

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

March 16, 2015 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2015-07

Submitted by: _____
Kimberly A. Kiefer
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Juneau Masonic Community Proclamation

B. PRAC Committee Member Recognition - Jeff Wilson

C. LID Board of Equalization

The Assembly will recess and convene as the Board of Equalization for the purpose of holding public hearings on the assessment rolls, and separate assessments appearing thereon, for LID 60 and LID 96. At the conclusion of the hearing, the Board of Equalization should recommend to the Assembly that it approve the assessment rolls with any revisions or corrections recommended by the Board. The Board will then adjourn and the Assembly will reconvene. The Assembly will consider Resolutions 2715 and 2717 approving the rolls, fixing the time and method of payment, setting the date of levy, and fixing the time of delinquency, and penalties and interest as part of the Consent Agenda.

IV. APPROVAL OF MINUTES

A. February 19, 2015 Special Assembly Meeting 2015-03

B. February 23, 2015 Regular Assembly Meeting 2015-04

C. March 2, 2015 Special Assembly Meeting 2015-05

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

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

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

a. Ordinance 2015-04 An Ordinance Establishing the Engineering and Public Works Department.

This ordinance would codify the December 2014 merging of the Departments of Engineering and Public Works. This organizational change was implemented for the purpose of increasing operational efficiencies, improving customer service, and reducing the overall cost of providing services.

References in the code to either “engineering” or “public works” as separate entities will be amended to reference the one department and director as part of the overall code clean up and republication being conducted by Municipal Code Corporation.

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

- b. **Ordinance 2015-08(c) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 27 Parcels Along the North Douglas Highway between 4601 and 5295 North Douglas Highway, from D3 to D5 and from RR(T)D3 to D-15.**

In December 2013, the Community Development Department initiated a rezone of 43 parcels along North Douglas Highway extending from mile 1.3 to 1.9. The parcels were identified at that time as transition zones, RR(T)D-3, RR(T)D-15, and D-1(T)D-3.

On June 25, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area. No one from the public participated in the meeting.

The Planning Commission heard the rezone proposal at its August 26, 2014, regular meeting. The Planning Commission recommended approving the rezone with modifications, upzoning a portion of the lots currently zoned D-1(T)D-3 to D-5, and a portion of the lots zoned RR(T)D-3 to D-15. The Planning Commission believed the modifications were needed for consistency with the Land Use Maps of the Comprehensive Plan. Ordinance 2014-45 was forwarded to the Assembly with the Planning Commission’s recommendations.

Based on public testimony at the October 20, 2014, Assembly meeting, the Assembly remanded proposed ordinance 2014-45 to the Planning Commission to solicit further public feedback and explore opportunities for higher densities.

The rezone was re-noticed for the November 25, 2014, Planning Commission hearing. Based on public testimony at the hearing, the Planning Commission reversed its earlier decision to recommend upzoning of any of the parcels except for two, located at 4605 and 4765 North Douglas Highway.

Per CBJ 49.70.700-720, once the Assembly has created a transition zone, the rezone occurs upon the Planning Commission granting the rezone to the transition zone designation. Accordingly, as the Planning Commission reversed its October 2014 decision to recommend upzoning 41 of the 43 parcels under consideration, as to those 41 parcels, the rezone of 40 parcels to D3 and one to D15 was complete. CBJ 49.70.720(2)(B)(a).

At its meeting on February 23, 2015, the Assembly directed that the ordinance be amended to upzone all parcels originally identified in Ord. 2014-45 for

upzoning. This ordinance reflects that direction. Included in your packet is a table illustrating the original zoning, current zoning, and proposed zoning of all 43 parcels originally identified in Ordinance 2014-45. Those parcels that are the subject of this ordinance are indicated with an asterisk.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular assembly meeting.

c. **Ordinance 2015-18 An Ordinance Establishing the Treadwell Arena Advisory Board.**

The Treadwell Ice Arena Task Force was established by the Assembly in August 2014. The task force was asked to report on the feasibility of an empowered board to reduce costs and provide services through management by the Eaglecrest Ski Area Board, the feasibility of an empowered board to reduce costs and provide services through an alternate to the management by the Eaglecrest Ski Area Board, and review alternate management structures for managing the Treadwell Arena.

The Task Force recommended that a Treadwell Arena Advisory Board be created. The Assembly Human Resource Committee reviewed the task force recommendations and directed staff to develop an ordinance creating a Treadwell Arena Advisory Board. The Human Resource Committee will consider the ordinance at its March 16, 2015, meeting.

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

d. **Ordinance 2014-24(AD) - An Ordinance Appropriating to the Manager the Sum of \$16,500 as Funding for the Regional Tactical Emergency Casualty Care (TECC) Course, Funding Provided by the State of Alaska, Department of Health and Social Services.**

This ordinance appropriates \$16,500.00 in funding as a simple co-sponsorship from the State Department of Health and Social Services.

State Sponsorship Number: CBJ84496

This funding is to pay half of the total cost of \$33,000 for a regional Tactical Emergency Casualty Care (TECC) course in partnership with the previously appropriated funding from the 2014 SHSP State Grant-GR34094 from the Alaska Department of Military and Veterans Affairs 2014 State Homeland Security Program, EMW-2014-SS-00010 for the City and Borough of Juneau.

There is no match or reporting requirements for this funding.

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

e. **Ordinance 2014-24(AF) - An Ordinance Appropriating \$1,500 as Partial Funding to Send One CBJ Employee to the Managing Floodplain Development Course Through the National Flood Insurance Program and Certified Floodplain Managers Exam; Grant Funding Provided by the State**

of Alaska, Department of Commerce, Community and Economic Development.

This Ordinance appropriates \$1,500 as partial funding to send one CBJ employee to the Managing Floodplain Development Course through the National Flood Insurance Program.

Grant funding is provided by the State of Alaska Department Commerce, Community and Economic Development. The State of Alaska is reimbursing CBJ for conference registration fees, food (per diem), airfare, and hotel and transportation costs up to \$1,500. The CBJ will cover the expense of the Certified Floodplain Manager Exam, resulting in a second CBJ Certified Floodplain Manager. This will allow for a quicker turnaround with community-wide flood assessments. There is no match requirement for this grant.

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

f. **Ordinance 2014-24(AG) - An Ordinance Appropriating \$67,146 of Bond Interest Accrued Within CIP H51-084, a Fund for Douglas Harbor Improvements Phase III.**

This ordinance appropriates \$67,145.08 of bond interest accrued within CIP H51-084, a fund for Douglas Harbor Improvements Phase III.

This project was jointly funded by CBJ and the Army Corps of Engineers. The Corps recently completed their project close out which indicates CBJ owes the Corps \$10,103.50 for its match requirement of the project. The account also currently has a deficit of \$10,649.74 due to unbudgeted bond service charges.

Once this appropriation is completed, there would remain \$46,391.84 in the account. Docks and Harbors requests that the remaining funds be transferred to the Harbors Deferred Maintenance account (H51-085) for use in the upcoming Old Douglas Harbor Rebuild project. The transfer will be the subject of Transfer Request T-967, to be placed on the Assembly agenda of the meeting to be held on April 6, 2015.

To summarize:

Amount	Description
\$67,145.08	Interest to be appropriated by ordinance to account H51-084
\$10,649.74	Amount retained in account to cover bonding administrative charges
\$10,103.50	Amount paid to ACOE for CBJ's matching requirement
\$46,391.84	Amount requested for transfer to H51-085 for Old Douglas Harbor Rebuild project

The Public Works Committee recommended this appropriation during their meeting on February 9, 2015.

The Docks and Harbors Board recommended this appropriation during their meeting on February 26, 2015.

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

2. Resolutions

- a. **Resolution 2717 A Resolution Confirming the Assessment Roll for LID No. 60 Providing Improvements to the Roadways within the Tanner Terrace Subdivision, Fixing the Time and Method of Payment of Assessments, Setting the Day of Levy, and Fixing the Time of Delinquency and Penalties and Interest.**

This resolution confirms the assessment roll for LID No. 60, as forwarded to the Assembly by the Board of Equalization. This resolution further provides for time and method of payment of the \$3,700 per lot assessment, the setting of the date of levy, and fixes the time of delinquency and penalties and interest for delinquent payments.

Notices of the hearing before the Board of Equalization were published in the newspaper and sent to residents in the LID area in accordance with CBJ 15.10.130.

Once adopted by the Assembly, notice of the adoption of the roll shall be published in a newspaper of general circulation and mailed to all property owners along with the amount of assessment against each lot, the time of delinquency and the amount of penalty, as required by CBJ 15.10.190.

The Manager recommends the Assembly act according to the Board of Equalization's recommendation.

- b. **Resolution 2715 A Resolution Confirming the Assessment Roll for LID No. 96, Providing for the Construction of a Sanitary Sewer System to Properties Along Glacier Highway from the Top of Pederson Hill to Fritz Cove Road, Fixing the Time and Method of Payment Assessments, Setting the Date of Levy, and Fixing the Time of Delinquency and Penalties and Interest.**

This resolution confirms the assessment roll for LID No. 96, as forwarded to the Assembly by the Board of Equalization. This resolution further provides for time and method of payment of the \$1,800 per lot assessment, the setting of the date of levy, and fixes the time of delinquency and penalties and interest for delinquent payments.

Notices of the hearing before the Board of Equalization were published in the newspaper and sent to residents in the LID area in accordance with CBJ 15.10.130.

Once adopted by the Assembly, notice of the adoption of the roll shall be published in a newspaper of general circulation and mailed to all property owners along with the amount of assessment against each lot, the time of delinquency and the amount of penalty, as required by CBJ 15.10.190.

The Manager recommends the Assembly act according to the Board of Equalization's recommendation.

- c. **Resolution 2721 A Resolution in Support of Providing Funding to the Seward Statue Committee.**

A local group has formed to raise funds to have a William Seward Statue created and installed to celebration the 150th anniversary of the purchase of Alaska. The State of Alaska has dedicated a site in the plaza by the Court Building for the statue. The Assembly Public Works and Facilities Committee, at its March 2, 2015 meeting, supported a \$25,000 donation toward the creation of the statue. The funding will be allocated from funds available in the capital improvement account designated to the review of the Parks and Recreation Department, PR46-099.

The Manager recommends this resolution be adopted.

d. **Resolution 2722 A Resolution Expressing Support for the Advancement of Electrified Transportation Vehicles and Supporting Infrastructure.**

The Juneau Economic Development Council Board prepared a draft resolution regarding electric vehicles and has requested that the Assembly consider passage of the Resolution. The Public Works and Facilities Committee considered the Resolution and other relevant information at its meetings on February 9 and March 2, 2015, and recommended forwarding the resolution with minor amendments to the Assembly for approval.

The Manager recommends this resolution be adopted.

e. **Resolution 2718 A Resolution Re-establishing the Juneau Commission on Sustainability, and Repealing Resolution 2528.**

The purpose of this resolution is to amend the quorum requirements for the Juneau Commission on Sustainability. Currently, the Planning Commission and Assembly members count towards determining a quorum of the Commission. This amendment to the Commission's governing legislation would reclassify the Planning Commission and Assembly members as liaisons, and would specify that the two are not to be counted in determining whether a quorum of the Commission is present.

3. **Transfer**

a. **Transfer Request - T-966 - Transferring the Balance of Bond Funds from the Adair-Kennedy Turf Field Replacement (\$88,844) to the Gastineau School Renovation (S02-094) to Provide Additional Funds for the Proposed DIA Memorial Project.**

Transfer Request T-952 (approved by the Assembly February 24, 2014), ordered the transfer of all remaining bond funds from the Dzantik'i Heeni Covered Play Area (S02-091; \$199,178) and the Adair-Kennedy Turf Field Replacement (S02-097; \$88,844) to two existing CIPs and two new CIPs, pending approval by the Alaska Department of Education and Early Development (ADEED). Of the requested transfers, ADEED approved only one: the transfer of \$38,000 to the Glacier Valley School Renovation (S02-088). The other three transfer requests were rejected.

Of the existing ADEED approved school projects, only Gastineau School requires additional funds; Auke Bay School is finalizing the 1% for art process and all others are complete and scheduled for termination. Therefore the following is recommended:

Transfer the balance of bond funds from the Adair-Kennedy Turf Field Replacement (\$88,844) to the Gastineau School Renovation (S02-094) to provide additional funds for the proposed DIA Memorial project. This transfer was approved by ADEED on March 10, 2015.

The School Board approved this transfer on February 10, 2015. The Assembly Public Works and Facilities Committee approved this transfer on February 9, 2015.

The Manager recommends approval of this transfer.

4. Liquor License

a. **Liquor License Renewals**

The following liquor license applications are before the Assembly to either protest or waive its right to protest these renewals.

Beverage Dispensary Licenses

- License #644 Wolfpack Ventures, LLC d/b/a Salt Alaska, Location: 200 Seward Street
- License #2728 Molly Ventures, Inc. d/b/a McGivney's Sports Bar & Grill, Location: 9101 Mendenhall Mall Road
- License #2844 Sandbar, Inc. d/b/a The Sandbar, Location: 2525 Industrial Blvd.

Beverage Dispensary-Tourism License #313 Juneau Hospitality, LLC d/b/a Prospector Hotel/TK Maguires, Location: 375 Whittier Street

Club License #4034 Juneau Moose Lodge #700 d/b/a Loyal Order of Moose #700, Location: 8335 Airport Blvd.

Package Store License #300 DeHart's, LLC d/b/a DeHarts Grocery, Location: 11735 Glacier Hwy.

Recreational Site Licenses

- License #4881 Alaska Travel Adventures, Inc. d/b/a Alaska Travel Adventures, Location: 9999 Glacier Highway
- License #3409 Alaska Travel Adventures, Inc. d/b/a Gold Creek Salmon Bake, Location: 1061 Salmon Creek Lane
- License #4700 Alaska Zipline Adventures, LLC d/b/a Alaska Zipline Adventures, Location: 3000 Fish Creek Road

Restaurant/Eating Place Licenses

- License #2641 Saffron, LLC d/b/a Saffron, Location: 112 N. Franklin Street
- License #4584 Zephyr, LLC d/b/a Zephyr, Location: No Premises

Wholesale - Malt Beverage & Wine License# 4081 K&L Distributors, Inc. d/b/a K&L Distributors Location: 8420 Airport Blvd.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community

Development Departments have reviewed the above businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest the renewal of one or more of these licenses, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

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

VIII. PUBLIC HEARING

A. Ordinance 2015-11 An Ordinance Amending Ordinance Serial No. 2014-01 Regarding the Second Series of Port Revenue Bonds Authorized Thereunder.

This ordinance amends ordinance 2014-01, adopted on January 6, 2014, authorizing the issuance of not to exceed \$29,000,000 of port revenue bonds. The purpose of the bonds is to fund the cruise ship dock expansion and a portion of the Seawalk. This amendment is necessary to update the principal maturity schedule in section 5. The revised schedule allows the issuance of 19-year bonds versus the original plan of 25-year bonds.

CBJ has already sold \$6.055 million of 25-year revenue bonds on February 20, 2014, to provide funds for the Seawalk portion of the project. The remaining \$22.9 million of bonds are scheduled to be sold April 22, 2015, and will have a 19-year maturity span.

The Manager recommends this ordinance be adopted.

B. Ordinance 2015-12 An Ordinance Amending the Land Use Code Relating to Wireless Communication Facilities.

Wireless Communication Facilities (WCF) are regulated by federal law and by the City and Borough of Juneau in Title 49.65.900-1030.

On January 8, 2015, the Federal Communications Commission published new federal WCF laws, which take effect on April 8, 2015. As of that date, local governments will be required to approve certain types of collocation applications (eligible facility request) within 60 days of initial application. The new law also defines certain terms (such as an eligible facility request) that were previously undefined by the FCC.

The new federal laws do not affect public notice and do not affect WCFs that require a special use permit.

This ordinance would amend Title 49 to be consistent with the new federal laws.

The Planning Commission reviewed the ordinance at its January 27 and February 10, 2015, meetings and recommended forwarding it to the Assembly for its approval. This ordinance includes all changes approved by the Planning Commission.

The Manager recommends this ordinance be adopted.

C. Ordinance 2015-13 An Ordinance Amending the Comprehensive Plan by Adopting the Auke Bay Area Plan.

This ordinance would adopt the Auke Bay Area Plan, and amend the CBJ's comprehensive plan to include the Auke Bay Area Plan.

On February 9, 2015, the plan was presented to the Committee of the Whole. On February 10, 2015, the Planning Commission voted to recommend to the Assembly adoption of the plan.

The Manager recommends this ordinance be adopted.

D. Ordinance 2015-14 An Ordinance Amending the Penal Code Fine Schedule Relating to Off-site Commercial Solicitation.

This ordinance would amend the fine schedule relating to off-site commercial solicitation. Currently, violations of CBJ 49.20.210 are punishable by a fine of \$150. This ordinance would amend the fine schedule to the following graduated schedule: \$150 for the first offense, \$300 for a second offense in two years, and a mandatory court appearance for the third offense in two years.

JPD was approached by several businesses in the downtown area complaining of on-going off-site commercial solicitation (or "hawking") issues. It has become apparent that given the amount of profit involved in the sale of merchandise in the downtown area, a small fine is not sufficient to deter illegal hawking. This ordinance would increase the fine and culminate in a mandatory court appearance for repeat offenders, in an effort to encourage voluntary compliance.

The Manager recommends this ordinance be adopted.

E. Ordinance 2015-15 An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds That Provided Funds to Purchase the Harbor Revenue Bond, 2007 of the City and Borough, Under a Loan Agreement Between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's 2007 Bond, in Accordance With the Loan Agreement, if the Bond Bank Successfully Refinances Its Bonds.

This ordinance would authorize the participation in the Alaska Municipal Bond Bank's "Exchange" refunding (refinance) of the 2007 harbor revenue bonds. The original \$11 million in bond proceeds were sold June 25, 2007. The original bonds were sold through the Alaska Municipal Bond Bank.

The current total remaining debt service payments (bonds + interest) is \$13.4 million dollars. If CBJ issues the refunding bonds in April 2015, the total remaining debt service payments will be \$12.9 million, resulting in an estimated total savings of \$500,000 over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2033). The total remaining debt service payments would be paid for out of the Harbor Operations Fund.

The Manager recommends this ordinance be adopted.

F. Ordinance 2015-16 An Ordinance Providing for the Issuance and Sale of a General Obligation School Refunding Bond in the Aggregate Principal Amount of Not to Exceed \$3,400,000; and Providing the Form and Terms of the Bond and for Unlimited Tax Levies to Pay the Bond.

This ordinance would authorize the issuance of up to \$3.4 million in bonds to refund (refinance) the 2005A general obligation school bonds. The original \$9.5 million in bonds were sold March 1, 2005. The bonds were sold directly into the market by CBJ but the refunding is being done through the Alaska Municipal Bond Bank.

The amount being refunded is \$3.3 million plus issuance costs. If CBJ issues the refunding bonds in April 2015, the refunding will result in an estimated total savings of \$225,000 over the

remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2020).

These bonds qualify for 70% reimbursement under the State's School Construction Bond Debt Reimbursement Program. However, the reimbursement under the State's Debt Reimbursement Program is subject to annual appropriation by the Legislature. The debt service component of the property tax mill rate funds the remaining portion of the payments.

The Manager recommends this ordinance be adopted.

G. Ordinance 2014-24(AB) An Ordinance Appropriating to the Manager the Sum of \$500,000 as a Transfer to the Capital Transit Maintenance Shop Capital Project; Funding Provided by the Alaska Department of Transportation and Public Facilities and Fleet Replacement Reserve Fund Balance.

Capital Transit has a \$400,000 equipment grant from the Alaska Department of Transportation and Public Facilities that was previously appropriated with Ordinance # 2012-20(G) into the Fleet reserve. The grant is for the purchase and installation of lifts and bus washing equipment. There is an additional \$100,000 in the fleet reserve that is a match to the grant.

To date there have been \$77,289 of expenses incurred on the project. The expenses will be transferred along with the revenue to D71-085 Capital Transit Maintenance Shop Capital Improvement Project (CIP).

These funds can be more efficiently spent and tracked if they are transferred into the Capital Transit Maintenance Shop CIP. This CIP was established as part of the voter-approved package on the October 2012 election, it contains approximately \$3M in bond money. The bond project is slated to provide for additional inside bus storage as well as other facility and system improvements.

Transfer From -

FLEET 13-10	CT ARRA Lift/Wash Equipment	\$500,000
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Transfer To -

D71-085	Capital Transit Maintenance Shop	\$500,000
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The Public Works and Facilities Committee reviewed this request at their February 9, 2015, meeting and forwarded it to the full Assembly with a recommendation of approval.

The Manager recommends this ordinance adopted.

H. Ordinance 2014-24(AC) An Ordinance Re-Appropriating to the Manager the Sum of \$77,000 from the Lands and Resources, Affordable Housing Loans Project that was Created with Ordinance Number 2011-11(N), to the Lands Department Affordable Housing Project, Expanding the Intended Scope to Include both "Grants and Loans"; Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.

In 2011, the Assembly appropriated a \$90,000 grant from the State Legislature with Ordinance # 2011-11(N). The intention of the appropriation was that the grant would be combined with the Juneau Affordable Housing Fund to be used for housing loans. The terms of the grant agreement includes the wording "Grants and Loans". This ordinance would broaden the scope of the grant through the Assembly.

Since 2011, only one \$13,000 loan was issued, leaving the balance of the grant at \$77,000. The Affordable Housing Commission has spent numerous hours and meetings discussing alternative ways to use the fund to stimulate the housing market. After much consideration, they propose to use the balance of the State grant (\$77,000) for an Accessory Apartment Grant Incentive Program. The program would provide \$5,000 incentive grants to homeowners/builders who complete new Accessory Apartments. Attached is the program description written by the Affordable Housing Commission.

This item was presented to the Lands Committee on January 26, 2015, and they recommended forwarding it to the Assembly for approval

The Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

A. Ordinance 2015-02 - An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Remote Subdivisions Area Map for Hidden Valley Tract B, Located in the Upper Lemon Creek Valley, from "Not Remote" to Remote.

In April 2014, the applicant applied to have Hidden Valley Tract B, located in the upper Lemon Creek valley, rezoned from "Not Remote" to Remote.

On May 14, 2014, the Planning Commission recommended approval of the rezone application. The proposed ordinance was pulled from the Assembly's agenda when it was learned that the applicant had a concurrent easement application pending that would have provided road access to the property, which would appear to make the property ineligible for a "Remote" designation. It was subsequently learned that the applicant had constructed a gravel roadway to the property connecting it to the roadway without the CBJ's knowledge.

On December 9, 2014, the Planning Commission reconsidered the rezone application and determined that the 12 – 16 foot gravel roadway did not mean the tract was "connected to the road system" (CBJ 49.70.1120). The Commission recommended that the Assembly approve the map amendment.

The Lands Committee heard a presentation on Ordinance 2015-02 at its January 26, 2015, meeting. After public hearing on Ordinance 2015-02 at the regular Assembly meeting on February 2, 2015, the ordinance was referred back to the Lands Committee for consideration. At the March 2, 2015, Lands Committee meeting, CDD addressed CBJ 49.15.460(5)(A), requiring that all lots in a remote subdivision have frontage on a navigable waterbody and that there be no reasonable probability that frontage on a right of way will be necessary for access. (Upstream from Glacier highway, Lemon Creek is classified as non-navigable by the State.)

Two other items may be relevant to the Assembly's review of Ordinance 2015-02: the proposed subdivision amendments and an anticipated written comment from the Bureau of Alcohol, Tobacco and Firearms.

First, the proposed subdivision amendments include the same navigability and right of way requirements as CBJ 49.15.650(5)(A). If the Assembly approves Ordinance 2015-02, CBJ 49.15.650 will need to be amended (as will the ordinance amending the subdivision requirements). If the Assembly denies Ordinance 2015-02, the remote subdivision policies would remain unchanged.

Second, CDD is anticipating written comment from ATF concerning that agency's buffer requirements with respect to a number of explosive storage facilities near Hidden Valley. (See 27 CFR 555.206 imposing minimum distance buffers from explosives to inhabited buildings and public highways.) Though no written comment has yet been received, ATF has verbally confirmed that it would likely consider the roadway a "public highway" subject to the buffer minimums.

The Manager has no recommendation as this is an Assembly policy decision.

X. NEW BUSINESS

A. Liquor License Renewals - Protest Recommendations

Beverage Dispensary License #447 Suite 907, Inc. d/b/a Suite 907, Location: 9121 Glacier Hwy.

Beverage Dispensary License #2533 Jack D. & Arlene D. Tripp d/b/a Viking Restaurant & Lounge, Location: 216 Front Street

The above-listed liquor licenses are before the Assembly to either protest or waive its right to protest the license renewals. The Finance, Police, Fire, and Community Development Departments have reviewed the above business for compliance.

The Finance Department is recommending the Assembly protest the Suite 907, Inc. license renewal based on delinquent sales tax owing in the amount of \$6,491.66 for the quarters ending September 30, 2014 and December 31, 2014 which includes penalties and interest through March 2014.

The Finance Department is also recommending the Assembly protest the license renewal for Jack and Arlene Tripp d/b/a Viking Restaurant & Lounge based on unfiled tax returns for December 2014 - January 2015 along with the associated penalties and interest.

In the event the Assembly does protest the renewals of the above mentioned liquor licenses, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly. The letter found in your packet meets that requirement and this would be the time for the licensee to address their issues to the Assembly.

The Assembly Human Resources Committee considered this issue at its meeting immediately preceding this meeting and will forward its recommendation to the Assembly.

I recommend the Assembly proceed according to the recommendations of the Assembly Human Resources Committee.

B. Regulation Amending Docks and Harbors 05 CBJAC 20.080 Passenger-for-hire Fee.

At the February 26, 2015, Docks & Harbors regular meeting, the Board voted unanimously to changes affecting the fees associated with commercial charter vessel activity, codified under 05 CBJAC Chapter 20. No less than four public meetings were advertised and conducted before the Board took action. The proposed regulation changes were properly noticed and advertised necessary for public comment in a period required under the CBJ Code.

These fees have not been adjusted since 2006 and pertain to passenger-for-hire vessel operations that affect two classes of charters. One class is the smaller six-passenger vessel officially known as Operator Uninspected Passenger Vessel (OUPV). The other class refers to larger charter vessels requiring Coast Guard inspections under federal law. The regulation changes would incrementally increase the fees associated with the inspected vessels from \$300/vessel and \$1.10/passenger to \$500/vessel and \$1.50/passenger in 2017. For six-passenger operation, the regulation would change from a vessel fee and “seat fee” to a vessel fee and “passenger fee” consistent with the inspected vessels. A typical OUPV (six-passenger) is charged \$140/year resulting from a \$50 vessel and \$15/seat fee. The new fee structure would incrementally raise the fees to \$150/vessel and \$1.50/passenger in 2017. For both classes of charters, the fees would be adjusted to the Anchorage CPI after 2017.

The regulation changes also added other named Docks & Harbors managed facilities.

The Manager recommended the Assembly allow this regulation to go into effect.

C. Regulation Amending Docks and Harbors 05 CBJAC 10 Waterfront Sales Permits.

At the February 26, 2015, Docks & Harbors regular meeting, the Board voted unanimously to changes affecting the Waterfront Sale Permit activity which is codified under 05 CBJAC Chapter 10. No less than five public meetings were advertised and conducted before the Board taking action at the February regular meeting. The proposed regulation changes were properly noticed and advertised necessary for public comment in a period required under the CBJ Code.

The most significant change to the regulations is to increase the minimum outcry bid amount to \$30,000 from \$5,000. The median value of the most recent vendor booth outcry auctions has been \$42,000. Other changes include a better definition of individual ownership of the Waterfront Sales Permit, allowing more than one sign (1 ft x 1 ft) to be affixed to the booth, and a policy to encourage opportunity for new permit entries to participate.

The Docks & Harbors Board received and reviewed one letter from a potential vendor booth participant asking that the minimum outcry bid amount remain at \$5000 or increase only to \$10,000. The Board deliberated and elected the \$30,000 minimum bond requirement as it more accurately reflects the historic market value of a permit in a fair and open outcry bidding process.

The Manager recommends the Assembly allow this regulation to go into effect.

D. Request For Authorization to Negotiate a Lease for Wireless Internet Tower

Southeast Communication Services (SCS) has submitted an application to lease City and Borough Lands for a wireless internet communications tower. The proposed tower would enhance SCS’s coverage area in Juneau. The proposed location is on the Mendenhall Peninsula where there are currently two existing towers owned by KTOO and the JPD. The site manager with KTOO has indicated that there is room at this site for an additional tower and this proposal would not negatively affect existing towers and leases. The proposed tower would be smaller than a traditional communications tower, housing equipment similar in size to a dinner plate. The height and footprint of the proposed tower will depend on site features that will be investigated prior to leasing, but the tower is expected to be around 30 feet in height. Given the size of this tower, it is anticipated that a light at the top will not be necessary. In the future, this tower could also be used as a co-location site for other service providers' equipment. Prior to signing a lease, the Planning Commission and the Lands Committee will review this project in order to provide the Assembly with recommendations.

The Manager recommends a motion be adopted to authorize negotiations with Southeast Communication Services for a lease of CBJ property. Approval of the final lease will require Assembly approval by Ordinance.

E. Resolution 2724 A Resolution Urging the Alaska Legislature to Expand Medicaid Coverage to Improve the Health of Alaskans and Alaska's Economy.

The resolution encourages the Alaska Legislature to expand Medicaid coverage. In part, expansion it will improve health outcomes by reducing the number of uninsured Alaskans, improve preventative and primary care access, and expand health care coverage to approximately 2400 Juneau residents . In addition it is projected that Medicaid expansion will bring new federal dollars to Alaska thus creating new jobs.

The Manager recommends the Assembly proceed according to the recommendations of the Assembly Human Resources Committee.

XI. STAFF REPORTS

A. Alaska Housing Finance Corporation (AHFC)

XII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports
- C. Liaison Reports
- D. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

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

LID Board of Equalization

MANAGER'S REPORT:

The Assembly will recess and convene as the Board of Equalization for the purpose of holding public hearings on the assessment rolls, and separate assessments appearing thereon, for LID 60 and LID 96. At the conclusion of the hearing, the Board of Equalization should recommend to the Assembly that it approve the assessment rolls with any revisions or corrections recommended by the Board. The Board will then adjourn and the Assembly will reconvene. The Assembly will consider Resolutions 2715 and 2717 approving the rolls, fixing the time and method of payment, setting the date of levy, and fixing the time of delinquency, and penalties and interest as part of the Consent Agenda.

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

February 19, 2015 Special Assembly Meeting 2015-03

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	DRAFT Minutes 2/19/2015 - Special Assembly Meeting with Airport Board	3/5/2015	Minutes

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THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - February 19, 2015

MEETING NO. 2015-04: The Special Meeting of the City and Borough of Juneau Assembly, held in the Alaska Room at Juneau International Airport, was called to order at 6:00 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Loren Jones (teleconference), Jesse Kiehl, Jerry Nankervis, Merrill Sanford, and Debbie White.

Assembly Absent: Mary Becker, Karen Crane, Maria Gladziszewski, Kate Troll.

Airport Board Members Present: Jerry Godkin, David Epstein (teleconference), Dennis Harris, Jue Heueisen, Robert Mackey, Mal Menzies (arrived 7 pm), Martin Myers (teleconference).

Airport Board Members Absent: None.

Staff Present: Kim Kiefer, City Manager; Patty delLaBruere, Airport Manager; Jane Sebens, Assistant Attorney; Marc Cheatham, Deputy Airport Manager; Rob Steedle, Deputy City Manager; John Coleman, Airport Admin Officer; Catherine Fritz, Airport Architect; and Eric Feldt, CBJ Planner.

II. SPECIAL ORDER OF BUSINESS

A. Update on Airport Projects

Mayor Sanford said that the meeting was a chance for the Assembly and the Airport Board to informally share information.

Ms. deLaBruere and the Airport staff provided information in a power point presentation regarding ongoing projects at the airport, and answered questions from the Assembly and the Airport Board. Highlights included:

CURRENT PROJECTS

- Runway Rehabilitation underway; taxiway will be used as temporary runway. Completion by Summer 2015; \$22M
- Airport (Sustainable) Master Plan underway; completion by Spring 2016. \$750K
- Terminal Concession Expansion. Currently underway; \$330K.
- Airfield Rescue & Fire Fighting truck + building upgrade for equipment; \$1.8M
- NE Apron - Runway Safety Area (RSA) Phase II-b; \$6.5M
- FAA reimbursement for Passenger Boarding \$497K and ADA Ramp \$63K
- Alex Holden Way (cargo road) 'Band-Aid' repairs; \$105K

EVENTS

- Delta Airlines resuming year round service to JNU (as of May 15, 2015).
- DEC/EPA restrictions on urea deicer on horizon. New permit expected from DEC.

FUTURE NEEDS/CONCERNS

- Snow Removal Equipment Facility (SREF) multi-phase; Phase I \$27M + \$2.7M

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Geothermal. FAA approved relocation to NW quadrant

- North end Terminal Replacement; \$14.1M
- ADA elevator \$800K /accessibility upgrades \$100K
- Taxiway Rehabilitation (2018) \$10M
- Runway Alignment Indicator Lights (MALSR) completion for RWY 26 approach \$3.4M
FAA funds
- NW Apron/SREF site – Runway Safety Area (RSA) Phase II-c \$3.2M
- Equipment Replacement (snow removal equipment) \$5M
- Snow Removal Equipment Facility (SREF) Sand/Chemical Storage and Fueling Station
\$10.6M
- Terminal Renovation (“knuckle”) \$23M
- Terminal addition/modifications for possible Q400 aircraft/overcrowding of Departure
Lounge
- Alex Holden Way long term reconstruction including utility infrastructure, drainage
- Short & Long Term Parking Lot upgrades: drainage issues, functionality and general aging
- Rental car parking lot revisions to accommodate rental cars when terminal is expanded
- Aircraft Rescue & Fire Fighting (ARFF) Index change (B - C) anticipated for larger aircraft

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Tom Williams said that a redesign of the SREF (equipment facility) should be considered to maximize federal dollars in order to complete the project.

