted below the symbol of accessibility. A sign must be located so it cannot be obscured by a vehicle parked in the space.

(4) Access aisles for accessible parking spaces must be located on the shortest accessible route of travel from parking area to an accessible entrance.

(c) *Facility loading spaces.*

(1) Each off-street loading space must be not less than 30 feet by 12 feet, must have an unobstructed height of 14 feet 6 inches, and must be permanently available for loading.

49.40.230 Parking area and site circulation review procedures.

(a) *Purpose.* The purpose of these review procedures is to ensure that proposed parking and related site access areas provide for adequate vehicular and pedestrian access and circulation; that parking spaces are usable, safe, and conveniently arranged; that sufficient consideration has been given to off-street loading and unloading; and that the parking area will be properly drained, lighted, and landscaped.

(b) *Plan submittal.* Development applications must include plans for parking and loading spaces. Major development applications must include plans prepared by a professional engineer or architect. These plans may be part of a plan submission prepared in conjunction with the required review of another aspect of the proposed development.

(1) *Contents.* The plans must contain the following information:

- (A) Parking and loading space plans drawn to scale and adequate to show clearly the circulation pattern and parking area function;
- (B) Existing and proposed parking and loading spaces with dimensions, traffic patterns, access aisles, and curb radii;
- (C) Improvements including roads, curbs, bumpers and sidewalks indicated with cross sections, designs, details, and dimensions;
- (D) A parking schedule indicating the number of parking spaces required, the number provided, and how such calculations were determined;
- (E) Topography showing existing and proposed contour intervals; and
- (F) Landscaping, lighting and sign details, if not provided in conjunction with the required review of another aspect of the proposed development.

(2) *Waiver of information.* The director may waive submission of any required exhibits.

(c) *Review procedure.* Plans must be reviewed and approved according to the procedures of this chapter and chapter 49.15.

(d) *Public improvements required.* As a condition of plan approval, the department may require a bond approved as to form by the municipal attorney for the purpose of ensuring the installation of off-site public improvements. As a condition of plan approval, the applicant is required to pay the cost of providing reasonable and necessary public improvements located outside the property limits of the development but necessitated by construction or improvements within such development.

49.40.230 Parking and circulation standards.

(a) *Purpose.* Provisions for pedestrian and vehicular traffic movement within and adjacent to the site must address layout of parking areas, off-street loading and unloading needs, and the

movement of people, goods, and vehicles from access roads, within the site, and between buildings and vehicles. Parking areas must be landscaped and must feature safely-arranged parking spaces.

(b) *Off-street parking and loading spaces; design standards.*

- (1) Access. There must be adequate ingress and egress from parking spaces. The required width of access drives for driveways must be determined as part of plan review depending on use, topography and similar considerations.
- (2) Size of aisles. The width of aisles providing direct access to individual parking stalls must be in accordance with the following table. Other angles may be approved by the director that satisfy the needs of this chapter.

Parking Angle	0°	30°	45°	60°	90°
One-way traffic aisle width	13'	11'	13'	18'	24'
Two-way traffic aisle width	19'	20'	21'	23'	24'

- (3) Location in different zones. No access drive, driveway or other means of ingress or egress may be located in any residential zone if it provides access to uses other than those permitted in such residential zone.
- (4) Sidewalks and curbing. Sidewalks must be provided with a minimum width of four feet of passable area and must be raised six inches or more above the parking area except when crossing streets or driveways. Guardrails and wheel stops permanently anchored to the ground must be provided in appropriate locations. Parked vehicles

must not overhang or extend over sidewalk areas, unless an additional sidewalk width of two feet is provided to accommodate such overhang.

(5) Stacked parking. Stacked parking spaces may only be counted as required parking spaces for single-family residences, duplexes, and as otherwise specified for specific uses. In the case of single-family residences and duplexes with or without accessory uses and child care homes in a residential district, only a single parking space per dwelling unit may be a stacked parking space.

(6) Back-out parking. Parking space aisles must provide adequate space for turning and maneuvering on-site to prevent back-out parking onto a right-of-way. If the director or the commission, when the commission has authority, determines back-out parking would not unreasonably interfere with the public health and safety of the parking space aisles and adjacent right-of-way traffic, back-out parking is allowed in the following circumstance:

- (A) In the case of single-family dwellings and duplexes with or without accessory uses located in residential and rural reserve zoning districts;
- (B) Where the right-of-way is an alley; or
- (C) In the case of a child care home in a residential district.

(c) *Drainage.*

(1) Parking areas must be suitably drained.

(2) Off-site drainage facilities and structures requiring expansion, modification, or reconstruction in part or in whole as the result of the proposed development must be subject to off-site improvement requirements and standards as established by the city.

(d) *Lighting.* Parking areas must be suitably lighted. Lighting fixtures must be “full cutoff” styles that direct light only onto the subject parcel.

(e) *Markings and access.* Parking stalls, driveways, aisles and emergency access areas and routes must be clearly marked.

(f) *General circulation and parking design.*

(1) Parking space allocations must be oriented to specific buildings. Parking areas must be linked by walkways to the buildings they serve.

(2) Where pedestrians must cross service roads or access roads to reach parking areas, crosswalks must be clearly designated by pavement markings or signs. Crosswalk surfaces must be raised slightly to designate them to drivers, unless drainage problems would result.

Section 3. Amendment of Section. CBJ 49.65.530 Standards, is amended to read:

49.65.530 Standards.

(a) Stores may be approved in each of the areas shown on the convenience store use area maps A—B.

(b) Video rentals, a laundromat, and an automatic teller machine may be permitted as accessory uses. Automobile fuel sales may be permitted as an accessory use in locations with adequate space for queuing. The retail area for liquor sales may occupy no more than 50 percent of the gross floor area. Automotive service and exterior merchandising shall not be permitted. Drive-up window service may be permitted only if vehicle queues will not extend into adjacent streets.

(c) Except as authorized by the bonus provisions of this article, gross floor area shall be limited to 3,000 square feet.

(d) Vehicle access must be directly from an arterial or collector, and not from a local street.

(e) Height shall be limited to one story except that a second story may be allowed for residential use and for accessory office and storage uses, provided that any storage use must relate directly to the primary permitted use.

(f) The site perimeter and parking area shall be landscaped and screened with live material installed within ten months of the date of final construction permit approval or issuance of a certificate of occupancy, whichever is the later. The commission may authorize a bond or other security or collateral required pursuant to CBJ 49.15.330(g)(5) a provision specifying that the bond shall be forfeited if landscaping is not complete by the time required or if any plants dying within one year of installation are not replaced. Development abutting a lot zoned for residential use shall include landscaped strips or landscape boxes at least five feet wide unless the applicant demonstrates that a narrower landscape strip meets the intent of this section. The strips shall be covered with ground cover and shall be maintained throughout the year such that:

- (1) On a property line shared with the residential lot the strip shall include a continuous shrub screen, fence, or both, six feet high and 95% opaque. The screen shall include one tree at least six feet high at installation per 30 lineal feet;
- (2) On a property line adjacent to a street the strip shall include a continuous low shrub screen on a berm or other raised facility which is at least five feet wide, landscaped at a slope not greater than the natural angle of repose, and consistent with sight distance requirements for vehicle egress. The strip width may be reduced

- 1
- 2 to not less than 18 inches to accommodate planter boxes and sight obscuring fences.
- 3 The screen shall include one tree per 30 lineal feet;
- 4 (3) On all other property lines except those along driveways the strip shall include a
- 5 continuous low shrub screen with one tree per 30 lineal feet at least six feet high at
- 6 installation.
- 7
- 8 (g) Outside of the Town Center Parking Area, the minimum off-street parking requirement
- 9 shall be one space per 250 square feet of gross floor area.
- 10 (h) Exterior bear-resistant public litter cans shall be provided.
- 11 (i) The exterior building appearance, including siding, roofline, windows, paint colors, and
- 12 building massing shall be compatible on all sides with surrounding uses.
- 13 (j) Exterior lighting may not shed light or glare above the roofline of the building or beyond
- 14 the property line of the site.
- 15 (k) The building shall be set back from any property line shared with a residentially zoned
- 16 parcel by a distance of 20 feet or the distance required by the underlying zoning district,
- 17 whichever is greater.
- 18
- 19 (l) No more than 80 percent of the lot shall be covered by an impervious surface.
- 20 (m) The layout of the store shall provide for views from the cash register of bicycle racks,
- 21 telephones, seating areas, and other exterior public amenities.
- 22 (n) The parking lot shall be paved and striped with spaces and a circulation pattern.
- 23 (o) Headlight glare shall not be permitted onto residentially-zoned lots adjacent to the site.
- 24 (p) Liquor sales shall not be permitted from drive-in window(s).
- 25

Section 4. Amendment of Section. CBJ 49.80.120 Definitions, is amended to include the following new definitions in alphabetical order, to read:

49.80.120 Definitions.

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

...

Mobile food vendor means a type of food service that is located in a vehicle, trailer or cart, and is capable of moving easily daily. Unless a push cart, these units must be capable of being licensed by the state as a motor vehicle, and can be moved without special conditions (such as a pilot car, flagging, or restricted hours of movement). Mobile units must completely retain their mobility at all times.

...

Open air food service means a food service located in a structure or area that does not have a permanent means of heat. (Note that woodstoves are not considered a permanent means of heat by the building code official). The director can extend the operation period for cause, such as extended tourist season, community event, or emergency provisions.

...

Walking distance is the distance measured by the shortest route, using pedestrian facilities, from the public entrance of the building in which a use occurs to the outer boundaries of another use.

...

Section 5. Amendment of Section. Section 49.85.100 is amended to read:
49.85.100 Generally.

Processing fees are established for each development, platting and other land use action in accordance with the following schedule. If a public notice sign is required by the director, the fee is \$150 for the first sign, and \$25 for each additional sign. One hundred dollars of the sign fee can be refunded if the sign is returned within two (2) weeks of the decision being issued.

...

- (21) Parking waiver, \$400. If the application is filed in conjunction with a major development permit the fee shall be reduced by 20 percent.
- (22) Fee in lieu, \$10,000 per off-street parking space required.

Section 6. Effective Date. This ordinance shall be effective 30 days after its adoption.

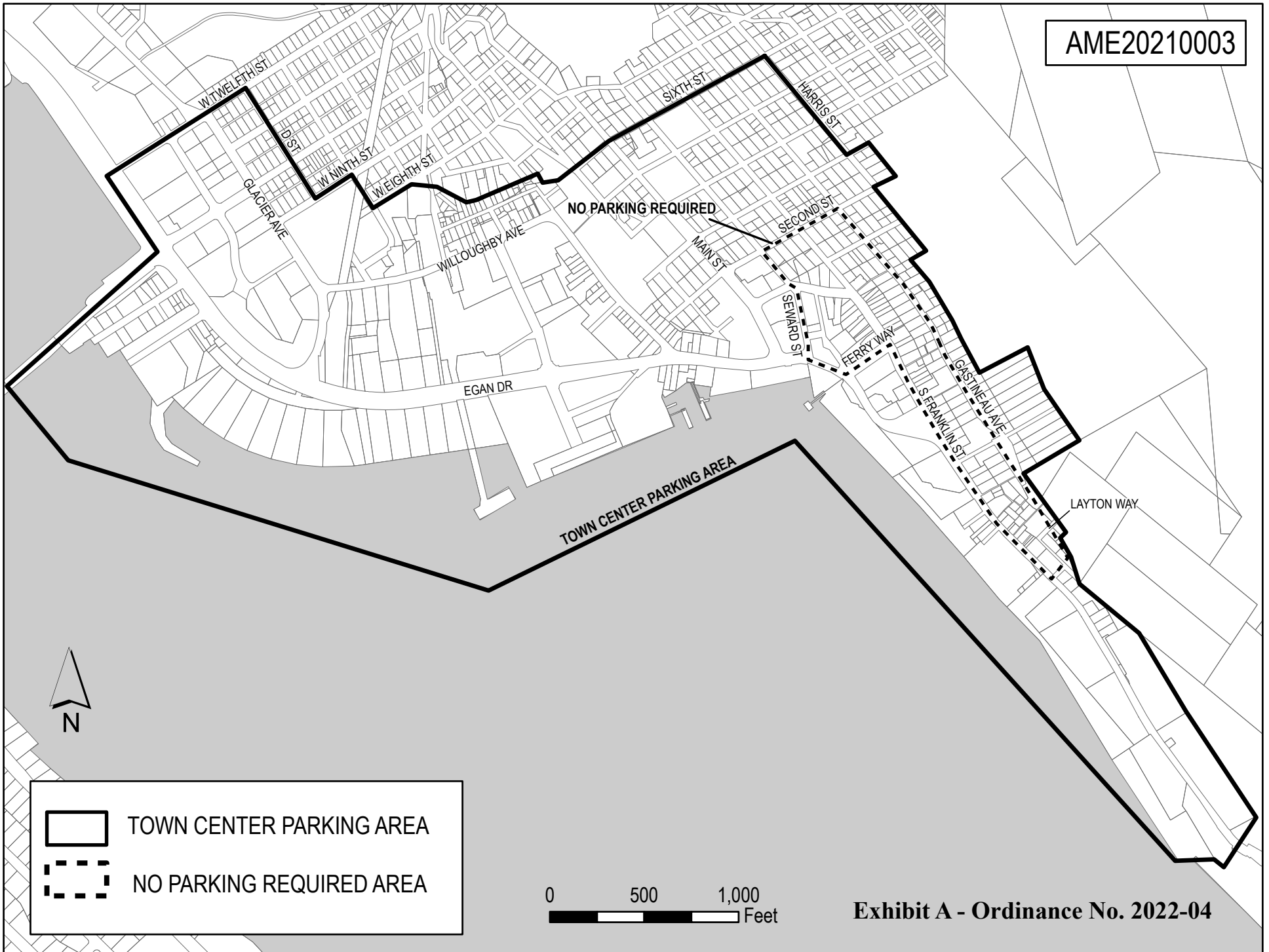
Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

AME20210003



Presented by: The Manager

Presented: 02/07/2022

Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-10

An Ordinance Amending the Land Use Code Regarding Marijuana Establishment Requirements.

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

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

Section 2. Amendment of Section. CBJC 49.65.1245 Marijuana establishment conditional use permits, is amended to read:

49.65.1245 Marijuana establishment conditional use permits.

(a) In addition to the permit application and supporting materials required by CBJ 49.15.330(c), an applicant for a conditional use permit for a marijuana establishment must submit the following additional materials:

- (1) A site plan of all buildings on the property where the marijuana use will be located, including, but not limited to: A floor plan showing how the floor space is or will be used to include, but not limited to, restricted access areas and the total floor area of the building(s);
- (2) A security plan indicating how the applicant will comply with the requirements imposed by state law;

- (3) A waste disposal plan indicating how the applicant will comply with the requirements imposed by state law;
- (4) A screening plan illustrating the applicants compliance with AS 17.38.070 making it unlawful to display marijuana or marijuana products in a manner that is visible to the general public from a public right-of-way;
- (5) If the establishment is to be served by a private septic system, certification from a registered, qualified engineer licensed by the State of Alaska that the system has adequate capacity for the proposed use, or will with improvements;
- (6) Marijuana cultivation facility license applicants must provide a ventilation and filtration plan describing the systems that will be used to ensure compliance with CBJ 49.65.1260 and whether the applicant intends on using carbon dioxide. The applicant shall specify if carbon dioxide enrichment will be used in cultivation and by what means the carbon dioxide will be produced. Plans should indicate the storage area for fuels used to produce carbon dioxide;
- (7) Marijuana product manufacturing facility license applicants, marijuana cultivation facility license applicants, and marijuana testing facility license applicants must specify all means to be used for cultivating, growing, extracting, heating, washing or otherwise changing the form of the marijuana plant, along with proposed ventilation and safety measures to be implemented for each process;
- (8) Marijuana cultivation facility license applicants and marijuana product manufacturing facility license applicants must specify the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system; and

(9) Any additional documentation determined by the director to be necessary for the commission to make a decision whether to approve or deny the permit, or approve with conditions, to ensure compliance with this chapter or CBJ 49.15.330(f).

(b) If a licensee desires to modify the licensed premises by changes to equipment, increased use, such as in accordance with an approved state license endorsement, or any approved plan, an amendment to the original application and required fee shall be submitted for review and approval.

(c) In addition to any conditions imposed under CBJ 49.15.330(g), the commission may impose any conditions necessary to ensure compliance with this chapter or state law or designed to mitigate impacts of the development on surrounding residences.

(d) The commission shall impose as a condition of any permit issued by the commission under this title a requirement that the applicant submit a complete copy of the applicant's approved state license application to the department for review prior to operating. If the director determines there are substantive inconsistencies between the state license application and the conditional use permit application, the commission shall review the development for consistency with this title.

(e) Conditional use permits issued to marijuana establishments shall expire 180 days after issuance if (i) the developer takes action consistent with an intent to abandon the conditional use permit or (ii) the developer ceased operating the marijuana establishment and has not substantially restarted operations. Determination of expiration shall be made by the director and supported by written findings. An expiration determination may be reconsidered within 20 days of the date of the determination.

(1) A director's determination of abandonment is rebuttable and may be overcome upon a finding that the information submitted establishes all of the following:

(A) The developer has been maintaining the land and structure(s) in accordance with applicable building, fire, and other codes and regulations;

(B) The developer has been maintaining or pursuing applicable permits and licenses;

(C) The developer has filed applicable taxes and documents; and

(D) The developer has been engaged in activities that are consistent with or would affirmatively prove there was no intent to abandon, such as actively and continuously marketing the land, business, or structure for sale or lease.

(2) The burden of proof for overcoming a presumption of abandonment is on the developer.

~~Conditional use permits issued to marijuana establishments under this chapter shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ 49.15.330 except that the commission may only amend or add conditions if necessary to ensure compliance with this title. If an appeal challenging the amendments to a conditional use permit is filed, the new conditions shall be stayed and the existing permit shall govern the operations of the marijuana establishment until the conclusion of the appeal. The scope of review on appeal is restricted solely to the amended conditions.~~

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

Adopted this _____ day of _____, 2022.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 02/07/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-11

**An Ordinance Amending the Street Vending Requirements of Title 62
Regarding Parking.**

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

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

Section 2. Amendment of Section. CBJC 62.10.050 Street vending; permit required, is amended at subsection (e), to read:

62.10.050 Street vending; permit required.

...

(e) Vending carts and vending vehicles may not be located in any on-street vehicle parking space in the No Parking Requirement Area (NPRA) ~~PD-2-zoning~~ parking district. Carts and vehicles with a valid permit may park in a single space within the Town Center Parking Area ~~PD-1-zoning~~ parking district or outside the NPRA ~~PD-2-zoning~~ parking district. The manager may place additional parking and location restrictions on a permit if the manager determines that the size, location, and operation of the cart or vehicle will create a safety hazard. Overnight parking is prohibited.