IV. ASSEMBLY COMMENTS AND QUESTIONS

The Assembly thanked the Airport Board for its work, time and effort.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 8:00 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor

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

February 23, 2015 Regular Assembly Meeting 2015-04

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	DRAFT Minutes 2/23/2015 Assembly Meeting	2/26/2015	Minutes

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THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - February 23, 2015

MEETING NO. 2015-03: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Karen Crane (teleconference), Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Kate Troll and Debbie White.

Assembly Absent: Maria Gladziszewski.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Robert Barr, Library Director; Hal Hart, Community Development Director; Beth McKibben, Senior Planner; Carl Uchytel, Port Director; Bryce Johnson, Police Chief; Tricia Everson, Executive Assistant II; Greg Chaney, Lands and Resources Manager.

II. SPECIAL ORDER OF BUSINESS

A. In Memory of John R. Hurlock, Thank You to the Hurlock Family for the Generous Donation to Purchase Library Books

Mayor Sanford and Robert Barr both thanked Larry Hurlock and the Hurlock family for their generous donations to the community. Mayor Sanford read a certificate of appreciation recognizing the generous donation of \$20,000 for library books at the Juneau Public Library. Mayor Sanford said the Hurlocks had an egg farm and were always ready to lend a hand. They donated land to the high school building program in the 60's and their giving started long ago and has continued.

Mr. Hurlock said his parents were very generous, kind, and had lifelong relations with people they sold property to. His mother attended church every day and donated the land that the original St. Paul's church was built upon. When they were alive his parents were very rarely given recognition for their contributions and the library donation is a small fraction of the donations they made throughout their lives.

B. National Engineers Week Proclamation

Mayor Sanford welcomed the engineers in the room forward, including Carl Uchytel, Dave Pusich, ?, ?, ?, and ?. He read a proclamation announcing February 22, 2015 to February 28, 2015 as National Engineers Week in Juneau, Alaska, and asked people to recognize the essential contributions Engineers make within the community.

Mr. Uchytel said Juneau was fortunate to live in a community with many working and retired engineers. One of their outreach efforts was the Mathcounts annual event that Doug Murray has sponsored for the past 15 years. They also provide scholarships, and he shared a video clip from YouTube showing the national level of Mathcounts.

III. APPROVAL OF MINUTES

A. February 2, 2015 Regular Meeting 2015-02

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Hearing no objection, the minutes of the February 2, 2015 Regular Assembly Meeting 2015-02 were approved.

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

V. 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

None.

C. Assembly Action

MOTION, by Becker, to adopt the consent agenda. Hearing no objections, the consent agenda was adopted.

1. Ordinances for Introduction

- a. Ordinance 2014-24(AB) An Ordinance Appropriating to the Manager the Sum of \$500,000 as a Transfer to the Capital Transit Maintenance Shop Capital Project; Funding Provided by the Alaska Department of Transportation and Public Facilities and Fleet Replacement Reserve Fund Balance.

Capital Transit has a \$400,000 equipment grant from the Alaska Department of Transportation and Public Facilities that was previously appropriated with Ordinance # 2012-20(G) into the Fleet reserve. The grant is for the purchase and installation of lifts and bus washing equipment. There is an additional \$100,000 in the fleet reserve that is a match to the grant.

To date there have been \$77,289 of expenses incurred on the project. The expenses will be transferred along with the revenue to D71-085 Capital Transit Maintenance Shop Capital Improvement Project (CIP).

These funds can be more efficiently spent and tracked if they are transferred into the Capital Transit Maintenance Shop CIP. This CIP was established as part of the voter approved package on the October 2012 election, it contains approximately \$3M in bond money. The bond project is slated to provide for additional inside bus storage as well as other facility and system improvements.

Transfer From -

FLEET 13-10	CT ARRA Lift/Wash Equipment	\$500,000
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Transfer To -

D71-085	Capital Transit Maintenance Shop	\$500,000
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The Public Works and Facilities Committee reviewed this request at their February 9, 2015 meeting and forwarded it to the full Assembly with a recommendation of approval.

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

- b. Ordinance 2014-24(AC) An Ordinance Re-Appropriating to the Manager the Sum of \$77,000 from the Lands and Resources, Affordable Housing Loans Project that was Created with Ordinance Number 2011-11(N), to the Lands Department Affordable Housing Project, Expanding the Intended Scope to Include both “Grants and Loans”; Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.

In 2011 the Assembly appropriated a \$90,000 grant from the State Legislature with Ordinance # 2011-11(N). The intention of the appropriation was that the grant would be combined with the Juneau Affordable Housing Fund to be used for housing loans. The terms of the grant agreement includes the wording “Grants and Loans”. This ordinance would broaden the scope of the grant through the Assembly.

Since then, the JAHF and grant have seen little use. Only one \$13,000 loan was issued, leaving the balance of the grant at \$77,000. The Affordable Housing Commission has spent numerous hours and meetings discussing alternative ways to use the fund to stimulate the housing market. After much consideration, they propose to use the balance of the State grant (\$77,000) for an Accessory Apartment Grant Incentive Program. The program would provide \$5,000 incentive grants to homeowners/builders who complete new Accessory Apartments. Attached you will find the program description written by the Affordable Housing Commission.

This item was presented to the Lands Committee on January 26, 2015 and they recommended forwarding it to the Assembly for approval

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

- c. Ordinance 2015-11 An Ordinance Amending Ordinance Serial No. 2014-01 Regarding the Second Series of Port Revenue Bonds Authorized Thereunder.

This ordinance amends ordinance 2014-01, adopted on January 6, 2014, authorizing the issuance of not to exceed \$29,000,000 of port revenue bonds. The purpose of the bonds is to fund the cruise ship dock expansion and a portion of the Seawalk. This amendment is necessary to update the principal maturity schedule in section 5. The revised schedule allows the issuance of 19 year bonds versus the original plan of 25 year bonds.

CBJ has already sold \$6.055 million of 25 year revenue bonds on February 20, 2014 to provide funds for the Seawalk portion of the project. The remaining \$22.9 million of bonds are scheduled to be sold April 22, 2015 and will have a 19 year maturity span.

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

- d. Ordinance 2015-12 An Ordinance Amending the Land Use Code Relating to Wireless Communication Facilities.

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Wireless Communication Facilities (WCF) are regulated by federal law and by the City and Borough of Juneau in Title 49.65.900-1030.

On January 8, 2015, the Federal Communications Commission published new federal WCF laws, which take effect on April 8, 2015. As of that date, local governments will be required to approve certain types of collocation applications (eligible facility request) within 60 days of initial application. The new law also defines certain terms (such as an eligible facility request) that were previously undefined by the FCC.

The new federal laws do not affect public notice and do not affect WCFs that require a special use permit.

This ordinance would amend Title 49 to be consistent with the new federal laws.

The Planning Commission reviewed the ordinance at its January 27 and February 10, 2015 meetings and recommended forwarding it to the Assembly for its approval. This ordinance includes all changes approved by the Planning Commission.

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

- e. Ordinance 2015-13 An Ordinance Amending the Comprehensive Plan by Adopting the Auke Bay Area Plan.

This ordinance would adopt the Auke Bay Area Plan, and amend the City's comprehensive plan to include the Auke Bay Area Plan.

On February 9, 2015, the plan was presented to the Committee of the Whole. On February 10, 2015, the Planning Commission voted to recommend to the Assembly adoption of the plan.

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

- f. Ordinance 2015-14 An Ordinance Amending the Penal Code Fine Schedule Relating to Off-site Commercial Solicitation.

This ordinance would amend the fine schedule relating to off-site commercial solicitation. Currently, violations of CBJ 49.20.210 are punishable by a fine of \$150. This ordinance would amend the fine schedule to the following graduated schedule: \$150 for the first offense, \$300 for a second offense in two years, and a mandatory court appearance for the third offense in two years.

JPD was approached by several businesses in the downtown area complaining of on-going off-site commercial solicitation (or "hawking") issues. It has become apparent that given the amount of profit involved in the sale of merchandise in the downtown area, a small fine is not sufficient to deter illegal hawking. This ordinance would increase the fine and culminate in a mandatory court appearance for repeat offenders, in an effort to encourage voluntary compliance.

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

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2. Resolutions

- a. Resolution 2711 A Resolution Supporting the Reinstatement of a Full \$60 Million Into the Revenue Sharing Fund on a Yearly Basis With a One-Year Appropriation of \$8 Million to the Fund With an Effective Date Prior to June 30, 2015.

This resolution requests that the Alaska Legislature reinstate a full annual deposit of \$60 million into the municipal revenue sharing fund, and further requests that the Legislature appropriate \$8 million to the fund, with an effective date prior to June 30, 2015, to add to the \$52 million appropriated to the fund last legislative session. This resolution supports, and is modeled after, a similar resolution adopted by the Alaska Municipal League.

The Manager recommends this resolution be adopted.

- b. Resolution 2712 A Resolution Accepting the Task Force Report on Basing National Oceanic and Atmospheric Association (NOAA) Fisheries and Oceanographic Functions in Alaska.

The majority of the NOAA Alaska fishery and oceanographic research is based in Washington and Oregon. This adversely affects Juneau and other Alaska coastal communities because jobs and income are elsewhere and it limits the time that researchers can spend in Alaska's waters. To address this issue, on February 24, 2014, the Mayor created the Task Force on Federal National Oceanic and Atmospheric Administration Fisheries and Oceanographic Functions in Alaska.

The task force presented its report at the January 26, 2015, Committee of the Whole meeting. The report makes specific recommendations on how Juneau can influence moving the base of that research to Juneau and other Alaska coastal communities. At that meeting, a motion to accept the report was approved without objection.

The Manager recommends this resolution be adopted.

- c. Resolution 2716 A Resolution Increasing the Membership of the Sister Cities Committee and Repealing Resolution 2508.

Resolution 2508, adopted on November 23, 2009, increased the membership of the Sister Cities Committee from three members to five. The committee has been meeting regularly and is actively seeking to reconnect and strengthen Juneau's relationships with its sister cities.

When presenting its 2013 annual report to the Human Resources Committee on February 24, 2014, the Sister Cities Committee requested to increase membership from five to seven members in order to better facilitate the committee's work on its various activities and projects. At the February 2, 2015 Assembly meeting, a motion directing staff to draft a resolution to increase the membership from five to seven was approved without objection. The Human Resources Committee meeting reviewed this resolution at its February 23, 2015 meeting.

The Manager recommends the Assembly follow the recommendations of the Assembly Human Resources Committee.

3. Transfers

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- a. T-965 - Transferring \$225,000 of Sales Tax Revenues from the Completed Berners Avenue Reconstruction and Tanner Terrace Reconstruction Capital Improvement Projects to Provide Additional Funding Necessary to Complete the Back Loop Auke Bay Waterline Capital Improvement Project.

Transferring \$225,000 of Sales Tax Revenues from the completed Berners Avenue Reconstruction and Tanner Terrace Reconstruction capital improvement projects to provide additional funding necessary to complete the Back Loop Auke Bay Waterline capital improvement project.

The water main being replaced is a part of the original University water system and needs to be upgraded due to being old and undersized (not able to carry the volume of water needed to efficiently supply water from the CBJ water sources – LCB and Salmon Creek – to the customers out the road). The remaining portions of the water system within the ADOT project limits have already been upgraded as parts of past projects. The work is estimated to cost approximately \$300,000. The existing CIP has \$75,000 remaining, leaving a \$225,000 shortfall. The project is anticipated to be bid by early summer 2015. The Berners Avenue project is completed and will be closed upon this transfer. The Tanner Terrace project is substantially complete with minor punch list items and project closeout to be completed this spring.

Transfer From -
R72-051 Berners Avenue Reconstruction \$118,000
R72-065 Tanner Terrace Reconstruction LID \$107,000

Transfer To –
W75-048 Back Loop Auke Bay Waterline \$225,000

The Public Works and Facilities Committee reviewed this request and forwarded to the full Assembly with a recommendation of approval at their January 26, 2015 meeting.

The Manager recommends approval of this transfer.

VII. PUBLIC HEARING

- A. Ordinance 2015-07(b) An Ordinance Amending the Land Use Code Relating to Accessory Apartments.

This ordinance would amend Title 49 with respect to accessory apartments. The ordinance would allow for larger accessory apartments, up to 1000 square feet, if certain conditions are met with respect to the net floor area of the primary dwelling and size of the lot. The ordinance also simplifies the review and approval process for accessory apartments that are proposed on lots that exceed the minimum lot size. Additionally, the ordinance provides that the Planning Commission may approve an accessory apartment application on a lot that is less than the minimum lot size. Finally, the ordinance would also clarify the parking requirements and makes a few additional housekeeping changes.

The Planning Commission reviewed Ordinance 2015-07 at its October 28, 2014, meeting and recommended forwarding it to the full Assembly for approval.

The Committee of the Whole reviewed Ordinance 2015-07 at its February 9, 2015,

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meeting and recommended amending the ordinance to allow the Community Development Director to approve accessory apartments that have adequate wastewater disposal capacity, regardless of whether the capacity is provided by public sewer or onsite septic. Ordinance 2015-07(b) reflects those changes.

The Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Nankervis, to adopt Ordinance 2015-07(b).

Ms. Kiefer provided a handout regarding possible parking changes, "Alternative A and Alternative B," and Ms. McKibben provided an explanation.

MOTION, by Kiehl, to amend the ordinance to include Alternative A, which required parking based on the number of bedrooms rather than the size of the apartment, at one space for an efficiency or one bedroom, and two spaces for two bedrooms.

Ms. White preferred Alternative B, which required only one space per accessory apartment, as many people were moving to fewer vehicles and use of the transit system.

Roll call on Alternative A:

Aye: Crane, Jones, Kiehl, Troll

Nay: Becker, Nankervis, White, Sanford

Motion failed, 4 ayes, 4 nays.

MOTION, by White, to amend the ordinance to include Alternative B.

Roll Call on Alternative B:

Aye: Becker, Crane, Kiehl, Nankervis, Troll, White, Sanford

Nay: Jones

Motion carried, 7 ayes, 1 nay.

Hearing no objection, Ordinance 2015-07(b) was adopted as amended.

- B. Ordinance 2015-08(b) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Two Parcels between 4605 and 4765 North Douglas Highway, from RR(T)D3 to D-15.

In December 2013, the Community Development Department initiated a rezone of 43 parcels along North Douglas Highway extending from mile 1.3 to 1.9. The parcels are currently identified as transition zones, RR(T)D-3, RR(T)D-15, and D-1(T)D-3.

On June 25, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area. No one from the public participated in the meeting.

The Planning Commission heard the rezone proposal at its August 26, 2014, regular meeting. The Planning Commission recommended approving the rezone with modifications, upzoning a portion of the lots currently zoned D-1(T)D-3 to D-5, and a

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portion of the lots zoned RR(T)D-3 to D-15. The Planning Commission believed the modifications were needed for consistency with the Land Use Maps of the Comprehensive Plan. Ordinance 2014-45 was forwarded to the Assembly with the Planning Commission's recommendations.

Based on public testimony at the October 20, 2014, Assembly meeting, the Assembly remanded proposed ordinance 2014-45 to the Planning Commission to solicit further public feedback and explore opportunities for higher densities.

The rezone was re-noticed for the November 25, 2014, Planning Commission hearing. Based on public testimony at the hearing, the Planning Commission reversed its earlier decision to recommend upzoning of any of the parcels except the two that are the subject of this ordinance.

Per CBJ 49.70.700-720, once the Assembly has created a transition zone, the rezone occurs upon the Planning Commission granting the rezone to the transition zone designation. Accordingly, as the Planning Commission reversed its October 2014 decision to recommend upzoning 41 of the 43 parcels under consideration, as to those 41 parcels, the rezone is complete. (CBJ 49.70.720(2)(B)(a).)

Ordinance 2015-08(b) removes the 41 parcels that were rezoned at the November 25, 2014, Planning Commission meeting, which leaves two parcels for the Assembly to consider upzoning from D-3 to D-15.

The Manager recommends this ordinance be adopted.

Ms. Kiefer distributed a modified map as Exhibit A to Ordinance 2015-08(b).

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2015-08(b).

MOTION, by Kiehl, to amend by replacing section 2 of the proposed ordinance with the text of section 2, Ordinance 2014-45, that was before the Assembly in October as recommended by the Planning Commission in the fall:

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 reflect the changes from the current and transitional zoning to the new zoning as follows:

Parcel Code No.	Legal Description	Current Transitional		New
		Zoning	Zoning	
6D0701000031	USMS 2225 Tract 1	RR	D15	D15
6D0601150011	Channel View Lot 1	RR	D3	D15
6D0701000020	Triangle Lot 3	RR	D3	D15
6D0701010171	USS 2960 Lot 7A	D1	D3	D3
6D0701010172	USS 2960 Lot 7B	D1	D3	D3
6D0701010161	USS 2960 Lot 8B	D1	D3	D3
6D0701010162	USS 2960 Lot 8A	D1	D3	D3

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6D0701010150	USS 2960 Lot 9A	D1	D3	D3
6D0701010140	USS 2960 Lot 9B	D1	D3	D3
6D0701080160	USS 2960 Lot 6 Tract 1	D1	D3	D3
6D0701080152	USS 2960 Lot 6 Tract 2	D1	D3	D3
6D0701080151	USS 2960 Lot 6 Tract 2A	D1	D3	D3
6D0701080140	USS 2960 Lot 5 Tract A	D1	D3	D3
6D0701080130	USS 2960 Lot 5 Tract B	D1	D3	D3
6D0701080120	USS 2960 Lot 5 Tract C	D1	D3	D3
6D0611000012	USS 4605 FR	RR	D3	D3
6D0701010010	USS 2960 Lot 16	D1	D3	D3
6D0611000010	USS 4605 FR	RR	D3	D3
6D0701010130	USS 2960 Lot 10 FR	D1	D3	D5
6D0701010120	USS 2960 Lot 10 FR	D1	D3	D5
6D0701010110	Deep Lots Lot 11A	D1	D3	D5
6D0701010100	Deep Lots Lot 11B	D1	D3	D5
6D0701010090	Deep Lots Lot 11C	D1	D3	D5
6D0701010080	Deep Lots Lot 11D	D1	D3	D5
6D0701010070	USS 2960 Lot 12A	D1	D3	D5
6D0701010071	USS 2960 Lot 12B	D1	D3	D5
6D0701010060	USS 2960 Lot 13 FR	D1	D3	D5
6D0701010050	USS 2960 Lot 13 FR	D1	D3	D5
6D0701010040	USS 2960 Lot 14 Tract 2	D1	D3	D5
6D0701010030	USS 2960 Lot 14 Tract 1	D1	D3	D5
6D0701010020	USS 2960 Lot 15	D1	D3	D5
6D0701080111	Scott Lot 6	D1	D3	D5
6D0701080112	Scott Lot 7	D1	D3	D5
6D0701080100	Scott Lot 5	D1	D3	D5
6D0701080090	Scott Lot 4	D1	D3	D5
6D0701080080	Scott Lot 3	D1	D3	D5
6D0701080070	Scott Lot 2	D1	D3	D5
6D0701080060	Scott Lot 1	D1	D3	D5
6D0701080050	Graham Lot 3A	D1	D3	D5
6D0701080040	Graham Lot 3B	D1	D3	D5
6D0701080030	Graham Lot 3C	D1	D3	D5
6D0701080020	Graham Lot 3D	D1	D3	D5
6D0701080010	USS 2960 Lot 2 FR	D1	D3	D5

Mr. Kiehl said there was no substantive difference in the upzone of the D-15 zones, but D-1-T-D-3 parcels would be upzoned to D-5. He said this amendment, if adopted, would require the ordinance to be re-introduced due to the scope of the change, but it was the right thing to do. He spoke about the needs for housing, and the investment made in sewer and water installation in the area. He said that 2 units per acre would equal 160 potential units for D-3, and D5 would be approximately 320 potential units. It would be a long time before the maximum number of units would be built, if ever, and driveway permits could be difficult to obtain, so any change to the neighborhood would be slow. He read the descriptions of the D-3 and D-5 districts in Title 49 and said that D-3 lands were primarily outside of the urban service boundary where public utilities were not provided. D-5 lands were primarily within, and this area for rezoning was within the urban service boundary.

Mayor Sanford asked the next step if the amendment was passed. Ms. Mead said that the ordinance would need to be reintroduced and would have another public hearing.

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Ms. Crane supported the amendment. Her concern was the lack of public testimony the first time through and she agreed that the higher zoning was appropriate.

Mr. Jones said he attended the Planning Commission meeting and the public comments were from those who purchased lots at D-1 (T) D-3 and those people are concerned about the increase of zoning to D-5, the increased potential for driveways, there is not a lot of flat land there, and the PC reversed its decision. If this amendment was passed the Assembly would hear from those landowners. He opposed the amendment.

Mr. Nankervis said he attended the Planning Commission meeting as well and he disagreed with sending it back to the Planning Commission in the first place, due to lack of public notice, and the public commented that they did not want the increased density, the Planning Commission responded and now it is back to the Assembly, and the amendment asked for what was envisioned in the first place.

Ms. Troll said she opposed the amendment out of respect for due process - it was properly noticed, the landowners did show up, the Planning Commission did its work and chose to leave it at D-3. Unless there was some compelling evidence that the work was not done properly, the Assembly should uphold the work.

Ms. White said she supported the amendment. The upzoning would not force anyone to subdivide their land, but would provide the option if the topography allowed. The driveways were a matter for the Department of Transportation. She spoke about the investment in infrastructure and subsequent opposition to upzoning and there would always be people who opposed change.

Ms. Becker said she supported the amendment.

Roll call:

Aye: Becker, Crane, Kiehl, Nankervis, White, Sanford

Nay: Jones, Troll

The motion passed 6 ayes, 2 nays.

Ms. Mead said she would return the amended ordinance to the Assembly for introduction.

C. Ordinance 2015-09 An Ordinance Amending the Penal and Traffic Codes Relating to Marijuana Offenses and Establishing Penalties.

As of February 24, 2015, the effective date of the initiative, State law will prohibit the consumption of marijuana in public. The initiative, at section 17.38.040, states: "It is unlawful to consume marijuana in public. A person who violates this section is guilty of a violation punishable by a fine of up to \$100."

The initiative does not define "in public," and as such, is potentially subject to legal challenge. Additionally, because the State has not adopted a bail schedule or set fine to be imposed, all citations would require mandatory court appearances.

This ordinance would prohibit the same activity banned under State law (public consumption), but unlike the initiative, would define what "in public" means, giving clear guidance to the public about what is and isn't allowed, and, by establishing a specific fine amount for violations, would allow persons violating the law the option to pay the fine in lieu of a court appearance for the first two violations. The ordinance would establish a

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\$100 penalty for a first and second violation, with the third and subsequent violations requiring a mandatory court appearance.

This ordinance would also amend the Traffic Code by adding a provision prohibiting the consumption of marijuana while driving a motor vehicle and prohibiting the person in control of a motor vehicle from permitting or allowing anyone in the vehicle to consume marijuana while the vehicle is being driven. The ordinance would establish a penalty of \$200 for a first violation, \$300 for a second violation, and a mandatory court appearance for the third and subsequent violations, consistent with the City's open container law.

The Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2015-09.

Mr. Nankervis referred to an email from Mr. John Sivertsen and asked about mandatory court appearances (MCA) and if there were bigger fines available, and if not, why make it mandatory court due to the cost of sending CBJ attorneys to court if it could just be a fine. He said it was difficult to figure out how many times someone had been convicted of an offense.

Ms. Mead said the policy decision for graduated fine was made by the Assembly and the MCA did not require attorney assistance as it was still a minor offense to be arraigned in court and it left the fine discretionary with the judge, up to the top limit of \$500. The idea of a MCA was to make it a more burdensome process for the person cited, so they could not just write a check, but would have to see a judge.

Mayor Sanford asked if a police officer had a way to look up the number of previous citations when issuing a citation. Ms. Mead said if the officer was on foot, they would need to call dispatch to look it up, but an officer in a car had immediate access to the information.

Ms. White asked if the MCA could be added at a later date, she was concerned about tying up court time for these offenses. She would still support the MCA for the vehicle operation section.

Ms. Mead said it could be a static schedule or the fine schedule could be modified at any time.

Ms. Crane asked if the police had a preference. Chief Johnson said that due to the time it too to look up the history, tickets were often written as a first offense without citing the MCA. Ms. Mead said that whatever was written on the ticket was the limitation of punishment that could be imposed.

Mr. Kiehl said the approach with most options was to have a flat amount with an option for a MCA.

Hearing no objection, Ordinance 2015-09 was adopted.

D. Ordinance 2015-10 An Ordinance Adopting the Juneau Economic Development Plan.

This ordinance would adopt the Juneau Economic Development Plan, dated January 28,

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2015, and amend the City's comprehensive plan to include the Juneau Economic Development Plan.

Work on the Juneau Economic Development Plan began in January 2014. In developing the plan, the consultants conducted public workshops and met with community leaders. The Assembly Committee of the Whole heard presentations on the plan from the consultants in April, June, July, August, September and October of 2014. On January 5, 2015, the Committee of the Whole reviewed the final draft plan.

The Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Jones, to adopt Ordinance 2015-10. Hearing no objection, it was so ordered.

Ms. Troll asked for proposals on how the plan could be implemented.

Mayor Sanford said he had communicated with JEDC, JCVB, the Airport Board, and he would invite people to come in to review Chapter 5 for a discussion, to see how specific groups could help move the plan forward. He was seeking help from the community to expedite implementation of the plan. He asked the Assemblymembers review the objectives and goals that they had been working on or would like to be a champion for, and report back to him, so he could link Assemblymembers with those taking action. Mayor Sanford said that the staff was reviewing the plan for activities that were underway, such as the Housing Action Plan, the West Douglas Road, and others. He asked the Assemblymembers to provide him with their thoughts on the matter.

Ms. Troll asked if there would be a special meeting to discuss Chapter 5 with the community groups and Mayor Sanford said yes. Ms. Troll suggested that each member be a liaison for one of the nine initiatives. This would enable her to continue with the NOAA work she had done.

Mayor Sanford said the plan was big, and a goal was to not start something that could not be finished. He encouraged communication and careful consideration of the initiatives regarding cost.

Mayor Sanford thanked the Assembly for putting forth the funding and the work for the plan and it was a good effort.

Ms. Kiefer said there was an errata sheet of corrections in the red folder. There was no objection to adopting the errata sheet to accompany the plan.

VIII. UNFINISHED BUSINESS

None.

IX. NEW BUSINESS

- A. Authorization to Begin Land Exchange Negotiations with the Christ Evangelical Lutheran Church of Juneau in Order to Gain Access to the Future Pederson Hill Residential Development

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In order for the CBJ to develop Pederson Hill to meet the housing demand needs, the CBJ must first secure access routes from Glacier Highway to the large tracts of property. The Christ Evangelical Lutheran Church has demonstrated interest in a land trade that would be mutually beneficial. The CBJ stands to gain a reliable access point that allows for cost effective development of utilities as well as a four-way intersection off of Glacier Highway that was recommended by the ADOT. The Christ Evangelical Lutheran Church stands to gain land that can be developed for future expansion, direct access to the undeveloped ROW as well as a future sewer hook-up. This land trade will facilitate the next phase of planning and development of the Pederson Hill residential subdivision. The Property Acquisition and Disposal Code CBJ53.09.260(a) requires Assembly direction by motion in order for the Manager to negotiate terms for a land exchange.

The Manager is requesting authorization to enter into direct negotiations for a land trade with the Christ Evangelical Lutheran Church of Juneau.

MOTION, by Troll, to authorize the Manager to enter into direct negotiations for a land trade with the Christ Evangelical Lutheran Church of Juneau, in order to gain access to the Future Pederson Hill land development. Hearing no objection, it was so ordered.

- B. Authorization to Waive the \$500 Application Fee & Appraisal in Order to Enter into Direct Negotiations for an Expanded Leased Area and Extend the Southeast Alaska Food Bank Lease

In 2001 Resolution Serial No. 2098 authorized the Manager to lease a .25 acre parcel of land for 25 years at the end of Crazy Horse Drive for \$1 per year to the Southeast Alaska Food Bank for the purpose of operating a charitable food distribution warehouse. Over the past 14 years the Food Bank has provided a food distribution system for service groups assisting the needy and homeless throughout Southeast; now they seek to expand their leased area in order to meet increasing demand. As part of the request, it is asked that the \$500.00 application fee and appraisal (required under CBJ53.09.260) be waived because of the service they provide to the community.

The Manager is requesting authorization to enter into direct negotiations for a new lease with the Southeast Alaska Food Bank, and waive the application fee.

Mr. Kiehl asked for a description of the expanded area. Mr. Chaney said it would be an additional quarter acre, which would double the size of the building and parking area.

Hearing no objection, the Manager was authorized to enter into direct negotiations for a new lease with the Southeast Alaska Food Bank, and waive the application fee.

- C. Authorization to Begin Negotiations to Renew the State of Alaska Lease for Employee Parking Adjacent to the JACC and Centennial Hall

Resolution Serial No. 2535 authorized negotiations with the State of Alaska for a one year lease for employee parking in the vicinity of the Juneau Arts and Cultural Center and Centennial Hall, with the option of four one year renewals. The lease was appraised April 2010 for \$111,000 annually. The last renewal is set to expire on June 30, 2015. Prior to finalizing a new agreement, the lease will be reviewed by the Planning Commission and come back to the Assembly for final approval by ordinance per CBJ 53.09.260.

The Manager is requesting authorization to negotiate a new lease with the State of Alaska.

The Assembly reviewed the terms of the lease, the number of parking spaces, and the planning for downtown parking and the needs of JACC, Centennial Hall, and the Willoughby District.

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Hearing no objection, the Manager was authorized to negotiate a new lease with the State of Alaska for employee parking adjacent to the JACC and Centennial Hall.

D. Gastineau School 1% for Art Proposals

The Gastineau Community School Selection Panel has selected four artists for the 1% for Art for Gastineau Elementary School. Three of the artists would enter into contract with the City for the completion of their work and one artist would be paid for an already completed framed artwork. The budget for the 1% for Art process for Gastineau Community School is \$90,000. This is 1% of the final construction cost of the renovation project.

Extreme Dreams (John & Sharon Svenson) have proposed three glass tile mosaic panels depicting a nature theme with warm colors true to the setting and character of Douglas. The panels will be approximately 4' x 2.5' each, totaling 30 square feet and installed on the upper half of wall in foyer 117. The panels will be composed of glass tiles and may incorporate other materials and treasures as desired by the artist such as found objects, coins, and gems. Cost: \$14,500 + \$1,400 stipend.

Dan DeRoux has proposed a hanging sculpture entitled "Rain Drop Light Well" to be installed in the light well at intersection of Foyer 117 & Corridor 102/137. It will suspend forty eight ¼" acrylic discs of varying sizes with centers cut out for placement of crystal or glass raindrops. A 1 ½' mirrored band will be applied to the light well interior. The idea is to create an illusion that you are looking up at raindrops on the surface of water, and as the sun shines through, it should create a rainbow effect. Cost: \$27,000 + \$1,000 stipend.

Donna Catotti and Rob Goldberg have proposed an etched glass composition depicting a treetop view of two eaglets in a nest along with two adult eagles reflecting a realistic result through drafting and layering. The Artists will sandblast-etch the existing glazing of eight to twelve glass panels making up a wall that divides the office area from the commons area. The etching will provide a sense of privacy on the lower levels while keeping a filtered view of the commons area in upper levels. This is to block view of children looking into office while allowing adults to see through. Cost: \$20,000.

Bruce Nelson proposed a large colorful painted mural to be attached to the upper wall soffits in the commons area. The Art Committee appreciated his sketches but did not choose the full sized mural. Instead the Committee asked Mr. Nelson about purchasing the actual sketch, to which he agreed. The sketch is 23" x 30"; and will arrive framed and ready to hang. Cost: \$875.

In accordance with CBJ 62.65 all 1% for Art selections are subject to final approval by the Assembly.

The Manager recommends approval of the 1% for Art Proposals for Gastineau Elementary School.

Hearing no objection, the Assembly approved all 1% for Art Proposals for Gastineau Elementary School as selected by the Gastineau Community School Selection Panel.

X. STAFF REPORTS

A. Update from City Attorney on Gastineau Apartments

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8:21pm. JYL said the building is not salvagable - demolished - \$900,000. If concrete shell left in place, plus the cost to retrofit, vs. 1.2 mill to demolish the entire site leaving the retaining walls in place. Because of the cost, AHFC said the return on investment is too low to move forward either on its own or with a private developer. This means there are three options. Eminent domain path working with AHFC, which would require CBJ to demolish property, to then allow AHFC to work with private developer. Eminent domain, transfer to private developer to use any way they wish as long as the owner consents to this action - eliminates the need for a public purpose but must be owner consent. Nuisance Action, require current owner to demolish the destruction. The current owner required, if did not do so, CBJ could do so, on own or through private developer, place lien on the property, then sell property. Could not get all of our costs out of a sale as the current appraisal is \$800,000. One of the owners that we have not had communication with has contacted us and has given a date for demolition as the end of march and we are not sure that is feasible. The value that she supports for the project is not backed up by any information Ms. Mead has. The current private price is \$2 million. Ms. Crane - what is fastest. Ms. Mead - CBJ obtain, demolish, and provide flat lot to new owner. The least expensive is the slightly slower route. Mr. Jones - there is a cost to eminent domain, which is on top of the cost to demolish, \$1.2 is just for demo. Ms. Mead said that those costs are taken into account in court. If it costs us \$1.2 mill and we can't sell for only \$500,000, that we can argue to the court that we should not have to pay additional court costs. Mr. Jones said that knowing we are trying to avoid CBJ being sucked into a hole. We should require demolition and still try to work with AHFC. Structure to still work with AHFC, so once flat land, we could see an adequate building for housing, instead of waiting for a private builder to get funding. Ms. White said there was some mention of private developers - has that interest evaporated? Ms. Mead said if the owner entertained private offers and that has not occurred. Ms. Mead said that any developer working with AHFC may find the return too low, without the ability to use some of the structure for commercial space. There were also parking concerns...8:31 p.m. There were other issues with AHFC, they did say we could work with you still possibly if issues worked out, but only if buildign is damaged. 1) Eminent domain - three possible outcomes: If affordable housing not end goal and different public purpose identified, city purposes, parking, affordable housing, several items. If for housing and we work with AHFC to work with private developer, there are 3) if property owner was amenable to take eminent domain, then demolish, then sell to private owner. Code enforcement action - property management code, nuisance action in code or combo - require to demo within a certain amount of time, or we do so, then lien the property to recoup cost. No public purpose. Anyone can buy - higher rate of return. Ms. Crane - how long does this option take? Ms. Mead 3 - 6 months. Mr. Sanford - Nowell ave. \$10,000 recovered of \$72,000. There is a bank foreclosing on the property, and we can't take any action... ther eis no lien on this property. Ms. Troll we wanted to be as flexible as possible - meet guidelines of AHFC and make it attractive to developer - they are only looking at affordable housing. Ms. Mead - they can't offer solely as commercial property - they can't offer at a ratio of both that make it attractive to a private owner. They have provided the most commercial space as possible and it doesn't pencil out. Mr. Kiehl would like to see the figures, the redevelopment cost and what it would provide...8:38 pm. - without seeing the numbers I don't know if there is an opportunity for partnership with AHFC...could we put in half the development costs. Ms. Mead said AHFC was willing to speak to the Assembly about this issue. Mayor Sanford wanted to see the costs outlined. Perhaps the private owners would stand a better chance with the current owners if they know the Assembly is not interested in pursuing the matter. Ms. Becker asked about the lien. Ms. Mead said that if there could be an administrative process,..we don't have final report from Jensen Yorba Lott - buildign official makes statemetn - building needs to be demolished. Dangerous building code. we have used this before and it is a shorter process. Supreme Court 2008 -muni cannot impose a lien on real property for failure to pay services such as garbage, but not for property tax. the IPROPERTY code allows for imposition of a lien. She does not know what the

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courts position would be for failure to comply with an order to demolish. Mr. Jones - said there have been two different engineers reports, now an architect's report, each seems worse, and it won't get better sitting there. If the owner wants \$2 million, I don't know who will pay it. It seems that the shortest period of time to get the information so we can act - we need to get that buildign down and get a plan to move forward. That is valuable property sitting there and we just passed an economic development plan. I would rather err on spending money quick than to get a worse report - we are the only ones in teh position to act quickly. I don't see anyone else doing this. Ms. Troll - the eminent domain route is within our control - wer are trying to make this attractive...8:47 p.m. we have not had good luck in getting the owners permission to address this through eminent domain. She does not like option one, but she thought the other two routes were unlikely. Ms. Mead said eminent domain got the property faster - the third option gets back the most money but would take a longer period of time. Mr. Kiehl said we would need to identify a public purpose at the outset. We now have a building to be demolished, not rehabbed, and I don't know what purpose we would select. He would need more information to make that decision. Ms. Crane said that her concern about eminent domain and a public purpose was that place may not be the best place for affordable housing and it would create vibrancy - mixed use. I don't want to jsut do affordable housing, that is not in teh bewst interest of downtown. Ms. Troll asked if we went to eminent domain, it would be jsut affordable houing? Hinges on whether ahfc is involved, but if they decline, then there is...you want to hear from AHFC to discuss moving forward and more about potential purposes eminent domain, and the various potential costs for the options. Mr Nankervis - wishes the landowner would take care of his own problems - rather than making it the city's problem. Mr. Jones - any options for tax abatement if we find our own developer, any options or incentives we can offer to a private developer? Mayor Sanford - the less requiresmnts the city has the easier it is for the developer to get a loan...example of 2nd and Franklin street development. Ms. Troll - what are the tipping point interests - what makes property attractive to private developers. Mayor Sanford - EDP - price of land downtown vs. ? Mr. Jones - property tax per square footage - we have waived or significantly reduced property tax on the buildign becuae it is a distressed building. Mayor Sanford - perhaps we should not waive the taxes as a way to Mr. Steedle - will provide numbers and it was not reduced until last year based on the condition of the building. Mr. Jones - are they current on taxes. Ms. Mead - if we lien the property - foreclose on the lien, if remaining amount, coul..... 8:58 p.m. Ms. Mead - this property is owned by a defunct LLC. It is difficult to go after the true owners to recover costs.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford said that the Sister City group visited Whitehorse and would update the Assembly at a future meeting. There were some good discussions and a group from Whitehorse would be visiting for the Fourth of July and also attending the Southeast Conference meetings in Prince Rupert in September. He said it had been very worthwhile to send the Sister City representatives on this visit.

B. Committee Reports

Committee of the Whole: Chair Becker said the COW heard presentations from Max Mertz and Kirk Duncan about aquatics facilities, discussed the accessory apartment ordinance and the Auke Bay plan. The next meeting was set for March 2.

Finance Committee: Chair Crane said the Finance Committee considered recommendations from the Tax Exemption Review Committee and voted to move three items to the assembly: 1) raising limit on items purchased from to \$12,000 from \$7,000 and additionally raising it every year by the Consumer Price Index, 2) Limiting the senior sales tax exemption to Juneau seniors only - no out

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of town residents, and 3) eliminating the senior tax exemption for restaurant meals. The committee was still considering a needs based senior exemption but had additional questions to investigate on how this would work. More information would be considered at the next meeting set for March 18.

Human Resources Committee: Chair Jones said HRC met with SSAB providers to gather information and would continue to review the SSAB grant program. The HRC forwarded a positive recommendation to expand the Sister City Committee from five to seven members. The HRC discussed the Aquatics empowered board and would convene an internal working group, to include Mr. Mertz as a member of Glacier Swim Club, to review and report back on a series of questions at the March 16 HRC meeting.

Chair Jones provided the recommendations from the HRC regarding committee appointments. Hearing no objections, the following appointments were confirmed:

Juneau Commission on Sustainability:

Appointment of John Smith to a term expiring June 30, 2016 and Greg Smith to a term expiring June 30, 2017.

Parks and Recreation Advisory Committee:

Appointment of Frances Dowd to a term expiring February 28, 2016, reappointment of Tom Rutecki to a term expiring February 28, 2018 and appointment of Eric Ouderkirk and Lindsay Halvik for terms expiring February 28, 2018.

Jensen Olson Arboretum:

Reappointment of Ed Buyarski, Patricia Harris and appointment of Steve Moseley to terms expiring January 31, 2018.

Lands and Resources Committee: Chair Kiehl said the questions regarding the application for a map amendment for Hidden Valley would be discussed at the next meeting on March 2. The committee discussed the North Franklin lot proposal and forwarded it to the March 2 Committee of the Whole meeting.

Hearing no objection, the Assembly agreed to send a letter of support for a state statute change regarding supporting a tax abatement rather than a tax deferral option for municipalities in regards to subdivided lands.

Marijuana Committee: Mr. Kiehl was elected chair and Mr. Mike Satre was elected vice chair of this new committee, which met on February 12 to organize. An email address for public comment was established: marijuana.committee@juneau.org as well as a webpage for the meeting packets and other information. The next meeting was set for February 26.

Public Works and Facilities Committee: Chair Nankervis said PWFC met on February 9 and discussed the 2016-2021 CIP list. A DOT representative spoke to PWFC about 22 projects in Juneau on their list. The next meeting was set for March 2.

C. Liaison Reports

Airport Board: Liaison White said Assembly met with Airport Board on February 19 and she had follow up discussions with some of the board members.

Docks and Harbors Board: Liaison Nankervis said next meeting was set for February 26 in

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Conference Room 224. Mayor Sanford said Aurora Harbor looked very good and Statter Harbor was moving along.

Eaglecrest Board: Liaison Nankervis said the next meeting was set for next meeting March 5.

Affordable Housing Commission: Liaison Troll said the AHC met on February 3, supported the Housing First Project, and discussed their participation in the upcoming home show. The Housing Action Plan was under contract now and getting input from commissioners. AHC intended to work with True North Credit Union on a mobile home assistance loan program.

Alaska Committee: Liaison Becker said the committee met and spoke about the Seward Statue, SEC mid-session summit, statewide polling and legislative contacts were assigned to each member.

Chamber of Commerce: Liaison Becker said the Chamber met on February 4, and were discussing the city budget. She said the Downtown Improvement Group was discussing downtown parking.

Downtown Business Association: Liaison Jones said the next meeting was set for March 19.

Juneau Commission on Sustainability: Liaison Troll said JCOS met on February 10 and discussed the roles of the Assemblymember and the Planning Commissioner and preferred they were not voting members as part of a quorum. The JCOS reviewed the energy plan and a bid for a scope of services was out.

Tongass Advisory Committee: Ms. Troll said she was no longer an alternate, but was a voting member now. The next meeting would be in Juneau starting March 25.

Juneau Convention and Visitors Bureau: Liaison White said Nancy Woizeschke has put in her resignation and Elizabeth Arnette would be temporarily filling that role during a nationwide search for a new destination marketing director.

Juneau Economic Development Council: Liaison Jones said JEDC met and discussed the JEDP, and the next meeting was set for March 4.

Planning Commission: Liaison Jones said the Planning Commission would meet February 24. At the last meeting the PC approved a conditional use permit and parking variance for the Housing First project and discussed and forwarded the Auke Bay Plan to the Assembly.

School Board: Liaison Kiehl said the Board met on February 10 and adopted a strategic plan for 2010-2020. JSD expected the Montessori Borealis expansion to bring in \$180,000 more than it would cost, but it was a small bright spot in a dim budget. He spoke about the significant number of students who were not on track to graduate due to the increase in credits required to finish school, and the efforts the district was taking to ensure the credit requirements would be met. The Board discussed the use of funds left from capital projects for voter approved for school projects and recommended applying the funds to accelerate debt payments to retire the bonds faster. A portion of the funds from Gastineau School were recommended to be used to recognize the Tlingit ancestors buried there and the Douglas Indian Association was involved.

Southeast Conference: Ms. Becker announced that the Mid-Session Summit in Juneau would be held March 17 and 18.

D. Presiding Officer Reports

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Bicknell v PC re AME2013-0015: A Status Hearing for the appeal was set for February 25 with the parties and the hearing officer.

TTNA v PC re Haven House: Presiding Officer Nankervis said the record was available on-line and the parties were working on submitting briefs.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Ms. Troll was pleased that the Assembly approved the NOAA Task Force Report and that they Mayor had provided a copy to Senator Murkowski during her visit. She said there were six key strategies and asked for staff to report on how the Assembly could implement the recommendations, perhaps during the Finance Committee meetings. There was some overlap with the Juneau Economic Development Plan, which she said was a good effort that included a lot of strategic thinking from the community. She spoke about her attendance in the Black Awareness month activities and participation in the gospel Choir. She said she would be out of the country for three weeks but would call in to meetings.

Mr. Kiehl spoke about the minimum wage voter initiative that would soon go into effect. He also spoke about a new set of rules adopted by Tlingit Haida Central Council governing tribal adoptions, child custody, divorces and marriage, including equal marriage. He attended a Filipino community reception for the legislature and inauguration of officers for new year.

Ms. Becker thanked Ms. Crane and the leadership of AML for the presentation on marijuana. She spoke about her participation in a program called Success Inside and Out organized by Judge Levy for inmates close to release with great speakers and this hopefully helps them feel more comfortable reintegrating into the community.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

A. Litigation Update from City Attorney on Bicknell Appeal

MOTION, by Becker, to enter into executive session, to discuss a matter, the immediate knowledge of which could have an adverse affect upon the finances of the municipality, specifically a litigation update from City Attorney Mead on the Bicknell land negotiations.

Hearing no objection, the Assembly entered into executive session at 9:40 p.m. and returned to regular session at 9:59 p.m.

Staff attending: Chaney, Kiefer, Mead, Steedle.

Upon returning to regular session, Ms. Becker said the Assembly gave direction to Ms. Mead.

XV. ADJOURNMENT

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

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor

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

March 2, 2015 Special Assembly Meeting 2015-05

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	DRAFT Minutes 3/2/2015 Special Assembly Meeting	3/4/2015	Minutes

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THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - March 2, 2015

MEETING NO. 2015-05: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 6:00 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Karen Crane, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, and Debbie White.

Assembly Absent: Kate Troll.

Staff Present: Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Bob Bartholomew, Finance Director; Laurie Sica, Municipal Clerk; Greg Chaney, Lands and Resources Manager.

II. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

1. Ordinances for Introduction

MOTION, by Becker, to adopt the consent agenda. Hearing no objection, Ordinance 2015-15 and Ordinance 2015-16 were introduced and set for hearing at the March 16, 2015 Assembly meeting.

- a. Ordinance 2015-16 An Ordinance Providing for the Issuance and Sale of a General Obligation School Refunding Bond in the Aggregate Principal Amount of Not to Exceed \$3,400,000; and Providing the Form and Terms of the Bond and for Unlimited Tax Levies to Pay the Bond.

This ordinance would authorize the issuance of up to \$3.4 million in bonds to refund (refinance) the 2005A general obligation school bonds. The original \$9.5 million in bonds were sold March 1, 2005. The bonds were sold directly into the market by CBJ but the refunding is being done through the Alaska Municipal Bond Bank.

The amount being refunded is \$3.3 million plus issuance costs. If CBJ issues the refunding bonds in April 2015 the refunding will result in an estimated total savings of \$225,000 over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2020).

These bonds qualify for 70% reimbursement under the State's School Construction Bond Debt Reimbursement Program. However, the reimbursement under the State's Debt Reimbursement Program is subject to annual appropriation by the Legislature. The debt service component of the property tax mill rate funds the remaining portion of the payments.

The Manager recommends this ordinance be introduced and set for public hearing at the next regularly scheduled Assembly meeting.

- b. Ordinance 2015-15 An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds That Provided Funds to Purchase the

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Harbor Revenue Bond, 2007 of the City and Borough, Under a Loan Agreement Between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's 2007 Bond, in Accordance With the Loan Agreement, if the Bond Bank Successfully Refinances Its Bonds.

This ordinance would authorize the participation in the Alaska Municipal Bond Bank's "Exchange" refunding (refinance) of the 2007 harbor revenue bonds. The original \$11 million in bond proceeds were sold June 25, 2007. The original bonds were sold through the Alaska Municipal Bond Bank.

The current total remaining debt service payments (bonds + interest) is \$13.4 million dollars. If CBJ issues the refunding bonds in April 2015 the total remaining debt service payments will be \$12.9 million resulting in an estimated total savings of \$500,000 over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2033). The total remaining debt service payments would be paid for out of the Harbor Operations Fund.

The Manager recommends this ordinance be introduced and set for public hearing at the next regularly scheduled Assembly meeting.

III. ASSEMBLY COMMENTS AND QUESTIONS

None.

IV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 6:05 p.m.

Signed: _____
Laurie Sica, Municipal Clerk

Signed: _____
Merrill Sanford, Mayor

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

Ordinance 2015-04 An Ordinance Establishing the Engineering and Public Works Department.

MANAGER'S REPORT:

This ordinance would codify the December 2014 merging of the Departments of Engineering and Public Works. This organizational change was implemented for the purpose of increasing operational efficiencies, improving customer service, and reducing the overall cost of providing services.

References in the code to either “engineering” or “public works” as separate entities will be amended to reference the one department and director as part of the overall code clean up and republication being conducted by Municipal Code Corporation.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-04	3/10/2015	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-04

An Ordinance Establishing the Engineering and Public Works Department.

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 03.10.010 Departments established, is amended to read as follows:

03.10.010 Departments established.

(a) The following departments of the City and Borough are established:

- (1) Finance;
- (2) Community development;
- (3) ~~Public works~~; *Reserved*.
- (4) Engineering and public works transportation;
- (5) Fire;
- (6) Administration;
- (7) Police;
- (8) Parks and recreation;
- (9) Airport;

1
2 (10) Library;

3 (11) Human resources and risk management.

4 ...

5
6 **Section 3. Amendment of Section.** CBJ 03.10.050 Public works department, is
7 amended to read as follows:

8 **03.10.050 Engineering and public ~~Public~~ works department.**

9 The engineering and public works department shall be responsible for:

10 (1) The maintenance and operation of all municipal public works, including
11 street, water, and sewer systems; which are not the responsibility of another
12 department or a board of directors;

13 (2) Operation and maintenance of the transit system, including the adoption of
14 regulations pursuant to chapter 01.60 for the purpose of governing public use of the
15 transit system;

16 (3) The design and construction of all municipal capital projects, including
17 rehabilitation and major repairs, without regard to whether the facility is under the
18 control of a board or a different department unless the assembly by motion or
19 resolution authorizes the board or another department or agency to assume
20 responsibility for a specific project, whether owned or leased by the municipality,
21 except those under the control of a board; and ~~Other related services as assigned by~~
22 ~~the manager.~~

23 (4) Other related services as assigned by the manager.
24
25

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

Ordinance 2015-08(c) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 27 Parcels Along the North Douglas Highway between 4601 and 5295 North Douglas Highway, from D3 to D5 and from RR(T)D3 to D-15.

MANAGER'S REPORT:

In December 2013, the Community Development Department initiated a rezone of 43 parcels along North Douglas Highway extending from mile 1.3 to 1.9. The parcels were identified at that time as transition zones, RR(T)D-3, RR(T)D-15, and D-1(T)D-3.

On June 25, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area. No one from the public participated in the meeting.

The Planning Commission heard the rezone proposal at its August 26, 2014, regular meeting. The Planning Commission recommended approving the rezone with modifications, upzoning a portion of the lots currently zoned D-1(T)D-3 to D-5, and a portion of the lots zoned RR(T)D-3 to D-15. The Planning Commission believed the modifications were needed for consistency with the Land Use Maps of the Comprehensive Plan. Ordinance 2014-45 was forwarded to the Assembly with the Planning Commission's recommendations.

Based on public testimony at the October 20, 2014, Assembly meeting, the Assembly remanded proposed ordinance 2014-45 to the Planning Commission to solicit further public feedback and explore opportunities for higher densities.

The rezone was re-noticed for the November 25, 2014, Planning Commission hearing. Based on public testimony at the hearing, the Planning Commission reversed its earlier decision to recommend upzoning of any of the parcels except for two, located at 4605 and 4765 North Douglas Highway.

Per CBJ 49.70.700-720, once the Assembly has created a transition zone, the rezone occurs upon the Planning Commission granting the rezone to the transition zone designation. Accordingly, as the Planning Commission reversed its October 2014 decision to recommend upzoning 41 of the 43 parcels under consideration, as to those 41 parcels, the rezone of 40 parcels to D3 and one to D15 was complete. CBJ 49.70.720(2)(B)(a).

At its meeting on February 23, 2015, the Assembly directed that the ordinance be amended to upzone all parcels originally identified in Ord. 2014-45 for upzoning. This ordinance reflects that direction. Included in your packet is a table illustrating the original zoning, current zoning, and proposed zoning of all 43 parcels originally identified in Ordinance 2014-45. Those parcels that are the subject of this ordinance are indicated with an asterisk.

RECOMMENDATION:

The Manager recommends this ordinance be introduced and set for public hearing at the next regular assembly meeting.

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	Ordinance 2015-08(c)	3/10/2015	Ordinance
<input type="checkbox"/>	Exhibit A Ordinance 2015-08(c)	3/10/2015	Exhibit
<input type="checkbox"/>	Table comparing Ordinance 2014-45 and Ordinance 2015-08(c)	3/10/2015	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-08(c)

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of 27 Parcels Along the North Douglas Highway between 4601 and 5295 North Douglas Highway, from D3 to D5 and from RR(T)D3 to D-15.

WHEREAS, the CBJ Comprehensive Plan supports the facilitation of housing; and

WHEREAS, 43 parcels located between miles 1.3 and 1.9 North Douglas Highway were identified as located in transition zoning areas, where a higher density would be warranted upon the installation of public sewer (Ordinance 84-06 and 87-49); and

WHEREAS, the lots subject to this ordinance are now serviced by public sewer; and

WHEREAS, at its meeting on November 25, 2014, the Planning Commission approved rezoning 41 of the 43 parcels served by the new sewer installation to their transitional zone designations, thereby completing the rezone process as to those parcels per CBJ 49.70.700 – 720, and recommended upzoning two of the parcels from RR(T)D-3 to D-15; and

WHEREAS, MDR is described in the Comprehensive Plan as urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre, with any commercial development to be of a scale consistent with a residential neighborhood; and

WHEREAS, D-15 zoning provides for up to 15 units per acre; and

WHEREAS, D-15 zoning is consistent with the MDR designation; and

1
2 WHEREAS, ULDR is described in the Comprehensive Plan as urban or suburban
3 residential lands with detached single-family units, duplex, cottage or bungalow housing,
4 zero-lot-line dwelling units and manufactured homes on permanent foundations at densities
5 of 1 to 6 units per acre, with any commercial development to be of a scale consistent with a
6 single-family residential neighborhood; and

7 WHEREAS, D-5 zoning provides for up to 5 units per acre; and

8 WHEREAS, D-5 zoning is consistent with the ULDR designation; and

9 WHEREAS, these lots, being adjacent to the D-3, D-15, Waterfront Commercial,
10 Light Commercial and General Commercial zoning, are consistent with surrounding land
11 uses and zoning, and therefore, rezoning to D-5 and D-15 substantially conforms to the
12 maps of the Comprehensive Plan; and

13
14 WHEREAS, the zone change meets the criteria set forth in CBJ 49.75.120; and

15 WHEREAS, in recognition of the Comprehensive Plan's recommendation that areas
16 served by newly extended public sewer systems be up-zoned to accommodate higher density
17 development, the Assembly recommends further upzoning the lots between miles 1.3 and 1.9
18 North Douglas Highway.

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

21 **Section 1. Classification.** This ordinance is of a general and permanent nature
22 and shall become a part of the City and Borough of Juneau Code.
23
24
25

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 reflect the changes from the current and transitional zoning to the new zoning as follows:

Parcel Code No.	Legal Description	Current Zoning	New Zoning
6D0601150011	Channel View Lot 1	RR(T)D3	D15
6D0701000020	Triangle Lot 3	RR(T)D3	D15
6D0701010130	USS 2960 Lot 10 FR	D3	D5
6D0701010120	USS 2960 Lot 10 FR	D3	D5
6D0701010110	Deep Lots Lot 11A	D3	D5
6D0701010100	Deep Lots Lot 11B	D3	D5
6D0701010090	Deep Lots Lot 11C	D3	D5
6D0701010080	Deep Lots Lot 11D	D3	D5
6D0701010070	USS 2960 Lot 12A	D3	D5
6D0701010071	USS 2960 Lot 12B	D3	D5
6D0701010060	USS 2960 Lot 13 FR	D3	D5
6D0701010050	USS 2960 Lot 13 FR	D3	D5
6D0701010040	USS 2960 Lot 14 Tract 2	D3	D5
6D0701010030	USS 2960 Lot 14 Tract 1	D3	D5
6D0701010020	USS 2960 Lot 15	D3	D5
6D0701080111	Scott Lot 6	D3	D5
6D0701080112	Scott Lot 7	D3	D5
6D0701080100	Scott Lot 5	D3	D5
6D0701080090	Scott Lot 4	D3	D5
6D0701080080	Scott Lot 3	D3	D5
6D0701080070	Scott Lot 2	D3	D5
6D0701080060	Scott Lot 1	D3	D5
6D0701080050	Graham Lot 3A	D3	D5
6D0701080040	Graham Lot 3B	D3	D5
6D0701080030	Graham Lot 3C	D3	D5
6D0701080020	Graham Lot 3D	D3	D5
6D0701080010	USS 2960 Lot 2 FR	D3	D5

The described rezone is shown on the attached Exhibit “A” illustrating the area of the proposed zone change.

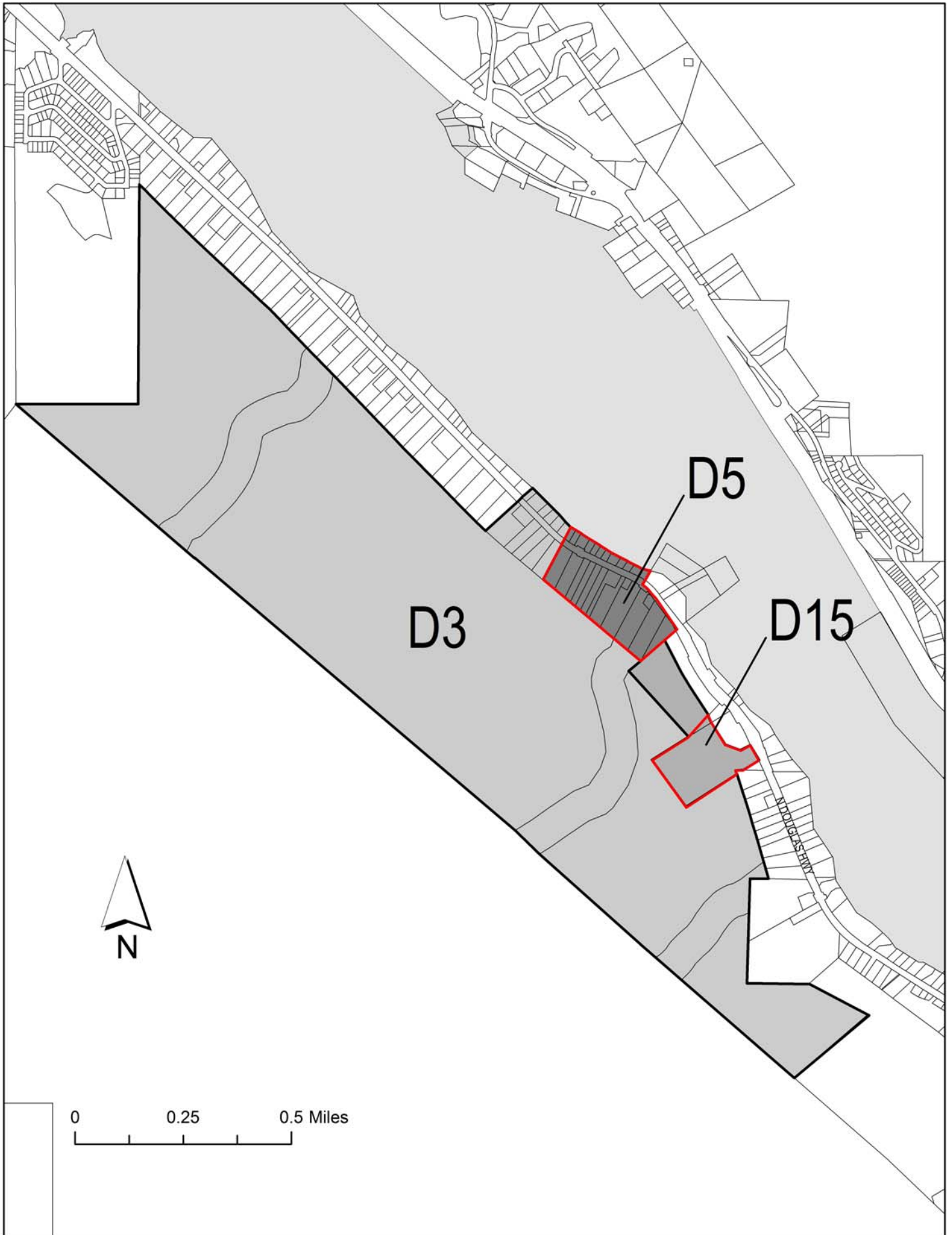
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie Sica, Clerk



Parcel Code No.	Legal Description	Original zoning	2014-45	Zoning transition completed (11/25 PC meeting)	2015-08	2015-08(c)
6D0701000031	USMS 2225 Tract 1	RR(T)D15	D15	D15		
6D0601150011*	Channel View Lot 1	RR(T)D3	D15		D15	D15
6D0701000020*	Triangle Lot 3	RR(T)D3	D15		D15	D15
6D0701010171	USS 2960 Lot 7A	D1(T)D3	D3	D3		
6D0701010172	USS 2960 Lot 7B	D1(T)D3	D3	D3		
6D0701010161	USS 2960 Lot 8B	D1(T)D3	D3	D3		
6D0701010162	USS 2960 Lot 8A	D1(T)D3	D3	D3		
6D0701010150	USS 2960 Lot 9A	D1(T)D3	D3	D3		
6D0701010140	USS 2960 Lot 9B	D1(T)D3	D3	D3		
6D0701080160	USS 2960 Lot 6 Tract 1	D1(T)D3	D3	D3		
6D0701080152	USS 2960 Lot 6 Tract 2	D1(T)D3	D3	D3		
6D0701080151	USS 2960 Lot 6 Tract 2A	D1(T)D3	D3	D3		
6D0701080140	USS 2960 Lot 5 Tract A	D1(T)D3	D3	D3		
6D0701080130	USS 2960 Lot 5 Tract B	D1(T)D3	D3	D3		
6D0701080120	USS 2960 Lot 5 Tract C	D1(T)D3	D3	D3		
6D0611000012	USS 4605 FR	RR(T)D3	D3	D3		
6D0701010010	USS 2960 Lot 16	D1(T)D3	D3	D3		
6D0611000010	USS 4605 FR	RR(T)D3	D3	D3		
6D0701010130*	USS 2960 Lot 10 FR	D1(T)D3	D5	D3		D5
6D0701010120*	USS 2960 Lot 10 FR	D1(T)D3	D5	D3		D5
6D0701010110*	Deep Lots Lot 11A	D1(T)D3	D5	D3		D5
6D0701010100*	Deep Lots Lot 11B	D1(T)D3	D5	D3		D5
6D0701010090*	Deep Lots Lot 11C	D1(T)D3	D5	D3		D5
6D0701010080*	Deep Lots Lot 11D	D1(T)D3	D5	D3		D5
6D0701010070*	USS 2960 Lot 12A	D1(T)D3	D5	D3		D5

6D0701010071*	USS 2960 Lot 12B	D1(T)D3	D5	D3		D5
6D0701010060*	USS 2960 Lot 13 FR	D1(T)D3	D5	D3		D5
6D0701010050*	USS 2960 Lot 13 FR	D1(T)D3	D5	D3		D5
6D0701010040*	USS 2960 Lot 14 Tract 2	D1(T)D3	D5	D3		D5
6D0701010030*	USS 2960 Lot 14 Tract 1	D1(T)D3	D5	D3		D5
6D0701010020*	USS 2960 Lot 15	D1(T)D3	D5	D3		D5
6D0701080111*	Scott Lot 6	D1(T)D3	D5	D3		D5
6D0701080112*	Scott Lot 7	D1(T)D3	D5	D3		D5
6D0701080100*	Scott Lot 5	D1(T)D3	D5	D3		D5
6D0701080090*	Scott Lot 4	D1(T)D3	D5	D3		D5
6D0701080080*	Scott Lot 3	D1(T)D3	D5	D3		D5
6D0701080070*	Scott Lot 2	D1(T)D3	D5	D3		D5
6D0701080060*	Scott Lot 1	D1(T)D3	D5	D3		D5
6D0701080050*	Graham Lot 3A	D1(T)D3	D5	D3		D5
6D0701080040*	Graham Lot 3B	D1(T)D3	D5	D3		D5
6D0701080030*	Graham Lot 3C	D1(T)D3	D5	D3		D5
6D0701080020*	Graham Lot 3D	D1(T)D3	D5	D3		D5
6D0701080010*	USS 2960 Lot 2 FR	D1(T)D3	D5	D3		D5

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

Ordinance 2015-18 An Ordinance Establishing the Treadwell Arena Advisory Board.

MANAGER'S REPORT:

The Treadwell Ice Arena Task Force was established by the Assembly in August 2014. The task force was asked to report on the feasibility of an empowered board to reduce costs and provide services through management by the Eaglecrest Ski Area Board, the feasibility of an empowered board to reduce costs and provide services through an alternate to the management by the Eaglecrest Ski Area Board, and review alternate management structures for managing the Treadwell Arena.

The Task Force recommended that a Treadwell Arena Advisory Board be created. The Assembly Human Resource Committee reviewed the task force recommendations and directed staff to develop an ordinance creating a Treadwell Arena Advisory Board. The Human Resource Committee will consider the ordinance at its March 16, 2015, meeting.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-18	3/10/2015	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-18

An Ordinance Establishing the Treadwell Arena Advisory Board.

WHEREAS, on July 21, 2014, the Assembly created the Treadwell Arena Task Force (“Task Force”) to study the feasibility of an empowered board for management of the Treadwell Ice Arena; and

WHEREAS, in its report to the Assembly dated December 12, 2014, the Task Force recommended that the Treadwell Arena Advisory Board be formed.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Treadwell Arena Advisory Board Established. There is established the Treadwell Arena Advisory Board..

Section 3. Membership Qualifications. The Board shall be comprised of seven voting members appointed from the general public, and one liaison from the Parks and Recreation Advisory Committee. The liaison shall not have the power to vote and shall not be counted in determining whether a quorum of the Board is present. Members shall be appointed to staggered three-year terms. To the extent practicable, at least one member shall have professional marketing experience. No more than two members shall be

1
2 employees or board members, or the immediate family member of any employee or board
3 member, of any organization that provides activities at the Treadwell Ice Arena.
4

5 **Section 4. Treadwell Arena Advisory Board Purpose.**

6 A. The Treadwell Advisory Board shall, in consultation with the Treadwell
7 Arena Manager, report to the Assembly Committee of the Whole on no less than a quarterly
8 basis on issues relating to the Treadwell Ice Arena. The Board's report shall address, at a
9 minimum, the following:
10

- 11 1. Ways to market Treadwell Arena to increase the number of users now and
12 into the future;
- 13 2. Identification of barriers in CBJ Code that could hinder marketing efforts
14 related to advertising, fundraising, concession sales and naming rights;
- 15 3. Methods to establish better and clearer relationships with user groups and
16 the public to gain ideas for increasing users and revenues;
- 17 4. A review of rink operational standards in order to assist in identifying areas
18 in which operational efficiencies may be increased; and
- 19 5. A review of ice scheduling and allocation of rink resources in order to assist in
20 ensuring equity in opportunity and support for a diversity of community rink
21 users.
22

23 B. *Initial report.* The Board's initial report to the Assembly shall be due no later
24 than May 1, 2016. In addition to the information outlined above, the initial report shall
25 include findings on the following:

1. Has the number of users increased?

2. Have revenues increased?
3. Have revenue streams diversified?
4. Has the cost recovery continued at 50% or greater?
5. Have operational cost savings measures been implemented or identified?
6. Has a marketing strategy been developed?
7. Has a user group feedback system been developed?