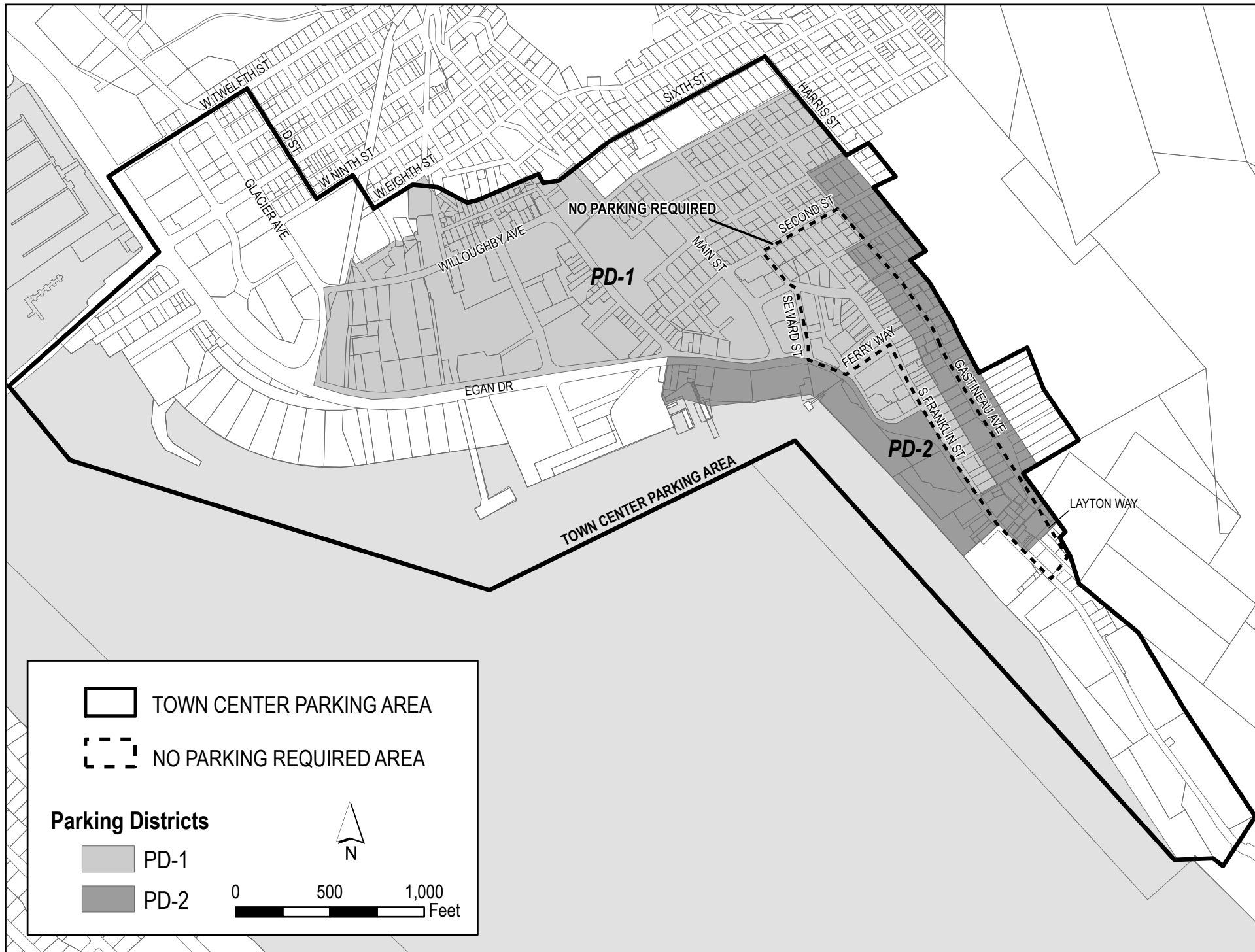
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Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.
Adopted this _____ day of _____, 2022.

Attest: _____
Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk





MEMORANDUM

DATE: February 3, 2022

TO: Borough Assembly

FROM: Alexandra Pierce, Tourism Manager

SUBJECT: Long Range Waterfront Plan Amendment Update

This memo provides some context around the recent dialogue regarding the Long Range Waterfront Plan, the public process, and a larger picture of complex and related issues. Public comments from the January 11 public meeting can be found at juneau.org/tourism.

Public Process & Discussion of Assembly Questions

The Visitor Industry Task Force (VITF) discussed the Subport dock concept at length and recommended approval with eight criteria. It was noted at the COW meeting that the Subport proposal was not an original VITF charging question. Early on in the process the VITF determined that it was appropriate and necessary to make a recommendation on the dock proposal. The purpose of the task force was to convene a group of stakeholders informed on the visitor industry, give them all available context for decision making, and ask them to make recommendations on a range of issues with public input. Members of the public who testified before the task force did so trusting that their input would be carried forward through future public processes. Additionally, the draft Blueprint Downtown area plan defers to and supports the VITF outcomes. Therefore, staff believes that the VITF recommendation is a critical consideration for the Assembly. This recommendation should be treated with the same weight as a CBJ advisory committee recommendation.

CBJ contracted McKinley Research to conduct a public survey in 2021. Respondents to the random sample, statistically valid phone survey were asked whether they support development of a large cruise ship dock at the Subport. 56% of respondents were supportive or very supportive, 33% were opposed or very opposed, 10% replied that they don't know. Because of the random sample methodology, the survey data is a gauge of community opinion. The original survey from the LRWP in 2003 was not a random sample survey. As decision makers, we hear a lot from engaged citizens. This is a positive thing, but it is sometimes difficult to accurately gauge broader public perception. Random sample surveys are valuable tools to more accurately gauge community attitudes on a given issue. We believe that the survey should be treated as a form of public comment; the purpose of public comment and the survey is the same – find out what the public thinks.

CBJ staff held a public meeting on January 11, 2022, presented the proposed amendment, took questions, and requested public comments via email by January 31. There were 50 people in attendance. The public comments received are linked above. There are a few common themes in the comments that represent some misconceptions that should be clarified.

There is a perception that this is a binary decision between a marina and a cruise ship dock. When the LRWP was developed in 2004, future ownership of the Subport was uncertain. All other parts of the plan consider the land ownership in the area and plan accordingly. In modifying the LRWP, CBJ staff is suggesting that it remains important to consider land ownership in infrastructure planning.

The LRWP amendment criteria are written with the notion that future amendments to the Plan would create the opportunity for a cruise ship dock at the Subport. The amendment criteria on Page 63 state, *"...amendments to the Long Range Waterfront Plan, including the addition of cruise ship docks, should be approved only after undergoing a process similar to that which was undertaken during the development of the plan. Specifically public workshops identifying the need for the facility and development of alternatives that mitigate the negative impacts identified in the Community opinion survey should be held."* As envisioned in 2004, this process was begun by the Visitor Industry Task Force and the outcome was eight recommended criteria for development of an additional dock, which are included in the proposed amendment. Further public process, including surveys and meetings, meet the requirements of the amendment criteria.

Additionally, there is a persistent criticism that by approving this amendment, the Assembly would be pandering to the cruise industry. The VITF was presented with a great deal of background information on Juneau's history of working to mitigate the impacts of tourism. I believe we have general consensus that the community's hospitality is the industry's product, tourism is a significant and valuable part of our local economy, and unmitigated growth is unacceptable. The decision on constructing a dock to replace Juneau's anchorage is a small piece within a larger local and regional discussion on mitigation, limits, and infrastructure improvements and does not necessarily translate to increased visitation.

Another perception worth addressing is the idea that hot berthing is beneficial to the business community and should be supported. We have heard differing information from local tour operators and business owners. Their concern is that the passengers are rushed while in town and despite a high volume and turnover, merchants see reduced sales on hot berthing days.

The Committee of the Whole expressed an interest in progress on the MOA with CLIAA and on the proposed five ship limit. CBJ is reviewing revised MOA language and we believe it will be signed shortly. Also, staff is researching legislative options and other communities' models for creating limits and will report back on findings. Establishing a five ship limit is critical for managing our port, both in terms of volume and operations, and ensures that the recommendations of the VITF, Blueprint Downtown, and the LRWP are properly implemented.

Next Steps

At the January 24, 2022 Committee of the Whole, the Assembly moved to add an opportunity for public testimony at an upcoming meeting prior to a public hearing and vote on the amendment. This testimony is scheduled for February 28, 2022. The public hearing will be held on March 14, 2022.

Presented by: The Manager
Presented: 02/07/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-12

An Ordinance Amending the Comprehensive Plan Related to the Long Range Waterfront Plan.

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

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

Section 2. Amendment of Section. CBJC 49.05.200 Comprehensive plan, is amended to read:

49.05.200 Comprehensive plan.

(a) The City and Borough Comprehensive Plan is designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks, and other public requirements.

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.

- (1) Plan adopted. There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:

...

- (C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended including by Ordinance 2022-12;

...

Section 3. Amendment of Long Range Waterfront Plan. The Long Range Waterfront Plan, CBJC 49.05.200(b)(1)(C), is amended to read as follows:

- (a) **Page 47. Amend the text of Section 3.3 Area B: Subport as follows:**

...

Upon adoption of Ordinance 2022-12, the CBJ Assembly amended the tidelands portion of Area B (Figure 33, B2) to allow for creation of a dock facility capable of accommodating one large cruise ship as well as docking facilities for government agencies, like the U.S. Coast Guard and NOAA vessels. Criteria for this development is described in Appendix B. All other Area B recommendations and design criteria remain unchanged, including uplands development and park facilities. ~~This Subport plan also retains its maritime roots, offering facilities for local and transient vessels and small cruise vessels at the Gold Creek Marina facility (see Figure 33, Feature B2). The Plan calls for the creation of a floating marina facility capable of accommodating forty five, 50 to 60 foot vessels and upwards of 60, 20 to 30 foot vessels. Also provided is a +/- 1,000 foot floating exterior dock designed to support operations by small cruise ships, large transit yachts, visiting military vessels, and other vessels contributing to an~~

~~active and diverse working waterfront.~~ Located to the north of this facility is the proposed Gold Creek Waterfront Park, a new, two acre recreational area oriented to families and children (see Figure 33, Feature B1). Gold Creek Park provides an important area attraction and asset as well as a visual and functional transition point into Downtown.

...

Page 47. Repeal and replace Figure 33: Area B (Overall) 2025 Concept Plan as follows:



(Existing) ~~Figure 33~~



(New) Figure 33

(b) Page 41. Amend the text of Section 3.1 Long Range Plan Overview as follows:

...

- **Expanded Recreation and Open Space Area.** The Plan supports substantial expansion of recreation and open space areas through the creation of a 1.8 mile coastal seawalk running the length of Juneau's Downtown waterfront. The seawalk is accentuated by a series of parks, each a special destination for active and passive recreational pursuits. A total of 6.1 net new acres of recreation and open spaces

stretching from the Juneau-Douglas Bridge to the South Franklin Street Dock is provided in the Plan. Increased water recreation areas are also offered, including the introduction of ~~two~~ new marina facilities, small boat and kayaking zones, and an environmental education/enhancement area.

...

(c) Page 50. Amend the text of Section 3.3 Area B: Subport as follows:

...

- **Transparency and Views.** Views along the internal streets of the Subport should be preserved, with consideration provided to use the public area, and building façade articulation to accentuate view corridors and anchor visual interest in key locations. Views from the Gold Creek Park across the ~~marina and~~ Gold Creek Protection Zone should also be maintained.

...

(d) Pages 68-69. Amend Table 8: Long Range Waterfront Master Plan: Near-, Mid-, and Long-Term Development Initiatives Master Sheet as described below and depicted in Exhibit A:

- (1) Strike NT15,
- (2) Strike MT6,
- (3) Amend MT7, and
- (4) Amend MT9.

(e) After Page 77. Insert Appendix B as described below:

Appendix B – 2022 Amendment to Area B

This amendment applies only to the tidelands portion of Area B: Subport to allow a large cruise ship dock that accommodates one large cruise ship and provides moorage for government agencies like the Coast Guard and NOAA vessels. The LRWP Concept Plan for the uplands portions of Area B remains unchanged. In 2011, the Subport property was rezoned to Mixed Use 2 per the LRWP's guidance.

The 2022 amendments are described in Ordinance 2022-12.

This amendment discusses the criteria developing Area B, especially the criteria for constructing a fifth cruise ship dock at the Subport established by the CBJ Visitor Industry Task Force (VITF) in 2020. It is important to note that many of these criteria apply to the uplands portion of Area B and are excluded from the amendment. The upland provisions in the LRWP are valid and appropriate to this new tidelands use. However, the uplands-related criteria in both the LRWP and VITF final report are related to managing the impacts of a large cruise ship dock and the associated increase in pedestrian and bus traffic and should be considered strong recommendations for uplands development. Criteria excluded from this amendment are identified below.

VITF Recommendation on LRWP Update

The VITF considered whether the CBJ should undertake a complete update to the LRWP. It was determined that the CBJ Assembly should not prioritize a LRWP complete update and should instead maintain focus on better tourism management. It was determined that an amendment to the tidelands portion of Area B was warranted with the below criteria and the CBJ should continue to implement the existing plan, prioritizing Seawalk development.

VITF Criteria for Subport Dock Construction

In 2020, the CBJ VITF established the following criteria for constructing a cruise ship dock at the Subport. This amendment supports the VITF's criteria and any application for development needs to be evaluated consistent with the following:

1. One larger ship per day using one side of the facility;
2. Maximum of five larger ships in port per day;
3. No hot berthing at the new facility;
4. No larger ships allowed to anchor as the sixth ship in town. Larger ships may anchor but the number of larger ships in port would still be limited to five (CBJ to consider legal ramifications of limiting size of ships at anchor);
5. CBJ manages dock to some extent through a public private partnership or management agreement;
6. Dock is electrified;

The following criteria are related to uplands development and remain strong recommendations for uplands-related proposals:

7. High quality uplands development for community and visitors;
8. Year round development orientation.

Long Range Waterfront Plan Amendment Criteria

Section 3.9 of the LRWP establishes a framework for amendment, presented below. The manner in which each component is addressed is described in italics:

It is important that Long Range Waterfront Plan—which is a product of an extensive and thorough public process—maintain a substantial commitment for its implementation from the community. Therefore, amendments to the Long Range Waterfront Plan, including the addition of cruise ship docks, should be approved only after undergoing a process similar to that which was undertaken during the development of the Plan. Specifically, public workshops identifying need for the facility and development of alternatives that mitigate negative impacts identified in the Community opinion survey should be held.

On behalf of CBJ, McKinley Research (formerly McDowell Group) conducted a statistically valid public opinion survey of Juneau residents in October 2021. It found that 56% of Juneau residents were supportive or very supportive of constructing a large cruise ship dock at the Subport and 33% were opposed or very opposed. 10% of respondents didn't know if they were supportive or opposed. Furthermore, those that said they were opposed or very opposed to a subport dock were asked whether a list of factors would increase their level of support:

- 1. A cap of five large ships per day in Juneau's harbor: 42% yes, 54% no*
- 2. Public park: 40% yes, 55% no*
- 3. Interpretive ocean center: 38% yes, 53% no*
- 4. Seawalk connection: 34% yes, 53% no*
- 5. Shore power: 33% yes, 59% no*
- 6. Housing: 27% yes, 63% no*
- 7. Underground parking: 26% yes, 68% no*
- 8. Retail and restaurants: 21% yes, 76% no*

In addition to the survey, the Visitor Industry Task Force took public testimony on tourism issues and received over 200 comments. A cruise ship dock at the subport was a major topic of discussion.

The CBJ conducted public meetings on this amendment on the following dates [insert].

With respect to cruise ship traffic, which impacts the entire City and Borough, the Assembly concludes:

- 1. No cruise ship berthing or lightering facility should occur within the City and Borough outside of the area encompassed by the plan, before adoption of the borough-wide study of cruise ship alternatives or January 2007, whichever occurs first.
Accomplished by time-frame*
- 2. The capacity within the area encompassed by the plan should not exceed five large ships (greater than 750 feet in length) whether at berth or at anchor.*

Included in VITF criteria above. The 2021 survey also supports a maximum of five ships per day in Juneau's harbor. The United States Coast Guard has not yet made a formal determination that a new dock would preclude a sixth ship at anchor.

3. In addition, any proposals to develop additional berths within the area encompassed by the plan should include a design for the dock and related facilities that address the following issues with regard to the specific site and also in the context of the entire downtown waterfront planning area:
 - a. Impacts to navigation and anchorage in Juneau Harbor.
Criteria for development, evaluated through Conditional Use Permit process
 - b. Impacts to view planes.
Criteria for development, evaluated through Conditional Use Permit process
 - c. Environmental impacts, including consideration of shore power to mitigate potential air pollution.
Criteria for development, evaluated through Conditional Use Permit process. Shore power is included in the VITF criteria above.

The following criteria are related to uplands development and remain strong recommendations for uplands-related proposals:

- d. Vehicular Traffic, including necessary signalization.
- e. Staging for buses and other tour vehicles in the most efficient manner possible to provide for diverse use of uplands.
- f. Pedestrian access.
- g. Sidewalks.
- h. Extension of Seawalk from downtown to the proposed dock.
- i. Extension of bus shuttle service.

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

No.	Category	Priority	Project	Description	Responsibility	Funding Source	Duration**	Critical Path	Est. Project Cost*
NT15	Study	High	Gold Creek Marina Design and Permitting	Design Gold Creek Marina and obtain regulatory permits.	CBJ	CBJ/Port Revenues	12 Months	none	\$ 225,000
MT6	Project	High	Gold Creek Marina Development	Creation of a 80-105 vessel marina and 1,000 foot floating exterior dock. Project includes dredging, with fill used for creation of Gold Creek Park and uplands for Subport Phase 2 development.	CBJ	CBJ/Port Revenues	30 Months	NT15	TBD
MT7	Project	High	Gold Creek Park Development	Creation of a 2 acre park adjacent to the Subport Gold Creek Marina and Egan Drive. Project includes all programmed park facilities as well as the Seawalk linkage from the Subport to Gold Creek.	CBJ	CBJ/Port Revenues	12 Months	NT15	TBD
MT9	Project	High	Subport Interior Access Roads and On-Street Parking Facilities	Extend internal street network and parking facilities into the Subport Phase 2 and Gold Creek Marina development.	Private (Subport Developer) / CBJ	CBJ / Private (Subport Developer)	12 Months	NT18, Parallel to MT8, 10	\$ 550,000

Presented by: Finance Comm.
Presented: 02/07/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-13

An Ordinance Repealing the Confidentiality Provision for Real Estate Transaction Disclosures and Establishing a Penalty for Failure to Disclose a Real Estate Transaction.

WHEREAS, Ordinance 2020-47(am) was adopted on October 26, 2020, and imposed a property sale disclosure requirement, with a number of exemptions, and allowed disclosed sales records to be confidential; and

WHEREAS, the purpose of the property sale disclosure was to increase the information available to the Assessor such that assessments would more accurately reflect the full and true value of property and result in more equitable taxation between taxpayers (A.S. 29.45.110); and

WHEREAS, the confidentiality provision was added to encourage grantees/buyers to more willingly provide the property sale disclosure; and

WHEREAS, since enactment of Ordinance 2020-47(am), a substantial number of commercial property owners appealed their 2021 assessments, and the appeal proceedings identified the confidentiality provision was creating inequities between information the Assessor relied upon and information the Assessor could disclose especially considering the appeal process and assessments are public; and

WHEREAS, since enactment of Ordinance 2020-47(am), the property sale disclosure requirement did not result in a noticeable increase of sale disclosures as compared to the voluntary disclosures before enactment, and a penalty would encourage more compliance; and

WHEREAS, property sale information is not uniformly confidential and is commonly disclosed to third parties because the asking price is generally widely publicized, A.S. 40.17.040 requires the State Recorder's Office to maintain an index of property records by parcel and by grantor/grantee, lenders record deeds of trust that publically identify the loan amount, uninvolved real estate professionals have access to the actual sale price, and private appraisers commonly produce reports that include comparable property sales (*see Studley v. Alaska Public Offices Commission*, 389 P.3d 18 (AK 2017)); and

WHEREAS, upon balancing the statutory need to assess property at its full and true value, balancing the property tax inequities resulting from the lack of a sale disclosure requirement, balancing the privacy interests of people involved in property transactions, and balancing other public interests, repealing the confidentiality provision and imposing a penalty for non-disclosure results in more benefits to the community.