Section 5. Procedure. The Treadwell Arena Advisory Board's procedure shall be governed by Robert's Rules of Order, except where superseded by the Advisory Board Rules of Procedure and the Assembly's Rules of Procedure, as such may be amended from time to time.

Section 6. Officers, Meetings, Quorum. In accordance with the Advisory Board Rules of Procedure, the Board shall select its own officers, and shall hold regular meetings on a schedule established by the Board, as well as such special meetings as required to conduct business.

Section 7. Liaison. The City Manager shall designate a staff liaison to the Board as available and appropriate.

//

1
2 **Section 8. Effective Date.** This ordinance shall be effective 30 days after its adoption.
3

4 Adopted this _____ day of _____, 2015.
5

6
7 _____
8 Merrill Sanford, Mayor
9

10 Attest:
11

12 _____
13 Laurie J. Sica, Municipal Clerk
14
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**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2014-24(AD) - An Ordinance Appropriating to the Manager the Sum of \$16,500 as Funding for the Regional Tactical Emergency Casualty Care (TECC) Course, Funding Provided by the State of Alaska, Department of Health and Social Services.

MANAGER'S REPORT:

This ordinance appropriates \$16,500.00 in funding as a simple co-sponsorship from the State Department of Health and Social Services.

State Sponsorship Number: CBJ84496

This funding is to pay half of the total cost of \$33,000 for a regional Tactical Emergency Casualty Care (TECC) course in partnership with the previously appropriated funding from the 2014 SHSP State Grant-GR34094 from the Alaska Department of Military and Veterans Affairs 2014 State Homeland Security Program, EMW-2014-SS-00010 for the City and Borough of Juneau.

There is no match or reporting requirements for this funding.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 2014-24(AD)	2/24/2015	Ordinance
<input type="checkbox"/> 2014-24(AD)EIN	2/24/2015	Exhibit
<input type="checkbox"/> 2014-24(AD)	2/24/2015	Exhibit
<input type="checkbox"/> 2014-24(AD)MR	2/24/2015	Cover Memo

Presented by: The Manager
Introduced: 3/16/2015
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-24(AD)

An Ordinance Appropriating to the Manager the Sum of \$16,500 as Funding for the regional Tactical Emergency Casualty Care (TECC) Course, Funding Provided by the State of Alaska, Department of Health and Social Services.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$16,500 to support the goals and activities of the CBJ Emergency Management through funding planning, and training.

Section 3. Source of Funds.
Alaska Department of Health and Social Services \$16,500

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

OPERATIONAL IMPACT

(circle one) NO ☒ YES (if yes, explain in detail)

Explanation of Impact:

Additional funds for the TECC course partially funded through EM-15-10 14SHSP PBD 6

(Attach Additional Pages as Necessary)

FINANCIAL IMPACT

(circle one) NO ☒ YES (if yes, complete the following)

FUND:

	FY14	FY15	FY16	FY17	FY18
Expenditure Budget					
Operating Expenditures	\$ -	\$ 16,500	\$ -	\$ -	\$ -
	-	-	-	-	-
	-	-	-	-	-
Total Expenditures	\$ -	\$ 16,500	\$ -	\$ -	\$ -
Funding Sources:					
State Sponsorship	\$ -	\$ 16,500	\$ -	\$ -	\$ -
	-	-	-	-	-
	-	-	-	-	-
Total Funding Sources	\$ -	\$ 16,500	\$ -	\$ -	\$ -
Personnel					
Full-Time FTE's					
Part-Time FTE's					
Temporary FTE's					

CAPITAL IMPROVEMENT PROJECTS (CIP)

Project Budget

Direct Project Costs

\$ -	\$ -
	-
Total Project Budget	\$ -

Amounts noted at left are 100% of the project totals.

Project Totals Before Appropriation:

This Appropriation:

Total Project: \$ -

Funding Sources:

Federal Funds

State Grant

JNU In-Kind Contribution

	\$ -
	-
-	-
Total Funding Sources	\$ -

Comment:

Personnel

Full-Time FTE's

Part-Time FTE's

Temporary FTE's

Prepared by: Michelle Brown

Affected Depts a) Administration

(Dir/Dept): b) Emergency Programs

Finance Dir: Robert Bartholomew

City Manager: Kimberly Kiefer

Date: 02.12.2015

Date: _____

Date: _____

Date: _____

Date: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

**Department of
Health and Social Services**

DIVISION OF PUBLIC HEALTH
Section of Emergency Programs

3601 C Street, Suite 424
Anchorage, Alaska 99503-5924
Main: 907.334.2602
Fax: 907.269-0036

MEMORANDUM

DATE: January 16, 2015

TO: Merry Carlson
Deputy Director, Division of Public Health

FROM: Andy Jones
Acting Section Chief, Section of Emergency Programs

The City and Borough of Juneau (CBJ) is requesting co-sponsorship of a regional Tactical Emergency Casualty Care (TECC) course in partnership with the Division of Homeland Security and Emergency Management through their FY14 State Homeland Security Grant Program (SHSP). This sponsorship meets the program's trauma and emergency preparedness grant-approved goals to support multidisciplinary tactical response to active shooter and other events.

The sponsorship will support training first responders from EMS, public safety, and fire to respond more rapidly and effectively to incidents affecting the health and safety as a result of terrorist or other activities. The TECC course, introduced and championed by Emergency Programs, will train and practice the interface between Juneau's SWAT teams and Tactical EMS Teams to support them in close quarters high risk situations. Two days of tactical EMS training are followed by a day-long joint training/exercise. The goal is to train paramedics from CCFR to more closely interface with the Police Department in active shooter situations and standoffs following new national best practices for multi-agency integrated response. As a result, CBJ medic teams will be able to enter the hot zone and work in close quarters with regional teams as well as support the DPS CERT team.

CBJ is requesting \$16,500 in DHSS sponsorship to support actual costs of TECC delivery, in conjunction with the funding already received through DHS&EM. The support will be funded through the 100% federally funded Public Health Emergency Preparedness grant.

Merry Carlson, Deputy Director

2/2/2015
Date

Jon Geselle, Procurement Mgr.

2/9/15

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

Ordinance 2014-24(AF) - An Ordinance Appropriating \$1,500 as Partial Funding to Send One CBJ Employee to the Managing Floodplain Development Course Through the National Flood Insurance Program and Certified Floodplain Managers Exam; Grant Funding Provided by the State of Alaska, Department of Commerce, Community and Economic Development.

MANAGER'S REPORT:

This Ordinance appropriates \$1,500 as partial funding to send one CBJ employee to the Managing Floodplain Development Course through the National Flood Insurance Program.

Grant funding is provided by the State of Alaska Department Commerce, Community and Economic Development. The State of Alaska is reimbursing CBJ for conference registration fees, food (per diem), airfare, and hotel and transportation costs up to \$1,500. The CBJ will cover the expense of the Certified Floodplain Manager Exam, resulting in a second CBJ Certified Floodplain Manager. This will allow for a quicker turnaround with community-wide flood assessments. There is no match requirement for this grant.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 2014-24(AF)	3/2/2015	Ordinance
<input type="checkbox"/> 2014-24(AF) MR	3/2/2015	Cover Memo
<input type="checkbox"/> 2014-24(AF) EIN	3/2/2015	Exhibit
<input type="checkbox"/> 2014-24(AF) Grant Agreement	3/2/2015	Exhibit
<input type="checkbox"/> 2014-24(AF) G A Amend	3/2/2015	Exhibit

Presented by: The Manager
Introduced: 3/16/2015
Drafted by: Community
Development

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-24(AF)

An Ordinance Appropriating \$1,500 as Partial Funding to Send One CBJ Employee to the Managing Floodplain Development Course Through the National Flood Insurance Program and Certified Floodplain Managers Exam; Grant Funding Provided by the State of Alaska, Department of Commerce, Community and Economic Development.

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

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

Section 2. Appropriate. There is appropriated to the Manager the sum of up to \$1,500.00 as reimbursement for sending one CBJ employee to the Managing Floodplain Development Course through the National Flood Insurance Program and Certified Floodplain Manager Exam.

Section 3. Source of Funds.

State of Alaska, Department of Commerce, Community and Economic Development	\$ 1,500.00
--	-------------

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

Adopted this ___ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

OPERATIONAL IMPACT	(circle one)	NO	<input checked="" type="checkbox"/> YES	(if yes, explain in detail)
Explanation of Impact:		State grant funding for attending Managing Floodplan Development through the National Flood Insurance Program. No match is required.		
(Attach Additional Pages as Necessary)				

FINANCIAL IMPACT	(circle one)	NO	<input checked="" type="checkbox"/> YES	(if yes, complete the following)	FUND:	CDD
Expenditure Budget						
Salaries	\$	1,145	\$	-	\$	-
Benefits		685		-		-
Travel Expenses		1,467				
Total Expenditures	\$	3,297	\$	-	\$	-
Funding Sources:						
State Grant	\$	1,500	\$	-	\$	-
CBJ		1,797		-		-
Total Funding Sources	\$	3,297	\$	-	\$	-
Personnel						
Full-Time FTE's		1				
Part-Time FTE's						
Temporary FTE's						

CAPITAL IMPROVEMENT PROJECTS (CIP)

Project Budget				Amounts noted at left are 100% of the project totals.
Direct Project Costs	\$	-	\$	-
				-
Total Project Budget	\$	-	\$	-
Funding Sources:				
Federal Funds			\$	-
State Grant				-
JNU In-Kind Contribution		-		-
Total Funding Sources	\$	-	\$	-
Personnel				
Full-Time FTE's				
Part-Time FTE's				
Temporary FTE's				

Project Totals Before Appropriation:

This Appropriation:

Total Project: \$ -

Comment: _____

Prepared by: Brenwynne Grigg

Affected Depts a) _____

(Dir/Dept): b) _____

Finance Dir: _____

City Manager: _____

Date: 1/21/2015

Date: _____

Date: _____

Date: _____

Date: _____

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

Ordinance 2014-24(AG) - An Ordinance Appropriating \$67,146 of Bond Interest Accrued Within CIP H51-084, a Fund for Douglas Harbor Improvements Phase III.

MANAGER'S REPORT:

This ordinance appropriates \$67,145.08 of bond interest accrued within CIP H51-084, a fund for Douglas Harbor Improvements Phase III.

This project was jointly funded by CBJ and the Army Corps of Engineers. The Corps recently completed their project close out which indicates CBJ owes the Corps \$10,103.50 for its match requirement of the project. The account also currently has a deficit of \$10,649.74 due to unbudgeted bond service charges.

Once this appropriation is completed, there would remain \$46,391.84 in the account. Docks and Harbors requests that the remaining funds be transferred to the Harbors Deferred Maintenance account (H51-085) for use in the upcoming Old Douglas Harbor Rebuild project. The transfer will be the subject of Transfer Request T-967, to be placed on the Assembly agenda of the meeting to be held on April 6, 2015.

To summarize:

Amount	Description
\$67,145.08	Interest to be appropriated by ordinance to account H51-084
\$10,649.74	Amount retained in account to cover bonding administrative charges
\$10,103.50	Amount paid to ACOE for CBJ's matching requirement
\$46,391.84	Amount requested for transfer to H51-085 for Old Douglas Harbor Rebuild project

The Public Works Committee recommended this appropriation during their meeting on February 9, 2015.

The Docks and Harbors Board recommended this appropriation during their meeting on February 26, 2015.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 2014-24(AG)	3/3/2015	Ordinance
<input type="checkbox"/> 2014-24(AG) EIN	3/16/2015	Appeal
<input type="checkbox"/> 2014-24(AG) MR	3/3/2015	Cover Memo

Presented by: The Manager
Introduced: 3/16/2015
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-24(AG)

An Ordinance Appropriating \$67,146 of Bond Interest Accrued Within CIP H51-084, a Fund for Douglas Harbor Improvements Phase III.

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. Appropriate. There is appropriated to the Manager the sum of \$67,145.08 for CIP H51-084.

Section 3. Source of Funds.

Bond Interest	\$ 67,146
---------------	-----------

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

Adopted this __ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

CAPITAL IMPROVEMENT PROJECTS (CIP) H51-084 Douglas Harbor III

Project Budget	Budget	Expenditures/ Commitments	Available Budget
Direct Project Costs	\$ 4,300,000	\$ 4,310,650	\$ (10,650)
Total Project Budget	\$ 4,300,000	\$ 4,310,650	\$ (10,650)

Funding Sources:

City Bond Proceeds	\$ 3,500,000	\$ 3,500,000	\$ -
State Funds	\$ 800,000	\$ 800,000	\$ -
Interest Revenue	67,145	10,650	56,495
Local Revenue		-	-
Harbor Fund Balance		-	-
Total Funding Sources	\$ 4,367,145	\$ 4,310,650	\$ 56,495

Personnel

Full-Time FTE's			
Part-Time FTE's			
Temporary FTE's			

Amounts noted at left are 100% of the project totals.

Project Totals Before Appropriation: \$ (10,650)

This Appropriation: 67,145

Total Project: \$ 56,495

Comment: _____

CIP H51-084, Douglas Harbor Improvements Phase III was jointly funded by CBJ and the Army Corps of Engineers. The Corps recently completed their project close out which indicates CBJ owes the Corps \$10,103.50 for its match requirement of the project. The account also currently has a deficit of \$10,649.74 due to unbudgeted bond service charges.

Once this appropriation is completed, \$46,391.84 will remain in the account. Docks and Harbors requests that the remaining funds be transferred to the Harbors Deferred Maintenance account (H51-085) for use in the upcoming Old Douglas Harbor Rebuild project

Prepared by: Gary Gillette
 Affected Depts a) Harbors
 (Dir/Dept): b) Carl Uchtyl
 Finance Dir: Robert Bartholomew
 City Manager: Kim Keifer

Date: 12-Feb-15
 Date: _____
 Date: _____
 Date: _____
 Date: _____

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

Resolution 2717 A Resolution Confirming the Assessment Roll for LID No. 60 Providing Improvements to the Roadways within the Tanner Terrace Subdivision, Fixing the Time and Method of Payment of Assessments, Setting the Day of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

MANAGER'S REPORT:

This resolution confirms the assessment roll for LID No. 60, as forwarded to the Assembly by the Board of Equalization. This resolution further provides for time and method of payment of the \$3,700 per lot assessment, the setting of the date of levy, and fixes the time of delinquency and penalties and interest for delinquent payments.

Notices of the hearing before the Board of Equalization were published in the newspaper and sent to residents in the LID area in accordance with CBJ 15.10.130.

Once adopted by the Assembly, notice of the adoption of the roll shall be published in a newspaper of general circulation and mailed to all property owners along with the amount of assessment against each lot, the time of delinquency and the amount of penalty, as required by CBJ 15.10.190.

RECOMMENDATION:

The Manager recommends the Assembly act according to the Board of Equalization's recommendation.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2717	3/10/2015	Resolution
<input type="checkbox"/> Exhibit A Resolution 2717	3/10/2015	Exhibit
<input type="checkbox"/> Exhibit B Resolution 2717	3/10/2015	Exhibit
<input type="checkbox"/> Exhibit C Resolution 2717	3/10/2015	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2717

A Resolution Confirming the Assessment Roll for LID No. 60 Providing Improvements to the Roadways within the Tanner Terrace Subdivision, Fixing the Time and Method of Payment of Assessments, Setting the Day of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

WHEREAS, the Assembly of the City and Borough of Juneau, by Ordinance 2014-23, adopted April 28, 2014, created LID No. 60 for the purpose of improving the existing gravel roadbed by paving the road with asphalt, constructing new curbs, gutters and sidewalks, and repairing and improving the water and sewer system and underground storm drainage system, benefitting the property described in Exhibit A, attached; and

WHEREAS, the special assessment roll for LID No. 60 has been prepared and notice of the hearing on the special assessment roll given in accordance with CBJ 15.10.130, as described in the affidavit of mailing attached as Exhibit B; and

WHEREAS, a hearing on the special assessment roll for LID No. 60 was held on March 16, 2015, and all interested persons were given an opportunity at the hearing to present their objections to the Assembly sitting as the Board of Equalization; and

WHEREAS, the Assembly sitting as a Board of Equalization at said hearing approved the special assessment roll with such corrections as it found necessary.

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

Section. 1 That the special assessment roll for LID No. 60, attached as Exhibit C, with any corrections found necessary by the Assembly sitting as a Board of Equalization, is hereby confirmed.

Section 2. The assessments set forth in said confirmed assessment roll are hereby declared to be due and payable and are a lien upon the property assessed paramount and superior to all liens except for a prior L.I.D. assessment or property taxes.

(a) The City and Borough Treasurer shall cause notice of assessment and time for payment to be published and mailed in accordance with CBJ 15.10.190.

(b) The sum charged against any lot, tract or parcel of land, or any portion of the sum charged, may be paid without penalty or interest within 30 days of the first day of publication of the notice of assessment required by CBJ 15.10.190.

(c) Any amount remaining unpaid after the 30-day period allowed for payment of assessment without penalty or interest shall be paid in ten equal annual installments. Installments shall be billed as a separately stated charge on the annual property tax bills. All installments shall include interest on the unpaid balance at the rate of 3.09 percent per annum.

(d) Payments shall be made in the same manner and at the same time as property taxes. The penalty and interest that apply to the delinquent payment of property taxes shall apply to delinquent payment of the annual assessment installment and interest as it appears on the tax bill.

(e) Installments shall become delinquent the day after they are due.

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

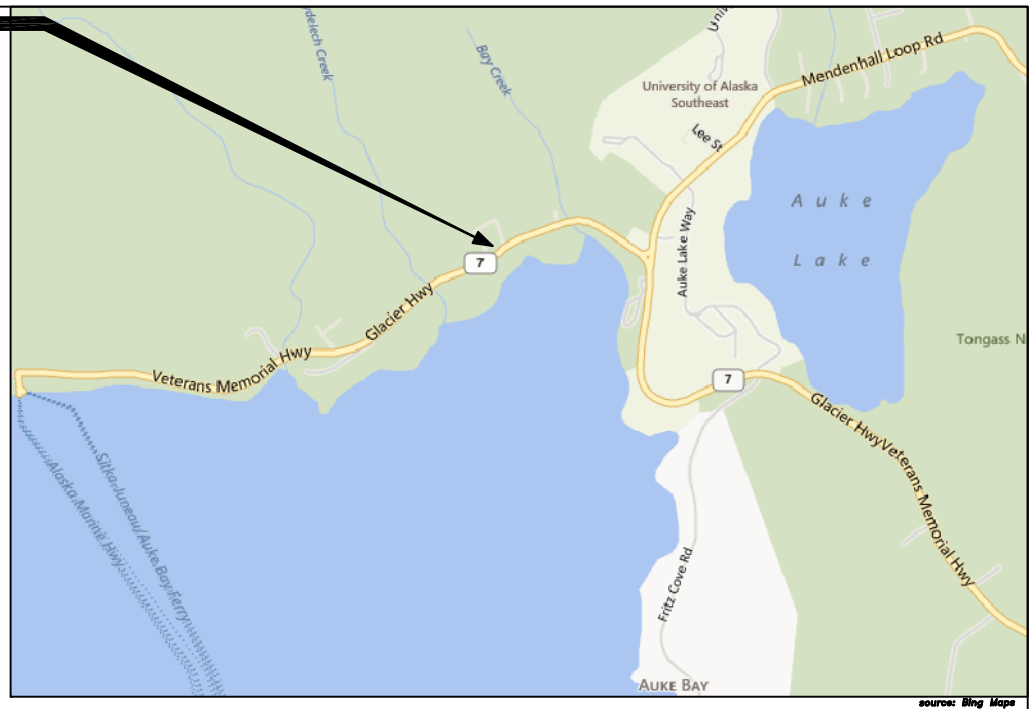
Adopted this ____ day of _____, 2015.

Merrill Sanford, Mayor

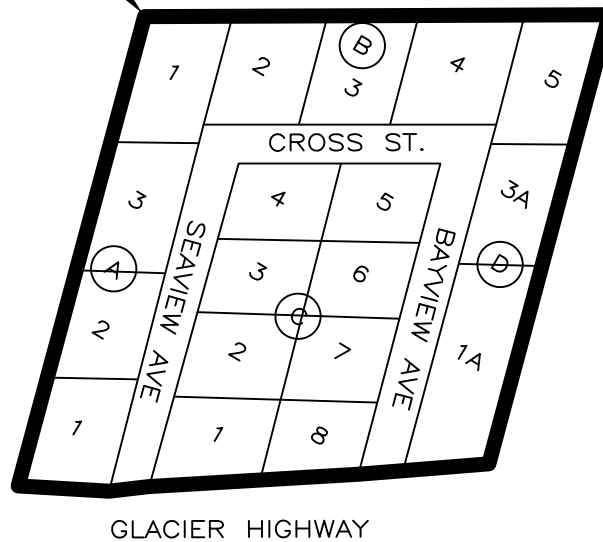
Attest:

Laurie J. Sica, Municipal Clerk

TANNER TERRACE
SUBDIVISION



LID 60
BOUNDARY



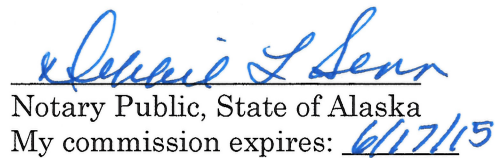
TANNER TERRACE SUBDIVISION

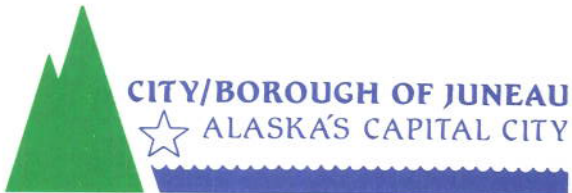
AFFIDAVIT of MAILING NOTICE OF HEARING (CBJ 15.10.130(d)

I, Lori Savage, being duly sworn and upon oath, depose and state as follows:

- DATED this 9th day of March, 2015.

SUBSCRIBED AND SWORN to me on this 9th day of March, 2015.





February 24, 2015

File: [REDACTED]

Sub: LID No. 60
Tanner Terrace Subdivision Improvements

CERTIFIED NO.: [REDACTED]

ASSESSMENT AMOUNT: \$3,700

PROPERTY TO BE ASSESSED:

Parcel No.: [REDACTED]

Legal Description: [REDACTED]

[REDACTED]
[REDACTED]
Dear Property Owner:

A public hearing has been scheduled during the regular Assembly meeting at 7:00 p.m. on March 16, 2015, in the City and Borough Assembly Chambers located at 155 South Seward Street, Juneau, Alaska for the purpose of hearing and considering adoption of Resolution No. 2717, which would establish the final cost of Local Improvement District (LID) No. 60, for improvements consisting of improving the existing gravel roadbed by paving the road with asphalt, constructing new curbs, gutters and sidewalks, and repairing and improving the water and sewer system and underground storm drainage system. Owners of any property within the district may file a written objection to the assessment roll or any of the separate assessments appearing thereon. Objections must be filed with the municipal clerk, in writing, pursuant to 15.10130(b)(1) at or prior to the time of the hearing.

The final cost for the entire project is \$830,000. The total cost of assessments for benefited properties is \$66,600, as shown on the enclosed assessment roll. CBJ has contributed approximately \$763,400 to this project. A map showing the various lots, tracts and parcels of land within LID No. 60 benefited by the constructed improvements is attached, and on file for public inspection in the office of the Municipal Clerk of the City and Borough of Juneau.

During the public hearing, the Assembly will sit as a Board of Equalization for the purpose of considering the roll and the separate assessments appearing thereon. The Assembly will consider the objections made and may correct, revise, raise, lower, change or modify the roll or any part thereof or set aside the roll and order the assessment to be made anew, and at the conclusion of the hearing or hearings may confirm the roll.

Sincerely,


Kimberly A. Kiefer
City & Borough Manager

Enclosures: Map, Resolution, Proposed Assessments

Assessment Roll

Tanner Terrace Paving Improvements LID Number: 60

Parcel	Owner	Assessment
4B2801040070 12020 GLACIER HWY USS 2391 TANNER TERRACE BL D LT 1A	R JEFFRY PILCHER & LEANNE PILCHER 12020 GLACIER HWY JUNEAU AK 99801	\$3,700.00
4B2801040080 3870 BAYVIEW AVE USS 2391 TANNER TERRACE BL D LT 3A	QUIGG FAMILY LIVING TRUST & GERALD QUIGG; MARY QUIG PO BOX 210024 AUKE BAY AK 99821	\$3,700.00
4B2801040090 12020 CROSS ST USS 2391 TANNER TERRACE BL B LT 5	RICHARD A CURRIER & LISA E CURRIER 12020 CROSS ST JUNEAU AK 99801	\$3,700.00
4B2801040100 12050 CROSS ST USS 2391 TANNER TERRACE BL B LT 4	REBECCA A YOUNG & BRYON K YOUNG PO BOX 211112 AUKE BAY AK 99821	\$3,700.00
4B2801040110 12070 CROSS ST USS 2391 TANNER TERRACE BL B LT 3	RONALD J FLINT & JULIE A FLINT 12070 CROSS ST JUNEAU AK 99801	\$3,700.00
4B2801040120 12090 CROSS ST USS 2391 TANNER TERRACE BL B LT 2	MARK W SCHWAN & DEBORAH L BALLAM 12090 CROSS ST JUNEAU AK 99801	\$3,700.00
4B2801040130 12110 CROSS ST USS 2391 TANNER TERRACE BL B LT 1	ANDREW J MEINERS & AMY JO MEINERS 12110 CROSS ST JUNEAU AK 99801	\$3,700.00
4B2801040140 3875 SEAVIEW AVE USS 2391 TANNER TERRACE BL A LT 3	JEREMEY L WOODROW & TRACY C WOODROW 3875 SEAVIEW AVE JUNEAU AK 99801	\$3,700.00
4B2801040150 3865 SEAVIEW AVE USS 2391 TANNER TERRACE BL A LT 2	DALE C BYRON & MARIE L BYRON PO BOX 210572 AUKE BAY AK 99821	\$3,700.00
4B2801040160 3855 SEAVIEW AVE USS 2391 TANNER TERRACE BL A LT 1	DAVID R MASSEY & GENELLE L MASSEY 3855 SEAVIEW AVE JUNEAU AK 99801	\$3,700.00
4B2801040170 3853 BAYVIEW AVE USS 2391 TANNER TERRACE BL C LT 1, 2,	GEORGE L M FISHER 2730 FRITZ COVE RD JUNEAU AK	\$14,800.00
4B2801040180 3869 BAYVIEW AVE USS 2391 TANNER TERRACE BL C LT 6	PAUL A WELTZIN & CHERYL A WELTZIN PO BOX 210646 AUKE BAY AK 99821	\$3,700.00
4B2801040190 12065 CROSS ST USS 2391 TANNER TERRACE BL C LT 5	PAULA D WILLIAMS PO BOX 210066 AUKE BAY AK 99821	\$3,700.00
4B2801040200 12069 CROSS ST USS 2391 TANNER TERRACE BL C LT 4	MICHAEL C STORY & ANDREA D STORY 12069 CROSS ST JUNEAU AK 99801	\$3,700.00
4B2801040210 3866 SEAVIEW AVE USS 2391 TANNER TERRACE BL C LT 3	JOHN A DOTY & ANN S DOTY 3866 SEAVIEW AVE JUNEAU AK 99801	\$3,700.00

Total: \$66,600.00

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

Resolution 2715 A Resolution Confirming the Assessment Roll for LID No. 96, Providing for the Construction of a Sanitary Sewer System to Properties Along Glacier Highway from the Top of Pederson Hill to Fritz Cove Road, Fixing the Time and Method of Payment Assessments, Setting the Date of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

MANAGER'S REPORT:

This resolution confirms the assessment roll for LID No. 96, as forwarded to the Assembly by the Board of Equalization. This resolution further provides for time and method of payment of the \$1,800 per lot assessment, the setting of the date of levy, and fixes the time of delinquency and penalties and interest for delinquent payments.

Notices of the hearing before the Board of Equalization were published in the newspaper and sent to residents in the LID area in accordance with CBJ 15.10.130.

Once adopted by the Assembly, notice of the adoption of the roll shall be published in a newspaper of general circulation and mailed to all property owners along with the amount of assessment against each lot, the time of delinquency and the amount of penalty, as required by CBJ 15.10.190.

RECOMMENDATION:

The Manager recommends the Assembly act according to the Board of Equalization's recommendation.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2715	3/10/2015	Resolution
<input type="checkbox"/> Exhibit A to Resolution 2715	3/10/2015	Exhibit
<input type="checkbox"/> Exhibit B to Resolution 2715	3/10/2015	Exhibit
<input type="checkbox"/> Exhibit C to Resolution 2715	3/10/2015	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2715

A Resolution Confirming the Assessment Roll for LID No. 96, Providing for the Construction of a Sanitary Sewer System to Properties Along Glacier Highway from the Top of Pederson Hill to Fritz Cove Road, Fixing the Time and Method of Payment Assessments, Setting the Date of Levy, and Fixing the Time of Delinquency and Penalties and Interest.

WHEREAS, the Assembly of the City and Borough of Juneau, by Ordinance 2013-02, adopted January 28, 2013, created LID No. 96 for the purpose of installing a sanitary sewer system benefitting the property located along a portion of Glacier Highway from the top of Pederson Hill to Fritz Cove Road and described in Exhibit A, attached; and

WHEREAS, the special assessment roll for LID No. 96 has been prepared and notice of the hearing on the special assessment roll given in accordance with CBJ 15.10.130, as described in the affidavit of mailing attached as Exhibit B; and

WHEREAS, a hearing on the special assessment roll for LID No. 96 was held on March 16, 2015, and all interested persons were given an opportunity at the hearing to present their objections to the Assembly sitting as the Board of Equalization; and

WHEREAS, the Assembly sitting as a Board of Equalization at said hearing approved the special assessment roll with such corrections as it found necessary.

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

Section 1. That the special assessment roll for LID No. 60, attached as Exhibit C, with any corrections found necessary by the Assembly sitting as a Board of Equalization, is hereby confirmed.

Section 2. The assessments set forth in said confirmed assessment roll are hereby declared to be due and payable and are a lien upon the property assessed paramount and superior to all liens except for a prior L.I.D. assessment or property taxes.

(a) The City and Borough Treasurer shall cause notice of assessment and time for payment to be published and mailed in accordance with CBJ 15.10.190.

(b) The sum charged against any lot, tract or parcel of land, or any portion of the sum charged, may be paid without penalty or interest within 30 days of the first day of publication of the notice of assessment required by CBJ 15.10.190.

(c) Any amount remaining unpaid after the 30-day period allowed for payment of assessment without penalty or interest shall be paid in ten equal annual installments. Installments shall be billed as a separately stated charge on the annual property tax bills. All installments shall include interest on the unpaid balance at the rate of 1.5 percent per annum.

(d) Payments shall be made in the same manner and at the same time as property taxes. The penalty and interest that apply to the delinquent payment of property taxes shall apply to delinquent payment of the annual assessment installment and interest as it appears on the tax bill.

(e) Installments shall become delinquent the day after they are due.

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

Adopted this ____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk



CITY AND BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY
ENGINEERING DEPARTMENT

AUKE LAKE

10965

GLACIER HIGHWAY

NORTH

LID 96 BOUNDARY

AUKE LAKE SEWER 2013
LID 96 BOUNDARY

10763

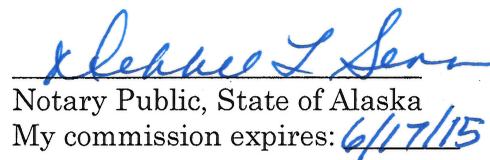
Resolution No. 2715, Exhibit A

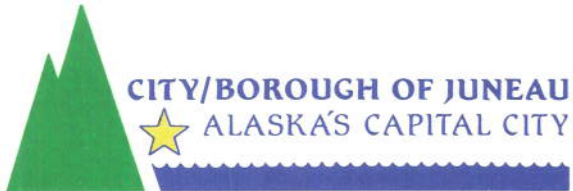
AFFIDAVIT of MAILING NOTICE OF HEARING (CBJ 15.10.130(d)

I, Lori Savage, being duly sworn and upon oath, depose and state as follows:

- DATED this 9th day of March, 2015.

SUBSCRIBED AND SWORN to me on this 9th day of March, 2015.





February 24, 2015

File: [REDACTED]

Sub: LID No. 96
Auke Lake Sewer 2013

CERTIFIED NO.: [REDACTED]

ASSESSMENT AMOUNT: \$1800

PROPERTY TO BE ASSESSED:

Parcel No.: [REDACTED]

Legal Descr. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Dear Property Owner:

A public hearing has been scheduled during the regular Assembly meeting at 7:00 p.m. on March 16, 2015, in the City and Borough Assembly Chambers located at 155 South Seward Street, Juneau, Alaska for the purpose of hearing and considering adoption of Resolution No. 2715. This resolution will establish the final cost of Local Improvement District (LID) No. 96 for improvements consisting of constructing a sanitary sewer system to portions of Glacier Highway, from the top of Pederson Hill to Fritz Cove Road. Owners of any property within the district may file a written objection to the assessment roll or any of the separate assessments appearing thereon. Objections must be filed with the municipal clerk, in writing, pursuant to 15.10130(b)(1) at or prior to the time of the hearing.

The final cost for the entire project is \$535,000. The total cost of assessments for benefited properties is \$23,400, as shown on the enclosed assessment roll. CBJ has contributed approximately \$511,600 to this project. A map showing the various lots, tracts and parcels of land within LID No. 96 that were benefited by the constructed improvements is attached, and on file for public inspection in the office of the Municipal Clerk of the City and Borough of Juneau.

During the public hearing, the Assembly will sit as a Board of Equalization for the purpose of considering the roll and the separate assessments appearing thereon. The Assembly will consider the objections made and may correct, revise, raise, lower, change or modify the roll or any part thereof or set aside the roll and order the assessment to be made anew, and at the conclusion of the hearing or hearings may confirm the roll.

Sincerely,

Kimberly A. Kiefer
City & Borough Manager

Enclosures: Map, Resolution, Proposed Assessments

PARCEL	OWNER	Assmnt	HOUSE #
4B2201070111	WILLIAM L CHENEY & JAMES FRANCO; GAIL I CHENEY	\$ 1,800.00	10763
4B2201070112	DAVID M KUNAT	\$ 1,800.00	10785
4B2201070120	LAURIE FERGUSON CRAIG	\$ 1,800.00	10825
4B2301000010	FREDRIK J THORSTEINSON & CAROLYN D THORSTEINSON	\$ 1,800.00	10827
4B2301000020	LEONARD R CALLOWAY JR & VIRGINIA CALLOWAY	\$ 1,800.00	10835
4B2301000030	DANA H HANSELMAN & STACEY ANNE K SHOTWELL	\$ 1,800.00	10845
4B2301000040	DANA H HANSELMAN & STACEY ANNE K SHOTWELL	\$ 1,800.00	10885
4B2301000060	SHANNON L AVENSON	\$ 1,800.00	10903
4B2301000070	DANIEL S KIM & VANIA H KIM	\$ 1,800.00	10909
4B2301000080	CARL S BOTTORF	\$ 1,800.00	10915
4B2301000090	JAG RENTAL LLC	\$ 1,800.00	10925
4B2301000100	NOLAN E DAVIS	\$ 1,800.00	10945
4B2301000110	BARBARA ANN SANDBERG & DAVID CARL SANDBERG	\$ 1,800.00	10965
		\$ 23,400.00	

STREET	ADDRESS	Field59
GLACIER HWY	PO BOX 546	USS 2386 LT J2
GLACIER HWY	PO BOX 35635	USS 2386 LT J1
GLACIER HWY	PO BOX 033306	USS 2386 LT K PAR 2
GLACIER HWY	PO BOX 211404	USS 2386 LT K PAR 1
GLACIER HWY	8717 MALLARD ST	USS 2386 LT L FR
GLACIER HWY	10885 GLACIER HWY	USS 2386 LT L FR
GLACIER HWY	10885 GLACIER HWY	USS 2386 LT L TR 1
GLACIER HWY	685 8TH ST	USS 3274 LT 55
GLACIER HWY	10909 GLACIER HWY	USS 3274 LT 56
GLACIER HWY	10915 GLACIER HWY	USS 3274 LT 57
GLACIER HWY	5351 COMMERCIAL BLVD	USS 2741 LT 2
GLACIER HWY	10945 GLACIER HWY	USS 2741 LT 3
GLACIER HWY	PO BOX 211206	USS 2741 LT 4

CITY STATE	ZIP
KAKE AK	99830
JUNEAU AK	99803
JUNEAU AK	99803
AUKE BAY AK	99821
JUNEAU AK	99801
JUNEAU AK	99801
JUNEAU AK	99801
CLEARWATER MN	55320
JUNEAU AK	99801
JUNEAU AK	99801
JUNEAU AK	99801
JUNEAU AK	99801
AUKE BAY AK	99821

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

Resolution 2721 A Resolution in Support of Providing Funding to the Seward Statue Committee.

MANAGER'S REPORT:

A local group has formed to raise funds to have a William Seward Statue created and installed to celebration the 150th anniversary of the purchase of Alaska. The State of Alaska has dedicated a site in the plaza by the Court Building for the statue. The Assembly Public Works and Facilities Committee, at its March 2, 2015 meeting, supported a \$25,000 donation toward the creation of the statue. The funding will be allocated from funds available in the capital improvement account designated to the review of the Parks and Recreation Department, PR46-099.

RECOMMENDATION:

The Manager recommends this resolution be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2721	3/10/2015	Resolution

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2721

A Resolution in Support of Providing Funding to the Seward Statue Committee.

WHEREAS, in honor of the 150th anniversary of the purchase of Alaska from Russia in 1867, the Seward Statute Committee was formed to raise funds for a statute of Secretary of State William Henry Seward, who was instrumental in the purchase; and

WHEREAS, the Committee intends the statute to be installed in 2017 in downtown Juneau; and

WHEREAS, the Alaska legislature approved a resolution encouraging communities to support the project, dedicating a site in the plaza next to the court building for the statute and allocating \$150,000 to the Alaska Historical Commission to dole out as matching grants, up to \$15,000 each; and

WHEREAS, the Committee has asked the City and Borough of Juneau to contribute funds in support of the project; and

WHEREAS, there exists funding in an existing Parks and Recreation C.I.P. (P46-099) to provide the requested support.

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

Section 1. The Assembly of the City and Borough of Juneau commits \$25,000 for the Seward Statute Committee's Seward Statute project.

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Resolution 2722 A Resolution Expressing Support for the Advancement of Electrified
Transportation Vehicles and Supporting Infrastructure.

MANAGER'S REPORT:

The Juneau Economic Development Council Board prepared a draft resolution regarding electric vehicles and has requested that the Assembly consider passage of the Resolution. The Public Works and Facilities Committee considered the Resolution and other relevant information at its meetings on February 9 and March 2, 2015, and recommended forwarding the resolution with minor amendments to the Assembly for approval.

RECOMMENDATION:

The Manager recommends this resolution be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2722	3/10/2015	Resolution

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2722

A Resolution Expressing Support for the Advancement of Electrified Transportation Vehicles and Supporting Infrastructure.

WHEREAS, the City and Borough of Juneau is uniquely situated for the deployment and use of electricity for transportation as a result of limited roadway, short commute distances, low cost hydroelectricity, and strong community support for both reducing greenhouse gas emissions and lowering fuel transportation costs; and

WHEREAS, the Juneau Economic Development Council (JEDC) EV Action Initiative is currently working on a community electrified transportation strategy to meet current and future CBJ transportation needs; and

WHEREAS, the CBJ Climate Action and Implementation Plan adopted by CBJ Resolution 2593 sets forward Goal T1: reduce municipal fleet-related emissions, and Goal T3: reduce emissions per vehicle mile driven; and

WHEREAS, electrified transportation charging infrastructure and support services would encourage and enable Juneau residents and businesses to purchase and operate electric vehicles for on-road and marine use; and

WHEREAS, the strategic implementation of infrastructure and policies to accommodate multiple forms of electric transportation vehicles would make Juneau a national leader in EV readiness, which could be used as a marketing tool by the CBJ visitor industry; and

WHEREAS, the JEDC EV Action Initiative identified access to electric vehicles and electric vehicle charging infrastructure as primary goals for increasing electric vehicle adoption in Juneau; and

WHEREAS, for every 800 gas powered passenger vehicles replaced with electric vehicles, Juneau residents save \$1,000,000 annually in fuel expenditures and reduce carbon emissions by 3,000 metric tons.

//

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

Section 1. That the Assembly of the City and Borough of Juneau expresses its support for JEDC EV Action Initiative efforts to improve community access to electrified transportation and charging infrastructure as a means to enable economic opportunity for local businesses, reduce greenhouse gas emissions, improve the quality of the local economy, and promote the City and Borough of Juneau as a national leader in electric vehicle adoption.

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Resolution 2718 A Resolution Re-establishing the Juneau Commission on Sustainability, and
Repealing Resolution 2528.

MANAGER'S REPORT:

The purpose of this resolution is to amend the quorum requirements for the Juneau Commission on Sustainability. Currently, the Planning Commission and Assembly members count towards determining a quorum of the Commission. This amendment to the Commission's governing legislation would reclassify the Planning Commission and Assembly members as liaisons, and would specify that the two are not to be counted in determining whether a quorum of the Commission is present.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2718	3/11/2015	Resolution

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2718

A Resolution Re-establishing the Juneau Commission on Sustainability, and Repealing Resolution 2528.

WHEREAS, the City and Borough of Juneau is committed to a sustainable future that meets today's needs without compromising the ability of future generations to do the same, and that:

- Supports a stable, diverse, and equitable economy;
- Protects the quality of the air, water, land and other natural resources;
- Conserves native vegetation, fish, wildlife habitat, and ecosystems;
- Minimizes human impacts on local and worldwide ecosystems; and
- Minimizes energy usage and the release of greenhouse gases; and

WHEREAS, the CBJ Comprehensive Plan provides that it is the policy of the CBJ to build a sustainable community that endures over generations and that is sufficiently far-seeing and flexible to maintain the vital and robust nature of its economic, social, and environmental support systems; and

WHEREAS, communities throughout the nation, both large and small, have promoted sustainability through focusing on such issues as reducing dependence on fossil fuels; promoting fuel-efficient technologies; investing in the local economy for the long-term; adopting and enforcing land-use policies that reduce sprawl, promote infill, preserve open space, and create compact, walkable urban communities; promoting transportation options such as bicycle trails, incentives for car pooling and public transit; making energy efficiency a priority through building code improvements, retrofitting municipal facilities with energy efficient technologies, and urging employees to conserve energy and save money; practicing and promoting sustainable building practices; increasing the fuel efficiency of municipal fleet vehicles and reducing the number of vehicles; increasing recycling rates in municipal operations and in the community; and educating the public, business, and government about sustainability; and

WHEREAS, by Resolution 2397(b), the CBJ joined the International Council for Local Environmental Initiatives (ICLEI) and committed itself to complete the five milestones of the Cities for Climate Protection Campaign to reduce greenhouse gas and air pollution emissions; and

WHEREAS, the Assembly finds that it is in the public interest to create a panel to research and advise the Assembly on community sustainability, including but not limited to the items listed above; and

WHEREAS, the Juneau Commission on Sustainability has requested that the Assembly revise the Commission's governing legislation to specify that the Planning Commission and Assembly members be non-voting members and not be counted in determining whether a quorum of the Commission is present.

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

Section 1. Establishment. There is established a Juneau Commission on Sustainability.

Section 2. Composition. The Commission shall be comprised of ~~nine~~ seven members appointed by the Assembly, plus one liaison member of from the Assembly and one from the Planning Commission. The liaisons shall not have the power to vote and shall not be counted in determining whether a quorum of the Commission is present. Commission membership shall reflect environmental, social, economic and governmental perspectives, unified by the common interest of sustainability. Commission members serving three year staggered terms at the time of adoption of this resolution shall serve out their terms.

Section 3. Duration. The Commission shall have an indefinite duration.

Section 4. Public policy and purpose. A sustainable community seeks to advance the economic social, environmental and governmental well-being of the community without compromising the quality of life of future generations. The mission of the CBJ Commission on Sustainability is to promote the economic, social, environmental, and governmental well-being of Juneau and all its inhabitants, now and in the future.

Section 5. Powers and Duties.

1. To coordinate, propose, and promote sustainability initiatives among residents, businesses, government, and non-governmental agencies and educational organizations through education and outreach programs.
2. To make recommendations to the Juneau Assembly and CBJ Boards and Commissions on policies and programs that promote sustainability.
3. To research and apply for grants or other funds or gifts from public or private agencies for the purpose of carrying out any of the provisions or purposes of this resolution.
4. To serve as an advisory group to the CBJ in reducing greenhouse gas emissions to target levels as adopted by the CBJ Assembly.

5. To act as liaison between the public and the CBJ Assembly on sustainability related issues.

Section 6. Staff Liaison. The City Manager shall designate a staff liaison to the Commission.

Section 7. Procedure. The Commission shall operate pursuant to the CBJ Advisory Board Rules of Procedure as they may be amended from time to time.

Section 8. Repeal. Resolution 2528 is repealed.

Section 9. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Transfer Request - T-966 - Transferring the Balance of Bond Funds from the Adair-Kennedy Turf Field Replacement (\$88,844) to the Gastineau School Renovation (S02-094) to Provide Additional Funds for the Proposed DIA Memorial Project.

MANAGER'S REPORT:

Transfer Request T-952 (approved by the Assembly February 24, 2014), ordered the transfer of all remaining bond funds from the Dzantik'i Heeni Covered Play Area (S02-091; \$199,178) and the Adair-Kennedy Turf Field Replacement (S02-097; \$88,844) to two existing CIPs and two new CIPs, pending approval by the Alaska Department of Education and Early Development (ADEED). Of the requested transfers, ADEED approved only one: the transfer of \$38,000 to the Glacier Valley School Renovation (S02-088). The other three transfer requests were rejected.

Of the existing ADEED approved school projects, only Gastineau School requires additional funds; Auke Bay School is finalizing the 1% for art process and all others are complete and scheduled for termination. Therefore the following is recommended:

Transfer the balance of bond funds from the Adair-Kennedy Turf Field Replacement (\$88,844) to the Gastineau School Renovation (S02-094) to provide additional funds for the proposed DIA Memorial project. This transfer was approved by ADEED on March 10, 2015.

The School Board approved this transfer on February 10, 2015. The Assembly Public Works and Facilities Committee approved this transfer on February 9, 2015.

RECOMMENDATION:

The Manager recommends approval of this transfer.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> T-966	3/3/2015	Transfer
<input type="checkbox"/> T-966 IBA	3/3/2015	Exhibit
<input type="checkbox"/> T-966 JJ430	3/3/2015	Exhibit
<input type="checkbox"/> DR-10-101 Executed Amendment 2	3/10/2015	Exhibit
<input type="checkbox"/> T-966 MR	3/10/2015	Cover Memo

Presented by: The Manager
Introduced: 3/16//2015
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-966

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that \$88,844 be transferred:

From: CIP		
S02-097	Adair-Kennedy Synthetic Turf Replacement	\$ 88,844

To: CIP		
S02-094	Gastineau Elementary Renovation	\$ 88,844

The \$88,844 consists of:

Bond Proceeds	\$ 88,844
---------------	-----------

Moved and Approved this _____ day of _____, 2015.

Kimberly A. Kiefer, City Manager

Attest:

Laurie J. Sica, Municipal Clerk

City and Borough of Juneau

Capital Project Budget Summary Report

Impact of Budget Action: **Transfer T-966**

Budget Action and Project Funding Impacts

The effect of this transfer on the project budgets and available funds to complete the projects is summarized below:

Project No. CIPS - transfer from:		Transfer		Project Budget			Remaining Funds	
				Before	After		Before	After
S02-097	Adair-Kennedy Synthetic Turf Replacement	\$ 88,844	\$	1,197,410	\$ 1,108,566	\$	88,844	\$ -
Total Transfer From Amount		\$ 88,844						

Project No. Transfer To				Project Budget			Remaining Funds	
				Before	After		Before	After
S02-094	Gastineau Elementary Renovation	\$ 88,844	\$	13,031,285	\$ 13,120,129	\$	62,150	\$ 150,994
Total Transfer To Amount		\$ 88,844						



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Education
& Early Development**

SCHOOL FINANCE & FACILITIES

810 West 10th Street, Suite 200
P.O. Box 110500
Juneau, Alaska 99811-0500
Main: 907.465.6470
Fax: 907.463.5279
Email: Courtney.Preziosi@alaska.gov

March 10, 2015

Richard Ritter, Chief Architect
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Re: EED #DR-10-101; Gastineau Elementary School Renovation

Mr. Ritter,

Enclosed please find the Borough's copy of Amendment #2 for the Gastineau Elementary School Renovation project. This amendment reflects the redirection of \$163,000 in bond proceeds from DR-08-100; Harborview Elementary Renovation as well as a redirection of \$88,844 from DR-12-101; Adair-Kennedy Synthetic Turf Replacement.

If you have any questions please let me know.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Courtney Preziosi".

Courtney Preziosi, School Finance Specialist I
Facilities

cc: Janella Lewis, CIP/Grants Accountant
Rorie Watt, Director of Engineering
Bob Bartholomew, Director of Finance
Mary Norcross, Controller
Jean Hodges, Assistant Controller

<via email>

Enclosure

EED Debt Number: 10-101

Project Name: Gastineau Elementary School Renovation

Alaska Department of Education & Early Development

Amendment No. 2 to the Project Agreement *Appendix A - Budget*

2. Project Funds - Gastineau Elementary School Renovation

AS 14.11.100(a)(16)

	Current Budget	Change This Amendment	Revised Funding Source Total
Approved Principal Amount:	\$11,800,000	\$0	\$11,800,000
Redirected bond proceeds from DR-05-105:	\$1,100,000	\$0	\$1,100,000
Other Borough Funds for infill @ entry:	\$38,600	\$0	\$38,600
Redirected bond proceeds from DR-12-101:	\$0	\$88,844	\$88,844
Redirected bond proceeds from DR-08-100:	\$0	\$163,000	\$163,000
Project Total	\$12,938,600	\$251,844	\$13,190,444

3. Project Budget

Cost Category	Current Budget	Change This Amendment	% of Const.	Revised Total Project Budget
1. CM (by consultant)	\$181,000	\$0	1.77%	\$181,000
2. Land	\$0	\$0	N/A	\$0
3. Site Investigation	\$0	\$0	N/A	\$0
4. Design Services	\$1,000,000	\$0	9.75%	\$1,000,000
5. Construction	\$10,000,000	\$251,844	100.00%	\$10,251,844
6. Equipment	\$700,000	\$0	6.83%	\$700,000
7. District Administrative Overhead	\$500,000	\$0	4.88%	\$500,000
8. Percent for Art	\$100,000	\$0	0.98%	\$100,000
9. Project Contingency	\$457,600	\$0	4.46%	\$457,600
Totals	\$12,938,600	\$251,844	128.66%	\$13,190,444

In witness whereof, the parties hereto have executed this Amendment to the Contract as of the 4th day of March, 2015.

RODIE WATT, DIRECTOR COS E+PN

Recipient (Name and Title)

[Signature] 3/6/15

[Signature]

Department of Education & Early Development

3/10/15

EED Initials *[Signature]*

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

Liquor License Renewals

MANAGER'S REPORT:

The following liquor license applications are before the Assembly to either protest or waive its right to protest these renewals.

Beverage Dispensary Licenses

- License #644 Wolfpack Ventures, LLC d/b/a Salt Alaska, Location: 200 Seward Street
- License #2728 Molly Ventures, Inc. d/b/a McGivney's Sports Bar & Grill, Location: 9101 Mendenhall Mall Road
- License #2844 Sandbar, Inc. d/b/a The Sandbar, Location: 2525 Industrial Blvd.

Beverage Dispensary-Tourism License #313 Juneau Hospitality, LLC d/b/a Prospector Hotel/TK Maguires, Location: 375 Whittier Street

Club License #4034 Juneau Moose Lodge #700 d/b/a Loyal Order of Moose #700, Location: 8335 Airport Blvd.

Package Store License #300 DeHart's, LLC d/b/a DeHarts Grocery, Location: 11735 Glacier Hwy.

Recreational Site Licenses

- License #4881 Alaska Travel Adventures, Inc. d/b/a Alaska Travel Adventures, Location: 9999 Glacier Highway
- License #3409 Alaska Travel Adventures, Inc. d/b/a Gold Creek Salmon Bake, Location: 1061 Salmon Creek Lane
- License #4700 Alaska Zipline Adventures, LLC d/b/a Alaska Zipline Adventures, Location: 3000 Fish Creek Road

Restaurant/Eating Place Licenses

- License #2641 Saffron, LLC d/b/a Saffron, Location: 112 N. Franklin Street
- License #4584 Zephyr, LLC d/b/a Zephyr, Location: No Premises

Wholesale - Malt Beverage & Wine License# 4081 K&L Distributors, Inc. d/b/a K&L Distributors Location: 8420 Airport Blvd.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the above businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest the renewal of one or more of these licenses, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> ABC Notice of Liquor License Renewals	3/11/2015	Liquor License



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
2400 Viking Drive
Anchorage, AK 99501
Direct: 907.269.0356
Fax: 907.334.2285

February 9, 2015

City and Borough of Juneau
Attn: Beth McEwen, City Clerk
VIA Email: beth_mcewen@ci.juneau.ak.us
city_clerk@ci.juneau.ak.us

CITY CLERK
FEB 12 2015
RECEIVED

Re: Notice of Liquor License Renewal Applications

Dear Ms. McEwen,

We have received a renewal application^{*} for each of the following licenses within your jurisdiction:

** Applications available from the Clerk's office upon Request.*

Lic. #	Doing Business As	License Type	Licensee	Premises Address
300	DeHarts Grocery	Package Store	DeHart's, LLC	11735 Glacier Highway
313	Prospector Hotel / TK Maguires	Beverage Dispensary - Tourism	Juneau Hospitality, LLC	375 Whittier Street
* 447	Suite 907	Beverage Dispensary	Suite 907, LLC	9121 Glacier Highway
644	Salt Alaska	Beverage Dispensary	Wolfpack Ventures, LLC	200 Seward Street
* 2533	Viking Restaurant & Lounge	Beverage Dispensary	Jack D. and Arlene D. Tripp	216 Front Street
2641	Saffron	Restaurant / Eating Place	Saffron, LLC	112 N Franklin Street
2728	McGivney's Sports Bar & Grill	Beverage Dispensary	Molly Ventures, Inc.	9101 Mendenhall Mall Road
2844	The Sandbar	Beverage Dispensary	Sandbar, Inc.	2525 Industrial Blvd
3409	Gold Creek Salmon Bake	Recreational Site	Alaska Travel Adventures, Inc.	1061 Salmon Creek Lane
4034	Loyal Order of Moose #700	Club	Juneau Moose Lodge #700	8335 Airport Blvd
4081	K & L Distributors	Wholesale - Malt Beverage & Wine	K & L Distributors, Inc.	8420 Airport Blvd
4584	Zephyr	Restaurant / Eating Place	Zephyr, LLC	No Premises

** Protests Recommended - Under "New Business" on March 16, 2015 Assembly Agenda.*

4700	Alaska Zipline Adventures	Recreational Site	Alaska Zipline Adventures, LLC	3000 Fish Creek Road
4881	Alaska Travel Adventures	Recreational Site	Alaska Travel Adventures, Inc.	9999 Glacier Highway

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice. AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact me directly.

Sincerely,



Sarah Daulton Oates

Records & Licensing Supervisor
sarah.oates@alaska.gov
(907)269-0356

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

Ordinance 2015-11 An Ordinance Amending Ordinance Serial No. 2014-01 Regarding the
Second Series of Port Revenue Bonds Authorized Thereunder.

MANAGER'S REPORT:

This ordinance amends ordinance 2014-01, adopted on January 6, 2014, authorizing the issuance of not to exceed \$29,000,000 of port revenue bonds. The purpose of the bonds is to fund the cruise ship dock expansion and a portion of the Seawalk. This amendment is necessary to update the principal maturity schedule in section 5. The revised schedule allows the issuance of 19-year bonds versus the original plan of 25-year bonds.

CBJ has already sold \$6.055 million of 25-year revenue bonds on February 20, 2014, to provide funds for the Seawalk portion of the project. The remaining \$22.9 million of bonds are scheduled to be sold April 22, 2015, and will have a 19-year maturity span.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-11	2/12/2015	Ordinance

Presented by: The Manager
Introduced: 02/23/15
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-11

An Ordinance Amending Ordinance Serial No. 2014-01 Regarding the Second Series of Port Revenue Bonds Authorized Thereunder.

WHEREAS, the Assembly of the City and Borough of Juneau (the “City and Borough”) adopted Ordinance Serial No. 2014-01 (the “Ordinance”), authorizing the issuance of not to exceed \$29,000,000 of port revenue bonds on January 6, 2014; and

WHEREAS, pursuant to the Ordinance, the City and Borough issued its Port Revenue Bond, 2014A (Non-AMT) (the “2014A Bond”) under date of February 20, 2014 in the principal amount of \$6,055,000 to provide funds for the Governmental Components of the Project (as such terms are defined in the Ordinance); and

WHEREAS, the City and Borough expects to issue a second and final series of bonds under the Ordinance to provide funds for the Private Activity Components (as such term is defined in the Ordinance) of the Project; and

WHEREAS, the Assembly intends to amend the Ordinance to provide the parameters relating to the remaining bonds authorized thereunder;

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. Amendment of Section 5. Section 5 of Ordinance Serial No. 2014-01 is hereby amended to read as follows (additions are underscored, and deletions are shown with the text stricken through):

Section 5. Authorization of Bonds.

(a) *Authorization.* The City and Borough shall issue and sell not to exceed \$29,000,000 of its port revenue bonds (the “Bonds”) in one or more series for the purpose of providing permanent financing for the construction of the Project, 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 Port Revenue Bond, 20__[A/B][(AMT/Non-AMT)],” shall be dated as of the date established pursuant to Section 9, 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 each respective approved Loan Agreement, and shall come due on the dates set forth in the approved Loan Agreement of the following years in the following estimated aggregate principal installments:

Maturity Year	Principal Amount*
2015	\$ <u>135,000</u> 555,000
2016	<u>890,000</u> 590,000
2017	<u>870,000</u> 605,000
2018	<u>895,000</u> 625,000
2019	<u>935,000</u> 650,000
2020	<u>975,000</u> 675,000
2021	<u>1,020,000</u> 710,000
2022	<u>1,070,000</u> 745,000
2023	<u>1,125,000</u> 775,000
2024	<u>1,180,000</u> 815,000
2025	<u>1,240,000</u> 860,000
2026	<u>1,295,000</u> 900,000
2027	<u>1,360,000</u> 950,000
2028	<u>1,430,000</u> 995,000
2029	<u>1,500,000</u> 1,050,000
2030	<u>1,575,000</u> 1,095,000
2031	<u>1,655,000</u> 1,155,000
2032	<u>1,735,000</u> 1,215,000
2033	<u>1,825,000</u> 1,275,000
2034	<u>1,280,000</u> 1,340,000
2035	<u>335,000</u> 1,410,000
2036	<u>345,000</u> 1,485,000
2037	<u>360,000</u> 1,550,000
2038	<u>375,000</u> 1,630,000
2039	<u>390,000</u> 2,115,000
2040	<u>0</u> 1,835,000

Total: \$25,795,000 ~~27,605,000~~*

* Principal maturities do not add to \$29,000,000, in anticipation of selling Bonds with original issue premium, generating not more than \$29,000,000 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 \$29,000,000 (principal amount plus premium, if any, less costs of issuance) in net proceeds or \$29,000,000 in principal amount, whichever is less.

Section 3. Ratification of Ordinance. As amended by this ordinance, the Ordinance is hereby ratified approved and confirmed.

Section 4. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 16th day of March, 2015.

Merrill Sanford, Mayor

ATTEST:

Laurie J. Sica, 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 is a true and correct copy of Ordinance Serial No. 2015-11 (the “Ordinance”) of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the “Assembly”) held on the 16th day of March, 2015, 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 special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage 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 March, 2015.

Laurie J. Sica, Clerk
City and Borough of Juneau

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

Ordinance 2015-12 An Ordinance Amending the Land Use Code Relating to Wireless
Communication Facilities.

MANAGER'S REPORT:

Wireless Communication Facilities (WCF) are regulated by federal law and by the City and Borough of Juneau in Title 49.65.900-1030.

On January 8, 2015, the Federal Communications Commission published new federal WCF laws, which take effect on April 8, 2015. As of that date, local governments will be required to approve certain types of collocation applications (eligible facility request) within 60 days of initial application. The new law also defines certain terms (such as an eligible facility request) that were previously undefined by the FCC.

The new federal laws do not affect public notice and do not affect WCFs that require a special use permit.

This ordinance would amend Title 49 to be consistent with the new federal laws.

The Planning Commission reviewed the ordinance at its January 27 and February 10, 2015, meetings and recommended forwarding it to the Assembly for its approval. This ordinance includes all changes approved by the Planning Commission.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-12	2/18/2015	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-12

An Ordinance Amending the Land Use Code Relating to Wireless Communication Facilities.

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 Article. Article IX. Wireless Communication Facilities, is amended to read:

ARTICLE IX. WIRELESS COMMUNICATION FACILITIES

49.65.900 Purpose.

...

(h) Respond to the policies embodied in Section 6409(a) of the ~~Middle Class Tax Relief and Job Creation Act of 2012~~ Spectrum Act (P.L. 112-96).

...

49.65.950 Administrative permits.

(a) A WCF described in Table 1 shall be approved or denied by the director, unless lighting would be required by the FAA or FCC. An eligible facility request in Table 1 must

be approved by the director. A special use permit shall be required of all lighted WCF or any WCF requiring air navigation lighting.

TABLE 1

WCF Type	Zoning Districts	Maximum Height	Minimum Distance
<u>Eligible Facility Request</u>	<u>All</u>	<u>No substantial change as provided in 49.65.950(b)</u>	<u>N/A</u>
<u>Collocation other than an Eligible Facility Request</u> collocation, removal or replacement of transmission equipment as provided in CBJ 49.65.950(b)	All	Not more than 10% of existing structure or 20 feet (unless the increased height requires an existing unlit WCF to become lit)	N/A
Concealed attached	All	≤ 20 feet ¹	N/A
Non-concealed attached	D-1—D-18	≤ 5 feet ¹	N/A
Non-concealed attached	Nonresidential and mixed use	≤ 20 feet ¹	N/A
New concealed tower	WI, WC, GC, LC	≤ 20 feet above maximum height of zoning district	N/A
New concealed tower	RR	≤ 100 feet	> 500 feet to recognized neighborhood association established in accordance with CBJ chapter 11.35
New concealed tower	I	≤ 120 feet	> 500 feet to D-1—D-18 districts
New concealed tower	D-1—D-18	Compliant with maximum height of zoning district	N/A
New non-concealed tower	RR, except	≤ 120 feet	> 1,000 feet to recognized

			neighborhood association established in accordance with CBJ chapter 11.35
New non-concealed tower	I	≤ 60 feet	>500 feet to D-1—D-18 districts

Note: ¹ Rooftop and attachment heights are identified as above the highest point of the existing structure.

(b) Substantial change for collocation applications including Eligible Facilities Requests.

A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria: ~~Collocations and other modifications to existing facilities pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012. Eligible collocations and modifications for the removal or replacement of transmission equipment on an existing wireless tower or base station that do not substantially change the physical dimensions of the existing tower or base station shall be eligible for an administrative permit. For the purposes of this section, "substantial change" means:~~

- (1) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten percent or more than ten feet, whichever is greater;

1 (A) Changes in height should be measured from the original support
2 structure in cases where deployments are or will be separated horizontally,
3 such as on buildings' rooftops; in other circumstances, changes in height
4 should be measured from the dimensions of the tower or base station,
5 inclusive of originally approved appurtenances and any modifications that
6 were approved prior to the passage of the Spectrum Act (P.L. 112-96); ~~The~~
7 ~~mounting of the proposed antenna would increase the existing height of the~~
8 ~~WCF by more than ten percent, or by the height of one additional antenna~~
9 ~~array with separation from the nearest existing antenna not to exceed 20 feet,~~
10 ~~whichever is greater, except that the mounting of the proposed antenna may~~
11 ~~exceed the size limits set forth in this subsection if necessary to avoid~~
12 ~~interference with existing antenna or unless the increased height requires an~~
13 ~~existing unlit WCF to become lit;~~

14
15
16 (2) For towers other than towers in the public rights-of-way, it involves adding an
17 appurtenance to the body of the tower that would protrude from the edge of the tower
18 more than 20 feet, or more than the width of the tower structure at the level of the
19 appurtenance, whichever is greater; for other eligible support structures, it involves
20 adding an appurtenance to the body of the structure that would protrude from the
21 edge of the structure by more than six feet; ~~The mounting of the proposed antenna~~
22 ~~would involve the installation of more than the standard number of new equipment~~
23 ~~cabinets for the technology involved, not to exceed four, or more than one new~~
24 ~~equipment shelter;~~
25

1 (3) For any eligible support structure, it involves installation of more than the
2 standard number of new equipment cabinets for the technology involved, but not to
3 exceed four cabinets; or, for towers in the public rights-of-way and base stations, it
4 involves installation of any new equipment cabinets on the ground if there are no
5 pre-existing ground cabinets associated with the structures, or else involves
6 installation of ground cabinets that are more than ten percent larger in height or
7 overall volume than any other ground cabinets associated with the structures; ~~The~~
8 ~~mounting of the proposed antenna would involve adding an appurtenance to the body~~
9 ~~of an existing WCF that would protrude from the edge of the existing WCF more~~
10 ~~than 20 feet, or more than the width of the WCF at the level of the appurtenance,~~
11 ~~whichever is greater, except that the mounting of the proposed antenna may exceed~~
12 ~~the size limits set forth in this subsection if necessary to shelter the antenna from~~
13 ~~inclement weather or to connect the antenna to the structure via a cable; or~~

14
15
16 (4) It entails any excavation or deployment outside the current site; ~~The~~
17 ~~mounting of the proposed antenna would involve excavation outside the existing~~
18 ~~WCF site, defined as the current boundaries of the leased or owned property~~
19 ~~surrounding the WCF and any access or utility easements currently related to the~~
20 ~~site.~~

21 (5) It would defeat the concealment elements of the eligible support structure; or

22
23 (6) It does not comply with conditions associated with the siting approval of the
24 construction or modification of the eligible support structure or base station
25 equipment, provided however that this limitation does not apply to any modification

1 that is non-compliant only in a manner that would not exceed the thresholds
2 identified in 47 CFR § 1.40001(b)(7)(i) through (iv).

3
4 (c) Director's decision. An eligible facility request in Table 1 must be approved by the
5 director. All other Table 1 WCF ~~Except for applications requiring a special use permit,~~
6 applications shall be approved or denied, ~~in writing,~~ by the director.

7 (1) The director shall review the submitted application for completeness and shall
8 notify the applicant within 30 days of receipt of the initial submission whether the
9 application is deemed complete. If rejected as incomplete, the director shall identify
10 the deficiencies in the application, which if cured, would make the application
11 complete. Any period of time from when the director notifies the applicant to the date
12 the revised application is received shall not count for the purposes of calculating the
13 calendar day deadline in subsection (3).

14
15 (2) The director shall review all completed applications for compliance with the
16 requirements of section 49.65.930 except an eligible facility request is exempt from
17 49.65.930(f). The director may notify an applicant of a failure to comply with section
18 49.65.930 and may allow the applicant to resubmit a revised application. ~~Any period~~
19 ~~of time from when the director notifies the applicant to the date the revised~~
20 ~~application is received shall not count for the purposes of calculating the 90-calendar~~
21 ~~day deadline in subsection (3).~~

22
23 (3) Decision deadlines. The director's decision shall be made in writing and
24 supported by substantial evidence. The director's decision shall be postmarked to the
25 applicant by the deadlines noted below.