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

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

Section 2. Amendment of Section. CBJC 15.05.105, Transaction disclosures, is amended as follows:

(a) *Disclosure requirement.* When a deed, contract, or other document transferring legal or equitable title to real property is presented for recording with the State of Alaska, the grantee (buyer) shall provide the assessor with a statement under signed oath by the grantee (buyer) or agent that discloses:

- (1) The names of the grantor (seller) and grantee (buyer);
- (2) The date of transfer;
- (3) The date of sale;
- (4) A legal description of the property transferred;
- (5) The actual full amount paid or to be paid for the property;
- (6) The terms of sale; and
- (7) An estimate of the value of any personal property included in the sale.

(b) *Disclosure exemptions.* The disclosure required by subsection (a) does not apply to the following:

- (1) An instrument that confirms, corrects, modifies or supplements a previously recorded instrument without added consideration;
- (2) A transfer pursuant to mergers, consolidations, or reorganizations of business entities;
- (3) A transfer by a subsidiary corporation to its parent corporation without actual consideration or in sole consideration of the cancellation or surrender of a subsidiary stock;

(4) A transfer that constitutes a gift of more than one-half of the actual value;

(5) A transfer with only nominal consideration between immediate family members.

Immediate family members are defined as mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother- or sister-in-law, son- or daughter-in-law, father- or mother-in-law, stepfather, stepmother, stepsister, stepbrother, stepson, and stepdaughter;

(6) An instrument the effect of which is to transfer the property to the same party; or

(7) A sale for delinquent taxes or assessments, or a sale or a transfer pursuant to a foreclosure.

~~(c) Reserved. Disclosure confidentiality. The disclosure required by subsection (a) is not a public record and shall be confidential except that the disclosure required by subsection (a) shall be provided to the property owner of record and authorized agents or may be published in any appeal related to the full and true value of the property. Nothing in this subsection prevents the assessor from compiling the disclosures to determine property assessments.~~

(d) Penalty. Any person (i.e. grantee/buyer) required to disclose a property transfer under subsection 15.05.105(a) and who fails to file the disclosure with the assessor within 90 days of recording the transfer shall be subject to a civil fine as follows:

(1) \$50.00 per day.

(2) Each day that a violation continues is a separate offense.

(3) Any undisclosed property transfer required to be disclosed by subsection 15.05.105(a) (Ordinance 2020-47(am), effective date Nov. 26, 2020) accrues penalties consistent with subsection 15.05.105(d) as of the effective date of Ordinance 2022-13.

Section 3. Amendment of Section. Section 03.30.070 Violations; civil fines, is amended by adding the following:

CBJ	Type of Violation	Civil Fine
15.05.105	Real Estate Transaction Disclosure	
15.05.105(d)	Failure to Disclose within 90 days	50.00

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

Presented by: The Manager
 Introduced: February 7, 2022
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Transferring \$720,000 from CIP B55-078 RRC Detox Additions, CIP B55-082 Hospital Deferred Maintenance, and CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive and Site Improvements.

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 \$720,000 be transferred:

From: CIP

B55-082	Hospital Deferred Maintenance	(\$ 580,000)
W75-061	Douglas Hwy. Water – David to I St.	(\$ 120,000)
B55-078	RRC Detox Addition	(\$ 20,000)

To: CIP

R72-141	Hospital Drive and Site Improvements	\$ 720,000
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Section 3. Source of Funds.

Hospital Funds	\$ 600,000
Water Funds	\$ 120,000

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: February 7, 2022
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$20,000,000 to the Manager for the Planning, Design, and Construction of Bond-Funded Capital Improvement Projects at Bartlett Regional Hospital, and Deappropriating \$4,000,000 from the Manager for the Crisis Stabilization Capital Improvement Project; Funding Provided by Hospital Revenue Bond Proceeds.

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 \$20,000,000 as funding for the planning, design, and construction of the following bond-funded capital improvement projects:

B55-083	Emergency Department Addition	\$ 12,000,000
B55-080	Crisis Stabilization Center	\$ 8,000,000

Section 3. Deappropriation. There is deappropriated from the Manager the sum of \$4,000,000 for the Crisis Stabilization Capital Improvement Project.

Section 4. Source of Funds

Hospital Funds	(\$ 4,000,000)
Hospital Revenue Bond Proceeds	\$ 20,000,000

Section 5. 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: February 7, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$25,000 to the Manager for a Grant to Sealaska Heritage Institute for the 2022 Celebration Event; 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 a grant to Sealaska Heritage Institute for the 2022 Celebration event.

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: February 7, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$2,000,000 to the Manager for the Purchase of a Used Gondola for Eaglecrest Ski Area; 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 \$2,000,000 for the purchase of a used gondola at Eaglecrest Ski Area.

Section 3. Source of Funds

General Funds	\$2,000,000
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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 J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 02/07/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2968

A Resolution Naming City and Borough of Juneau Property Legally Described as Archipelago Lot 2A “Peratrovich Plaza” in Honor of Elizabeth Peratrovich.

WHEREAS, Elizabeth Peratrovich – whose Tlingit name is Ḳaaxgal.aat, a member of the Lukaax̣.ádi clan of the Raven moiety – was born on July 4, 1911, in Petersburg, Alaska, during a time of extensive segregation in the territory; and

WHEREAS, Elizabeth Peratrovich lived in various small Southeast Alaska communities during her childhood, eventually settling in Juneau in 1941; and

WHEREAS, Elizabeth Peratrovich was a civil rights activist and Grand President of the Alaska Native Sisterhood; and

WHEREAS, Elizabeth Peratrovich was instrumental in the passage of the historic Anti-Discrimination Act of 1945 (Territory of Alaska H.B. 14 (1945)); and

WHEREAS, in 1988, the Alaska State Legislature established February 16 of each year as Elizabeth Peratrovich Day; and

WHEREAS, on July 12, 2021, the CBJ Assembly approved Resolution 2961 authorizing the installation of a Elizabeth Peratrovich mural on the Marine Parking Garage; and

WHEREAS, the 60’ x 28’ mural was designed and painted by Juneau artist Crystal Rose Demientieff Worl, Deg Hit’an Athabascan from Fairbanks on her mother’s side and of the sockeye Clan of the Raven moiety and a child of a Thunderbird from the Chilkat region in Southeast Alaska; and

WHEREAS, the Docks & Harbors Board, in recognition of the newly installed mural and as a means to provide a wayfinding landmark, recommends naming the adjacent property legally described as Archipelago Lot 2A to *Peratrovich Plaza*, as tribute to Elizabeth Peratrovich for the newly constructed infrastructure between the Marine Parking Garage and Pier 49; and

41 WHEREAS, naming the property as Peratrovich Plaza celebrates and promotes the
42 contributions and heritage of the Tlingit people and the notable contributions of Elizabeth
43 Peratrovich.

44
45 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
46 JUNEAU, ALASKA:

47
48 **Section 1.** The property legally described as Archipelago Lot 2A is hereby named
49 “Peratrovich Plaza.”

50
51 **Section 2. Effective Date.** This resolution shall be effective immediately after its
52 adoption.

53
54 Adopted this ____ day of February, 2022.
55

56
57 _____
Beth A. Weldon, Mayor

58 Attest:

59
60
61 _____
62 Elizabeth J. McEwen, Municipal Clerk
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**Department of Human Resources / Risk Management**

155 Municipal Way Suite 101, Juneau, AK 99801

907-586-5250 <phone> 907-586-5392 <fax>

Email: Dallas.Hargrave@juneau.org

Date: February 1, 2022

To: City and Borough of Juneau Assembly

Thru: Rorie Watt, City Manager

From: Dallas Hargrave, Human Resources & Risk Management Director

Re: Resolution 2977 modifying the Personnel Rules to address Eaglecrest employee pay

The amendments to the Personnel Rules in Resolution 2977 are proposed because of the concern that some employees could be paid below the State of Alaska minimum wage amount of \$10.34 per hour. In order to ensure that no current or future Eaglecrest employee will be paid below the State of Alaska minimum wage, the Eaglecrest Board of Directors unanimously approved the recommendation that the Assembly amend 19 PR 025 and 19 PR 030 to read:

19 PR 025. Beginning Pay.

Except as provided in 19 PR 030 (advanced step placement), 19 PR 035 (former employee), 19 PR 040 (promoted employee), 19 PR 050 (involuntary demotion), 19 PR 051 (ADA Reassignment) or 19 PR 055 (voluntary demotion), the beginning pay of a newly appointed employee is step A of the pay range of that classification. An employee shall never be paid at a rate of pay below the minimum wage identified in Alaska Statute.

19 PR 030. Advanced Step Placement.

~~The Eaglecrest General Manager may authorize advanced step placement when the applicant selected for the position is exceptionally qualified. For the purposes of this rule, exceptionally qualified shall be defined as education or work experience that exceeds the minimum qualifications for the position and job class, as well as the education and work experience of the other candidates in the applicant pool. Advanced step placement will limit or preclude the probationary employee's eligibility for proficiency steps under 19 PR 075.~~

The Eaglecrest General Manager may authorize advanced step placement under section (a) or (b) of this rule. Advanced step placement will limit or preclude the probationary employee's eligibility for proficiency steps under 19 PR 075.

- (a) The Eaglecrest General Manager may authorize advanced step placement when the applicant selected for the position is exceptionally qualified. For the purposes of this rule, exceptionally qualified shall be defined as education or work experience that exceeds the minimum qualifications for the position and job class, as well as the education and work experience of the other candidates in the applicant pool.
- (b) If the step placement for an employee under 19 PR 025 shall be a rate of pay below the minimum wage identified in Alaska Statute, the employee shall be placed at the step of the pay range that is closest to, but not below, the current Alaska minimum wage.

This change to the Eaglecrest Personnel Rules would ensure that no employee would be paid below the Alaska minimum wage this season. Additionally if in the future, the Alaska minimum wage increases, but the Eaglecrest pay schedule does not increase, this change would ensure that Eaglecrest employees' pay will be adjusted so that it is not below the Alaska minimum wage.

Presented by: The Manager
Presented: 02/07/2022
Drafted by: Gottschalk/Palmer

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2977

A Resolution Amending the City and Borough Personnel Rules to Establish a Threshold Wage for All Current and Future Eaglecrest Employees Based on the State of Alaska's Minimum Wage.

WHEREAS, CBJ 44.05.050 authorizes the Assembly to amend the City and Borough of Juneau Personnel Rules by resolution; and

WHEREAS, the City and Borough Personnel Rules govern the rights and responsibilities of City and Borough employees, supervisors, and managers; and

WHEREAS, the Personnel Rules should reflect modern human resource management practices; and

WHEREAS, from time to time, the Personnel Rules require review and update; and

WHEREAS, the Human Resources/Risk Management Department has reviewed and revised the Personnel Rules related to Eaglecrest employee compensation, so that no current or future employees will be paid less than the State of Alaska's minimum wage; and

WHEREAS, the Eaglecrest Board unanimously passed these proposed changes to the Personnel Rules on January 6, 2022, and recommended they be forwarded to the Assembly for approval.

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

Section 1. Amendment of the Personnel Rules. That the CBJ Personnel Rules are amended by the revision shown in the attached Exhibit "A". All other CBJ Personnel Rules remain unchanged.

Section 2. Necessary Step Increases for Current and Future Eaglecrest Employees. Current and future Eaglecrest employees will receive those step increases necessary to place them in pay ranges at or above the State of Alaska's minimum wage. There are presently no employees at steps with pay ranges below the State of Alaska's minimum wage.

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

Adopted this ____ day of February, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

RULE 19**EAGLECREST SKI AREA PAY****Section****005. Scope****010. General****015. Basis of Pay****025. Beginning Pay****030. Advanced Step Placement****035. Former Employee****040. Promoted Employee****045. Pay Range Increase****050. Involuntary Demotion****051. ADA Reassignment****055. Voluntary Demotion****060. Transferred Employee****065. Change of Occupation****070. Appointment Effective Date****075. Proficiency Steps****080. Merit Anniversary Date****085. Merit Increase****086. Step Increase for Instructor Certifications****090. Step Reduction****095. End of Season Bonus****100. Acting in a Higher Range Pay****105. Overtime Defined****110. Overtime Rate****115. Overtime Payment****120. Maximum Compensatory Time****125. Compensatory Time Payment****130. Holiday Pay****133. Instructor Pay****135. Total Remuneration***(Res. No. 2370, 2006; 2422(c), 2007; 2500, 2009)*

...

19 PR 025. Beginning Pay.

Except as provided in 19 PR 030 (advanced step placement), 19 PR 035 (former employee), 19 PR 040 (promoted employee), 19 PR 050 (involuntary demotion), 19 PR 051 (ADA Reassignment) or 19 PR 055 (voluntary demotion), the beginning pay of a newly appointed employee is step A of the pay range of that classification. An employee shall never be paid at a rate of pay below the minimum wage identified in Alaska Statute.

19 PR 030. Advanced Step Placement.

The Eaglecrest General Manager may authorize advanced step placement under section (a) or (b) of this rule. Advanced step placement will limit or preclude the probationary employee's eligibility for proficiency steps under 19 PR 075.

(a) The Eaglecrest General Manager may authorize advanced step placement when the applicant selected for the position is exceptionally qualified. For the purposes of this rule, exceptionally qualified shall be defined as education or work experience that exceeds the minimum qualifications for the position and job class, as well as the education and work experience of the other candidates in the applicant pool.

(b) If the step placement for an employee under 19 PR 025 shall be a rate of pay below the minimum wage identified in Alaska Statute, the employee shall be placed at the step of the pay range that is closest to, but not below, the current Alaska minimum wage.

...

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

FROM: Caleb Comas
Contract Administrator

SUBJ: BID RESULTS:
Meadow Lane Improvements
CBJ Contract No. BE22-188

DATE: February 2, 2022

FILE: 2130

Bids were opened for the subject project on January 26, 2022. Results of the bid opening are as follows:

BIDDER	TOTAL BID
Coogan Construction Co.	\$2,088,347.00
<i>Engineer's Estimate</i>	<i>\$2,160,052.00</i>

Project Manager: John Nelson.

The WORK covered in the Contract Documents generally includes reconstruction of Meadow Lane between Stikine Street and the southern end. WORK includes replacement of the road base and asphalt with the addition of a valley gutter along both sides of the roadway. The WORK also includes replacement of the water, sewer and storm systems. WORK will consist of clearing and grubbing, excavation, ditch grading, replacement of the roadway section to a 24-inch depth with shot rock borrow, 2-inch minus shot rock with base course, and asphalt pavement, valley gutter, and other miscellaneous related WORK.

Funding Source: Sales Tax \$2,856,500; Water Fund \$470,000; Wastewater \$440,000

Total Project Funds: \$3,766,500

CIP No. R72-149

Construction Encumbrance: \$2,088,347

Construction Contingency: \$209,000

Design: \$187,000

Contract Administration/Inspection: \$167,000

CBJ Administrative costs: \$63,000

Staff recommends award of this project to Coogan Construction Co. for the total amount bid of \$2,088,347.

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____

c: CBJ Purchasing





THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

December 21, 2021

Juneau City and Borough

Via Email: beth.mcewen@juneau.org;

City.clerk@juneau.org;

di.cathcart@juneau.org

Re: Notice of 2022/2023 Liquor License Renewal Application

License Type:	Wholesale-General	License Number:	5924
Licensee:	GFA Corporation		
Doing Business As:	Co-Ho Imports AK		

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

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

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Packet Page 108 of 185
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 20, 2021

City and Borough of Juneau

VIA Email: beth.mcewen@juneau.org; city.clerk@juneau.org; di.cathcart@juneau.org

License Type:	Beverage Dispensary	License Number:	3695
Licensee:	South of the Bridge LLC		
Doing Business As:	Louie's Douglas Inn		
Premises Address:	915 3 rd Street		

- ☐ New Application
☐ Transfer of Location Application
☐ Transfer of Ownership Application
☒ Transfer of Controlling Interest Application

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

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

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Packet Page 109 of 185
**Department of Commerce, Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 20, 2021

City and Borough of Juneau

VIA Email: beth.mcewen@juneau.org; city.clerk@juneau.org; di.cathcart@juneau.org

License Type:	Recreational Site-Grandfathered AS 04.11.201(d)	License Number:	5711
Licensee:	South of the Bridge LLC		
Doing Business As:	The Old Tower Bar @ Eaglecrest		
Premises Address:	3000 Fish Creek Road		

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

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

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

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 21, 2021

City & Borough of Juneau

Attn: City Clerk

Via Email: mcb_notice@juneau.org

License Number:	11605
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Always Redeye LLC
Doing Business As:	STONED SALMON FARMS
Physical Address:	2005 Anka Street Juneau, AK 99801
Designated Licensee:	Casey Wilkins
Phone Number:	907-957-3877
Email Address:	alwaysredeyellc@gmail.com

☒ **License Renewal Application**

☐ **Endorsement Renewal Application**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart". The signature is stylized with a large, looping initial "G" and a series of connected letters.

Glen Klinkhart, Director
907-269-0350

Presented by: The Manager
 Introduced: February 7, 2022
 Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
 ALASKA

SERIAL NUMBER T-1041

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$1,401,033 be transferred:

From: CIP

R72-147	Goodwin Rd. Reconstruction	\$525,000
R72-148	Delta Drive Reconstruction	\$450,000
R72-143	Aspen Ave. – Mendenhall to Taku	\$300,000
R72-136	Areawide Drainage Improvements	\$75,000
R72-123	West 8 th St. Reconstruction	\$39,414
R72-142	Savikko Road Improvement	\$11,619

To: CIP

R72-161	Misty Ln. Reconstruction	\$750,000
R72-156	Harris St. Reconstruction	\$325,000
R72-132	Calhoun Ave. Imprv. – Main to Gold	\$251,033
R72-151	Robbie Rd., Ling Ct., and Laurie Ln.	\$75,000

The \$1,401,033 consists of:

General Sales Tax	\$1,401,033
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Moved and Approved this _____ day of _____, 2022.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: February 7, 2022
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1042

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$496,725 be transferred:

From: CIP

U76-115	Kaiser Forcemain Replacement	\$296,725
U76-121	Collection System Pump Station Upgrade	\$200,000

To: CIP

U76-100	Glacier Hwy. Sewer – Anka to Walmart	\$496,725
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The \$496,725 consists of:

Wastewater Funds	\$496,725
------------------	-----------

Moved and Approved this _____ day of _____, 2022.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 08/23/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-35

An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District.

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

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

Section 2. Amendment of Chapter. Chapter 49.25 Zoning Districts, is amended to read:

Chapter 49.25 – ZONING DISTRICTS

...