1 (A) An eligible facility request shall be approved by the sixtieth calendar
2 day from the date of receipt of the application, less any tolling periods. Unless
3 approved by the director prior to the sixtieth day, an eligible facility request is
4 deemed granted on the sixty-first day.

5
6 (B) All other Table 1 WCF Applications not meeting the requirements of this
7 article shall be rejected. The director's decision to approve or deny an
8 application shall be in writing and supported by substantial evidence. The
9 director's decision shall be postmarked to the applicant by the ninetieth
10 calendar day from the date of receipt of the application, less any tolling
11 periods, applicable under federal law.

12
13 **49.65.960 General application submittal requirements for all WCFs.**

14 (a) An application for a WCF shall be signed on behalf of the applicant by the person
15 preparing the same and with knowledge of the contents and representations made therein
16 and attesting to the truth and completeness of the information. The landowner, if different
17 than the applicant, shall also sign the application. All information submitted in an
18 application shall be provided by a person qualified to provide the information. All
19 applications for the construction or installation of a new WCF shall be accompanied by the
20 following documentation, except an applications for an eligible facility request ~~allocation or~~
21 ~~modification under section 49.65.950(b)~~ is are exempt from providing the documentation
22 required by subsections (b) and (r);

23
24 ...

1 **Section 3. Amendment of Section.** CBJ 49.80.120 Definitions, is amended by
2 the addition of the following definitions and amendments to existing definitions, to be
3 incorporated in alphabetical order:

4 ...

5 *Appurtenant or associated facilities* means an accessory facility or structure serving or being
6 used in conjunction with {WCF}, and located on the same property or lot as the {WCF},
7 including, but not limited to, utility or transmission equipment storage shelters or cabinets.
8

9
10 *Base station* means a facility consisting of radio transceivers, antenna, coaxial cable, a
11 regular and back-up power supply, and other electronics associated with the operation of a
12 WCF. It includes a structure that currently supports or houses an antenna, transceiver, or
13 other associated equipment that constitutes part of a bases station. It may encompass such
14 equipment in any technological configuration, including Attached WCF.
15

16
17 *Collocation* means the mounting or installation of transmission equipment on an eligible
18 support structure for the purpose of transmitting and/or receiving radio frequency signals
19 for communications purposes. ~~placement of an antenna on an existing WCF for the purpose~~
20 ~~of transmitting and/or receiving radio frequency signals for communications purposes.~~
21

22 *Eligible Facilities Request* means any request for modification of an existing wireless tower
23 or base station involving (a) collocation of new transmission equipment; (b) removal of
24 transmission equipment; or (c) replacement of transmission equipment. In this context, the
25

1 term “existing wireless tower or base station” only means a WCF that has been reviewed
2 and approved per this article.

3
4 *Eligible Support Structure* means any structure that meets the definition of a wireless tower
5 or base station.

6
7
8 *Transmission equipment* means any equipment that facilitates transmission for any FCC
9 licensed or authorized wireless communication service, including, but not limited to, radio
10 transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply.
11 The term includes equipment associated with wireless communications services including,
12 but not limited to, private, broadcast, and public safety services, as well as unlicensed
13 wireless services and fixed wireless services such as microwave backhaul.

14
15 *Tower or Wireless Tower* means any structure built for the sole or primary purpose of
16 supporting any FCC licensed or authorized antennas and their associated facilities,
17 including structures that are constructed for wireless communications services including,
18 but not limited to, private, broadcast, and public safety services, as well as unlicensed
19 wireless services and fixed wireless services such as microwave backhaul, and the associated
20 site. a structure that is built for the sole or primary purpose of supporting equipment for the
21 transmission and/or reception of radio frequency signals or other wireless communications
22 or meteorological purposes, and usually consisting of an antenna or antenna array,
23 transmission cables, equipment cabinets, and their associated facilities.
24
25

1 *Wireless communication facility (WCF)* means any manned or unmanned location for the
2 transmission and/or reception of radio frequency signals or other wireless communications,
3 and usually consisting of an antenna or group of antennas, transmission cables, and
4 equipment cabinets, and may include an antenna support structure. The following
5 developments shall be considered a WCF: developments containing new, mitigated, or
6 existing antenna support structures, public antenna support structures, replacement
7 antenna support structures, collocation on existing antenna support structures, attached
8 wireless communications facilities, concealed wireless communication facilities, and non-
9 concealed wireless communication facilities. Excluded from the definition are:
10 noncommercial amateur radio, amateur ham radio and citizen band antennas, satellite
11 earth stations and antenna support structures, and antennas and/or antenna arrays for
12 AM/FM/TV/HDTV broadcasting transmission facilities.
13

14 *Specific types of WCFs include:*

15 *Attached WCF* means an antenna or antenna array that is secured to an existing
16 building or structure with any accompanying pole or device which attaches it to the
17 building or structure, together with transmission cables, and an equipment cabinet,
18 which may be located either on the roof or inside/outside of the building or structure.
19 An attached wireless communications facility is considered to be an accessory use to
20 the existing principal use on a site. An Attached WCF includes distributed antenna
21 system (DAS) and small cell technologies.
22

23 *Concealed WCF*, sometimes referred to as a concealed or camouflaged facility,
24 means a WCF, ancillary structure, or WCF equipment compound that is not readily
25 identifiable as such, and is designed to be aesthetically compatible with existing and

1 proposed building(s), vegetation, natural features, and uses on a site. There are two
2 types of concealed WCFs: 1) attached and 2) freestanding. Examples of concealed
3 attached WCF include, but are not limited to, those designed to integrate or blend
4 with the building or structure upon which the facility is attached by the use of paint,
5 faux windows, dormers or other architectural features. Freestanding concealed WCFs
6 usually have a secondary, obvious function which may be, but is not limited to, the
7 following: church steeple, windmill, bell tower, clock tower, cupola, light standard,
8 flagpole with or without a flag, or faux tree.
9

10 *Freestanding WCF* means any manned or unmanned location for the
11 transmission and/or reception of radio frequency signals, or other wireless
12 communications, and usually consisting of an antenna or group of antennas, feed
13 lines, and equipment cabinets, and may include an antenna support structure. A
14 freestanding WCF includes, but is not limited to, the following: guyed, lattice, or
15 monopole support structures.
16

17 *Non-concealed WCF* means a wireless communication facility that is readily
18 identifiable as such and can be either freestanding or attached.
19

20 WCF Site means towers other than towers in the public rights-of-way, the current
21 boundaries of the leased or owned property surrounding the tower and any other access or
22 utility easements currently related to the site, and, for other eligible support structures,
23 further restricted to that area in proximity to the structures and to other transmission
24 equipment already deployed on the ground.
25

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Ordinance 2015-13 An Ordinance Amending the Comprehensive Plan by Adopting the Auke Bay Area Plan.

MANAGER'S REPORT:

This ordinance would adopt the Auke Bay Area Plan, and amend the CBJ's comprehensive plan to include the Auke Bay Area Plan.

On February 9, 2015, the plan was presented to the Committee of the Whole. On February 10, 2015, the Planning Commission voted to recommend to the Assembly adoption of the plan.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-13	2/18/2015	Ordinance
<input type="checkbox"/> Auke Bay Area Plan Modifications	3/12/2015	Cover Memo

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-13

An Ordinance Amending the Comprehensive Plan by Adopting the Auke Bay Area 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. CBJ 49.05.200, Comprehensive plan, is amended to read as follows:

49.05.200 Comprehensive plan.

...

(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:

- 1
- 2 (A) The Juneau Coastal Management Program, Volumes 1 and 2, dated February,
- 3 2008;
- 4
- 5 (B) The Downtown Historic District Development Plan, dated December 1981;
- 6 provided that the proposed district boundaries shall be those established by the
- 7 assembly under a separate ordinance;
- 8
- 9 (C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated
- 10 January 22, 2004, as amended;
- 11
- 12 (D) The Last Chance Basin Land Management Plan, dated May 1978, updated
- 13 November 1994;
- 14
- 15 (E) Watershed Control Program - Salmon Creek Source, dated April 1992;
- 16
- 17 (F) Watershed Control and Wellhead Protection Program - Gold Creek Source,
- 18 dated November 1994;
- 19
- 20 (G) Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997;
- 21
- 22 (H) Juneau Non-Motorized Transportation Plan, dated November 2009;
- 23
- 24 (I) 2010 Downtown Parking Management Plan;
- 25
- (J) Chapter 5 of the Willoughby District Land Use Plan, dated March 2012;
- (K) Municipal Drinking Water Supply Plan, dated June 5, 2012;
- (L) Wireless Telecommunication Master Plan, dated May 2014;
- (M) Juneau Economic Development Plan, dated January 28, 2015; and
- (N) Auke Bay Area Plan, dated March 16, 2015.

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

Merrill Sanford, Mayor

Laurie J. Sica, Municipal Clerk




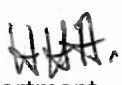
Community Development

City & Borough of Juneau • Community Development

155 S. Seward Street • Juneau, AK 99801

TO: Assembly

FROM: Eric Feldt, Planner II, CFM 
Community Development Department

THROUGH: Hal H. Hart, Director, AICP 
Community Development Department

DATE: March 12, 2015

RE: Auke Bay Area Plan Modifications

The following are recommended modifications to the Auke Bay Area Plan consisting of minor errors, additions, or points of clarification which were addressed by CBJ staff and later by the Planning Commission. These modifications were found by CBJ staff, other government agencies, or the Planning Commission. During their regularly scheduled meeting, the Planning Commission recommended the Assembly adopt the Auke Bay Area Plan with the following modifications:

- Page iii: Change 19 Auke Bay Steering Committee Meetings to 21.
 - o *Found by CDD Staff*
- Page x: Strike last sentence.
 - o *Found by CDD Staff*
- Page 6: Sentence incomplete: One way of achieving this is through a Build-To Line.
 - o *Found by CBJ Staff*
- Page 14: Goal 8.5 was bolded unintentionally.
 - o *Found by CBJ Staff*
- Page 34: Caption for artist's rendering identifies image as a photo.
 - o *Found by CBJ Staff*
- Page 37: Re-write sentence: Transit access to and from Auke Bay, especially to UAS, was recognized as an important service feature of the retained or strengthened.
 - o *Found by CBJ Staff*
- Page 49: Re-write first sentence under CIP/STIP Review.
 - o *Found by CBJ Staff*
- Page 52: First Infrastructure Coordination is a general paraphrase of the second, and should be eliminated.
 - o *Found by CBJ Staff*

- Page 40, Transportation Chapter: Bulleted item, change 'Adapt' to 'Adopt'.
 - o *Found by CDD Staff*
- Page 40: Change seventh bullet from: "Improve intersections at major Auke Bay roads including an additional intersection for the Auke Bay Elementary School." to "Improve intersections at major Auke Bay roads including an additional intersection for the Auke Bay Elementary School, as shown in the Community Charrette Map."
 - o *Correction found by DOT*
- Appendix A: Add Juneau Climate Action & Implementation Plan.
 - o *Recommended by JCOS and supported by Planning Commission*
- Appendix B: CIP List: Pedestrian/ Trails: Change the following from "Pedestrian activated beacon at elementary school and other crossing locations on Glacier Highway." to "As the Auke Bay area develops, coordinate the review of intersection and other street crossing improvements for pedestrian safety and efficiency."
 - o *Correction found by DOT*
- Appendix C: Remove the center boundary area from the Existing Comprehensive Plan Map.
 - o *Found by CDD Staff*

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

Ordinance 2015-14 An Ordinance Amending the Penal Code Fine Schedule Relating to Off-site Commercial Solicitation.

MANAGER'S REPORT:

This ordinance would amend the fine schedule relating to off-site commercial solicitation. Currently, violations of CBJ 49.20.210 are punishable by a fine of \$150. This ordinance would amend the fine schedule to the following graduated schedule: \$150 for the first offense, \$300 for a second offense in two years, and a mandatory court appearance for the third offense in two years.

JPD was approached by several businesses in the downtown area complaining of on-going off-site commercial solicitation (or "hawking") issues. It has become apparent that given the amount of profit involved in the sale of merchandise in the downtown area, a small fine is not sufficient to deter illegal hawking. This ordinance would increase the fine and culminate in a mandatory court appearance for repeat offenders, in an effort to encourage voluntary compliance.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-14	2/18/2015	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-14

**An Ordinance Amending the Penal Code Fine Schedule Relating to
Off-site Commercial Solicitation.**

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 03.30.065 Penal code fine schedule, is amended to read:

03.30.065 Penal code fine schedule.

Pursuant to sections 03.30.010—03.30.015 of this chapter, the following offense which is amenable to disposition without court appearance may be disposed of upon payment of the fine listed ~~to the municipal clerk of the court~~. If a person charged with this offense appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for the offense listed in the following schedule:

//

//

//

//

PENAL CODE FINE SCHEDULE

CBJ	Offense	No. of Offenses	Fine
42.20.095(f)	Disturbing the peace	Any	\$300.00
42.20.200	Panhandling restricted	Any	\$75.00
42.20.210	Off-site commercial solicitation restricted	Any 1st	\$150.00
		<u>2nd within 2 years</u>	<u>\$300.00</u>
		<u>3rd within 2 years</u>	<u>MCA*</u>
...

* "MCA" in the fine schedule means mandatory court appearance; fine schedule not applicable.

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Ordinance 2015-15 An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds That Provided Funds to Purchase the Harbor Revenue Bond, 2007 of the City and Borough, Under a Loan Agreement Between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's 2007 Bond, in Accordance With the Loan Agreement, if the Bond Bank Successfully Refinances Its Bonds.

MANAGER'S REPORT:

This ordinance would authorize the participation in the Alaska Municipal Bond Bank's "Exchange" refunding (refinance) of the 2007 harbor revenue bonds. The original \$11 million in bond proceeds were sold June 25, 2007. The original bonds were sold through the Alaska Municipal Bond Bank.

The current total remaining debt service payments (bonds + interest) is \$13.4 million dollars. If CBJ issues the refunding bonds in April 2015, the total remaining debt service payments will be \$12.9 million, resulting in an estimated total savings of \$500,000 over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2033). The total remaining debt service payments would be paid for out of the Harbor Operations Fund.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-15	2/26/2015	Ordinance

Presented by: The Manager
Introduced: 03/02/15
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-15

An Ordinance Approving the City and Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of the Bond Bank's General Obligation Bonds That Provided Funds to Purchase the Harbor Revenue Bond, 2007 of the City and Borough, Under a Loan Agreement Between the City and Borough and the Bond Bank; and Authorizing a Revised Schedule of Principal and Interest Payments on the City and Borough's 2007 Bond, in Accordance With the Loan Agreement, if the Bond Bank Successfully Refinances Its Bonds.

WHEREAS, the City and Borough of Juneau, Alaska (the "City and Borough"), to finance a portion of the cost of certain harbor improvements, issued and sold its Harbor Revenue Bond, 2007, in the original principal amount of \$10,620,000 (the "2007 Bond") to the Alaska Municipal Bond Bank (the "Bond Bank"), as authorized by Ordinance No. 2007-32(b) of the City and Borough adopted May 14, 2007 and Resolution No. 2414 adopted on June 25, 2007 (together, the "Bond Ordinance"), on the terms and conditions set forth in the Bond Ordinance and in a loan agreement between the City and the Bond Bank dated as of July 1, 2007 (the "Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2007 Series Three (the "Bond Bank Bonds"), to provide funds to purchase the 2007 Bond, as provided in the Loan Agreement; and

WHEREAS, Section 6 of the Loan Agreement provides that payments of principal of and interest on the 2007 Bond may be adjusted to reduce debt service on the 2007 Bond if the Bond Bank is able to achieve debt service savings by refunding the Bond Bank Bonds; and

WHEREAS, the Bond Bank now intends to issue a series of its general obligation refunding bonds (the "Bond Bank Refunding Bonds") for the purpose, among others, of refunding the Bond Bank Bonds and achieving debt service savings; and

WHEREAS, the Assembly wishes to approve the City and Borough's participation in this refinancing and to authorize the City and Borough's city manager or his/her designee to accept a revised debt service schedule for the 2007 Bond if the Bond Bank successfully refinances the Bond Bank Bonds;

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

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

Section 2. Approval of Refinancing. The Assembly hereby approves the City and Borough's participation in the Bond Bank's refinancing of the Bond Bank Bonds. The revised schedule of debt service on the 2007 Bond and other provisions as may be required by the Bond Bank will be set forth in an Amendatory Loan Agreement and a refunding bond (the "2015 Bond") to be issued in exchange for the 2007 Bond. The 2015 Bond shall come due on the dates set forth in the Amendatory Loan Agreement of the following fiscal years in the following estimated principal installments:

<u>Fiscal Year</u>	
<u>Ending in</u>	<u>Amount</u>
2019	\$ 355,000
2020	365,000
2021	380,000
2022	400,000
2023	425,000
2024	440,000
2025	465,000
2026	490,000
2027	510,000
2028	535,000
2029	565,000
2030	590,000
2031	620,000
2032	645,000
2033	675,000

At the time of sale, the City Manager or his/her designee may increase or decrease the foregoing estimated principal amounts in any year by 25%.

The City Manager or Finance Director is authorized to execute and deliver the Amendatory Loan Agreement on behalf of the City and Borough and to deliver the 2015 Bond, executed in accordance with the provisions of the Bond Ordinance and this ordinance, to the Bond Bank in exchange for the 2007 Bond, 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. The City Manager, Finance Director and other appropriate officers and employees of the City and Borough are also hereby authorized to provide financial information about the City and Borough that the Bond Bank may require for the official statement for the Bond Bank Refunding Bonds. In furtherance of the plan of refinancing, the City Manager or his/her designee is hereby further authorized to determine whether or not the establishment of a reserve fund or account is necessary or desirable to secure the repayment of

the Bond and if a reserve is to be established, the terms and conditions of the reserve, including the execution and delivery of a reserve depositary agreement.

Section 3. Tax Covenants. The City and Borough covenants to undertake all actions required to maintain the tax-exempt status of interest on the 2015 Bond under Section 103 of the Code.

Section 4. General Authorization. The Mayor, City Manager, Finance Director, Clerk, City and Borough Attorney, and any other appropriate officers, agents, attorneys and employees of the City and Borough are each hereby authorized and directed to cooperate with the Bond Bank and to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 5. Prior Acts. Any and all acts heretofore taken by officers, agents, attorneys and employees of the City and Borough in connection with refinancing the 2007 Bond are hereby ratified and confirmed.

Section 6. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 16th day of March, 2015.

Merrill Sanford, Mayor

ATTEST:

Laurie J. Sica, 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 is a true and correct copy of Ordinance Serial No. 2015-15 (the "Ordinance") of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the "Assembly") held on the 16th day of March, 2015, 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 special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage 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 March, 2015.

Laurie J. Sica, Clerk
City and Borough of Juneau

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

Ordinance 2015-16 An Ordinance Providing for the Issuance and Sale of a General Obligation School Refunding Bond in the Aggregate Principal Amount of Not to Exceed \$3,400,000; and Providing the Form and Terms of the Bond and for Unlimited Tax Levies to Pay the Bond.

MANAGER'S REPORT:

This ordinance would authorize the issuance of up to \$3.4 million in bonds to refund (refinance) the 2005A general obligation school bonds. The original \$9.5 million in bonds were sold March 1, 2005. The bonds were sold directly into the market by CBJ but the refunding is being done through the Alaska Municipal Bond Bank.

The amount being refunded is \$3.3 million plus issuance costs. If CBJ issues the refunding bonds in April 2015, the refunding will result in an estimated total savings of \$225,000 over the remaining life of the bonds. The term of the new issue will be the same as the original (final payment February 2020).

These bonds qualify for 70% reimbursement under the State's School Construction Bond Debt Reimbursement Program. However, the reimbursement under the State's Debt Reimbursement Program is subject to annual appropriation by the Legislature. The debt service component of the property tax mill rate funds the remaining portion of the payments.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Ordinance 2015-16	2/26/2015	Ordinance

Presented by: The Manager
Introduced: 03/02/15
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-16

An Ordinance Providing for the Issuance and Sale of a General Obligation School Refunding Bond in the Aggregate Principal Amount of Not to Exceed \$3,400,000; and Providing the Form and Terms of the Bond and for Unlimited Tax Levies to Pay the Bond.

WHEREAS, the City and Borough of Juneau (the “City and Borough”) issued its General Obligation School Bonds, 2005A, under date of March 1, 2005 (the “2005A Bonds”) pursuant to Ordinance Serial No. 2004-45 and Resolution Serial No. 2300 (together, the “2005A Bond Ordinance”), currently outstanding in the principal amount of \$3,325,000 and maturing in principal amounts as follows:

<u>Maturity Years</u> <u>(March 1)</u>	<u>Principal</u> <u>Amounts</u>	<u>Interest</u> <u>Rates</u>
2016	\$ 615,000	3.60%
2017	635,000	3.65
2018	665,000	4.00
2019	690,000	4.00
2020	720,000	4.00

; and

WHEREAS, the 2005A Bonds maturing on and after March 1, 2016 are callable in whole or part on March 1, 2015, and on any date thereafter at a price of par plus accrued interest to the date of redemption; and

WHEREAS, the Charter and Code of the City and Borough permit the City and Borough to issue refunding bonds without an election; and

WHEREAS, the Assembly finds that it is in the best interest of the City and Borough to sell the bond herein authorized to the Alaska Municipal Bond Bank (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, the following words shall have the following meanings:

Acquired Obligations means the Government Obligations acquired by the City and Borough under the terms of this ordinance and the Escrow Agreement to effect the defeasance and refunding of the Refunded Bonds.

Assembly means the Assembly of the City and Borough of Juneau, Alaska as the same shall be duly and regularly constituted from time to time or any successor body.

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 Fund means the “Debt Service Fund” of the City and Borough maintained pursuant to this ordinance.

Bond Register means the registration books for the Bond, 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 Bond.

Bond Registrar means the Finance Director, for the purposes of registering and authenticating the Bond, maintaining the Bond Register, and paying the principal of and interest on the Bond.

Bond means the City and Borough of Juneau, Alaska General Obligation School Refunding Bond, 2015, issued pursuant to this ordinance.

Bond Year means each one-year period that ends on the date selected by the City and Borough. The first and last Bond Years may be a shorter period. If no day is selected by the City and Borough before the earlier of the final maturity dates of the Bond or the date that is five years after the date of issuance of the Bond, Bond Years end on each anniversary of the date of issue and on the final maturity date of the Bond.

City and Borough means City and Borough of Juneau, Alaska, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska.

City Manager means the city manager or interim city manager of the City and Borough.

Code means the federal Internal Revenue Code of 1986, as amended from time to time, and the applicable regulations thereunder.

Escrow Agreement means the Escrow Deposit Agreement, if any, entered into by the City and Borough with the Escrow Agent to be dated as of the date of closing and delivery of the Bond.

Escrow Agent means the financial institution selected pursuant to the conditions set forth in Section 10 of this ordinance.

Finance Director means the director of the finance department of the City and Borough.

Government Obligations means:

(a) Cash (United States currency or demand deposits insured at all times by the Federal Deposit Insurance Corporation or otherwise collateralized with obligations described in subparagraph (b)), or

(b) Noncallable indirect obligations of (including obligations issued or held in book-entry form on the books of) the Department of the Treasury of the United States of America, the payment of which is guaranteed by the United States of America.

Loan Agreement means the Loan Agreement by and between the City and Borough and the Bond Bank authorized to be entered into pursuant to Section 13 of this ordinance.

Net Proceeds, when used with reference to the Bond, means the principal amount of the Bond, plus accrued interest and original issue premium, if any, and less original issue discount.

Private Person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company or corporation.

Private Person Use means the use of property in a trade or business by a Private Person if such use is other than as a member of the general public. Private Person Use includes ownership of the property by the Private Person as well as other arrangements that transfer to the Private Person the actual or beneficial use of the property (such as a lease, management or incentive payment contract or other special arrangement) in such a manner as to set the Private Person apart from the general public. Use of property as a member of the general public includes attendance by the Private Person at municipal meetings or business rental of property to the Private Person on a day-to-day basis if the rental paid by such Private Person is the same as the rental paid by any Private Person who desires to rent the property. Use of property by nonprofit community groups or community recreational groups is not treated as Private Person Use if such use is incidental to the governmental uses of property, the property is made available for such use by all such community groups on an equal basis and such community groups are charged only a de minimis fee to cover custodial expenses.

Redemption Date means the date or dates designated by the Finance Director as the date or dates on which the Refunded Bonds will be paid and redeemed.

Refunded Bonds means any or all of the 2005A Bonds designated by the Finance Director pursuant to Section 13.

Registered Owner means the person in whose name ownership of a Bond is identified in the Bond Register.

Rule means the SEC's Rule 15c2-12 under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Savings Target means a dollar amount at least equal to four percent (4.0%) of the principal amount of the Refunded Bonds.

SEC means the United States Securities and Exchange Commission.

2005A Bond Ordinance means, collectively, Ordinance Serial No. 2004-45, passed by the Assembly on January 10, 2005 and Resolution Serial No. 2300, passed by the Assembly on February 16, 2005.

2005A Bonds means the General Obligation School Bonds, 2005A, of the City and Borough issued under date of March 1, 2005, and presently outstanding in the aggregate principal amount of \$3,325,000.

Interpretation and Rules of Interpretation.

(a) Unless the context otherwise indicates, words expressed in the singular shall include the plural and vice versa and the use of the neuter, masculine, or feminine gender is for convenience only and shall be deemed to mean and include the neuter, masculine or feminine gender, as appropriate.

(b) Headings of articles and sections herein and the table of contents hereof are solely for convenience of reference, do not constitute a part hereof and shall not affect the meaning, construction or effect hereof.

(c) All references herein to "Articles," "Sections" and other subdivisions are to the corresponding Articles, Sections or subdivisions of this ordinance; the words "herein," "hereof," "hereby," "hereunder" and other words of similar import refer to this ordinance as a whole and not to any particular Article, Section or subdivision hereof.

Section 3. Authorization of Bond. For the purpose of refunding the Refunded Bonds and paying the costs of issuance of the Bond, the City and Borough shall issue its general obligation school refunding bond in the aggregate principal amount of not to exceed \$3,400,000, but in any event providing no more than \$3,400,000 in net proceeds (principal amount plus premium, if any, less costs of issuance) (the "Bond"). The Bond shall be dated as of the date established pursuant to Section 13, 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 and rates 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
2016	\$ 615,000
2017	595,000
2018	615,000
2019	640,000
2020	670,000

Total: \$3,135,000*

* Principal maturities do not add to \$3,400,000, in anticipation of selling the Bond with original issue premium, generating not more than \$3,400,000 in net proceeds.

At the time of sale, the City Manager or his/her designee may increase or decrease the foregoing estimated principal amounts in any year by 25%, *provided, however*, in the aggregate, the Bond shall be issued in principal amounts that provide no more than \$3,400,000 (principal amount plus premium, if any, less costs of issuance) in net proceeds or \$3,400,000 in principal amount, whichever is less.

Section 4. Registration, Exchange and Payments. The Finance Director shall act as authenticating agent, paying agent and registrar for the Bond (collectively, the “Bond Registrar”). Both principal of and interest on the Bond shall be payable in lawful money of the United States of America. Interest on the Bond shall be calculated on the basis of a 360-day year and twelve 30-day months. Interest on the Bond 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 Bond shall be payable upon presentation and surrender of the Bond 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 Bond, payments of principal of and interest on the Bond shall be made to the Bond Bank in accordance with the Loan Agreement.

The Bond 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 5. Redemption/Purchase of Bond. Provisions for the optional prepayment of some or all principal installments of the Bond may be established pursuant to Section 13 of this ordinance and shall be set forth in the Loan Agreement.

So long as the Bond Bank is the owner of the Bond, notice of prepayment shall be given according to the terms of the Loan Agreement. If the Bond Bank is not the owner of the Bond, 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 Bond 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 Bond.

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 Bond, 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 Bond the principal amount thereof to be prepaid and the interest accrued on such principal amount to the prepayment date.

Section 6. Form of Bond. The Bond shall be in substantially the following form:

NO. _____ UNITED STATES OF AMERICA \$ _____
STATE OF ALASKA

CITY AND BOROUGH OF JUNEAU
GENERAL OBLIGATION SCHOOL REFUNDING BOND, 2015

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"). Notwithstanding the foregoing, so long as the Bond Bank is the Registered Owner of this bond, payments of principal of and interest on this bond shall be made to the Bond Bank in accordance with the Loan Agreement.

This bond is a general obligation bond of the Borough and is issued pursuant to Ordinance Serial No. 2015-16 of the City and Borough (the "Bond Ordinance") for the purpose of refunding certain outstanding general obligation bonds of the City and Borough. Capitalized terms used in this bond and not otherwise defined herein have the meanings given such terms in the Bond Ordinance.

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 or on behalf of the Bond Registrar.

This bond is issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Alaska and ordinances duly adopted by the Assembly, including the Bond Ordinance.

This bond is subject to prepayment as stated in the Loan Agreement.

The City and Borough has obligated and bound itself to make annual levies of ad valorem taxes upon all the taxable property within the City and Borough, without limitation as to rate or amount, in amounts sufficient, together with such other moneys of the City and Borough

available for such purposes as the Assembly of the City and Borough may, from time to time, appropriate and make available to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the City and Borough are hereby irrevocably pledged for the levy of such taxes and the prompt payment of such principal and interest. The pledge of tax levies for payment of principal of and interest on the bond may be discharged prior to maturity of the bond by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

The bond is not a "private activity bond" as such term is defined in the Internal Revenue Code of 1986, as amended (the "Code"). The City and Borough has [not] designated the bond as a "qualified tax-exempt obligation" under Section 265(b) of the Code for investment by banks, thrift institutions and other financial institutions.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Alaska to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City and Borough may incur.

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 _____, 2015.

CITY AND BOROUGH OF
JUNEAU, ALASKA

By _____ /s/ manual or facsimile
City Manager or Designee

ATTEST:

_____/s/ manual or facsimile
Clerk

The Certificate of Authentication for the Bond shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is the General Obligation School Refunding Bond, 2015 of the City and Borough of Juneau, Alaska, dated _____, 2015, and described in the within-mentioned Bond Ordinance.

Finance Director, City and Borough of Juneau,
Alaska, as Bond Registrar

By _____
Authorized Signer

Section 7. Execution of Bond. The Bond 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 Bond 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 Bond 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 Bond shall cease to be officer or officers of the City and Borough before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City and Borough, such Bond 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 Bond 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 Bond the proper officers of the City and Borough although at the original date of such Bond any such person shall not have been such officer of the City and Borough.

Section 8. Lost, Stolen, Destroyed or Mutilated Bond. In case any Bond shall at any time become mutilated or be lost, stolen or destroyed, the City and Borough in the case of such a mutilated Bond shall, and in the case of such a lost, stolen or destroyed Bond in its discretion may, execute and deliver a new Bond of the same interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender and cancellation of such mutilated Bond, or in lieu of or in substitution for such destroyed, stolen or lost Bond, or if such

stolen, destroyed or lost Bond shall have matured, instead of issuing a substitute therefor, the City and Borough at its option pay the same without the surrender thereof. Except in the case where a mutilated Bond is surrendered, the applicant for the issuance of a substitute Bond shall furnish to the City and Borough evidence satisfactory to it of the theft, destruction, or loss of the original Bond, and of the ownership thereof, and also such security and indemnity as may be required by the City and Borough, and no such substitute Bond shall be issued unless the applicant for the issuance thereof shall reimburse the City and Borough for the expenses incurred by the City and Borough in connection with the preparation, execution, issuance, and delivery of the substitute Bond, and any such substitute Bond shall be equally and proportionately entitled to the security of this ordinance with all other bonds issued hereunder, whether or not the Bond alleged to have been lost, stolen or destroyed shall be found at any time or be enforceable by anyone.

Section 9. Pledge of Taxes and Credit. The City and Borough hereby irrevocably covenants that, unless the principal of and interest on the Bond are paid from other sources, it will make annual levies of taxes without limitation as to rate or amount upon all of the property in the City and Borough subject to taxation in amounts sufficient to pay such principal and interest as the same shall become due. The full faith, credit and resources of the City and Borough are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest. There is maintained in the office of the Finance Director a special fund of the City and Borough known as the “Debt Service Fund” (the “Bond Fund”), for the sole purpose of paying the principal of and interest on the Bond and all other general obligation bonds of the City and Borough. Accrued interest, if any, received at the time of delivery of the Bond shall be paid into the Bond Fund.

The City and Borough hereby irrevocably covenants and pledges for as long as the Bond is outstanding that it will make provision for the payment of the principal of and interest on the Bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into the Bond Fund, upon all the property within the City and Borough subject to taxation, without limitation as to rate or amount, in amounts sufficient, with such other moneys available for such purposes as the Assembly from time to time may appropriate and order transferred to the Bond Fund, to pay the principal of and interest on the Bond as the same shall be come due and payable.

Section 10. Refunding Plan and Call For Redemption of the Refunded Bonds.

(a) *Refunding Plan.* All or a portion of the proceeds of sale of the Bond in the dollar amount certified by the City and Borough to the Escrow Agent shall be delivered to the Escrow Agent for the purpose of defeasing the Refunded Bonds and paying related costs of issuance.

Money received by the Escrow Agent from Bond proceeds and other money provided by the City and Borough, shall be used immediately by the Escrow Agent upon receipt thereof in accordance with the terms of the Escrow Agreement to defease the Refunded Bonds as authorized by the 2005A Bond Ordinance, and to pay costs of issuance of the Bond. The City and Borough shall defease the Refunded Bonds and discharge such obligations by the use of

money deposited with the Escrow Agent to purchase certain Government Obligations (which obligations so purchased, are herein called “Acquired Obligations”), bearing such interest and maturing as to principal and interest in such amounts and at such times which, together with any necessary beginning cash balance, will provide for the payment of each of the following bonds that have been designated as “Refunded Bonds”:

(1) interest on the Refunded Bonds coming due on each date on which interest is due and payable, to and including the Redemption Date; and

(2) the redemption price of the Refunded Bonds (100% of the principal amount thereof) on the Redemption Date.