49.25.220 Mixed use districts.

...

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

49.25.230 Commercial districts.

...

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

...

Section 3. Amendment of Table. CBJ 49.25.300 Table of Permissible Uses, is amended as shown in the attached Exhibit A.

Section 4. Amendment of Table. CBJ 49.25.400 Table of Dimensional Standards, is amended as shown the attached Exhibit B.

Section 5. Amendment of Section. CBJ 49.25.430 Yard setbacks, is amended to read:

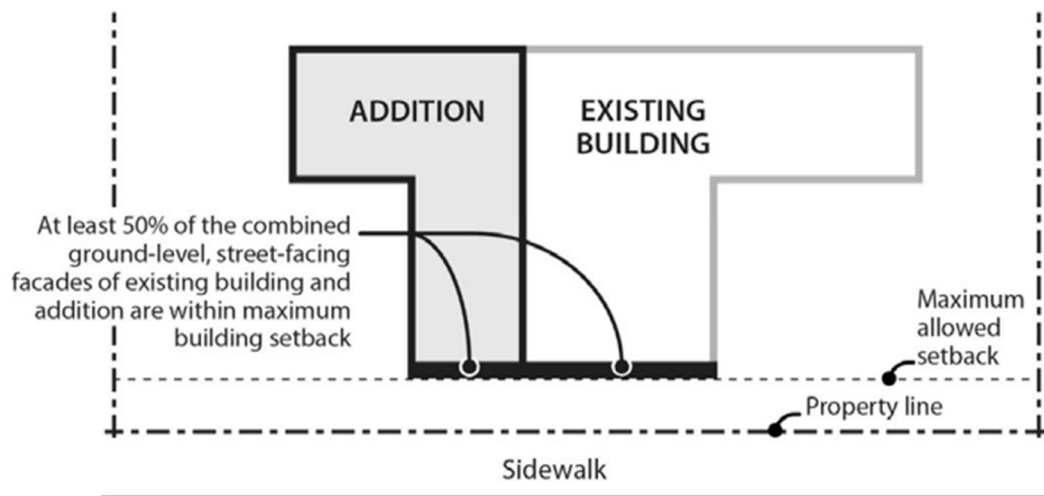
49.25.430 Yard setbacks.

...

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest conforming buildings sharing a frontage and within a 150' radius.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

Alteration to Existing Building in Conformance with Maximum Setback Standard



(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

<u>Height of building wall</u>	<u>Lots abutting a residential zone side lot line</u>	<u>Lots abutting a residential zone rear lot line</u>
<u>15 ft. or less</u>	<u>5 foot setback and landscaping</u>	<u>Underlying zoning district setback, no landscaping</u>
<u>16 – 30 ft.</u>	<u>8 foot setback and landscaping</u>	
<u>31-55 ft.</u>	<u>10 foot setback and landscaping</u>	

Section 6. Amendment of Table. CBJ 49.25.500 Density, is amended to read:
49.25.500 Density.

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

<u>Zoning District</u>	<u>Maximum Dwelling Units/Acre</u>
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.

D-10	10 units per acre
D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
<u>MU3</u>	<u>30 units per acre</u>
<u>NC</u>	<u>15 units per acre</u>
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

...

Section 7. Amendment of Chapter. Chapter 49.50 Parks, Open Space and Vegetative Cover, is amended to read:

Chapter 49.50 – PARKS, OPEN SPACE AND VEGETATIVE COVER

...

49.50.300 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
<u>MU3, mixed use district</u>	<u>10</u>
<u>NC, neighborhood commercial district</u>	<u>25</u>
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

...

Section 8. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Ordinance 2021-35 – Exhibit A

CHAPTER 49.25 - ARTICLE III. TABLE OF PERMISSIBLE USES

...

Table 49.25.300
Table of Permissible Uses

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
1.000																			
1.100	Single-family dwellings																		
	1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1			1	1 ^A	1 ^A
	1.120	Single-family detached, two dwellings per lot	1	1	1														
	1.130	Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3		
	1.140	Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3														
1.200	Duplex		1	1	1	1		1	1	1	1	1	1	1			1		
1.300	Multifamily dwellings							1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1,3</u>	<u>1, 3</u>	3		

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I
1.500	Child and Day care homes																		
	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>			
	1.520	Reserved																	
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>			
	1.540	Reserved																	
1.550	Child care residence, 6 to 9 children under 18 years of age			3	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>			
1.600	Miscellaneous, rooms for rent situations																		
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	<u>1, 3</u>	<u>1, 3</u>	3 ^N		
	1.620	Hotels, motels	3								1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	3 ^N	3 ^N	
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1, 3		
1.700	Home occupations		1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I
1.800	Mobile homes																		
	1.810	Residential mobile homes on individual lots ^E	3	3	3														
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3			3	3	3
	1.820	Mobile home parks ^E					3	3	3	3	3	3							
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3	3							
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F														
1.900	Common wall development																		
	1.910	Two dwelling units				1	1	1	1	1									
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1, 3		
	1.920	Three or more dwelling units					1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3					
2.000			SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G																
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																		

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I

	2.110	<i>Reserved</i>																
	2.120	Miscellaneous								1	1	1	1	<u>1</u>	<u>1</u>	3 ^N	3 ^N	3
	2.130	Marine merchandise and equipment	3 ^T							1, 3	1, 3	1, 3	1, 3	<u>1</u>	<u>1</u>	1, 3	3 ^N	3
2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods									1, 3	1, 3	1, 3	1, 3			3 ^N	3 ^N	3
2.300	Marijuana retail store		3							3	3	3	3	<u>3</u>		3	3	3
3.000			PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G															
3.050	Offices of not more than 1,000 square feet			3	3	3	3	3	3	1	1	1	1	<u>1</u>	<u>1</u>	1 ^N		
3.100	Offices greater than 1,000 but not more than 2,500 square feet						3	3	3	1	1	1	1	<u>1</u>	<u>1</u>	3 ^N		
3.200	<i>Reserved</i>																	
3.300	Research, laboratory uses		3 ^T							1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>		1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
3.400	Offices greater than 2,500 square feet									1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N		3 ^S
3.500	Marijuana testing facility		3							3	3	3	3					3
4.000			MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G															

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU</u> <u>3</u>	<u>NC</u>	W C	WI	I
4.050	Light manufacturing		3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
4.070	Medium manufacturing		3 ^T									3	3	3			3 ^N	1 ^N , 3 ^N	1, 3
4.100	Heavy manufacturing		3 ^T	3 ^Q														3 ^N	3
4.150	Rock crusher		3 ^T	1 ^Q	1 ^Q													3 ^N	3
4.200	Storage of explosives and ammunition		3															3 ^N	3
4.210	Seafood processing		3 ^T														3	1, 3	1, 3
4.220	Marijuana product manufacturing facility		3 ^{AC}									3	3						3
5.000			EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																
5.100	Schools																		
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>			
	5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	<u>3</u>		3 ^N	3 ^N	3
	5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>	3 ^N	3 ^N	3
5.200	Churches, synagogues, temples		3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	<u>3</u>	<u>3</u>	1 ^N , 3 ^N	3 ^N	1, 3

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I
5.300	Libraries, museums, art galleries		3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	3 ^N		
5.400	Social, fraternal clubs, lodges, union halls, yacht clubs		3 ^T								1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N	3 ^N	1, 3
6.000			RECREATION, AMUSEMENT, ENTERTAINMENT																
6.100	Indoor activity conducted entirely within building or substantial structure																		
	6.110	Bowling alleys, billiard, pool halls									1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			3
	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			3
	6.130	Theaters seating for 200 or fewer	3 ^T						3	3	1	1	1	1	<u>1, 3</u>	<u>1, 3</u>	3 ^N		3
	6.135	Theaters seating from 201 to 1,000									3	1	1	1	<u>1, 3</u>	<u>1, 3</u>	3 ^N		3
	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3			3 ^N		
	6.150	Indoor shooting range	1, 3									3							3

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I

6.200	Outdoor activity conducted outside enclosed buildings or structures																	
	6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	1, 3			<u>1, 3</u>	<u>1, 3</u>	3 ^N		3
	6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	1, 3	3	3	<u>1, 3</u>	<u>1, 3</u>	3 ^N		3
	6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3								3							3
	6.250	<i>Reserved</i>																
	6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1
	6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																
	6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	3 ^N	
	6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>	3 ^N	3 ^N	
	6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>	3 ^N	3 ^N	3
	6.280	Shooting ranges	3															3

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I

7.000		INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																
7.100	Hospital									3	3	3	3					
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			
7.200	Assisted living		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			
7.300	Day care centers						3	3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			
7.310	Child care centers	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3					
7.600	Sobering centers									3	3	3	3					
8.000		RESTAURANTS, BARS, NIGHTCLUBS																
8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T					3	3	3	1	1	1	1	<u>1</u>	<u>1</u>	1 ^N		3
8.100	Restaurants, bars without drive through service	3 ^T								1, 3	1	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N	3 ^N	3
8.200	Restaurants, coffee stands with drive through service									1, 3	1		3			1 ^N , 3 ^N	3 ^N	3
8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N	3 ^N	

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I

9.000		BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3					1, 3
9.100	Motor vehicle repair and maintenance, including body work										3							1
9.200	Automotive fuel station	3 ^T								3	1							1
9.300	Car wash									3	1							1
9.400	Boat sales or rental	3 ^T								3	1					1	1	1
9.450	Boat repairs and maintenance	3 ^T									3					1	1	1
9.500	Marine fuel, water sanitation	3 ^T														1, 3	1, 3	1, 3
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3														3	3	
10.000		STORAGE, PARKING, MOORAGE																
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>			1
10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
	10.210 All storage within completely enclosed structures	1, 3	3							3	1	1 ^U , 3 ^U	1 ^U , 3 ^U			1 ^N , 3 ^N	1 ^N	1

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU3</u>	<u>NC</u>	W C	WI	I
	10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3					1 ^N , 3 ^N	1 ^N	1
	10.230	Snow storage basin																	
	10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1			<u>3^Z</u>	<u>3^Z</u>	3 ^Z	1	1
	10.235	Regional, ½ to 1 acre	3	3	3 ^Z						3 ^Z	3					3 ^Z	1	1
	10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z							3 ^Z						3	3
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot		1, 3	3								1, 3					1 ^N , 3 ^N	1 ^N , 3 ^N	1
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time		1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	<u>3</u>	<u>3</u>	3	1 ^N	1
10.500	Moorage																		
	10.510	Public, commercial	3	3	3						3	3	3	3	<u>1, 3</u>	<u>1, 3</u>	1, 3	1, 3	1, 3
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1, 3	1, 3	1, 3
10.600	Floating structures supporting seasonal, commercial recreation		3	3	3										<u>3</u>	<u>3</u>	3	3	

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU</u> <u>3</u>	<u>NC</u>	W C	WI	I

11.000			MATERIALS SALVAGE YARDS, WASTE MANAGEMENT															
11.100	Recycling operations																	
	11.110	Enclosed collection structures ⁰ of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	<u>1^P</u>	<u>1^P</u>	1	1	1
	11.120	Enclosed structures for recyclable materials collection	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3 ^P	1 ^P , 3 ^P	3	3	<u>3^P</u>	<u>3^P</u>	1	1	1 ^P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure															1 ^N	1
11.200	Reclamation landfill not associated with a specific use		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3 ^N	3 ^N	1, 3
11.300	Sanitary landfill		3															3
12.000			SERVICES AND ENTERPRISES RELATED TO ANIMALS															
12.100	Veterinary clinic		3	3	3					3	1, 3	3	3	<u>3</u>	<u>3</u>	1 ^N , 3 ^N	1 ^N , 3 ^N	1
12.200	Kennel		3	3						3	3							1, 3
12.250	Day animal services, grooming, walking, day care		3	3	3	3	3			3	3	3	3	<u>1, 3</u>	<u>1, 3</u>			1, 3

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component		3	3							3	3		3			3 ^N		3
12.310	Wild animal rehabilitation facilities without a visitor component		3	3	3	3					3	3					3 ^N		3
12.400	Horseback riding stables, dog team yards		3	3							3	3							3
13.000			EMERGENCY SERVICES																
13.100	Fire, police, ambulance		3	3	3	3	3	3	3	3	3	3	3	3	<u>3</u>	<u>3</u>	3 ^N	3 ^N	1, 3
14.000			AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																
14.100	Aquaculture		3	3	3						3	3	3	3	<u>1, 3</u>	<u>1, 3</u>	1	1	3
14.150	Weirs, channels, and other fisheries enhancement		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1	1	1
14.200	Commercial agricultural operations																		
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3			<u>3</u>	<u>3</u>			1, 3
	14.220	Including farm animals ^M	1, 3	3															1, 3
	14.230	Stabling of farm animals ^M	3	3	3	3					3	3							1, 3
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU3</u>	<u>NC</u>	WC	WI	I

	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3							3
14.250	Personal use agriculture																		
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	<u>1</u>	<u>1</u>	1	1	1
14.300	Silviculture and timber harvesting ^l		3	3															3
14.400	Mining operations		2, 3 ^K	3	3												3 ^N	3 ^N	2
14.500	Sand and gravel operations ^l		3	3	3						3	3					3 ^N	3 ^N	3
14.800	Spring water bottling		3	3			3	3	3	3	3	3				<u>3</u>			1, 3
15.000			MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																
15.100	Post office		3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	3 ^N	3 ^N	1, 3
15.200	Airport		3																1, 3
15.400	Military reserve, National Guard centers		3	3	3						3	3					3 ^N	3 ^N	3
15.500	Heliports, helipads		3									3					3 ^N	3 ^N	3
15.600	Transit facilities																		
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	3		1, 3

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU3</u>	<u>NC</u>	W C	WI	I
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3		<u>3</u>			1
15.700		Public works facility	3	3	3	3					3	3							1, 3
16.000			DRY CLEANER, LAUNDROMAT																
16.100		Drop off and pickup only, no onsite laundry or dry cleaning process								1, 3	1, 3	1, 3	1, 3	1, 3	<u>1, 3</u>	<u>1, 3</u>	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
16.200		Full service onsite laundry and/or dry cleaning									3	1, 3	3	3	<u>1, 3</u>	<u>1, 3</u>	3 ^N	1 ^N , 3 ^N	1, 3
17.000			UTILITY FACILITIES																
17.100		Minor	1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1
17.150		Intermediate	3	3	3	3	3	3	3	3	3	1, 3	3	3	<u>3</u>	<u>3</u>	1, 3	1	1
17.200		Major	3	3	3	3	3	3	3	3	3	3			<u>3</u>	<u>3</u>	3	3	3
17.300		Driveways and private roads																	
18.000			TOWERS AND RELATED STRUCTURES																
18.100 ^{AA}		Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1
18.200 ^{AA}		Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	<u>3</u>	<u>3</u>	1	1	1

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
18.300 ^{AA}	Towers and antennas more than 50 feet in height		3	3	3	3	3	3	3	3	3	3	3	3			3	3	1
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^R		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities					See CBJ 49.65, Wireless Communication Facilities													
19.000			OPEN AIR MARKETS, NURSERIES, GREENHOUSES																
19.100	Open air markets (farm, craft, flea, and produce)		1, 3	1, 3							1, 3	1	1, 3	1, 3	1, 3	1, 3 ^N	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
19.200	Nurseries, commercial greenhouses																		
	19.210	Retail sales	3	3	3	3	3	3	3	3	1, 3	1	1 ^V	1 ^V	1, 3	1, 3			1
	19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 ^V	1 ^V					1
	19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3
	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3							3
20.000			CEMETERY, CREMATORIUM, MORTUARY																
20.100	Cemetery		1, 3	3	3	3	3	3	3	3	3	3							

			Zones																
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	<u>MU 3</u>	<u>NC</u>	W C	WI	I
20.200	Crematorium		3																1, 3
20.300	Funeral home		3	3	3	3	3	3			1, 3	1	3	3	<u>1, 3</u>	<u>1, 3</u>			
21.000			VISITOR-ORIENTED, RECREATIONAL FACILITIES																
21.100	Resort, lodge		3	3															
21.200	Campgrounds		1, 3	3															
21.300	Visitor, cultural facilities related to features of the site		3	3							3	3	3	3	<u>3</u>	<u>3</u>	3 ^N		
22.000			TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																
22.100	Temporary structures used in connection with construction		1	1	1	1	1	1	1	1	1	1	1	1	<u>1</u>	<u>1</u>	1	1	1

Key:

- 1. Department approval requires the department of community development approval only.
- 1, 3. Department approval required if minor development, conditional use permit required if major development.
- 2. Allowable use permit requires planning commission approval.
- 3. Conditional use permit requires planning commission approval.
- 2, 3. Allowable use permit required if minor development, conditional use permit required if major development.

Notes:

- A. A single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.
- B. *Reserved.*
- C. *Reserved.*
- D. *Reserved.*
- E. See special use regulations for mobile homes, chapter 49.65, article III.
- F. See special use regulations for recreational vehicles, chapter 49.65, article IV. This use allowed by service area designation not zoning district.
- G. All uses subject to additional performance standards, chapter 49.65, article VIII.
- H. *Reserved.*
- I. *Reserved.*
- J. Applies to over 2 acres of harvest area.
- K. See special use regulations, chapter 49.65, article I. Mining operations are a conditional use in the urban mining district and an allowable use in the rural mining district.

- L. See special use regulations, chapter 49.65.200, article II.
- M. Only applicable to the commercial or private stabling of more than three farm animals, or where the running or stabling area is closer than 100 feet to the nearest residence other than the owner for any number of farm animals.
- N. Use must be water-dependent, water-related, or water-oriented.
- O. Standards for collection structures: containers must be well maintained and allow no spillage of contents; a specific person or group must be responsible for maintenance of the structure and that person or group shall have a contact telephone number posted on the collection structure; collection structure must be situated so as to not affect traffic or parking; directional signs shall be limited to six square feet and identification signs shall be limited to 24 square feet; such signs will not be included in total sign area allowed for a complex; and the structure shall not exceed a height of six feet. Identification is to be in the following format: greater prominence, the City and Borough recycling logo and the recyclable material identification; lesser prominence, the sponsor name and the contact phone number.
- P. Preexisting allowable or conditional use permit: If recycling activity is determined by the director to be an accessory use to a use previously permitted under either an allowable or a conditional use permit, the activity may be approved by the department. Other conditions may be required before recycling activity is permitted.
- Q. Must be in conjunction with an approved state or municipal public road construction project, and must be discontinued at the completion of the project. Road construction by private parties for subdivision development is excluded except as provided in this title. Rock crushed on-site must be used on-site. Crushing shall be limited to 8:00 a.m.—5:00 p.m. unless the director authorizes otherwise.
- R. Towers shall: be for amateur use only; meet the setback requirements of the zoning district; be unlit except as required by the Federal Aviation Administration. Towers shall be installed in conformance with a valid building permit, application for which shall include a copy of the applicant's amateur station license.
- S. Limited to lots directly fronting on Glacier Highway West of Industrial Boulevard.
- T. Must be associated with a unique site specific feature in order to function. Example: Glacier research station - Juneau Icefield location.
- U. No storage permitted on the first floor of a building.
- V. Primarily intended for rooftop locations in urban areas.
- W. The capacity of a park shall be determined by the Director of the Community Development Department or designee in consultation with the Director of the Parks and Recreation Department.