Such Acquired Obligations shall be purchased at a yield not greater than the yield permitted by the Code and regulations relating to acquired obligations in connection with refunding bond issues.

The Finance Director is hereby requested and directed to solicit proposals from financial institutions to serve as the Escrow Agent for the Refunded Bonds (the “Escrow Agent”) and to select a financial institution to serve as Escrow Agent.

In order to carry out the purposes of this section, the Finance Director is authorized and directed to execute and deliver to the Escrow Agent an Escrow Deposit Agreement when the provisions thereof have been fixed and determined.

The Escrow Agent shall use the moneys received as interest on and principal of matured Acquired Obligations to satisfy the foregoing obligations.

(b) *Call for the Redemption of the Refunded Bonds.* The City and Borough hereby irrevocably sets aside sufficient funds out of the purchase of Acquired Obligations from proceeds of the Bond to make the payments described in Section 10(a) of this ordinance.

The City and Borough hereby irrevocably calls the Refunded Bonds for redemption on the Redemption Date, in accordance with the provisions of the 2005A Bond Ordinance authorizing the redemption and retirement of the Refunded Bonds prior to their fixed maturities.

Said call for redemption of the Refunded Bonds shall be irrevocable after the final establishment of the escrow account and delivery of the Acquired Obligations to the Escrow Agent.

The Escrow Agent is hereby authorized and directed to provide for the giving of a notice of the redemption of the Refunded Bonds in accordance with the applicable provisions of the 2005A Bond Ordinance. The Finance Director is authorized and requested to provide whatever assistance is necessary to accomplish such redemption and the giving of notice therefor. The costs of publication of such notice shall be an expense of the City and Borough.

The City and Borough will take such actions as are found necessary to see that all necessary and proper fees, compensation and expenses of the Escrow Agent shall be paid when due.

Section 11. Defeasance. In the event that money and/or noncallable Government Obligations maturing or having guaranteed redemption prices at the option of the owner 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 Bond in accordance with its 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 Fund or any account therein for the payment of the principal of and interest on the certain Bond so provided for and such Bond shall then cease to be entitled to any lien, benefit or security of this ordinance, except the right to receive the funds so set aside and pledged and to receive notices of early redemption, if any, and such Bond shall no longer be deemed to be outstanding hereunder, or under any ordinance or resolution authorizing the issuance of bonds or other indebtedness of the City and Borough.

Section 12. Tax Covenants.

(a) *Arbitrage Covenant.* The City and Borough hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the City and Borough which may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code and the applicable regulations thereunder which, if such use had been reasonably expected on the dates of delivery of the Bond to the initial purchasers thereof, would have caused such Bond to be “arbitrage bonds” within the meaning of said section and said regulations. The City and Borough will comply with the requirements of Section 148 of the Code and the applicable regulations thereunder throughout the term of the Bond.

(b) *Private Person Use Limitation for Bond.* The City and Borough covenants that for as long as the Bond is outstanding, it will not permit:

(1) More than 10% of the Net Proceeds of the Bond to be used for any Private Person Use; and

(2) More than 10% of the principal or interest payments on the Bond in a Bond Year to be directly or indirectly (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City and Borough) in respect of property, or borrowed money, used or to be used for any Private Person Use.

The City and Borough further covenants that, if:

(3) More than five percent of the Net Proceeds of the Bond is to be used for any Private Person Use; and

(4) More than five percent of the principal or interest payments on the Bond in a Bond Year are (under the terms of this ordinance or any underlying arrangement) directly or indirectly: (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City and Borough) in respect of property, or borrowed money, used or to be used for any Private Person Use, then, (i) any Private Person Use of the projects described in subsection (3) hereof or Private Person Use payments described in subsection (4) hereof that is in excess of the five percent limitations described in such subsections (3) or (4) will be for a Private Person Use that is related to the state or local governmental use of the projects funded by the Bond, and (ii) any Private Person Use will not exceed the amount of Net Proceeds of the Bond used for the state or local governmental use portion of the project to which the Private Person Use of such portion of the project relates. The City and Borough further covenants that it will comply with any limitations on the use of the projects by other than state and local governmental users that are necessary, in the opinion of its bond counsel, to preserve the tax status of the Bond. The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the Bond. To that end, the provisions of this section may be modified or eliminated without any requirement for formal amendment thereof upon receipt of an opinion of the City and Borough's bond counsel that such modification or elimination will not adversely affect the tax status of the Bond.

Section 13. Designation of Refunded Bonds; Sale of Bond.

(a) *Designation of Refunded Bonds.* As outlined in Section 2 and Section 10 of this ordinance, the 2005A Bonds may be called for redemption prior to their scheduled maturities. All or some of the 2005A Bonds may be refunded with the proceeds of the Bond authorized by this ordinance. The City Manager or his/her designee may select some or all of the 2005A Bonds and designate those 2005A Bonds as the "Refunded Bonds" if and to the extent that the net present value aggregate savings with respect to all Refunded Bonds to be realized as a result of the refunding of the Refunded Bonds, after payment of all costs of issuance of the allocable Bond), is at least equal to the Savings Target.

(b) *Sale of Bond.* The City Manager or his/her designee is authorized to negotiate and complete the sale of the Bond to the Bond Bank on terms and conditions consistent with this ordinance and the Loan Agreement for the Bond. 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 the 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 14. Undertaking to Provide Ongoing Disclosure. The City and Borough acknowledges that, under the Rule, the City and Borough may now or in the future be an "obligated person" with respect to the Bond Bank Bonds. In accordance with the Rule and as the Bond Bank may require, the City and Borough shall undertake to provide certain annual financial information and operating data as shall be set forth in the Loan Agreement. The City Manager or

his/her designee is hereby directed and authorized to review, approve and execute a continuing disclosure undertaking if required by the Bond Bank.

Section 15. 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 of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 16. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 16th day of March, 2015.

Merrill Sanford, Mayor

ATTEST:

Laurie J. Sica, 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 is a true and correct copy of Ordinance Serial No. 2015-16 (the “Ordinance”) of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the “Assembly”) held on the 16th day of March, 2015, 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 special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage 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 March, 2015.

Laurie J. Sica, Clerk
City and Borough of Juneau

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

Ordinance 2014-24(AB) An Ordinance Appropriating to the Manager the Sum of \$500,000 as a Transfer to the Capital Transit Maintenance Shop Capital Project; Funding Provided by the Alaska Department of Transportation and Public Facilities and Fleet Replacement Reserve Fund Balance.

MANAGER'S REPORT:

Capital Transit has a \$400,000 equipment grant from the Alaska Department of Transportation and Public Facilities that was previously appropriated with Ordinance # 2012-20(G) into the Fleet reserve. The grant is for the purchase and installation of lifts and bus washing equipment. There is an additional \$100,000 in the fleet reserve that is a match to the grant.

To date there have been \$77,289 of expenses incurred on the project. The expenses will be transferred along with the revenue to D71-085 Capital Transit Maintenance Shop Capital Improvement Project (CIP).

These funds can be more efficiently spent and tracked if they are transferred into the Capital Transit Maintenance Shop CIP. This CIP was established as part of the voter-approved package on the October 2012 election, it contains approximately \$3M in bond money. The bond project is slated to provide for additional inside bus storage as well as other facility and system improvements.

Transfer From -

FLEET 13-10 CT ARRA Lift/Wash Equipment	\$500,000
---	-----------

Transfer To -

D71-085 Capital Transit Maintenance Shop	\$500,000
--	-----------

The Public Works and Facilities Committee reviewed this request at their February 9, 2015, meeting and forwarded it to the full Assembly with a recommendation of approval.

RECOMMENDATION:

The Manager recommends this ordinance adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 2014-24(AB)	2/10/2015	Appropriating Ordinance
<input type="checkbox"/> 2014-24(AB) EIN	2/10/2015	Exhibit
<input type="checkbox"/> 2014-24(AB) MR	2/10/2015	Cover Memo
<input type="checkbox"/> Grant Agreement	2/10/2015	Exhibit

Presented by: The Manager
Introduced: 2/23/2015
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-24(AB)

An Ordinance Appropriating to the Manager the Sum of \$500,000 as a Transfer to the Capital Transit Maintenance Shop Capital Project; Funding Provided by the Alaska Department of Transportation and Public Facilities and Fleet Replacement Reserve Fund Balance.

WHEREAS, under Article IX of the Home Rule Charter of the City and Borough of Juneau, the Assembly by resolution may reduce any appropriation, except for debt service or for cash deficit, provided that no appropriation may be reduced by more than the amount of the unencumbered balance; and

WHEREAS, 2012-20(G) appropriated a \$400,000 grant from the Alaska Department of Transportation and Public Facility as funding for the Replacement of a Bus Lift and Wash Equipment at the Capital Transit Facility; and

WHEREAS, the Alaska Department of Transportation grant along with the match will be de-appropriated from operations and then appropriated to the Capital Transit Maintenance Shop Capital Improvement Project.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$500,000 for a transfer to the Capital Transit Maintenance Shop CIP.

Section 3. Source of Funds

Alaska Department of Transportation	\$ 400,000
Fleet Replacement Reserve	\$100,000

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

"ECONOMIC IMPACT" NOTE**ORDINANCE #: 2014-24(AB)****CAPITAL IMPROVEMENT PROJECT (CIP) D71-085 Capital Transit Maint Shop****Project Budget**

Direct Project Costs	\$ 3,088,301	\$ -
		-
Total Project Budget	\$ 3,088,301	\$ -

Amounts noted at left are 100% of the project totals.

Project Totals Before Appropriation:	\$ 3,088,301
This Appropriation:	500,000
Total Project:	\$ 3,588,301

Funding Sources:

Sales Tax	\$ 38,301	\$ -
Voter Approved Bonds	3,050,000	-
State Grant	400,000	
FLEET Reserve	100,000	-
Total Funding Sources	\$ 3,588,301	\$ -

Comment: This ordinance will transfer the grant
and match to the CIP from Fleet operations for better tracking
The grant was originally appropriated with Ord. # 2012-20(G).

Personnel

Full-Time FTE's		
Part-Time FTE's		
Temporary FTE's		

Prepared by: Janella Lewis
Affected Depts a) Engineering/Capital Transit/FLEET
(Dir/Dept): b) Rorie Watt
Finance Dir: Robert Bartholomew
City Manager: Kimberly Kiefer

Date: 2/10/2015
Date: _____
Date: _____
Date: _____
Date: _____

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

Ordinance 2014-24(AC) An Ordinance Re-Appropriating to the Manager the Sum of \$77,000 from the Lands and Resources, Affordable Housing Loans Project that was Created with Ordinance Number 2011-11(N), to the Lands Department Affordable Housing Project, Expanding the Intended Scope to Include both "Grants and Loans"; Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.

MANAGER'S REPORT:

In 2011, the Assembly appropriated a \$90,000 grant from the State Legislature with Ordinance # 2011-11(N). The intention of the appropriation was that the grant would be combined with the Juneau Affordable Housing Fund to be used for housing loans. The terms of the grant agreement includes the wording "Grants and Loans". This ordinance would broaden the scope of the grant through the Assembly.

Since 2011, only one \$13,000 loan was issued, leaving the balance of the grant at \$77,000. The Affordable Housing Commission has spent numerous hours and meetings discussing alternative ways to use the fund to stimulate the housing market. After much consideration, they propose to use the balance of the State grant (\$77,000) for an Accessory Apartment Grant Incentive Program. The program would provide \$5,000 incentive grants to homeowners/builders who complete new Accessory Apartments. Attached is the program description written by the Affordable Housing Commission.

This item was presented to the Lands Committee on January 26, 2015, and they recommended forwarding it to the Assembly for approval

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 2013-24(AC)	2/18/2015	Appropriating Ordinance
<input type="checkbox"/> 2011-11(N) Original	2/10/2015	Exhibit
<input type="checkbox"/> 2011-11(N) Original MR	2/10/2015	Exhibit
<input type="checkbox"/> 12-DC-369 Lands Department Affordable Housing Grant Agreement	2/10/2015	Exhibit
<input type="checkbox"/> Accessory Apt Incentive Grant Program Description	2/18/2015	Exhibit

Presented by: The Manager
Introduced: 2/23/2015
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-24(AC)

An Ordinance Re-Appropriating to the Manager the Sum of \$77,000 from the Lands and Resources, Affordable Housing Loans Project that was Created with Ordinance Number 2011-11(N), to the Lands Department Affordable Housing Project, Expanding the Intended Scope to Include both “Grants and Loans”; Funding Provided by the Alaska Department of Commerce, Community, and Economic Development.

WHEREAS, 2011-11(N) appropriated a \$90,000 grant from the Alaska Department of Commerce, Community, and Economic Development as funding for the Lands and Resources, Affordable Housing Loans; and

WHEREAS, the scope of the grant agreement includes the terms “Grants and Loans”. This ordinance will clarify that the scope of the project includes grants.

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 \$77,000 for the Lands Department Affordable Housing Program.

Section 3. Source of Funds

Alaska Department of Commerce, Community, and Economic Development \$ 77,000

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 8/22/2011
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2011-11(N)

An Ordinance Appropriating To The Manager The Sum Of \$12,865,000 As Funding For The State Of Alaska's Designated Legislative Grant Projects, Grant Funding Provided By Alaska Department Of Commerce, Community And Economic Development.

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

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

Section 2. Appropriate. There is appropriated to the Manager the sum of \$12,865,000 for the following projects:

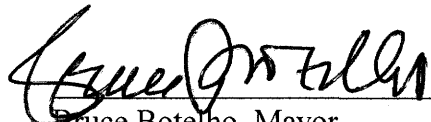
- Juneau School District Technology Upgrade, \$275,000
- Lands and Resources, Affordable Housing Loans, \$90,000
- Auke Bay Harbor Improvements, \$5,000,000
- Cruise Ship Dock Improvements, \$7,500,000

Section 3. Source of Funds

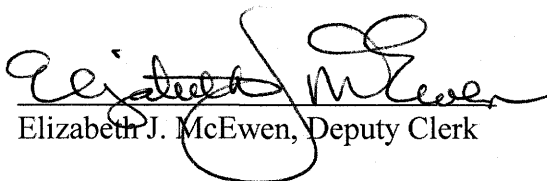
Alaska Department of Commerce, Community & Economic Development \$12,865,000

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

Adopted this 19th day of September, 2011.


Bruce Botelho, Mayor

Attest:


Elizabeth J. McEwen, Deputy Clerk

Homeowner Accessory Apartment Incentive Grant Program

The goal of the rental unit incentive program is to leverage a limited amount of JAHF funds to pilot an incentive program targeting existing homeowners who are considering adding an accessory apartment rental unit to their home. The incentive is a \$5000 grant per new rental unit created. Funds are disbursed after the certificate of occupancy for the new unit is issued. The application and approval processes are intentionally simplified to minimize the operating costs of the program.

Application and Disbursement Process:

The Homeowner applies for a Homeowner Accessory Apartment Incentive Grant at the Community Development Department at the same time they are applying for an Accessory Apartment building permit.

Grant approval will be determined by the Community Development Department subject to funding available. As this is a pilot project, it is anticipated more applications will be received than can be funded. Preference will be given to: properties within the transit corridor, especially those located within ¼ mile of a Capital City Transit stop.

Grant proceeds will be disbursed after a Certificate of Occupancy is issued.

Improvements must be complete within 12 months of issuance of the permit. Applicants may ask for an extension for extenuating circumstances 60 days in advance of the twelve month deadline. The decision for these extensions will be approved by the AHC on a case-by-case basis.

Specific Eligibility Requirements:

Only new rental units added to owner-occupied existing homes are eligible for this incentive program.

The grants are limited to one per owner occupied house.

Source of Funds for Pilot Program:

There is \$77,000 left in the grant that Juneau Affordable Housing Fund (JAHF) received from the state. The Affordable Housing Commission (AHC) would like to use the rest of these funds for this pilot program. The grant currently expires on 6/30/16, but a one year extension has been requested.

Program Benefits and Intention:

To increase the supply of smaller size rental units that would remain more affordable to the community.

This program would be utilizing grant funds for increasing the supply of housing. It will bring in more tax dollars and potentially add up to fifteen (15) new affordable housing units to our community.

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

Ordinance 2015-02 - An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Remote Subdivisions Area Map for Hidden Valley Tract B, Located in the Upper Lemon Creek Valley, from "Not Remote" to Remote.

MANAGER'S REPORT:

In April 2014, the applicant applied to have Hidden Valley Tract B, located in the upper Lemon Creek valley, rezoned from "Not Remote" to Remote.

On May 14, 2014, the Planning Commission recommended approval of the rezone application. The proposed ordinance was pulled from the Assembly's agenda when it was learned that the applicant had a concurrent easement application pending that would have provided road access to the property, which would appear to make the property ineligible for a "Remote" designation. It was subsequently learned that the applicant had constructed a gravel roadway to the property connecting it to the roadway without the CBJ's knowledge.

On December 9, 2014, the Planning Commission reconsidered the rezone application and determined that the 12 – 16 foot gravel roadway did not mean the tract was "connected to the road system" (CBJ 49.70.1120). The Commission recommended that the Assembly approve the map amendment.

The Lands Committee heard a presentation on Ordinance 2015-02 at its January 26, 2015, meeting. After public hearing on Ordinance 2015-02 at the regular Assembly meeting on February 2, 2015, the ordinance was referred back to the Lands Committee for consideration. At the March 2, 2015, Lands Committee meeting, CDD addressed CBJ 49.15.460(5)(A), requiring that all lots in a remote subdivision have frontage on a navigable waterbody and that there be no reasonable probability that frontage on a right of way will be necessary for access. (Upstream from Glacier highway, Lemon Creek is classified as non-navigable by the State.)

Two other items may be relevant to the Assembly's review of Ordinance 2015-02: the proposed subdivision amendments and an anticipated written comment from the Bureau of Alcohol, Tobacco and Firearms.

First, the proposed subdivision amendments include the same navigability and right of way requirements as CBJ 49.15.650(5)(A). If the Assembly approves Ordinance 2015-02, CBJ 49.15.650 will need to be amended (as will the ordinance amending the subdivision requirements). If the Assembly denies Ordinance 2015-02, the remote subdivision policies would remain unchanged.

Second, CDD is anticipating written comment from ATF concerning that agency's buffer requirements with respect to a number of explosive storage facilities near Hidden Valley. (See 27 CFR 555.206 imposing minimum distance buffers from explosives to inhabited buildings and public highways.) Though no written comment has yet been received, ATF has verbally confirmed that it would likely consider the roadway a "public highway" subject to the buffer minimums.

RECOMMENDATION:

The Manager has no recommendation as this is an Assembly policy decision.

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	Ordinance 2015-02	1/6/2015	Ordinance
<input type="checkbox"/>	Exhibit A Map	1/6/2015	Exhibit
<input type="checkbox"/>	Notice of Decision	1/6/2015	Notice of Decision
<input type="checkbox"/>	CDD / LAW memo re Ordinance 2015-02	1/30/2015	Cover Memo
<input type="checkbox"/>	Memo from Greg Chaney from previous Lands Committee meeting	2/4/2015	Exhibit
<input type="checkbox"/>	Applicant Narrative about Waverly-Keeling_Subdivision	1/30/2015	Exhibit
<input type="checkbox"/>	Applicant Representative - Public Testimony	2/2/2015	Report
<input type="checkbox"/>	Rorie Watts Landfill Site in Hidden Valley	2/25/2015	Report
<input type="checkbox"/>	Landfill Recon Study 1993 - Part 1	2/25/2015	Report
<input type="checkbox"/>	Landfill Recon Study 1993 - Part 2	2/25/2015	Report
<input type="checkbox"/>	2015-02-27-Zack_Worrell_Information_Packet-II	2/27/2015	Exhibit
<input type="checkbox"/>	2015-03-02-CDD_re_AME2014 0004 Hidden Valley Remote Map Amendment ORD 2015-02	3/3/2015	Staff Report

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2015-02

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Remote Subdivisions Area Map for Hidden Valley Tract B, Located in the Upper Lemon Creek Valley, from “Not Remote” to Remote.

WHEREAS, the City and Borough Comprehensive Plan supports the facilitation of recreational uses; and

WHEREAS, the City and Borough Comprehensive Plan supports use of remote areas for recreational cabins; and

WHEREAS, the lots in question are currently designated as Not Remote on the Remote Subdivisions Areas map of the City and Borough’s official zoning atlas; and

WHEREAS, the applicant wishes to make a map amendment to designate the subject parcel as Remote; and

WHEREAS, the map amendment application meets the following characteristics of a Remote Subdivisions Area, CBJ 49.70.1120, in that the subject parcel should not be:

- (a) In the general proximity of a capital improvement listed in the current capital improvements program;
- (b) Subject to a new growth area master plan, or other private plan adopted by the City and Borough;
- (c) Connected to the road system; or

1
2 (d) Served by a right-of-way, sewer system, water system, fire protection
3 service, or police protection service, operated or maintained by an agency of
4 government.

5
6 NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND
7 BOROUGH OF JUNEAU, ALASKA:

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

10
11 **Section 2. Amendment to the Official Zoning Map.** The official zoning map of
12 the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the
13 designation of Hidden Valley Tract B from “Not Remote” to “Remote.”
14

15 The described map amendment is shown on the attached Exhibit “A” illustrating the
16 area of the proposed zone change.

17
18 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
19 adoption.

20 Adopted this _____ day of _____, 2015.

21
22
23 _____
Merrill Sanford, Mayor

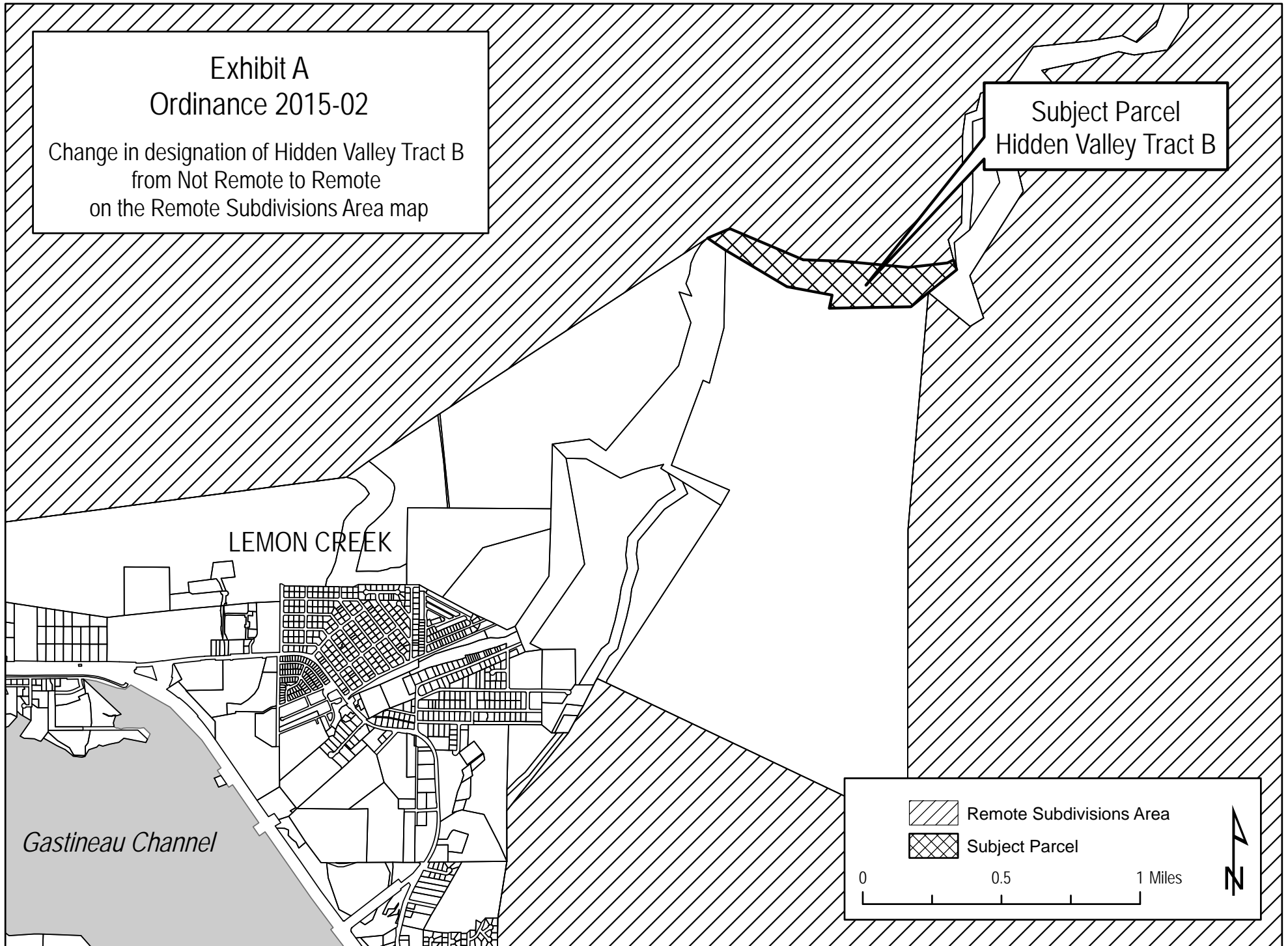
24 Attest:

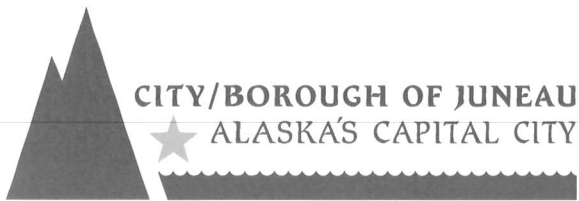
25 _____
Laurie J. Sica, Municipal Clerk

Exhibit A
Ordinance 2015-02

Change in designation of Hidden Valley Tract B
from Not Remote to Remote
on the Remote Subdivisions Area map

Subject Parcel
Hidden Valley Tract B





**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: May 14, 2014

File No.: AME2014 0004

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

Application For: Planning Commission Recommendation to the City and Borough Assembly regarding amendment to remote subdivision area map to include Hidden Valley Tract B in the upper Lemon Creek Valley.

Legal Description: Hidden Valley Tract B

Property Address: Upper Lemon Creek Valley

Hearing Date: May 13, 2014

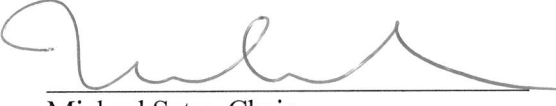
The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 24, 2014, and recommended that the City and Borough Assembly adopt staff's recommendation for an amendment to remote subdivision area map to include Hidden Valley Tract B in the upper Lemon Creek Valley.

Attachments: April 24, 2014 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding AME2014 0004.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020 (b).

Project Planner:


Jonathan Lange, Planner
Community Development Department

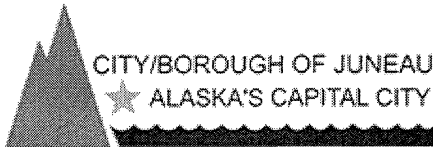

Michael Satre, Chair
Planning Commission


Filed With City Clerk


Date

cc: Plan Review

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



Law Department

MEMORANDUM

DATE: January 30, 2015
TO: Manager and Assembly
FROM: Robert H. Palmer III, Assistant Municipal Attorney
Hal Hart, CDD Director ~~HHH~~
SUBJECT: Ordinance 2015-02

RP

Ordinance 2015-02 amends the remote subdivision area map to include Hidden Valley Tract B as "Remote." Property designated as remote is eligible to be developed as a remote subdivision, which means the developer does not have to install traditional subdivision improvements like roads, sidewalks, lighting, utilities, etc.

The Planning Commission recommends the Assembly approve Ordinance 2015-02, but the Community Development Department and the Lands Division have substantial reservations regarding Ordinance 2015-02. The primary issue for the Assembly is whether Hidden Valley Tract B is "connected to the road system" and the precedential effect it will have on future subdivisions in the City and Borough of Juneau.

This is the first time a remote subdivision has been proposed that is not accessed from saltwater and the first time that a remote subdivision is accessed by a road. The effect of passing Ordinance 2015-02 means that a remote subdivision can be accessed by a 12-16 foot road and located away from the saltwater. The effect of not passing Ordinance 2015-02 means that a remote subdivisions needs to be accessed by saltwater and a subdivision accessed by a 12-16 foot road is required to provide for traditional subdivision improvements.

I. BASIC FACTS

Secon owns Hidden Valley Tract A and actively mines gravel and rock on that parcel. Two large explosive storage facilities are located on Secon's property, which received conditional use permits in 2009 by the Planning Commission.¹

Zachary Worrell and Jim Eliason ("developers") own Hidden Valley Tract B ("HVTB"), which is located just upstream from Secon's property. HVTB is approximately 66 acres.

The line designating Remote from Not Remote is on the upstream side of HVTB. Thus, both Secon's property and HVTB are currently Not Remote, which means those parcels are not eligible for remote subdivision benefits.

The developers of HVTB applied to have the remote subdivision area map amended to include HVTB.² The Planning Commission adopted CDD analysis and recommended the Assembly amend Remote Subdivision Map.³

Days after the Planning Commission hearing, the developers applied for road easements across CBJ property to reach HVTB.⁴ CBJ researched the access rights and started easement negotiations with Secon and the developers. In September, CBJ confirmed a new road had been constructed to access HVTB, which is approximately 16 feet wide, graveled, and graded for passenger vehicles.

. CDD believed the presence of the new road was a substantial change in circumstances and disqualified HVTB from being Remote. CDD asked the Planning Commission to reconsider the recommendation to amend the remote subdivision area map. The Planning Commission

¹ USE09-18 (Alaska Pacific Powder Company); USE09-19 (Austin Powder LLC).

² April 1, 2014.

³ AME2014-0004, May 13, 2014.

⁴ CSP2014-0013, May 18, 2014.

disagreed with CDD and reaffirmed its recommendation to the Assembly (8-0).⁵ Importantly, the Planning Commission concluded HVTB is not connected to the road system because the 16 foot gravel road is less than the subdivision street standards.⁶

The developers recently applied for a 25 lot remote subdivision.⁷ CDD is currently collecting agency comments, which includes a request to the Bureau of Alcohol Tobacco and Firearms (“BATF”) because BATF regulates the proximity of explosives storage facilities to roads. If Ord. 2015-02 is approved on February 2, 2015, then CDD anticipates the Planning Commission will review the preliminary plat on March 10, 2015. The Planning Commission would make the final decision on the subdivision application.

If Ord. 2015-02 is approved, then the Assembly would have an opportunity to review and approve or deny the requested easements.

II. DISCUSSION

A. Legal Requirements

Remote subdivisions are governed by CBJ 49.70.1100-1120. Specifically, 49.70.1120 *Characteristics*, provides

Privately owned land proposed for inclusion within a remote subdivision area should not be:

- (a) In the general proximity of a capital improvement listed in the current capital improvements program;
- (b) Subject to a new growth area master plan, or other private plan adopted by the City and Borough;
- (c) Connected to the road system; or

⁵ AME2014-0004, December 9, 2014.

⁶ The current subdivision street standards, CBJ 49.35.240(b)(3)(B), describe the minimum width for a rural subdivision access road as 24 feet. The proposed subdivision street standards do not have a minimum street width. CBJ 49.17.525 Table.

⁷ SMP2015-0001.

- (d) Served by a right-of-way, sewer system, water system, fire protection service, or police protection service, operated or maintained by an agency of government.

The burden is on the applicant/developers to prove HVTB should be included in the remote subdivision area map. By recommending the Assembly amend the remote subdivision area map, the Planning Commission implicitly believed the developers met their burden. CDD still has substantial reservations.

B. Assembly Decision

The issue before the Assembly in Ord. 2015-02 is whether the approximately 16 foot gravel road connects HVTB to the road system. The Assembly has discretion whether to approve or deny Ord. 2015-02 because CBJ 49.70.1120 uses the phrase “should not.”

Although the issue is simple, the Assembly’s decision on Ord. 2015-02 will have broad implications. If Ord. 2015-02 is denied, it would maintain the status quo in that remote subdivisions cannot have passenger vehicle access to the road system and remote subdivision must be accessed from large navigable waters (i.e. saltwater). Alternatively, if Ord. 2015-02 is approved, it would broaden the definition and allow remote subdivisions to be accessed only by narrow roads, which could minimize the CBJ’s ability to require subdivision improvements, especially with the proposed amendments to the subdivision code.⁸

1. History of CBJ 49.70.1100-1120, Remote Subdivision Areas

The Remote Subdivision Areas provisions, CBJ 49.70.1100-1120, were enacted with Ord. 99-34 (Jan. 24, 2000). The ordinance file contains public comments, staff memorandums, Planning Commission minutes, Assembly minutes, and a map that suggests the Remote

⁸ The proposed subdivision code currently allows minor subdivisions, which serve less than 13 lots, to be accessed by a privately maintained street/driveway that is on an easement, which does not have to be paved or a certain width. CBJ 49.17.525 Table.

Subdivision Areas provisions were intended to only apply to privately owned properties accessed by saltwater. As described by one commentor “The subject ordinance will revise and relieve certain Land Use Code requirements for remote waterfront subdivisions—those which have virtually no chance of ever being connected to the CBJ road system.”⁹ Similarly, in 2006, the only time the Remote Subdivision Areas provisions have been amended, Remote properties were described as “privately owned and are not located on the road system. Many of the typical subdivision requirements are automatically waived in these situations.”¹⁰ Accordingly, the effect of classifying a parcel Remote means the developer can avoid installing subdivision improvements like roads, curb/gutters, power, sewer, and water. CBJ 49.70.1100.