- X. Special requirements apply to accessory apartment applications. See CBJ § 49.25.510(k).
- Z. Snow storage may be permitted for a maximum of five years. After five years a new application must be filed.
- AA. Does not apply to wireless communication facilities.
- AB. Use is prohibited in the urban service area but allowed outside the urban service area. An owner or manager must live on site.
- AC. Use is prohibited within 1,000 feet of recognized neighborhood association established in accordance with CBJ chapter 11.35.

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
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	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
	Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5' ^{5,8}	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
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Maximum street side yard setback											15'	10'					
Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' ¹¹	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' ¹¹	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

- Minimum lot size is existing lot or area shown on chart in square feet.
- Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
- Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
- (Height Bonus) Reserved.
- (Pedestrian Amenities Bonus) Reserved.
- Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
- Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
- On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
- Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.
- For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - Minimal lot area includes 50% of adjacent alley (see graphic).
 - Minimal lot depth includes 50% of the width of adjacent alley.
 - Minimum front yard setback of ten feet.
- Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

**HOSPITAL REVENUE BONDS
(BARTLETT REGIONAL HOSPITAL PROJECT)**

Serial No. 2021-43

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF HOSPITAL REVENUE BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000 TO PROVIDE FINANCING FOR CAPITAL IMPROVEMENTS TO BARTLETT REGIONAL HOSPITAL; PROVIDING FOR THE FORM AND TERMS OF THE BONDS; PROVIDING A METHOD OF PAYMENT THEREFOR; AND RESERVING THE RIGHT TO ISSUE REVENUE BONDS ON A PARITY WITH THE BONDS UPON COMPLIANCE WITH CERTAIN CONDITIONS.

Approved: February 7, 2022

Prepared by:

K&L GATES LLP
Seattle, Washington

City and Borough of Juneau, Alaska
Ordinance Serial No. 2021-43
Table of Contents*

		Page
Section 1.	Classification.....	2
Section 2.	Definitions.....	2
Section 3.	The Projects	9
Section 4.	Costs of the Projects.....	9
Section 5.	Authorization of Bonds.....	9
Section 6.	Registration, Exchange and Payments.....	10
Section 7.	Prepayment and Redemption	11
Section 8.	Priority of Payments from Hospital Revenue Account.....	12
Section 9.	Bond Account	13
Section 10.	Sale of Bonds	17
Section 11.	Undertaking to Provide Ongoing Disclosure.....	17
Section 12.	Insurance	17
Section 13.	Disposition of Proceeds of the Bonds.....	17
Section 14.	Defeasance	18
Section 15.	Specific Covenants.....	18
Section 16.	Future Parity Bonds	21
Section 17.	Lost, Stolen or Destroyed Bonds	23
Section 18.	Form of Bonds and Registration Certificate	23
Section 19.	Execution of Bonds.....	26
Section 20.	Supplements and Amendments.....	27
Section 21.	Compliance with Parity Conditions	28
Section 22.	Severability	28
Section 23.	Effective Date	28

* This Table of Contents and the cover page are provided for convenience only and are not a part of this ordinance.

Presented by: The Manager
Introduced: 01/10/22
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-43

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

WHEREAS, the City and Borough of Juneau, Alaska (the “City and Borough”) owns and operates Bartlett Regional Hospital (the “Hospital”); and

WHEREAS, the Hospital is in need of expansion and renovation (hereinafter defined as the “Projects”); and

WHEREAS, the City and Borough is authorized by its Home Rule Charter to issue revenue bonds for capital project purposes without a vote of the electors; and

WHEREAS, it appears to be in the best interests of the City and Borough and its residents to finance all or a portion of the costs of the Projects by means of the revenue bonds authorized herein, in the amount of not to exceed \$20,000,000, payable solely from the Net Revenues (as defined herein) of the Hospital; and

WHEREAS, the City and Borough has outstanding its Hospital Revenue Refunding Bond, 2021 (Taxable) (Bartlett Regional Hospital Project) (Amending 2013 Hospital Revenue Refunding Bond) in the principal amount of \$18,260,000 (the “Outstanding Parity Bonds”); and

WHEREAS, Ordinance Serial No. 2012-23 and Ordinance Serial No. 2020-21, as amended (together, the “Outstanding Parity Bond Ordinance”) authorize the City and Borough to issue hospital revenue bonds in the future upon compliance with the terms and conditions set forth in the Outstanding Parity Bond Ordinance; and

WHEREAS, it appears to the Assembly of the City and Borough (the “Assembly”) that such conditions can be met and that it is in the best interests of the City and Borough and its residents that the Bonds be issued on a parity with the Outstanding Parity Bonds; and

WHEREAS, the Outstanding Parity Bonds were sold to the Alaska Municipal Bond Bank (the “Bond Bank”); and

WHEREAS, the Assembly finds that it is in the best interest of the City and Borough to sell the bonds herein authorized to the Bond Bank on the terms and conditions set forth herein and in a loan agreement between the City and Borough and the Bond Bank, as authorized by this ordinance;

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. Definitions. As used in this ordinance, unless a different meaning clearly appears from the context:

Accreted Value means with respect to any Capital Appreciation Bonds, as of any date of calculation, the sum of the amount set forth in the ordinance authorizing their issuance as the amount representing the initial principal amount of such Capital Appreciation Bonds plus the interest accumulated, compounded and unpaid thereon as of the most recent compounding date. The Accreted Value shall be determined in accordance with the provisions of the ordinance authorizing the issuance of such Balloon Maturity Bonds.

Accountant means any independent public accountant or firm of independent public accountants selected by the Hospital and not objected to by the Bond Bank.

Accounts means the Hospital Revenue Account and the Bond Account and shall include all subaccounts therein.

Annual Debt Service means the total amount of Debt Service for any Parity Bond or series of Parity Bonds or other evidences of indebtedness payable from Hospital Revenues in any fiscal year or Base Period.

Assembly means the Assembly of the City and Borough of Juneau as the same shall be duly and regularly constituted from time to time.

Balloon Maturity Bonds means any evidences of indebtedness of the City and Borough payable from Hospital Revenues which are so designated in the ordinance pursuant to which such indebtedness is incurred.

Base Period means each of the two most recently completed fiscal years of the City and Borough for which audited financial statements are available within the 36-month period immediately preceding the date of issuance of an additional series of Future Parity Bonds.

Bond Account means the “City and Borough of Juneau Hospital Revenue Bond Account” authorized to be created in the office of the Finance Director pursuant to this ordinance.

Bond Bank means the Alaska Municipal Bond Bank, a public corporation and instrumentality of the State of Alaska, created pursuant to the provisions of Chapter 85, Title 44, Alaska Statutes, as amended.

Bond Bank Bonds means bonds to be issued by the Bond Bank to provide funds to be loaned to the City and Borough pursuant to the Loan Agreement.

Bond Register means the registration books for the Bonds, maintained by the Bond Registrar, for the purpose of complying with the requirements of Section 149 of the Code and listing, inter alia, the names and addresses of all registered owners of the Bonds.

Bond Registrar means the Finance Director, for the purposes of registering and authenticating the Bonds, maintaining the Bond Register, and paying the principal of and interest on the Bonds.

Bonds mean the not to exceed \$20,000,000 aggregate par value of City and Borough of Juneau, Alaska, Hospital Revenue Bond, 2022[Series Designation] (Bartlett Regional Hospital Project) authorized to be issued in one or more series pursuant to this ordinance.

Bond Bank Reserve Agreement means the Reserve Depositary Agreement, among the Bond Bank Trustee and the City and Borough.

Bond Bank Trustee means The Bank of New York Mellon Trust Company, N.A., as the trustee for the Bond Bank under the terms of the 2005 General Obligation Bond Resolution adopted by the Board of Directors of the Bond Bank on July 13, 2005 and shall include any successor thereto as provided in said Resolution.

Capital Appreciation Bonds means any Future Parity Bonds all or a portion of the interest on which is compounded, accumulated and payable only upon redemption or on the maturity date of such Capital Appreciation Bonds. If so provided in the ordinance authorizing their issuance, Future Parity Bonds may be deemed to be Capital Appreciation Bonds for only a portion of their term. On the date on which Future Parity Bonds no longer are Capital Appreciation Bonds, they shall be deemed outstanding in a principal amount equal to their Accreted Value.

City and Borough means the City and Borough of Juneau, a municipal corporation organized and existing under the laws of the State of Alaska.

City and Borough Representative means the City Manager or such other official or employee of the City and Borough designated in writing by the City Manager.

City Manager means the city manager or interim city manager of the City and Borough.

Code means the United States Internal Revenue Code of 1986, as amended, together with all applicable rulings and regulations heretofore or hereafter promulgated thereunder.

Consultant means a professional investment banking firm, certified public accounting firm, commercial banking institution or financial advisory firm having the skill and experience necessary to render the certificate required by Section 16 of this ordinance or to perform the services required in Section 15(a) of this ordinance, as the case may be. Any Consultant appointed by the City and Borough shall be nationally recognized and approved by the Bond Bank. The Consultant shall be appointed by the City and Borough to perform the duties of the Consultant as required by this ordinance who at the time shall be employed for no other purpose by the Hospital or the City and Borough. For the purposes of delivering any certificate required by Section 16 of this ordinance and making the calculation required by Section 16 of this ordinance, the term

Consultant shall also include any independent public accounting firm appointed by the City and Borough to make such calculation or to provide such certificate.

Contributions means the aggregate amount of all contributions, grants, gifts, bequests and devises actually received in cash or marketable securities by the Hospital in the applicable Fiscal Year of the Hospital and any such contributions, grants, gifts, bequests and devises received in a form other than cash or marketable securities by the Hospital which are converted in the applicable Fiscal Year of the Hospital to cash or marketable securities and which, in either case, are not restricted in any way which would prevent their application to the payment of debt service on Parity Bonds or to the payment of Costs of Maintenance and Operation.

Costs of Maintenance and Operation means the aggregate of all expenses incurred in the maintenance and operation of the Hospital, as calculated in accordance with GAAP, but shall not include any payments for debt service or into reserve funds, depreciation or taxes levied or imposed by the City and Borough or payments to the City and Borough in lieu of taxes, or capital additions or capital replacements to the Hospital.

Credit Facility means any Qualified Letter of Credit or Qualified Insurance.

Debt Service means, for any period of time,

(a) with respect to any outstanding Capital Appreciation Bonds which are not designated as Balloon Maturity Bonds in the ordinance authorizing their issuance, the principal amount thereof shall be equal to the Accreted Value thereof maturing or scheduled for redemption in such period, and the interest payable during such period;

(b) with respect to any outstanding Fixed Rate Bonds, an amount equal to (1) the principal amount of such Fixed Rate Bonds due or subject to mandatory redemption during such period and for which no sinking fund installments have been established, (2) the amount of any payments required to be made during such period into any sinking fund established for the payment of any such Fixed Rate Bonds, plus (3) all interest payable during such period on any such outstanding Fixed Rate Bonds and with respect to Fixed Rate Bonds with mandatory sinking fund requirements, calculated on the assumption that mandatory sinking fund installments will be applied to the redemption or retirement of such Fixed Rate Bonds on the date specified in the ordinance authorizing such Fixed Rate Bonds; and

(c) with respect to all other series of Parity Bonds, other than Fixed Rate Bonds, Capital Appreciation Bonds, specifically including but not limited to Balloon Maturity Bonds and Parity Bonds bearing variable rates of interest, an amount for any period equal to the amount which would have been payable for principal and interest on such Parity Bonds during such period computed on the assumption that the amount of Parity Bonds as of the date of such computation would be amortized (1) in accordance with the mandatory redemption provisions, if any, set forth in the ordinance authorizing the issuance of such Parity Bonds, or if mandatory redemption provisions are not provided, during a period commencing on the date of computation and ending on the date 30 years after the date of issuance (2) at an interest rate equal to the yield to maturity set forth in the 30-Bond Index published in the edition of *The Bond Buyer* (or comparable publication or such other similar index selected by the City and Borough) and published within ten days prior to the

date of calculation or, if such calculation is being made in connection with the certificate required by Section 16 of this ordinance, then within ten days of such certificate, (3) to provide for essentially level annual debt service of principal and interest over such period. Debt Service shall be net of any interest funded out of Bond proceeds. Debt Service shall include reimbursement obligations to providers of Credit Facilities to the extent authorized by ordinance.

Environmental Laws shall mean any federal, state or local law, statute, ordinance, or regulation pertaining to health, industrial hygiene, or the environmental conditions on, under or about the Real Property, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (“CERCLA”), 42 U.S.C. Section 9601, et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 (PL 99-499), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Toxic Substance Control Act, 15 U.S.C. Section 2601, et seq., and the Resource Conservation and Recovery Act of 1976, as amended (“RCRA”), 42 U.S.C. Section 6901, et seq.

Federal Tax Certificate means the certificate executed on behalf of the City and Borough upon the issuance of the Bonds and including certain representations regarding the use and application of the Bond proceeds and the payment of rebatable arbitrage, if any, with respect to the Bonds.

Finance Director means the director of the finance department or interim director of the finance department of the City and Borough.

Fiscal Year means the fiscal year of the City and Borough, currently July 1 through June 30.

Fitch means Fitch Ratings, Inc., organized and existing under the laws of the State of Delaware, its successors and their assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Fitch” shall be deemed to refer to any other nationally recognized securities rating agency designated by the City Manager or his/her designee.

Fixed Rate Bonds means those Parity Bonds other than Capital Appreciation Bonds or Balloon Maturity Bonds issued under an ordinance in which the rate of interest on such Parity Bonds is fixed and determinable through their final maturity or for a specified period of time. If so provided in the ordinance authorizing their issuance, Parity Bonds may be deemed to be Fixed Rate Bonds for only a portion of their term.

Future Parity Bonds means any revenue bonds which the City and Borough may hereafter issue having a lien upon the Hospital Revenues for the payment of the principal thereof and interest thereon equal to the lien of the Outstanding Parity Bonds and the Bonds upon the Hospital Revenues.

GAAP means generally accepted accounting principles as from time to time in effect.

Government Obligations means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America and bank certificates of deposit secured by such obligations.

Hazardous Substances include without limitation:

- (a) Those substances included within the definitions of “hazardous substances,” “hazardous materials,” “toxic substances,” or “solid waste” in CERCLA, RCRA, the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., and the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., and in the regulations promulgated pursuant to said laws;
- (b) Those substances defined as “dangerous wastes,” “hazardous wastes” or as “hazardous substances” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., and in the regulations promulgated pursuant to said laws;
- (c) Any material, waste or substance which is (1) petroleum, (2) asbestos, (3) polychlorinated biphenyls, (4) designated as a “hazardous substance” pursuant to Section 311 of the Clean Water Act, 33 U.S.C. Section 1251, et seq. (33 U.S.C. Section 1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. Section 1317) (5) flammable explosives; or (6) radioactive materials;
- (d) Those substances listed in the United States Department of Transportation Table (49 C.F.R. 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 C.F.R. Part 302 and amendments thereto);
- (e) Storm water discharge regulated under any federal, state or local law, ordinance or regulation relating to storm water drains, including, but not limited to, Section 402(p) of the Clean Water Act, 33 U.S.C. Section 1342 and the regulations promulgated thereunder; and
- (f) Such other substances, materials and wastes which are or become regulated under applicable local, state or federal law, or the United States government, or which are classified as hazardous or toxic under federal, state or local laws or regulations:

Hospital means Bartlett Regional Hospital owned and operated by the City and Borough.

Hospital Revenue Account means the enterprise fund of the City and Borough known as the “Bartlett Regional Hospital Fund”.

Hospital Revenues means, for any specified period, the sum of (a) gross patient service revenues of the Hospital less contractual allowances and provisions for uncollectible accounts, free care and discounted care, plus (b) other operating revenues of the Hospital, plus (c) nonoperating revenues including receipts from the City and Borough (other than Contributions, income derived from the sale of assets not in the ordinary course of business, any gain or loss from the extinguishment of debt or any other extraordinary item, but including proceeds of business interruption insurance), plus (d) Contributions, all as determined in accordance with GAAP. **Hospital Revenues** shall also include any federal or state reimbursements of operating expenses to the extent such expenses are included as “Costs of Maintenance and Operation” and all earnings from the investment of money in the Bond Account which earnings are deposited in the Bond Account. **Hospital Revenues** shall exclude the proceeds from the sale of Hospital property, City and Borough taxes collected by or through the Hospital, principal proceeds of bonds and earnings or proceeds from any investments in a trust, defeasance or escrow fund created to defease or refund obligations payable from Hospital Revenues (until commingled with other earnings and revenues

of the Hospital) or held in a special account for the purpose of paying a rebate to the United States Government under the Code.

Loan Agreement means the Loan Agreement for the Bonds by and between the City and Borough and the Bond Bank authorized to be entered into pursuant to Section 10 of this ordinance.

Maximum Annual Debt Service means highest dollar amount of Annual Debt Service in any fiscal year or Base Period for all outstanding Parity Bonds.

Moody's means Moody's Investors Service, Inc., its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, "Moody's" shall be deemed to refer to any other nationally recognized securities rating agency designated by the City Manager or his/her designee.

Net Revenue means Hospital Revenues less Costs of Maintenance and Operation.

Outstanding Parity Bonds mean the City and Borough's Hospital Revenue Refunding Bond, 2021 (Taxable) (Bartlett Regional Hospital Project) (Amending 2013 Hospital Revenue Refunding Bond) in the principal amount of \$18,260,000.

Outstanding Parity Bond Ordinance means Ordinance Serial No. 2012-23 and Ordinance Serial No. 2020-21, as amended.

Parity Bonds means the Outstanding Parity Bonds, the Bonds and any Future Parity Bonds.

Parity Requirement means (a) historical Net Revenues for the Base Period at least equal to or greater than 125% of Maximum Annual Debt Service for all Parity Bonds (including the Future Parity Bonds then proposed to be issued) or (b) Net Revenues, as adjusted by a Consultant, described in Section 16 of this ordinance, equal to at least 150% of Maximum Annual Debt Service for all Parity Bonds (including the Future Parity Bonds then proposed to be issued), commencing with the first fiscal year after the anticipated completion of the facilities to be financed with the proceeds of the Future Parity Bonds.

Payment Date means each day on which a payment of principal and/or interest on the Bonds comes due following their issuance and delivery.

Principal and Interest Account means the account of that name created within the Bond Account pursuant to Section 9 of this ordinance.

Projects mean the construction of a crisis stabilization building, expansion and remodeling of the emergency room and capital improvements to the Hospital.

Project Account means the Hospital Project Account, into which certain net proceeds of the Bonds shall be deposited.

Qualified Insurance means any non-cancelable municipal bond insurance policy or surety bond issued by any insurance company licensed to conduct an insurance business in any state of the United States (or by a service corporation acting on behalf of one or more such insurance

companies) which insurance company or companies, as of the time of issuance of such policy or surety bond, are currently rated in one of the two highest Rating Categories by two of the Rating Agencies.

Qualified Letter of Credit means any irrevocable letter of credit issued by a financial institution for the account of the City and Borough on behalf of registered owners of the Bonds, which institution maintains an office, agency or branch in the United States and as of the time of issuance of such letter of credit, is currently rated in one of the two highest Rating Categories by a Rating Agency.

Rate Covenant means Net Revenue in each fiscal year at least equal to 115% of the amounts required in such fiscal year to be paid as scheduled debt service (principal and interest) on all Parity Bonds, excluding therefrom interest funded from Parity Bond proceeds.

Rating Agency means Moody's or S&P or Fitch.

Rating Category means the generic rating categories of the Rating Agency, without regard to any refinement or gradation of such rating category by a numerical modifier or otherwise.

Registered Owner means the person named as the registered owner of a Bond in the Bond Register.

Reserve Account means the Reserve Account held by Bond Bank Trustee pursuant to the Bond Bank Reserve Agreement.

Reserve Requirement means, with respect to Parity Bonds outstanding, the lesser of (a) 125% of Average Annual Debt Service, (b) 10% of the net proceeds of each series of Parity Bonds secured by the Reserve Account, or (c) Maximum Annual Debt Service. The Reserve Requirement shall be established as of the date of issuance of each series of Parity Bonds and shall be re-calculated thereafter upon any decrease in Average Annual Debt Service or Maximum Annual Debt Service with respect to all Parity Bonds scheduled to mature following the date of re-calculation.

S&P means S&P Global Ratings, its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, "S&P" shall be deemed to refer to any other nationally recognized securities rating agency designated by the City Manager or his/her designee.

State means the State of Alaska.

Valuation Date means each July 1.

Rules of Interpretation. In this ordinance, unless the context otherwise requires:

(a) The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before, the date of this ordinance;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several sections of this ordinance, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect;

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

(f) Words importing the singular number include the plural number and vice versa.

Section 3. The Projects. The Assembly hereby ratifies and approves the Projects. The Projects have and will be undertaken in accordance with specifications and contracts for acquisition and construction approved by the Assembly from time to time.

It is hereby provided that said Projects shall be subject to such changes as to details of design or any other details of said Projects as may be authorized by the Assembly either prior to or during the actual course of construction.

The City and Borough may proceed with the construction and installation of the Projects as herein authorized, either alone or in conjunction with the construction of other facilities, and in whole, or in successive parts or units from time to time as may be found advisable.

Section 4. Costs of the Projects. The estimated cost of the Projects is hereby declared to be, as near as may be, the sum of up to \$26,750,000 (including all financing costs), of which not more than \$20,000,000 (Bonds amount minus projected reserve account deposit) will be paid for from the proceeds of the Bonds. The balance of the costs of the Projects are anticipated to be paid from local sales taxes, federal funds, interest earnings, grants, donations, and revenues of the Hospital. The City and Borough will use its best efforts to complete the Projects to the extent of available funds.

Section 5. Authorization of Bonds.

(a) *Authorization.* The City and Borough shall issue and sell not to exceed \$20,000,000 of its hospital revenue bonds (the “Bonds”) in one or more series for the purpose of providing financing for a portion of the costs of the Projects, funding the Reserve Requirement, and paying the costs of issuance of the Bonds.

(b) *Bond Details.* The Bonds shall be designated as the “City and Borough of Juneau, Alaska Hospital Revenue Bond, 2022[Series Designation] (Bartlett Regional Hospital Project),” shall be dated as of the date established pursuant to Section 10 of this ordinance, shall be fully registered as to both principal and interest, shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification, and shall bear interest from their date payable on the dates set forth in the Loan Agreement, and shall come due on the dates set forth in the Loan Agreement of the following years in the following estimated principal installments:

Maturity Year	Amount
2022	\$ 545,000
2023	575,000
2024	600,000
2025	635,000
2026	665,000
2027	700,000
2028	735,000
2029	775,000
2030	810,000
2031	855,000
2032	900,000
2033	945,000
2034	990,000
2035	1,045,000
2036	1,095,000
2037	1,155,000
2038	1,210,000
2039	1,275,000
2040	1,340,000
2041	1,410,000

Total: \$18,260,000*

* Principal maturities do not add to \$20,000,000, in anticipation of selling Bonds with original issue premium, generating not more than \$20,000,000 in net proceeds.

If the Bonds are sold in more than one series, the principal maturities of a series shall be applied to reduce the foregoing schedule as provided in the resolution approving the sale of that series; provided that in the aggregate the foregoing estimated principal amounts may increase or decrease in any year by 25%, and *provided, further*, in the aggregate, the Bonds shall be issued in principal amounts that provide no more than \$20,000,000 (principal amount plus premium, if any, less costs of issuance) in net proceeds or \$20,000,000 in principal amount, whichever is less.

Section 6. Registration, Exchange and Payments. The Finance Director shall act as authenticating agent, paying agent and registrar for the Bonds (collectively, the “Bond Registrar”). The principal of and interest on the Bonds shall be payable in lawful money of the United States

of America. Interest on the Bonds shall be calculated on the basis of a 360-day year and twelve 30-day months. Interest on the Bonds shall be paid by check or draft of the Bond Registrar mailed (on the date such interest is due) to the Registered Owners or nominees at the addresses appearing on the Bond Register on the fifteenth day of the month preceding each interest payment date. Principal of the Bonds shall be payable upon presentation and surrender of the Bonds to the Bond Registrar by the registered owners or nominees at the office of the Bond Registrar. Notwithstanding the foregoing, so long as the Bond Bank is the Registered Owner of the Bonds, payments of principal of and interest on the Bonds shall be made to the Bond Bank in accordance with the Loan Agreement.

The Bonds may be transferred only on the Bond Register maintained by the Bond Registrar for that purpose upon the surrender thereof by the registered owner or nominee or his/her duly authorized agent and only if endorsed in the manner provided thereon, and thereupon a new fully registered Bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Upon surrender thereof to the Bond Registrar, the Bond is interchangeable for a bond or bonds in any authorized denomination of an equal aggregate principal amount and of the same interest rates and maturities. Such transfer or exchange shall be without cost to the Registered Owner or transferee.

The City and Borough may deem the person in whose name each Bond is registered to be the absolute owner thereof for the purpose of receiving payment of the principal of and interest on such Bond and for any and all other purposes whatsoever.

Section 7. Prepayment and Redemption.

(a) *Optional Prepayment.* Provisions for the optional prepayment of some or all principal installments of the Bonds may be established pursuant to Section 10 of this ordinance and shall be set forth in the Loan Agreement.

(b) *Extraordinary Optional Redemption.* In the event that all or any substantial portion of the facilities of the Hospital shall have been damaged or destroyed (i) to the extent that they cannot, in the City and Borough's judgment, be reasonably restored within a period of six months to the condition thereof immediately preceding such damage or destruction, or (ii) to such extent that the City and Borough is thereby prevented, in its judgment, from carrying on its normal operations at the Hospital for a period of six months or more, then the City and Borough may at any time thereafter, at its option, redeem the Bonds in whole or in part, and if in part with installments to be selected by the City and Borough, at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the date of redemption.

(c) *Notice of Redemption; Payment of Redeemed Bonds.* So long as the Bond Bank is the owner of the Bonds, notice of prepayment shall be given according to the terms of the Loan Agreement. If the Bond Bank is not the owner of the Bonds, notice of prepayment shall be given not less than 20 nor more than 60 days prior to the date fixed for prepayment by first class mail, postage prepaid, to the Registered Owners of the Bonds at the addresses appearing on the Bond Register. The requirements of this section shall be deemed complied with when notice is mailed as herein provided, regardless of whether or not it is actually received by the owners of the Bonds.

Each official notice of prepayment shall be dated and shall state: (i) the prepayment date, (ii) the prepayment price or prepayment premium, if any, payable upon such prepayment; (iii) if less than all of an installment of principal is to be prepaid, the principal amount to be prepaid (which must be an integral multiple of \$5,000); (iv) that the interest on the Bonds, or on the principal amount thereof to be prepaid, designated for prepayment in such notice, shall cease to accrue from and after such prepayment date; and (v) that on such date there will become due and payable on the Bonds the principal amount thereof to be prepaid and the interest accrued on such principal amount to the prepayment date.

Section 8. Priority of Payments from Hospital Revenue Account. There is maintained an enterprise fund of the City and Borough known as the “Bartlett Regional Hospital Fund” (the “Hospital Revenue Account”). All Hospital Revenues shall be deposited in the Hospital Revenue Account. The Hospital Revenue Account shall be held separate and apart from all other funds and accounts of the City and Borough and the Hospital Revenues deposited in such Account shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation of the Hospital;

Second, to pay the interest on any Parity Bonds, including reimbursements to the issuer of a Qualified Letter of Credit or Qualified Insurance if the Qualified Letter of Credit or Qualified Insurance secures the payment of interest on Parity Bonds and the ordinance authorizing such Parity Bonds provides for such reimbursement;

Third, to pay the principal of any Parity Bonds, including reimbursements to the issuer of a Qualified Letter of Credit or Qualified Insurance if the Qualified Letter of Credit or Qualified Insurance secures the payment of principal of Parity Bonds and the ordinance authorizing such Parity Bonds provides for such reimbursement;

Fourth, to make all payments required to be made into the Reserve Account to secure the payment of the principal of and interest on the Bonds and to make all payments required to be made into any reserve account hereafter established to secure the payment of the principal of or interest on any Future Parity Bonds, including reimbursements to the issuer of a Qualified Letter of Credit or Qualified Insurance if the Qualified Letter of Credit or Qualified Insurance fulfills the Reserve Requirement in whole or in part and the ordinance authorizing such Parity Bonds provides for such reimbursement;

Fifth, to pay debt service on general obligation bonds issued by the City and Borough for the benefit of the Hospital;

Sixth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service fund or reserve fund created to pay and secure the payment of the principal of and interest on any other revenue bonds or revenue warrants of the City and Borough having a lien upon the Hospital Revenues junior and inferior to the lien thereon for the payment of the principal of and interest on Parity Bonds; and

Seventh, to retire by redemption or purchase any outstanding revenue bonds or revenue warrants of the City and Borough, remaining Hospital Revenues may also be used to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the Hospital, or for any other lawful City and Borough purposes.

Section 9. Bond Account. A special account of the City and Borough designated as the “City and Borough of Juneau Hospital Revenue Bond Account” (the “Bond Account”) has heretofore been created in the office of the Finance Director for the purpose of paying and securing the payment of the Bonds and all Parity Bonds. The Bond Account shall be held separate and apart from all other funds and accounts of the City and Borough and shall be a trust account for the owners of Parity Bonds. A subaccount named the Principal and Interest Account for the payment of the principal of and interest on the Bonds and the payment of redemption premium, if any, whether due at maturity or redemption prior to maturity has heretofore been created in the Bond Account.

(a) *Payments Into Principal and Interest Account.* Immediately after the delivery of the Bonds there shall be paid into the Principal and Interest Account all accrued interest received with respect to the Bonds, if any. In addition, the Finance Director may direct all or a portion of any original issue premium to be deposited in the Principal and Interest Account. As long as any Parity Bonds remain outstanding, the City and Borough hereby irrevocably obligates and binds itself to set aside and pay from the Hospital Revenue Account into the Principal and Interest Account those amounts necessary, together with such other funds as are on hand and available in the Principal and Interest Account, to pay the interest or principal and interest next coming due on outstanding Parity Bonds. Such payments shall be made on the 15th day of the month preceding each interest Payment Date or principal Payment Date (or the next succeeding business day if the 15th is not a business day) as follows:

(1) The first installment of interest shall be paid in a single installment equal to all of the interest coming due on the Bonds on the 15th day of the month immediately preceding the first Payment Date. The remaining interest payments shall be paid in semiannual installments equal to the interest coming due on the Bonds on the next succeeding Payment Date, which installments shall be due and payable on the 15th day of the month preceding each interest Payment Date, until such time as all principal of and interest on the Bonds is paid in full.

(2) Transfers to pay principal on the Bonds shall be made in annual installments equal to the principal of the Bonds coming due by reason of maturity or mandatory sinking fund redemption on the next succeeding principal Payment Date, which installments shall be due and payable on the 15th day of the month preceding each principal Payment Date, until such time as the principal of the Bonds is paid in full.

(b) *Priority of Lien of Payments into Principal and Interest Account.* Said amounts so pledged to be paid into the Bond Account are hereby declared to be a prior lien and charge upon the Hospital Revenues superior to all other charges of any kind or nature whatsoever, except for the Costs of Maintenance and Operation and except that the amounts so pledged are of equal lien to the lien and charge thereon of any Future Parity Bonds.

(c) *Reserve Account.* The Reserve Account (the “Reserve Account”) was created by Ordinance Serial No. 2004-24 and shall be maintained for the purpose of securing the payment of the principal of and interest on all Parity Bonds. The Reserve Account shall be held in the custody of the Bond Bank Trustee pursuant to the terms of a Bond Bank Reserve Agreement to be entered into by the City and Borough and the Bond Bank. The City Manager and/or the Finance Director of the City and Borough are hereby authorized to negotiate and approve the terms of the Bond Bank Reserve Agreement and to execute and deliver it upon their approval of the terms thereof. The City and Borough hereby covenants to transfer into the Reserve Account held by the Bond Bank Trustee on the date of issuance of the Bonds an amount equal to the Reserve Requirement with respect to the Bonds.

The City and Borough further covenants and agrees that when said required deposits have been made into the Reserve Account, it will at all times maintain therein an amount at least equal to the Reserve Requirement with respect to all outstanding Parity Bonds. The City and Borough covenants and agrees that, if the aggregate value of the assets on hand is less than the Reserve Requirement on any Valuation Date, the City and Borough (1) shall notify the Bond Bank and (2) shall restore the aggregate value of the assets in the Reserve Account to the Reserve Requirement by taking one or a combination of the following actions:

(i) Obtaining a Credit Facility with a stated amount available for drawing thereunder not less than the amount necessary to increase the aggregate value of the assets on hand in the Reserve Account to the Reserve Requirement as of such Valuation Date;

(ii) Causing the amount available for drawing under any Credit Facility previously obtained to be increased by the amount necessary to restore the aggregate value of the assets on hand in the Reserve Account to the Reserve Requirement as of such Valuation Date; or

(iii) Paying or causing to be deposited into the Reserve Account, money and/or other investments in an amount sufficient to restore the aggregate value of the assets on hand in the Reserve Account to the Reserve Requirement as of such Valuation Date.

If the City and Borough restores the aggregate value of the assets on hand in the Reserve Account to the Reserve Requirement pursuant to subsections (i) or (ii) above, the amount or increased amount available for drawing under any such Credit Facility shall be effective no later than sixty days following the Valuation Date.

If the City and Borough restores the aggregate value of the assets on hand in the Reserve Account to the Reserve Requirement pursuant to subsection (iii) above, such additional payments shall be made as follows:

(A) If the aggregate value of the assets in the Reserve Account on any Valuation Date is less than the Reserve Requirement (after taking into account the amount available for drawing under any Credit Facility) because of the withdrawal of funds from the Reserve Account as authorized in the final paragraph of this subsection, the City and Borough shall pay the amount necessary to restore the aggregate value of the assets in the Reserve Account to the Reserve Requirement in 12 equal, consecutive, monthly installments, the first such

installment to be due on August 1; and the remainder of such installments to be due on the first day of the 11 successive calendar months thereafter; and

(B) If the aggregate value of the assets in the Reserve Account on any Valuation Date is less than the Reserve Requirement (after taking into account the amount available for drawing under any Credit Facility) for any reason other than a withdrawal therefrom as described in the final paragraph of this subsection, the City and Borough shall pay the amount necessary to restore the aggregate value of the assets in the Reserve Account to the Reserve Requirement in three equal, consecutive, monthly installments, the first such installment to be due on August 1; and the remainder of such installments to be due on the first day of the two successive calendar months thereafter.

Whenever there is an insufficient amount in the Bond Account, including the Principal and Interest Account to pay the principal of, premium if any, and interest on all outstanding Parity Bonds when due, the money in the Reserve Account may be used to pay such principal, premium if any, and interest. Money in the Reserve Account may be withdrawn to redeem and retire, and to pay the interest due to such date of redemption and premium, if any, on any outstanding bonds, so long as the money left remaining on deposit in the Reserve Account is equal to the Reserve Requirement with respect to all outstanding Parity Bonds. The City and Borough may, from time to time, transfer from the Reserve Account to the Bond Account amounts in excess of the Reserve Requirement.

The City and Borough may satisfy the Reserve Requirement, in whole or in part with a Qualified Letter of Credit or Qualified Insurance. In making the payments and credits to the Reserve Account required by this subsection (c), to the extent that the City and Borough has obtained Qualified Insurance or a Qualified Letter of Credit for specific amounts required pursuant to this section to be paid out of the Reserve Account, such amounts so covered by Qualified Insurance or a Qualified Letter of Credit shall be credited against the amounts required to be maintained in the Reserve Account by this subsection (c) to the extent that such payments and credits to be made are insured by an insurance company, or guaranteed by a letter of credit from a financial institution. A Qualified Letter of Credit shall not be cancelable on less than 30 days' notice to the City and Borough, and Qualified Insurance shall be noncancellable. In the event of any cancellation of a Qualified Letter of Credit, the Reserve Account shall be funded in accordance with the following paragraphs of this subsection (c).

In the event that the City and Borough elects to meet the Reserve Requirement through the use of a Qualified Letter of Credit, Qualified Insurance or other equivalent credit enhancement device, the City and Borough may contract with the entity providing such Qualified Letter of Credit or Qualified Insurance that the City and Borough's reimbursement obligation, if any, to such entity shall be made from Hospital Revenues available after the payments described in Paragraphs First through Third in Section 8 of this ordinance have been made.

The City and Borough further covenants and agrees that if a Credit Facility has been utilized to meet the Reserve Requirement, the City and Borough will make the following deposits into the Reserve Account.

If the City and Borough receives notice from the issuer of a Qualified Letter of Credit that it will not be renewed or extended, an amount sufficient to cause the value of the cash and investments on deposit in the Reserve Account to equal the Reserve Requirement, such amount to be paid in equal installments on not less than a semiannual basis over the remaining term of the Qualified Letter of Credit and in any event prior to the termination or expiration of such Qualified Letter of Credit, but no such payment will be required if the then-current Qualified Letter of Credit is replaced by an alternate Credit Facility or if the City and Borough receives a binding commitment from an issuer of such an alternate Credit Facility to deliver such alternate Credit Facility on or before the date such deposit is required to be made.

If the City and Borough receives notice that (A) the rating of the issuer of the Credit Facility by a Rating Agency has fallen below the minimum Rating Category required to establish the Credit Facility as a Qualified Letter of Credit or Qualified Insurance, as the case may be, or (B) the issuer of the Credit Facility has defaulted in its payment obligations thereunder, (C) the issuer of the Credit Facility has become insolvent, or (D) the revolving feature of a Qualified Letter of Credit allowing amounts available thereunder to be reinstated to the extent of any reimbursement of draws or claims paid has been suspended or terminated, an amount sufficient to cause the value of the cash and investments on deposit in the Reserve Account to equal the Reserve Requirement, such amount to be paid within 30 days of the date of such notice; provided that no such payment will be required if the then-current Credit Facility is replaced by an alternate Credit Facility within the same time period.

In the event a deficiency in the Principal and Interest Account shall occur, the deficiency shall be made up from the Reserve Account by the withdrawal of cash therefrom for that purpose and by the sale or redemption of obligations held in the Reserve Account, if necessary, in such amounts as will provide cash in the Reserve Account sufficient to make up any such deficiency, and if a deficiency still exists immediately prior to an interest payment date and after the withdrawal of cash, the City and Borough shall then draw from any Qualified Letter of Credit or Qualified Insurance that secures the Parity Bonds in sufficient amount to make up the deficiency. Such draw shall be made at such times and under such conditions as the agreement for such Qualified Letter of Credit or such Qualified Insurance shall provide. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up within one year of the date of withdrawal from Hospital Revenues after making necessary provision for making the payments described in Paragraphs First through Third in Section 8 of this ordinance.

(d) *Sufficiency of Hospital Revenues.* The corporate authorities of the City and Borough hereby declare that in fixing the amounts to be paid into the Bond Account as aforesaid they have exercised due regard to the Costs of Maintenance and Operation of the Hospital and have not obligated the City and Borough to set aside and pay into said Bond Account a greater amount of the Hospital Revenues than in their judgment will be available over and above such Costs of Maintenance and Operation and the amounts necessary to pay the principal of and interest on the Bonds.

(e) *Application and Investment of Moneys in the Bond Account.* Money in the Principal and Interest Account not needed to pay the interest or principal installment and interest next coming due on Parity Bonds may be used to prepay Parity Bonds. Money in the Bond Account therein may be invested in any legal investment for the funds of the City and Borough. All interest

earned and income derived by virtue of such investments shall remain in the Bond Account (or respective account therein) and be used to meet the required deposits into any account therein.

Section 10. Sale of Bonds. The City Manager or his/her designee is authorized to negotiate and complete the sale of the Bonds to the Bond Bank on terms and conditions consistent with this ordinance and the respective Loan Agreement for the Bonds. Following the sale of the Bond Bank Bonds for a series of Bonds, such terms and conditions, including the final principal amount, date, principal installment payment schedule, interest rates, payment dates and prepayment provisions, all as provided for in this ordinance, shall be set forth in a Loan Agreement, all subject to the Assembly's approval by resolution, which resolution may, at the option of the Assembly, provide for delegation within parameters approved by the Assembly.

Section 11. Undertaking to Provide Ongoing Disclosure. The City and Borough will execute a certificate for ongoing disclosure in form and substance satisfactory to the purchaser of the Bonds, and the City Manager or his/her designee is hereby authorized and directed to execute such certificate.

Section 12. Insurance. The Bond Bank may, with the consent of the City and Borough and on terms and conditions acceptable to the City and Borough, obtain a policy of municipal bond insurance guaranteeing the payment when due of the principal of and interest on the Bond Bank's Bonds, issued to provide funds for the loan to the City and Borough pursuant to the Loan Agreement. By the Loan Agreement, the City Manager or his/her designee may approve any such policy of municipal bond insurance and authorize all other officers, agents, attorneys, and employees of the City and Borough to cooperate with the bond insurer in preparing such additional agreements, certificates, and other documentation on behalf of the City and Borough, consistent with this ordinance, as shall be necessary or advisable in providing for such policy of municipal bond insurance.

The City Manager or his/her designee also may obtain a surety policy in order to satisfy the Reserve Requirement on the condition that the surety policy meets the requirements of Qualified Insurance on terms and conditions determined to be acceptable to the City Manager or his/her designee. The City Manager or his/her designee may execute such additional agreements or certificates and provide such documentation to the issuer of such surety policy as shall be necessary or advisable in providing for such surety policy.

In connection with the initial issuance and sale of the Bonds to the Bond Bank, and notwithstanding the provisions of Section 20 of this ordinance to the contrary, the Assembly may by resolution modify any of the covenants or other provisions of this ordinance as may be required by a provider of bond insurance or a surety policy for the Bond Bank's Bonds.

Section 13. Disposition of Proceeds of the Bonds. The accrued interest received with respect to the Bonds, if any, shall be deposited into the Principal and Interest Account and used to pay interest on the Bonds coming due on the first date on which interest is due. In addition, the Finance Director may direct that all or a portion of the original issue premium, if any, also be deposited in the Principal and Interest Account. Unless the Reserve Requirement is satisfied with a Credit Facility, the Finance Director shall direct the deposit of a portion of the Bond proceeds equal to the Reserve Requirement in the Reserve Account.

The Finance Director has heretofore established a special fund of the City and Borough designated as the "Hospital Project Account" (the "Project Account"). The balance of the proceeds of the sale of the Bonds shall be deposited in the Project Account and shall be expended solely to pay the cost of issuing and selling the Bonds and, together with other available moneys of the City and Borough, shall be used to reimburse the City and Borough for funds already distributed for the costs of the Projects and to pay the costs of completing the Projects. Any money in the Project Account shall be invested by the Finance Director, pending disbursement, in any legal investment for City and Borough funds.

Section 14. Defeasance. In the event that money and/or noncallable Government Obligations maturing or having guaranteed redemption prices at the option of the holder at such time or times and bearing interest to be earned thereon in amounts (together with such money, if any) sufficient to redeem and retire part or all of the Bonds in accordance with the their terms, are hereafter irrevocably set aside in a special account and pledged to effect such redemption and retirement, then no further payments need be made into the Bond Account or any account therein for the payment of the principal of and interest on the Bonds or portion thereof so provided for and the Bonds or portion thereof shall then cease to be entitled to any lien, benefit or security of this ordinance, except the right to receive the accounts so set aside and pledged, and the Bonds or portion thereof shall no longer be deemed to be outstanding hereunder.

Section 15. Specific Covenants. The City and Borough hereby covenants and agrees with the owners of the Bonds that for as long as the Bonds remain outstanding as follows:

(a) *Rate Covenant.* The City and Borough will establish, maintain and collect such rates and charges for service of the Hospital for so long as any Bonds are outstanding as will maintain the Rate Covenant. If the audited statement of revenues and expenses of the Hospital for any year discloses that the Rate Covenant is not being met, the City and Borough shall, at its expense, retain a Consultant for the purpose of making recommendations with respect to rates, fees, charges and operations with a view to restoring compliance with such Rate Covenant. The City and Borough shall, to the extent feasible and lawful, follow the reasonable recommendations of the Consultant. Written reasons for noncompliance shall be submitted to the Bond Bank. If and so long as the City and Borough complies in all material respects with the recommendations of the Consultant, and so long as Net Revenue is at least equal to the amounts required in such fiscal year to be paid as scheduled debt service (principal and interest) on all Parity Bonds in any year for which the Consultant's recommendations are made and any subsequent year for which such recommendations remain in place and for which the City and Borough continues to be in compliance with such recommendations, the Rate Covenant shall be deemed satisfied. A copy of the Consultant's written recommendations shall be supplied to the Bond Bank within six months of the end of the fiscal year with respect to which the Rate Covenant was not met; if not so submitted, the Bond Bank may retain a Consultant at the City and Borough's expense.

(b) *Accreditation.* The City and Borough shall use its best efforts to cause the Hospital to remain accredited by the Joint Commission on Accreditation of Healthcare Organizations or any successor organization unless the board of directors of the Hospital determines that it is not in the best interest of the Hospital to maintain such accreditation. In any event, the Hospital shall remain certified under the Medicare program. The City and Borough also shall do all things

necessary to obtain, renew and secure all governmental approvals necessary for operation of the Hospital.

(c) *Provider Status and Third-Party Reimbursement.* The City and Borough shall establish and maintain the status of the Hospital as a provider of service eligible for reimbursement under any programs by federal, State or local governments providing for the payment or reimbursement for service rendered.

(d) *Hospital Maintenance.* The City and Borough will at all times maintain and keep the Hospital in good repair, working order and condition, and also will at all times operate such facilities and the business in connection therewith in an efficient manner and at a reasonable cost.

(e) *Hazardous Substances.* The City and Borough will not cause or permit any Hazardous Substances to be brought upon, kept, used or generated by the Hospital, its agents, employees, contractors or invitees, in the operation of the Hospital except to the extent such Hazardous Substances are used and stored at the Hospital in the ordinary course of business and operation of the Hospital and in compliance with Environmental Laws.

(f) *Compliance with Environmental Laws.* The City and Borough will at all times and in all respects use its best efforts to comply with all Environmental Laws. The City and Borough's duty of compliance with Environmental Laws includes, without limitation, the duty to undertake the following specific actions: (1) the City and Borough will, at its own expense, procure, maintain in effect, and comply with all conditions of any and all permits, licenses and other governmental and regulatory approvals required by all Environmental Laws, including, without limitation, permits required for discharge of (appropriately treated) Hazardous Substances into the ambient air or any sanitary sewers serving any real property owned or leased by the City and Borough and used by the Hospital; and (2) except as discharged into the ambient air or a sanitary sewer in strict compliance with all applicable Environmental Laws, any and all Hazardous Substances to be treated and/or disposed by the Hospital will be removed and transported solely by duly licensed transporters to a duly licensed treatment and/or disposal facility for final treatment and/or disposal (except when applicable Environmental Laws permit on-site treatment or disposal in a sanitary landfill.)

(g) *Disposal of Properties.* The City and Borough will not mortgage, sell, lease, or in any manner encumber or dispose of all or substantially all the property of the Hospital (voluntarily or involuntarily), unless provision is made for payment into the Bond Account of a sum sufficient to pay the principal of, premium, if any, and interest on all outstanding bonds payable therefrom, nor will it mortgage, sell, lease, or in any manner encumber or dispose of (including but not limited to a disposition by transfer to another public or private organization) voluntarily or involuntarily any part of the Hospital that is used, useful and material to the operation of the Hospital unless

(1) the City and Borough certifies, based upon reasonable expectations, that the remaining assets of the Hospital shall be sufficient to continue regular operations of the City and Borough on a financially sound basis for a period of at least five years and

(2) provision is made for replacement thereof or for payment into the Bond Account of the total amount of revenue received which shall not be less than an amount which shall bear the same ratio to the amount of outstanding Parity Bonds as the greater of

(i) the Net Revenue available for Debt Service for such outstanding Parity Bonds for the 12 months preceding such sale, lease, encumbrance or disposal from the portion of the Hospital sold, leased, encumbered or disposed of bears to the Net Revenue available for Debt Service for such Parity Bonds from the entire Hospital for the same period;

(ii) the Hospital Revenues for the 12 months preceding such sale, lease, encumbrance or disposal from the portion of the Hospital sold, leased, encumbered or disposed of bears to the Hospital Revenues for the same period; or

(iii) the proportion of assets (on a depreciated basis) allocable to the assets being sold, leased, encumbered or disposed of bears to the total assets of the Hospital; or

provided, however, that the City and Borough may dispose of any portion of the facilities of the Hospital up to an aggregate of five percent annually of the book value of the total assets of the Hospital the requirement for any deposit to the Bond Account as hereinabove provided.

Any such moneys so paid into the Bond Account shall be used to retire such outstanding Parity Bonds at the earliest possible date. Any money received by the City and Borough as condemnation awards, insurance proceeds or the proceeds of sale, if not deposited to the Bond Account, shall be used for the replacement of facilities of the Hospital.

(h) *Books and Records.* The City and Borough will, while the Bonds remain outstanding, keep proper and separate accounts and records in which complete and separate entries shall be made of all transactions relating to the Hospital, and it will furnish the original purchaser or purchasers of the Bonds or any subsequent owner or owners thereof, at the written request of such owner or owners, complete operating and income statements of the Hospital in reasonable detail covering any fiscal year, showing the financial condition of the Hospital and compliance with the terms and conditions of this ordinance, not more than 120 days after the close of such fiscal year, and it will grant any owner or owners of at least 25% of the outstanding Bonds the right at all reasonable times to inspect the entire Hospital and all records, accounts and data of the City and Borough relating thereto. Upon request of any owner of any of said Bonds, it will also furnish to such owner a copy of the most recently completed audit of the City and Borough's accounts.

(i) *Property Insurance.* The City and Borough will carry or cause to be carried fire and extended coverage insurance covering the Hospital in such amounts and covering such risks as the City and Borough may determine from time to time. Such insurance shall be carried with financially responsible insurance companies authorized to do business in the State, and may be carried under a policy or policies covering other property owned or controlled by the City and Borough or may be accomplished through a program of self-insurance, if a funded program of self insurance (reviewed at least annually by an actuary) is then maintained for properties of the City and Borough. The City and Borough agrees that such policies shall contain a provision that the same may not be canceled or given notice of non-renewal nor shall the terms of conditions thereof

be altered, amended or modified without at least 45 days' prior written notice being given by the insurer to the City and Borough.

(j) *Liability Insurance.* The City and Borough shall maintain, or cause to be maintained, in full force and effect, comprehensive general liability insurance covering the Hospital in such amounts as may be established by the City and Borough from time to time but in any event not less than \$500,000 per occurrence. The City and Borough may provide all or a portion of any insurance by self insurance. Such insurance may be carried under a blanket policy with umbrella coverage. It is understood that this insurance covers any and all liability of the City and Borough and its officials, officers, employees and volunteers, and the procurement thereof does not constitute a waiver of the defense of governmental immunity. Such insurance (1) shall include coverage for any accident resulting in personal injury to or death of any person and consequential damages arising therefrom; (2) shall include comprehensive property damage insurance; (3) shall be issued by a financially responsible insurance company authorized to do business in the State; and (4) shall provide that the same may not be canceled or given notice of non-renewal nor shall the terms of conditions thereof be altered, amended or modified without at least 45 days prior written notice being given by the insurer to the City and Borough.

(k) *Ordinance a Contract.* This ordinance shall constitute a contract with the registered owners of the Bonds, and upon any default hereunder, said owner shall have the right to institute a mandamus action in any court of competent jurisdiction to compel performance by the City and Borough in accordance with the terms of this ordinance.

(l) *Tax Covenants.* The City and Borough covenants to undertake all actions required to maintain the tax-exempt status of interest on the Bonds under Section 103 of the Code as set forth in the Federal Tax Certificate that will be executed at the closing for the Bonds.

The City and Borough has not designated the Bonds as "qualified tax-exempt obligation" under Section 265(b)(3) of the Code for banks, thrift institutions and other financial institutions.

Section 16. Future Parity Bonds.

(a) *Conditions upon the Issuance of Future Parity Bonds.* As long as the Bonds and Outstanding Parity Bonds remain outstanding, the City and Borough hereby further covenants and agrees that it will not issue any obligations having a lien on the Hospital Revenues prior to the lien thereon of the Bonds and Outstanding Parity Bonds and further that it will not issue any Future Parity Bonds except in accordance with the conditions of this Section 16. The City and Borough hereby reserves the right to issue additional revenue obligations, which shall constitute a charge and lien upon the Hospital Revenues equal to the lien thereon of the Bonds and the Outstanding Parity Bonds. Except as provided in subsection (b) below, the City and Borough shall not issue any series of Future Parity Bonds or incur any additional indebtedness with a parity lien or charge on Net Revenues (*i.e.*, on a parity of lien with Parity Bonds at the time outstanding) unless:

(1) the City and Borough shall not have been in default of its Rate Covenant for the immediately preceding fiscal year,

(2) The ordinance authorizing the issuance of such Future Parity Bonds shall provide that the Reserve Account be funded in amount equal to the Reserve Requirement shall be funded no later than the date of delivery of the Future Parity Bonds; and

(3) there shall have been filed a certificate (prepared as described in subsection (c) or (d) below) demonstrating fulfillment of the Parity Requirement, commencing with the first full fiscal year following the date on which any portion of interest on the series of Future Parity Bonds then being issued no longer will be paid from the proceeds of such series of Future Parity Bonds.

(b) *No Certificate Required.* The certificate described in the foregoing subsection (a)(3) shall not be required as a condition to the issuance of Future Parity Bonds:

(1) if the Future Parity Bonds being issued are for the purpose of refunding outstanding Parity Bonds and the refunding is being undertaken for debt service savings; or

(2) if the Future Parity Bonds are being issued to pay costs of construction of facilities of the Hospital for which Parity Bonds have been issued previously and the principal amount of such Future Parity Bonds being issued for completion purposes does not exceed an amount equal to an aggregate of 15% of the principal amount of Parity Bonds theretofore issued for such facilities and reasonably allocable to the facilities to be completed as shown in a written certificate of the City and Borough Representative, and there is delivered a Consultant's certificate stating that the nature and purpose of such facilities has not materially changed.

(c) *Certificate of the City and Borough Without A Consultant.* If required pursuant to the foregoing subsection (a)(3), a certificate may be delivered by the City and Borough (executed by the City and Borough Representative) without a Consultant if Net Revenues for the Base Period (confirmed by an independent auditor) conclusively demonstrate that the Parity Requirement will be fulfilled commencing with the first full fiscal year following the date on which any portion of interest on the series of Future Parity Bonds then being issued will not be paid from the proceeds of such series of Future Parity Bonds.

(d) *Certificate of a Consultant.* Unless compliance with the requirements of subsection (a)(3) have been otherwise satisfied (as provided in (b) or (c) above), compliance with the Parity Requirement shall be demonstrated conclusively by a certificate of a Consultant.

In making the computations of Net Revenues for the purpose of certifying compliance with the Parity Requirement, the Consultant shall use as a basis the Net Revenues for the Base Period. Such Net Revenues shall be determined by adding the following:

(1) The historical net revenue of the Hospital for any 24 consecutive months out of the 36 months immediately preceding the month of delivery of the Future Parity Bonds being issued as determined by a Consultant.

(2) The estimated annual net revenue to be derived from any person, firm, association, private or municipal corporation under any executed contract for service, which net revenue was not included in any of the sources of net revenue described in this subsection (d).

(3) The estimated annual net revenue to be derived from any additional fees and charges that have been established by the Assembly as new Hospital Revenues that have not been previously included in any of the sources of net revenue described in this subsection (d).

(4) The estimated annual net revenue to be derived from the operation of any additions and improvements to or extensions of the Hospital being paid for out of the proceeds of sale of such Future Parity Bonds being issued.

In the event the Hospital will not derive any revenue as a result of the construction of the additions, improvements or extensions being made or to be made to the Hospital within the provisions of subparagraph (4) immediately above, the estimated normal Costs of Maintenance and Operation (excluding any transfer of money to other funds of the City and Borough and license fees, taxes and payments in lieu of taxes payable to the City and Borough) of such additions, improvements and extensions shall be deducted from estimated annual net revenue.

The words “historical net revenue” or “net revenue” as used in this subsection (d) shall mean the Hospital Revenues or any part or parts thereof less the normal expenses of maintenance and operation of the Hospital or any part or parts thereof, but before depreciation.

Such “historical net revenue” or “net revenue” shall be adjusted to reflect the rates and charges effective on the date of such certificate if there has been any change in such rates and charges during or after such 24-consecutive-month period.

(e) *Subordinate Lien Obligations.* Nothing herein contained shall prevent the City and Borough from issuing revenue bonds or other obligations which are a charge upon the Hospital Revenues junior or inferior to the payments required by this ordinance to be made out of such Hospital Revenues to pay and secure the payment of any outstanding Parity Bonds.

(f) *Refunding Obligations.* Nothing herein contained shall prevent the City and Borough from issuing revenue bonds to refund maturing Parity Bonds for the payment of which moneys are not otherwise available.

Section 17. Lost, Stolen or Destroyed Bonds. In case any Bond shall be lost, stolen or destroyed, the Bond Registrar may authenticate and deliver a new Bond of like amount, date and tenor to the owner thereof upon the owner’s paying the expenses and charges of the City and Borough in connection therewith and upon his filing with the City and Borough evidence satisfactory to both that such Bond was actually lost, stolen or destroyed and of his ownership thereof, and upon furnishing the City and Borough with indemnity satisfactory to it.

Section 18. Form of Bonds and Registration Certificate. The Bonds shall be in substantially the following form:

NO. _____

UNITED STATES OF AMERICA

STATE OF ALASKA

\$ _____

CITY AND BOROUGH OF JUNEAU
HOSPITAL REVENUE BOND, 2022[SERIES DESIGNATION]
(BARTLETT REGIONAL HOSPITAL PROJECT)

INTEREST RATES: See Below

FINAL MATURITY DATE:

REGISTERED OWNER: ALASKA MUNICIPAL BOND BANK

PRINCIPAL AMOUNT:

THE CITY AND BOROUGH OF JUNEAU, ALASKA (the “City and Borough”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount indicated above in accordance with the installment payment schedule set forth below (unless prepaid prior thereto as provided herein) and to pay interest thereon from _____, 20__, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the interest rates set forth below, payable on _____ 1, 20__ and semiannually thereafter on the first day of each _____ and _____.

Year of Principal Installment Payment (_____ 1)	Principal Installment Amount	Interest Rate
	\$	

Both principal of and interest on this bond are payable in lawful money of the United States of America. Installments of principal of and interest on this bond shall be paid by check or draft mailed to the Registered Owner at the address appearing on the Bond Register on the 15th day of the month preceding the interest payment date, and principal of this bond shall be payable upon presentation and surrender of this bond by the Registered Owner at the principal office of the Finance Director of the City and Borough of Juneau, Alaska (the “Bond Registrar”).

This bond is a hospital revenue bond of the Borough and is issued pursuant to Ordinance Serial No. 2021-43 (the “Bond Ordinance”) for the purpose of financing capital improvements to Bartlett Regional Hospital of the City and Borough.

The bond is subject to redemption as described in the Loan Agreement.

The City and Borough hereby covenants and agrees with the owner and holder of this bond that it will keep and perform all the covenants of this bond and the Bond Ordinance.

The City and Borough does hereby pledge and bind itself to set aside from such Hospital Revenues, and to pay into said Bond Account the various amounts required by the Bond Ordinance to be paid into and maintained in said Account, all within the times provided by said Bond Ordinance.

To the extent more particularly provided by the Bond Ordinance, the amounts so pledged to be paid from the Hospital Revenue Account out of the Hospital Revenues into the Bond Account and the account therein shall be a lien and charge thereon equal in rank to the lien and charge upon said revenue of the amounts required to pay and secure the payment of the Outstanding Parity Bonds and any Hospital Revenue bonds of the City and Borough hereafter issued on a parity with the bonds of this issue and superior to all other liens and charges of any kind or nature except Costs of Maintenance and Operation.

The City and Borough has further bound itself to maintain the Hospital in good repair, working order and condition, to operate the same in an efficient manner and at a reasonable cost, and to establish, maintain and collect rates and charges for as long as any of the bonds of this issue are outstanding that will make available, for the payment of the principal thereof and interest thereon as the same shall become due, net revenue in an amount which will be at least equal to the Rate Covenant.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

This bond is not a “qualified tax-exempt obligation” under Section 265(b) of the Code for banks, thrift institutions and other financial institutions.

It is hereby certified and declared that this bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of Alaska and ordinances of the City and Borough, including the Bond Ordinance, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City and Borough of Juneau, Alaska has caused this bond to be executed by the manual or facsimile signature of its City Manager or his/her designee and

attested by the manual or facsimile of the Clerk, and the official seal of the City and Borough to be impressed, imprinted or otherwise reproduced hereon, as of this ____ day of _____, 2022.

CITY AND BOROUGH OF
JUNEAU, ALASKA

By _____
City Manager or Designee

ATTEST:

Clerk

The Certificate of Authentication for the Bonds shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is the Hospital Revenue Bond, 2022[Series Designation] (Bartlett Regional Hospital Project) of the City and Borough of Juneau, Alaska, dated _____, 2022, and described in the within-mentioned Bond Ordinance.

CITY AND BOROUGH OF JUNEAU, ALASKA
FINANCE DIRECTOR, as Bond Registrar

By _____
Finance Director

Section 19. Execution of Bonds. The Bonds shall be executed on behalf of the City and Borough with the manual or facsimile signature of the City Manager or his/her designee, shall be attested by the manual or facsimile signature of the City and Borough Clerk, and the seal of the City and Borough shall be impressed or a facsimile thereof imprinted or otherwise reproduced thereon.

Only such Bonds as shall bear thereon a Certificate of Authentication in the form hereinbefore recited, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate of Authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

In case either of the officers who shall have executed the Bonds shall cease to be officer or officers of the City and Borough before the Bonds so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City and Borough, such Bonds may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City and Borough as though those who signed the same had continued to

be such officers of the City and Borough. Any Bonds may also be signed and attested on behalf of the City and Borough by such persons who are at the actual date of delivery of such Bonds the proper officers of the City and Borough although at the original date of such Bonds any such person shall not have been such officer of the City and Borough.

Section 20. Supplements and Amendments.

(a) *Without Consent of Owner.* The City and Borough from time to time and at any time may adopt an ordinance or ordinances supplemental hereof, which ordinance or ordinances thereafter shall become a part of this ordinance, for one or more or all of the following purposes:

(1) To add to the covenants and agreements of the City and Borough in this ordinance contained and other covenants and agreements thereafter to be observed, which shall not adversely affect the interests of the owners of the Bonds, or to surrender any rights or power herein reserved to or conferred upon the City and Borough.

(2) To make such provisions for the purpose of curing any ambiguities or of curing, correcting or supplementing any defective provision contained in this ordinance in regard to matters or questions arising under the ordinance as the Assembly may deem necessary or desirable and not inconsistent with the ordinance and which shall not adversely affect the interest of the owner of Parity Bonds.

Any such supplemental ordinance of the Assembly may be adopted without the consent of any owner of the Bonds at any time outstanding, notwithstanding any of the provisions of this section.

(b) *With Owners' Consent.* With the consent of the majority of the owners of Parity Bonds, the Assembly of the City and Borough may adopt an ordinance or ordinances supplemental hereto for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this ordinance or of any supplemental ordinance; provided, however, that no such supplemental ordinance shall extend the fixed maturity of the Bonds, or reduce the rate of interest thereon, or extend the time of payments of interest from their due date, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof without the consent of the owner of each Parity Bond so affected.

It shall not be necessary for the consent of the owners under this subsection to approve the particular form of any proposed supplemental ordinance, but it shall be sufficient if such consent shall approve the substance thereof.

(c) *Effective Date of Modification.* Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the City and Borough under this ordinance shall thereafter be determined, exercised and enforced thereunder, subject in all respect to such modification and amendments, and all the terms and conditions of any such supplemental ordinance shall be deemed to be part of the terms and conditions of this ordinance for any and all purposes. A copy of each supplemental ordinance shall be provided to the owners of the Bonds.

Section 21. Compliance with Parity Conditions The Assembly hereby finds and determines, as required by Section 15 of Ordinance Serial No. 2012-23, as follows:

(1) The City and Borough is not and has not been in default of its Rate Covenant for the fiscal year ending June 30, 2021;

(2) The Reserve Requirement shall be met no later than the date of issuance of the Bonds; and

(3) There shall be filed a certificate demonstrating fulfillment of the Parity Requirement on or before the date of issuance of the Bonds.

The applicable parity conditions set forth in Ordinance Serial No. 2012-23 having been complied with, the Bonds shall be issued on a parity of lien with the Outstanding Parity Bonds.

Section 22. Severability. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance.

Section 23. Effective Date. This ordinance shall be effective immediately upon its passage.

ADOPTED this 7th day of February, 2022.

Beth A. Weldon, Mayor

ATTEST:

Elizabeth J. McEwen, Municipal Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the “City and Borough”), DO HEREBY CERTIFY:

1. That the attached Ordinance Serial No. 2021-43 (herein called the “Ordinance”) is a true and correct copy of an Ordinance of the City and Borough as finally adopted at a meeting of the Assembly held on the 7th day of February, 2022 and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the Assembly was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the adoption of the Ordinance; that all other requirements and proceedings incident to the proper adoption of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of February, 2022.

Elizabeth J. McEwen, Municipal Clerk
City and Borough of Juneau

Presented by: The Manager
Introduced: January 10, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$265,000 to the Manager for the Trail Improvement Capital Improvement Project; Grant Funding Provided by the U.S. Department of Transportation, Federal Highway Administration, Federal Lands Access Program.

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 \$265,000 for the Trail Improvement Capital Improvement Project (P46-112).

Section 3. Source of Funds

U.S. Department of Transportation	\$265,000
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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
Presented: 01/10/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-02

An Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Private Dock Owners.

WHEREAS, under Title 85 of the City and Borough Code, Docks and Harbors is responsible for the operation, development, and marketing of the municipally owned and operated port and harbors, including such facilities as boat harbors, docks, ferry terminals, boat launching ramps, and related facilities except as designated by the Assembly by resolution; and

WHEREAS, Docks and Harbors manages a year-round reservation system for large commercial vessels, yachts, and fishing vessels at the Intermediate Vessel Float and along the Statter Harbor Breakwater in Auke Bay; and

WHEREAS, during the summer months, the linear foot capacity at the Intermediate Vessel Float often is exceeded by the demand from small cruise ships, yachts, large pleasure crafts, and commercial fishing vessels; and

WHEREAS, Goldbelt, Inc. owns and operates the float at the Seadrome Dock and manages a float facility along the Merchant's Wharf; and

WHEREAS, Docks and Harbors staffing, with demonstrative experience in reservation management, has the capacity to maximize vessel assignments throughout the downtown waterfront; and

WHEREAS, Goldbelt, Inc. has signaled interest in developing a business plan in which Docks and Harbors could collectively manage the reservations of the publicly owned Intermediate Vessel Float and the privately owned Seadrome Dock with the adjoining Merchant's Wharf Float; and

WHEREAS, Ordinance 2020-38(b) authorized this pilot arrangement for the 2021 season, and Docks and Harbors successfully managed the two Goldbelt, Inc. docks and realized approximately \$5,000 in revenue from the arrangement; and

WHEREAS, Docks and Harbors views the synergistic opportunity to place the downtown reservation system under a single organization as a financial benefit to the City and Borough of Juneau, a savings on administrative personnel costs for Goldbelt, Inc., and greater customer service to mariners desiring downtown moorage; and

WHEREAS, Title 85 does not currently provide the Docks and Harbors Board with authority to execute reservation agreements for privately owned docks.

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

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

Section 2. Amendment of Section. CBJC 85.02.060, General powers, is amended as follows:

85.02.060 General powers.

...

(b) *Private Dock Reservations.* The Docks and Harbors Board is authorized to execute a reservation agreement for private docks with the following essential terms:

(1) *Scope.* The Docks and Harbors Department may manage reservations, including moorage services, for any privately owned docks within the City and Borough of Juneau.

(2) *Priority.* Docks and Harbors shall prioritize reservations at municipally owned facilities.

(3) *Compensation.* Docks and Harbors shall receive fair market value for its services, which shall be determined by the Docks and Harbors Port Director.

(4) *Liability.* The City and Borough of Juneau is not assuming control, maintenance, or responsibility of any of private property, including but not limited to vessels using a private dock or private docks and associated facilities. The City and Borough of Juneau is not responsible for the inability to make a reservation, reservation disruptions, reservation changes, market fluctuations, or vessel relocations.

(5) Public Records. All records received by the Docks and Harbors Department related to public-private agreements are public records and subject to the Alaska Public Records Act and CBJC 01.70.

Section 3. 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

Presented by: Planning Comm.
Presented: 07/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-26(am)

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

WHEREAS, the area of the proposed rezone, Channel View Lot 1, consists of 15.41 acres, is located near 4650 North Douglas Highway, and is currently zoned D-15; and

WHEREAS, adjacent parcels are zoned D-3, D-15, and General Commercial (GC); and

WHEREAS, the land use maps of the Comprehensive Plan identify the subject lot as Medium Density Residential (MDR); and

WHEREAS, the MDR designation is characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre and where any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses; and

WHEREAS, the LC, Light Commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the General Commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, General Commercial district, they are listed as conditional uses in this district and therefore require commission review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions. Residential development is allowed in mixed- and single-use developments in the Light Commercial district; and

WHEREAS, the Light Commercial district allows for up to 30 units per acre, which exceeds the density limit of the Comprehensive Plan MDR designation; and

WHEREAS, the Community Development Department recommended rezoning the subject property from D-15 Transition to Light Commercial upon two conditions (1) that additional public transportation infrastructure first be constructed to ensure any allowed higher density development would not aggravate existing issues with traffic flow and pedestrian safety, and (2)

the Assembly adopt a Comprehensive Land Use Map amendment from MDR to High Density Residential (HDR) to allow the higher densities allowed in the Light Commercial zoning district; and

WHEREAS, the Planning Commission considered the Community Development Department's recommendation and concluded the Light Commercial zoning district—without any conditions—substantially conformed to the maps of the Comprehensive Plan; and

WHEREAS, the Manager recommended following the Community Development Department's recommendation to rezone the subject property from D-15 Transition to Light Commercial once additional public transportation infrastructure is constructed to ensure any allowed higher density development would not aggravate existing issues with traffic flow and pedestrian safety.

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

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

Section 2. Amendment to the Official Zoning Map. The Official Zoning Map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of Channel View Lot 1 (Parcel # 6D0601150011) from D-15 transition to Light Commercial when the following condition is satisfied: there are infrastructure improvements to allow higher density development and to allow for protecting public safety along North Douglas Highway.

Section 3. 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

REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapter 15 FEES AND CHARGES

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Section. 05 CBJAC 15.060 is amended to read:

05 CBJAC 15.060 Vessel lightering fee.

- (a) *Definition.* The charge assessed to vessels for dropping-off or picking-up passengers at the ~~Marine Park Lightering Float~~ **Port Field Office Float** or the Intermediate Vessel Float.
- (b) *Applicability and basis for computing charges.* A vessel lightering fee shall be assessed to any vessel over 100 gross register tons, carrying more than 100 passengers-for-hire which makes voyages lasting more than 24 hours, of which any part is on the high seas when such vessels lighter passengers to the Intermediate Vessel Float or the ~~Marine Park Lightering Float~~ **Port Field Office Float**. Gross tonnage means the gross tonnage measurement of the vessel under 46 U.S.C. Chapter 143 or Chapter 145. The Port reserves the right to obtain the gross tonnage from the vessel's register.
- (c) *Vessel lightering fee period.* The period of time which the vessel lightering fee shall be assessed shall commence when the first lightering tender is made fast to an allocated berth or moored, comes within a slip, and shall continue until the last lightering tender such vessel casts off and has vacated the position allocated, or terminates lightering operations. All time is counted and no deductions are allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.
- (d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, or shifts lightering operations, the total time at such berths or slips, or lightering operation shall be combined when computing the lightering fee.
- (e) *Vessel lightering fee assessment:*

Unit	Charge
Each 24-hour period or portion thereof	\$600.00 \$1,700.00

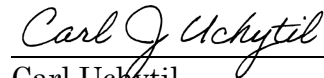
- (1) For each calendar year after 2022, the fee assessment will be equal to the previous year's fee, adjusted by the Consumer Price Index – Urban Alaska (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the seasonal cruise vessel year, unless the Docks and Harbors Board takes action to keep the fee the same as the previous year.

Section 3. 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 November 24, 2021, 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: February 4th, 2022

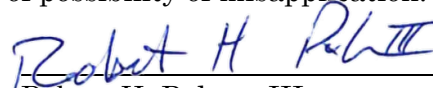

 Carl Uchytel
 Port Director

Legal Review

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

- (1) Its 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 following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 2/4/2022


 Robert H. Palmer III
 Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. 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

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

1. Housing - Assure adequate and affordable housing for all CBJ residents

AA*	Implementing Actions	Responsibility	Notes:
A P	Revise and improve Title 49 to facilitate housing	Assembly, Planning Commission, Manager's Office, CDD	
B P/F	Implement projects & strategies that advance the goals of the Housing Action Plan	Assembly, Manager's Office	
C P/F/ O	Continue a robust use of the Affordable Housing Fund and its sustainability	Assembly, Manager's Office	
D P/F	Reduce barriers to downtown housing development	Assembly, Manager's Office, CDD	

2. Economic Development - Assure Juneau has a vibrant, diverse local economy

AA*	Implementing Actions	Responsibility	Notes:
A F/O	Update the Comprehensive Plan	Assembly, Planning Commission, Manager's Office, CDD	
B O	Adopt and implement strategies developed by the Visitor Industry Task Force to mitigate impacts & increase economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors	
C P/F/ O	Examine options for a tourism governing structure that mitigates impacts & increases economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors	
D P/F/ O/S	Implement project strategy for Juneau Economic Plan, including revitalizing downtown, with regular updates	Assembly, Manager's Office	
E F	Explore financing for the Capital Civic Center	Assembly, Manager's Office, Finance	
F P/F/ S	Support Eaglecrest Summer Operations Task Force & self-sufficiency of Eaglecrest	Assembly, Manager's Office, Eaglecrest	
G P/F	Pursue and plan for West Douglas and Channel Crossing	Assembly, CDD, Planning Commission, Manager's Office	

3. Sustainable Budget and Organization - Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community

AA*	Implementing Actions	Responsibility	Notes:
A P/F	Develop strategy for fund balance and protect restricted budget reserve	Assembly, Manager's Office, Finance	
B P/F	Continue to evaluate sales tax structure including equity and evaluate removing sales tax on food	Assembly, Manager's Office, Finance	
C P	Long term strategic planning for CIPs	Assembly, Manager's Office, EPW	
D P/F	Reduce mil rate as appropriate	Assembly, Manager's Office, Finance	
E F/O	Allocate resources to implement Assembly goals	Assembly, Manager's Office, Finance	
F F/O	Maintain Assembly focus on deferred maintenance including BRH and JSD.	Assembly, Manager's Office, EPW, all operating departments with facilities	

*Assembly Action to Move Forward: P = Policy Development, F = Funding, S = Support, O = Operational Issue

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

4. Community, Wellness, and Public Safety - Juneau is safe and welcoming for all citizens

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O/S	Acknowledge and honor Juneau's indigenous culture, place names, naming policy, and recognize Elizabeth Peratrovich Day	Assembly, Manager's Office	
B	P/S	Explore government to government relations with tribes	Assembly, Manager's Office	
C	P/F/O	Examine social service funding levels and process	Assembly, Manager's Office	

5. Sustainable Community - Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O	Develop a zero waste or waste reduction plan	Assembly, Manager's Office, EPW, Finance	
B	P/O	Develop strategy to measure, track and reduce CBJ energy consumption.	Assembly, Manager's Office, all departments	
C	P/O/F	Implement projects and strategies that advance the goal of reliance on 80% of renewable energy sources by 2045	Assembly, Manager's Office, all departments	
D	P/F	Develop a climate change adaptation plan	Assembly, Manager's Office	
E	P/O/F	Develop strategy to reduce abandoned/junked vehicles	Assembly, Manager's Office, EPW, Law, P&R, D&H	

*Assembly Action to Move Forward: P = Policy Development, F = Funding , S = Support, O = Operational Issue