2. Precedential Effect of Ord. 2015-02

According to CDD, Ord. 2015-02 is the first time a remote subdivision has been requested on property that is not accessed by saltwater. Because past remote subdivision requests have been on islands (i.e. Shelter and Spuhn Islands) or on properties accessed by saltwater (i.e. Lucky Me on south Douglas Island), the likelihood of the CBJ being asked or pressured to install subdivision improvements is slim. However, Ord. 2015-02 could change that financial responsibility dynamic. The developer has proposed covenants and deed restrictions designed to alleviate that financial pressure by putting the future homeowners on notice that they would be required to pay for any future subdivision improvements. CDD is still concerned about shifting the development costs onto future homeowners after purchasing their property because those future homeowners would not be able to wrap those subdivision improvement costs into the original mortgage, which may result in the CBJ being pressured to pay for some of the

⁹ Letter from Murray R Walsh, AICP, to Mayor Egan and Assembly Members, *RE: Ordinance 99-34* (Dec. 2, 1999).

¹⁰ TXT2005-0010 Staff Report at 13-14 (Jan. 5, 2006), which resulted in Ord. 2006-15 § 26 (June 5, 2006).

improvements. Thus, although the deed restrictions and covenants have been proposed, approval of Ord. 2015-02 may shift some financial responsibility of future subdivision improvements back to the CBJ.

Additionally, if Ord. 2015-02 is approved, two other land owners have indicated that they intend to submit similar remote subdivision map amendment requests: property near 10 mile on N. Douglas and property near Outer Point on N. Douglas. Both properties have proposed some type of road access similar to the current access to HVTB.

3. Possible Policy Reasons to Approve Ord. 2015-02

Approval of Ord. 2015-02 means the Assembly agrees with the Planning Commission that HVTB is not connected to the road system and the developers could create a subdivision without typical subdivision improvements.¹¹

- a. The approximately 16 foot access road does not connect HVTB to the road system because the access road is less than the current subdivision street standards.**
- b. The Planning Commission specifically addressed whether HVTB is connected to the road system and its recommendation should be entitled to some deference.**
- c. A remote subdivision on HVTB would provide needed alternative property ownership options in Juneau.**
- d. The deed restrictions that prohibit community water, sewer and electricity and the covenants that require future homeowners to pay for any future subdivision improvements sufficiently protect the CBJ from financial responsibility.**
- e. The subdivision review process before the Planning Commission is the proper forum to address the subdivision improvements and access concerns for HVTB.**

¹¹ There is a possibility that when the Planning Commission reviews the subdivision application, the Planning Commission may require the HVTB access road to be improved for safety reasons and to comply with the current street standards, despite the enactment of Ord. 2015-02.

4. Possible Policy Reasons to Deny Ord. 2015-02

Denial of Ord. 2015-02 means the Assembly believes the property is connected to the road system and the developer would be required to install or bond for traditional subdivision improvements.

- a. The approximately 16 foot access road connects HVTB to the road system because a passenger vehicle will be able to drive directly from Costco to any lot in the proposed subdivision in about 5 minutes.**
- b. A future homeowner in the proposed subdivision can leave their lot and drive to downtown Juneau within approximately 16 minutes, which is closer than most properties in the Valley.**
- c. The original purpose of a remote subdivision was to provide developers on islands that are only accessed from saltwater reprieve from installing subdivision improvements like roads, sidewalks, lights, etc., and Ord. 2015-02 would improperly alter the intent of the remote subdivision area provisions.**
- d. Future subdivision improvements are likely going to be required, and Ord. 2015-02 impermissibly shifts the cost of subdivision improvements onto future property owners that may not be able to afford them or onto the CBJ.**
- e. Denial of Ord. 2015-02 does not mean a subdivision cannot occur, it just means the developers would be subject to the traditional major subdivision regulations in a rural setting.**

If you want more discussion with staff, this matter could be sent to the Lands Committee or the Committee of the Whole for further consideration.

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

Liquor License Renewals - Protest Recommendations

MANAGER'S REPORT:

Beverage Dispensary License #447 Suite 907, Inc. d/b/a Suite 907, Location: 9121 Glacier Hwy.

Beverage Dispensary License #2533 Jack D. & Arlene D. Tripp d/b/a Viking Restaurant & Lounge, Location: 216 Front Street

The above-listed liquor licenses are before the Assembly to either protest or waive its right to protest the license renewals. The Finance, Police, Fire, and Community Development Departments have reviewed the above business for compliance.

The Finance Department is recommending the Assembly protest the Suite 907, Inc. license renewal based on delinquent sales tax owing in the amount of \$6,491.66 for the quarters ending September 30, 2014 and December 31, 2014 which includes penalties and interest through March 2014.

The Finance Department is also recommending the Assembly protest the license renewal for Jack and Arlene Tripp d/b/a Viking Restaurant & Lounge based on unfiled tax returns for December 2014 - January 2015 along with the associated penalties and interest.

In the event the Assembly does protest the renewals of the above mentioned liquor licenses, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly. The letter found in your packet meets that requirement and this would be the time for the licensee to address their issues to the Assembly.

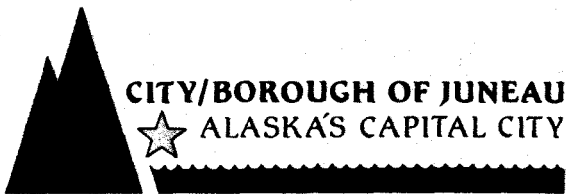
The Assembly Human Resources Committee considered this issue at its meeting immediately preceding this meeting and will forward its recommendation to the Assembly.

RECOMMENDATION:

I recommend the Assembly proceed according to the recommendations of the Assembly Human Resources Committee.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Certified letter to Suite 907, LLC with attachments	3/5/2015	Liquor License
<input type="checkbox"/> Certified letter to Jack & Arlene Tripp d/b/a Viking Restaurant and Lounge with attachments	3/5/2015	Liquor License



OFFICE OF THE MUNICIPAL CLERK

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

e-mail: Beth.McEwen@juneau.org

March 5, 2015

Via certified & regular mail

Attn: Cynthia Isaak

Suite 907, LLC d/b/a Suite 907

9121 Glacier Hwy., Box 10

Juneau AK 99801

Re: Beverage Dispensary Liquor License #447 Renewal Protest

Dear Ms. Isaak,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2015-2016 and submitted the renewal for comment before the local governing body.

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development Departments have reviewed your establishment to insure compliance with city code. The Finance Department is recommending the Assembly protest this license renewal due to outstanding balances owing for quarters ending September 30, 2014 and December 31, 2014 for a total balance of \$6,491.66 which includes penalties and interest assessed through March 2015.

Please note that while payment plans are available and encouraged if you are unable to pay the full amount due, entering into a payment plan will not put the business in good standing with the CBJ Finance department for purposes of liquor license protest. Only when full payment of the outstanding balance, interest, and penalties are received, will the Finance Department withdraw its recommendation to protest the license.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will initially be considered at the Monday, March 16, 2015 Assembly Human Resources Committee (HRC) meeting at 6:00p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference.

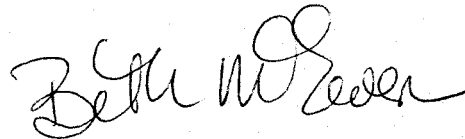
March 5, 2015

Letter to Suite 907, LLC re: Liquor License Renewal Protest

Page 2 of 2

In the meantime, I would urge you to work with CBJ Sales Tax staff to try to resolve the outstanding balances owing on your account. Sales Tax Administrator Clinton Singletary can be reached at 586-5265.

Sincerely,



Beth McEwen
Deputy Clerk

Enclosures

cc via email:

Assembly Human Resources Committee & Assembly
Liquor License Staff Reviewers

7011 1570 0002 3703 6977

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage &	
Sent To	Attn: Cynthia Isaak
Street, Apt. No., or PO Box No.	Suite 907, LLC d/b/a Suite 907
City, State, ZIP+4	9121 Glacier Hwy., Box 10
	Juneau AK 99801
PS Form 3800, August 2006	
See Reverse for Instructions	

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of [AS 04.11.510](#) (b)(3) requesting a public hearing within 30 days of the posting of notice required under [AS 04.11.310](#), or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under [AS 04.11.510](#) (b)(3) when it considers the application, and the record of a hearing conducted under [AS 04.11.510](#) (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under [AS 04.11.510](#) (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under [AS 44.62.360](#) and conduct proceedings to resolve the matter as described under [AS 04.11.510](#) (c).

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
- (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;

- (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:
- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
 - (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
 - (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
 - (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
 - (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or

- (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.
- (c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
2400 Viking Drive
Anchorage, AK 99501
Direct: 907.269.0356
Fax: 907.334.2285

February 9, 2015

City and Borough of Juneau
Attn: Beth McEwen, City Clerk
VIA Email: beth_mcewen@ci.juneau.ak.us
city_clerk@ci.juneau.ak.us

CITY CLERK
FEB 12 2015
RECEIVED

Re: Notice of Liquor License Renewal Applications

Dear Ms. McEwen,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
300	DeHarts Grocery	Package Store	DeHart's, LLC	11735 Glacier Highway
313	Prospector Hotel / TK Maguires	Beverage Dispensary – Tourism	Juneau Hospitality, LLC	375 Whittier Street
447	Suite 907	Beverage Dispensary	Suite 907, LLC	9121 Glacier Highway
644	Salt Alaska	Beverage Dispensary	Wolfpack Ventures, LLC	200 Seward Street
2533	Viking Restaurant & Lounge	Beverage Dispensary	Jack D. and Arlene D. Tripp	216 Front Street
2641	Saffron	Restaurant / Eating Place	Saffron, LLC	112 N Franklin Street
2728	McGivney's Sports Bar & Grill	Beverage Dispensary	Molly Ventures, Inc.	9101 Mendenhall Mall Road
2844	The Sandbar	Beverage Dispensary	Sandbar, Inc.	2525 Industrial Blvd
3409	Gold Creek Salmon Bake	Recreational Site	Alaska Travel Adventures, Inc.	1061 Salmon Creek Lane
4034	Loyal Order of Moose #700	Club	Juneau Moose Lodge #700	8335 Airport Blvd
4081	K & L Distributors	Wholesale – Malt Beverage & Wine	K & L Distributors, Inc.	8420 Airport Blvd
4584	Zephyr	Restaurant / Eating Place	Zephyr, LLC	No Premises

4700	Alaska Zipline Adventures	Recreational Site	Alaska Zipline Adventures, LLC	3000 Fish Creek Road
4881	Alaska Travel Adventures	Recreational Site	Alaska Travel Adventures, Inc.	9999 Glacier Highway

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice. AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact me directly.

Sincerely,



Sarah Daulton Oates

Records & Licensing Supervisor

sarah.oates@alaska.gov

(907)269-0356

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

**Renewal Liquor License
2015/2016**

(907) 269-0350
Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: ☒ Full Year OR ☐ Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 447	License Type: Beverage Dispensary	Statute Reference: Sec. 04.11.090
Local Governing Body: Juneau, City & Bor Other(Anch,Sit,Jno,Com.Car,WA)		Community Council (if applicable): N/A
Name of Licensee: Suite 907, LLC		Doing Business As (DBA): Suite 907
Mailing Address: 9121 Glacier Highway, Box 10, Juneau, AK 99801		Street Address or Location of Premises: 9121 Glacier Highway
Phone: 907 790-2582	Fax: 907 364-3475	Email: suite907@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):

Suite 907, LLC

Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☒ Yes ☐ No

If no, attach written explanation. Your entity **must** be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Mailing Address	Telephone Number
Cynthia Isaak	Owner	100	4355 Brothers Ave Juneau	907 321-3446

NOTE: If you need additional space, please attach a separate sheet.

SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: <u>Cynthia Isaak</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: <u>4355 Brother Ave</u>	Date of Birth: <u>2/1/72</u>	Address:	Date of Birth:
Phone: <u>907 321-3496</u>		Phone:	
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	

SECTION D – SUPPLEMENTAL QUESTIONS

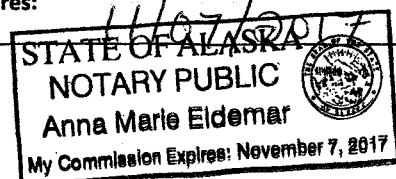
Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>Previous owner</u>
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

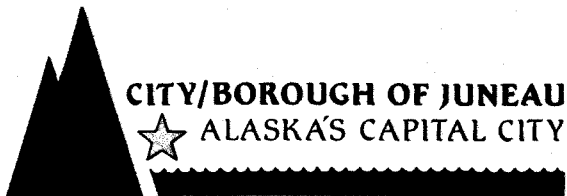
DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
TOTAL	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 2700.00 <u>12373</u>

Licensee Signature <u>Cynthia Isaak</u>	Printed Name & Title: <u>Cynthia Isaak Owner</u>
Notary Signature <u>Anna Marie Eldemar</u>	Subscribed and sworn to before me this <u>31</u> day of <u>December</u> , 2014
Notary Public in and for the State of: <u>Alaska</u>	My commission expires: <u>11/07/2017</u>





OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth.McEwen@juneau.org

March 5, 2015

Via certified & regular mail
Jack and Arlene Tripp
d/b/a Viking Restaurant & Lounge
218 Front Street
Juneau AK 99801

Re: Beverage Dispensary Liquor License #2533 Renewal Protest

Dear Mr. Tripp,

As you are aware, City and Borough of Juneau is in receipt of your liquor license renewal from the Alcohol Beverage Control Board and is being forwarded to the Assembly for local governing body action.

As is our practice in these matters, staff from the Fire, Finance, Police, and Community Development Departments have reviewed your establishment to insure compliance with city code. As we discussed on the phone last week, the Finance Department is recommending the Assembly protest this license renewal due to unfiled sales tax returns and the associated unpaid sales tax, penalties, and interest for the December 2014 and January 2015 monthly filings.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will initially be considered at the Monday, March 16, 2015 Assembly Human Resources Committee (HRC) meeting at 6:00p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference. In the meantime, I would urge you to work with CBJ Sales Tax staff to ensure all filings and outstanding balances are resolved prior to this appearing before the Assembly on March 16. Sales Tax Administrator Clinton Singletary can be reached at 586-5265.

Sincerely,

Beth McEwen
Deputy Clerk

Enclosures
cc via email: Assembly & Staff Reviewers

7011 1570 0002 3703 6964

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or PO Box No.

City, State, ZIP+4

Jack and Arlene Tripp
d/b/a Viking Restaurant & Lounge
218 Front Street
Juneau AK 99801

PS Form 3800, August 2006

See Reverse for Instructions

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of [AS 04.11.510](#) (b)(3) requesting a public hearing within 30 days of the posting of notice required under [AS 04.11.310](#), or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under [AS 04.11.510](#) (b)(3) when it considers the application, and the record of a hearing conducted under [AS 04.11.510](#) (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under [AS 04.11.510](#) (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under [AS 04.11.510](#) (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under [AS 44.62.360](#) and conduct proceedings to resolve the matter as described under [AS 04.11.510](#) (c).

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
- (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;

- (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:
- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
 - (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
 - (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
 - (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
 - (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or

- (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.
- (c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
2400 Viking Drive
Anchorage, AK 99501
Direct: 907.269.0356
Fax: 907.334.2285

February 9, 2015

City and Borough of Juneau
Attn: Beth McEwen, City Clerk
VIA Email: beth_mcewen@ci.juneau.ak.us
city_clerk@ci.juneau.ak.us

CITY CLERK
FEB 12 2015
RECEIVED

Re: Notice of Liquor License Renewal Applications

Dear Ms. McEwen,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
300	DeHarts Grocery	Package Store	DeHart's, LLC	11735 Glacier Highway
313	Prospector Hotel / TK Maguires	Beverage Dispensary – Tourism	Juneau Hospitality, LLC	375 Whittier Street
447	Suite 907	Beverage Dispensary	Suite 907, LLC	9121 Glacier Highway
644	Salt Alaska	Beverage Dispensary	Wolfpack Ventures, LLC	200 Seward Street
2533	Viking Restaurant & Lounge	Beverage Dispensary	Jack D. and Arlene D. Tripp	216 Front Street
2641	Saffron	Restaurant / Eating Place	Saffron, LLC	112 N Franklin Street
2728	McGivney's Sports Bar & Grill	Beverage Dispensary	Molly Ventures, Inc.	9101 Mendenhall Mall Road
2844	The Sandbar	Beverage Dispensary	Sandbar, Inc.	2525 Industrial Blvd
3409	Gold Creek Salmon Bake	Recreational Site	Alaska Travel Adventures, Inc.	1061 Salmon Creek Lane
4034	Loyal Order of Moose #700	Club	Juneau Moose Lodge #700	8335 Airport Blvd
4081	K & L Distributors	Wholesale – Malt Beverage & Wine	K & L Distributors, Inc.	8420 Airport Blvd
4584	Zephyr	Restaurant / Eating Place	Zephyr, LLC	No Premises

4700	Alaska Zipline Adventures	Recreational Site	Alaska Zipline Adventures, LLC	3000 Fish Creek Road
4881	Alaska Travel Adventures	Recreational Site	Alaska Travel Adventures, Inc.	9999 Glacier Highway

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice. AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact me directly.

Sincerely,



Sarah Daulton Oates

Records & Licensing Supervisor

sarah.oates@alaska.gov

(907)269-0356

Renewal Liquor License
2015/2016

License is: ☒ Full Year OR ☐ Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 2533	License Type: Beverage Dispensary	Statute Reference: Sec. 04.11.090
Local Governing Body: Juneau, City & Bor Other(Anch,Sit,Jno,Com.Car,WA)		Community Council (if applicable):
Name of Licensee: Jack D and Arlene D Tripp		Doing Business As (DBA): Viking Restaurant & Lounge
Mailing Address: 216 Front St, Juneau, AK 99801 218		Street Address or Location of Premises: 216 Front Street 218
Phone: (907) 269 3812	Fax:	Email: ivory@alaska.com OR ivory@alaskan.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):

Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☐ Yes ☐ No

If no, attach written explanation. Your entity **must** be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Mailing Address	Telephone Number

NOTE: If you need additional space, please attach a separate sheet.

Per Jack change mailing address to 218 Premises stay 216. 12/23/14 r.

SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	

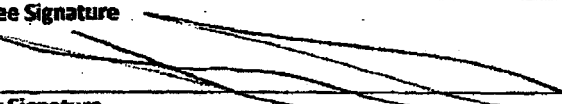

SECTION D – SUPPLEMENTAL QUESTIONS

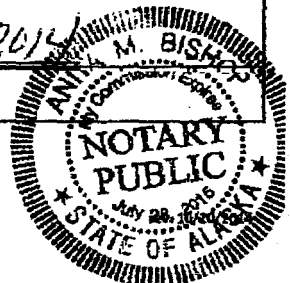
Was your business open at least 30 days for 8 hours each day in 2013?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, attach a written explanation.	
Has the licensed premises changed from the last diagram submitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, attach a new diagram with designated premises areas outlined in red.	

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
TOTAL	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 2,700.00

Licensee Signature 	Printed Name & Title: JACK D. TRIPP
Notary Signature 	Subscribed and sworn to before me this 23 day of November , 2014
Notary Public in and for the State of: Alaska	My commission expires: July 28, 2015



SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)
Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: JACK D. TRIPP Address: 4039 N. DOUGLAS JUN. AK. 99801 Phone: 1-907-209-3812	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 11-28-61	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: ARLENE D. TRIPP Address: SAME Phone: 1-907-723-8842	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 5-25-71	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

SECTION D – SUPPLEMENTAL QUESTIONS

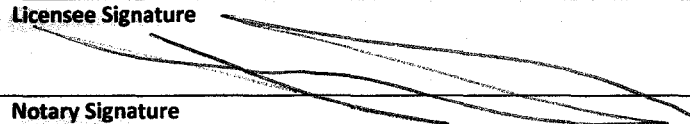
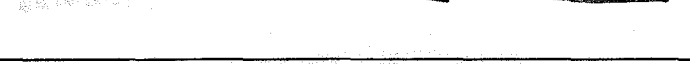
Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
TOTAL	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 2,700.00

12116

Licensee Signature 	Printed Name & Title: JACK D. TRIPP
Notary Signature 	Subscribed and sworn to before me this 18 day of DECEMBER , 2014 .
Notary Public in and for the State of:	My commission expires:

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

Regulation Amending Docks and Harbors 05 CBJAC 20.080 Passenger-for-hire Fee.

MANAGER'S REPORT:

At the February 26, 2015, Docks & Harbors regular meeting, the Board voted unanimously to changes affecting the fees associated with commercial charter vessel activity, codified under 05 CBJAC Chapter 20. No less than four public meetings were advertised and conducted before the Board took action. The proposed regulation changes were properly noticed and advertised necessary for public comment in a period required under the CBJ Code.

These fees have not been adjusted since 2006 and pertain to passenger-for-hire vessel operations that affect two classes of charters. One class is the smaller six-passenger vessel officially known as Operator Uninspected Passenger Vessel (OUPV). The other class refers to larger charter vessels requiring Coast Guard inspections under federal law. The regulation changes would incrementally increase the fees associated with the inspected vessels from \$300/vessel and \$1.10/passenger to \$500/vessel and \$1.50/passenger in 2017. For six-passenger operation, the regulation would change from a vessel fee and "seat fee" to a vessel fee and "passenger fee" consistent with the inspected vessels. A typical OUPV (six-passenger) is charged \$140/year resulting from a \$50 vessel and \$15/seat fee. The new fee structure would incrementally raise the fees to \$150/vessel and \$1.50/passenger in 2017. For both classes of charters, the fees would be adjusted to the Anchorage CPI after 2017.

The regulation changes also added other named Docks & Harbors managed facilities.

RECOMMENDATION:

The Manager recommended the Assembly allow this regulation to go into effect.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Passenger-for-hire Regulation 05 CBJAC 20.080	3/10/2015	Regulation

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Amendment to Title 05, Chapter 20, Section 080 Small Boat Harbor 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. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20.080.

05 CBJAC 20.080 Passenger-for-hire fee, is amended to read:

05 CBJAC 20.080 Passenger-for-hire fee.

- (a) *Definition.* The fee assessed to a person conducting passenger-for-hire activities at Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp.
- (b) *Relationship to other fees.* This fee applies in addition to other fees set out in 05 CBJAC 020, except as follows:
 - (1) A person paying moorage fees for reservations moorage at Statter Harbor as set out in 05 CBJAC 25.040 shall not be required to pay this fee;
 - (2) A person paying freight use fees as set out in 05 CBJAC 20.070 shall not be required to pay this fee if the passengers are loaded at a launch ramp;
 - (3) A person conducting passenger-for-hire activities at the Douglas Boat Harbor Launch Ramps, North Douglas Launch Ramp, Amalga Harbor Launch Ramp, Tee Harbor Launch Ramp, and Echo Cove Launch Ramp are assessed fees as set out 05 CBJAC 01 in lieu of this fee; and
 - (4) A person conducting passenger-for-hire activities at the Intermediate Vessel Float or the Marine Park Lightering Float are assessed moorage fees as set out in 05 CBJAC 15 in lieu of this fee.
- (c) *Requirements.* The owner of a vessel must apply to and obtain a permit from the Harbormaster in order to conduct passenger-for-hire activities at Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp. Applications are available at any of the Docks and Harbor Department Offices. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and the payment of fees.

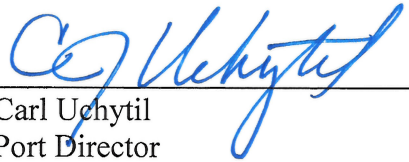
- (d) *Inspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:
- (1) ~~Calendar year permit: \$300.00 plus \$1.10 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity; or~~ Calendar year 2015 permit: \$300 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2016 permit: \$400 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2017 permit: \$500 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) ~~Calendar day permit: \$1.00 per certificated passenger seat; or~~ Each calendar year after 2017, a fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.
- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (~~six-pack~~ OUPV – operator of uninspected passenger vessels) as follows:
- (1) ~~Calendar year permit: \$50.00 per vessel plus \$15.00 per passenger seat; or~~ Calendar year 2015 permit: \$50 per vessel plus \$1.00 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2016 permit: \$100 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2017 permit: \$150 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) ~~Five or fewer uses in a calendar year: \$75.00 per vessel; or~~ Each calendar year after 2017, a fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

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 February 4, 2015, 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: 3 MARCH 2015



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: _____

Amy Mead
Municipal Attorney

Assembly Review

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

Date: _____

Laurie J. Sica, 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: _____

Laurie J. Sica, Clerk

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

Regulation Amending Docks and Harbors 05 CBJAC 10 Waterfront Sales Permits.

MANAGER'S REPORT:

At the February 26, 2015, Docks & Harbors regular meeting, the Board voted unanimously to changes affecting the Waterfront Sale Permit activity which is codified under 05 CBJAC Chapter 10. No less than five public meetings were advertised and conducted before the Board taking action at the February regular meeting. The proposed regulation changes were properly noticed and advertised necessary for public comment in a period required under the CBJ Code.

The most significant change to the regulations is to increase the minimum outcry bid amount to \$30,000 from \$5,000. The median value of the most recent vendor booth outcry auctions has been \$42,000. Other changes include a better definition of individual ownership of the Waterfront Sales Permit, allowing more than one sign (1 ft x 1 ft) to be affixed to the booth, and a policy to encourage opportunity for new permit entries to participate.

The Docks & Harbors Board received and reviewed one letter from a potential vendor booth participant asking that the minimum outcry bid amount remain at \$5000 or increase only to \$10,000. The Board deliberated and elected the \$30,000 minimum bond requirement as it more accurately reflects the historic market value of a permit in a fair and open outcry bidding process.

RECOMMENDATION:

The Manager recommends the Assembly allow this regulation to go into effect.

ATTACHMENTS:

	Description	Upload Date	Type
<input type="checkbox"/>	Waterfront Sales Permit Regulation 05 CBJAC 10	3/10/2015	Regulation

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Amendment to Title 05, Chapter 10, Sections 010 - 040 Waterfront Sales Permits

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. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 10.010, 05 CBJAC 10.030, and 05 CBJAC 10.040.

05 CBJAC 10.010 Policy, is amended to read:

05 CBJAC 10.010 Policy.

These regulations are intended to implement the following policies:

- (a) To provide desirable commercial services to cruise ship passengers.
- (b) To provide for orderly administration by the department of appropriate vending in the downtown waterfront area.
- (c) To ensure that vending uses shall remain incidental to the principle uses of the downtown waterfront area. The principle uses are pedestrian, vehicular, and recreational access to the docks and waterfront. The director may order the suspension of vending activities as necessary to avoid conflict with the principle uses.
- (d) To collect revenues in support of management of and improvements to City and Borough harbor and waterfront facilities.
- (e) To assure fair treatment of persons wishing to sell tours in the downtown waterfront area.
- (f) Establish a system of tour sales and tour brokerage permits in order to effectuate the purposes listed above. The administration of such system shall be for the benefit of the general public, and the grant or denial of a permit, or any act or omission by the city with respect to such permit is not intended to regulate the private business relationships or to protect the business interests of one party against the other. It shall be the individual responsibility of the permit holders and their clients to enforce their rights and liabilities through civil actions or such other private relief as may be available.
- (g) To provide reasonable opportunity for entrepreneurs to enter the business market.

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available, is amended to read:

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

...

(f) *Permit eligibility and requirements.*

- (1) To be eligible to bid on a tour sales or tour broker permit, the permit applicant must:
 - (A) Hold a current Alaska business license, and
 - (B) Maintain a place of business under the name on the Alaska business license within the boundaries of the city and borough.
- (2) Any person holding a permit must maintain a year round place of business and mailing address in the City and Borough of Juneau, Alaska, and must designate a single individual by physical address, mailing address and phone number in Juneau upon whom service of notices and legal proceedings may be made. Service of any notice concerning the permit to that person shall be legal and sufficient notice to any of the holders, owners or any other with an interest in the permit. The director must be notified in writing no less than ten days before there is a change in the name, address or phone number of the designated person for a permit. Failure to timely notify the director shall be considered a violation of the permit conditions.
- (3) No person, individual, business or corporation shall have an ownership interest in more than one tour sales or tour broker permit, meaning the person shall not pay for the operation of another permit holder's sales booth, direct or manage the activities of another permit holder's sales booth, or in any way financially contribute to the purchase of more than one permit. A permit holder who operates tours may have its tours sold by another permit holder, provided the permit holder operating the tour does not direct the activities of the other permit holder's sales booth or obtain any financial benefit from the other permit holder's sales booth other than that provided by the sale of the tour. Violations will result in permit revocation per 05 CBJAC 10.080(e).
- (4) Tour sales permit holders and tour broker permit holders must actively sell during the tour season. "Actively sell" means that the permit holder either derives a significant portion of its income from sales made through a tour sales or broker's permit, or that the permit holder is making substantial use of the permit.

...

05 CBJAC 10.040 Tour sales permits, is amended to read:

05 CBJAC 10.040 Tour sales permits.

...

A tour sales permit authorizes the solicitation and sale of tours and experiences.

(a) *Application process and permit award.*

- (1) *How to apply.* No later than December 1, of each year, the port director will publicly announce an application period for tour sales permits. The notice will include a description of how to apply for a permit, the number and type of permits available, and the process that will be used to award the permits. Persons must apply on an application form provided by the port director and must include all required information and attachments.
- (2) *Application review.* The port director will review each application to determine if it is complete. The port director will reject incomplete applications. The port director will review complete applications to determine if the applicant meets the permit eligibility requirements set out in 05 CBJAC 10.030(f).
- (3) *How the permits are awarded.* The port director will manage and award the permits by public outcry auction. The minimum bid for a permit is ~~\$5,000.00~~ \$30,000.00. Applicants meeting the permit eligibility requirements set out in 05 CBJAC 10.030(f) will be allowed to bid on a permit provided the applicant posts a ~~\$5,000.00~~ \$30,000.00 bid bond payable to CBJ. The applicant must agree to forfeit the bid bond in the event the applicant does not honor a winning bid on a permit.

...

(c) *Tour sales area rules.*

...

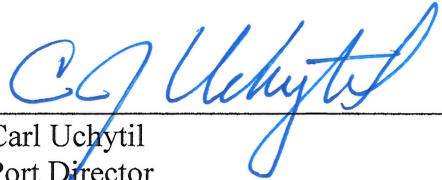
- (5) The permit holder may display up to two large signs on a single booth provided the signs do not extend beyond the front profile of the booth. The permit holder may also display a one-foot by one-foot signs for each tour the permit holder sells. These signs may not extend more than six inches beyond the front profile of the booth.

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 February 4, 2015, 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: 3 MARCH 2015



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: _____

Amy Mead
Municipal Attorney

Assembly Review

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

Date: _____

Laurie J. Sica, 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: _____

Laurie J. Sica, Clerk

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

Request For Authorization to Negotiate a Lease for Wireless Internet Tower

MANAGER'S REPORT:

Southeast Communication Services (SCS) has submitted an application to lease City and Borough Lands for a wireless internet communications tower. The proposed tower would enhance SCS's coverage area in Juneau. The proposed location is on the Mendenhall Peninsula where there are currently two existing towers owned by KTOO and the JPD. The site manager with KTOO has indicated that there is room at this site for an additional tower and this proposal would not negatively affect existing towers and leases. The proposed tower would be smaller than a traditional communications tower, housing equipment similar in size to a dinner plate. The height and footprint of the proposed tower will depend on site features that will be investigated prior to leasing, but the tower is expected to be around 30 feet in height. Given the size of this tower, it is anticipated that a light at the top will not be necessary. In the future, this tower could also be used as a co-location site for other service providers' equipment. Prior to signing a lease, the Planning Commission and the Lands Committee will review this project in order to provide the Assembly with recommendations.

RECOMMENDATION:

The Manager recommends a motion be adopted to authorize negotiations with Southeast Communication Services for a lease of CBJ property. Approval of the final lease will require Assembly approval by Ordinance.

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

Resolution 2724 A Resolution Urging the Alaska Legislature to Expand Medicaid Coverage to
Improve the Health of Alaskans and Alaska's Economy.

MANAGER'S REPORT:

The resolution encourages the Alaska Legislature to expand Medicaid coverage. In part, expansion it will improve health outcomes by reducing the number of uninsured Alaskans, improve preventative and primary care access, and expand health care coverage to approximately 2400 Juneau residents . In addition it is projected that Medicaid expansion will bring new federal dollars to Alaska thus creating new jobs.

RECOMMENDATION:

The Manager recommends the Assembly proceed according to the recommendations of the Assembly Human Resources Committee.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Resolution 2724	3/10/2015	Appeal

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2724

A Resolution Urging the Alaska Legislature to Expand Medicaid Coverage to Improve the Health of Alaskans and Alaska's Economy.

WHEREAS, nearly 42,000 of our family members, friends and neighbors statewide have the opportunity to gain health care coverage under expansion; and

WHEREAS, approximately 2400 Juneau residents are eligible for coverage under expansion, and 1140 of those are expected to enroll; and

WHEREAS, Medicaid expansion will improve health outcomes by reducing the number of uninsured Alaskans by half, improving preventive and primary care access, providing substance abuse treatment and mental health counseling, and reducing the mortality rate; and

WHEREAS, Medicaid expansion brings over \$1 billion in new federal revenue into Alaska over the first five years; and

WHEREAS, Juneau enrollees alone bring in \$8.3 million in just the first year; and

WHEREAS, studies project expansion will likely yield 4,000 new jobs, \$1.2 billion more in wages and salaries paid to Alaskans, and \$2.49 billion in increased economic activity throughout the state; and

WHEREAS, Medicaid currently accounts for 23% of Bartlett Regional Hospital's payor mix; and

WHEREAS, with expansion the State would save \$6.1 million in FY2016 by using federal funds to pay for health services currently paid for with state general funds, reducing the need to cut public services; and

WHEREAS, federal funds will pay for 100% of services provided to the expansion population through 2016 and will transition to 90% in 2020 and beyond; and

WHEREAS, the State's continued participation is contingent upon maintaining the 90% match; and

WHEREAS, Medicaid expansion will significantly reduce the burden of uncompensated care, which was over \$90 million at non-tribal Alaska hospitals in 2013; and

WHEREAS, Bartlett Regional Hospital suffers charity care and bad debt expenses of \$10 - \$13 million per year; and

WHEREAS, Medicaid expansion will serve as a catalyst for meaningful Medicaid reform; and

WHEREAS, leveraging the federal resources that come with expansion is the State's biggest opportunity to finance reform efforts; and

WHEREAS, the State has the option of various Medicaid expansion demonstration projects it may also consider as part of reform.

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

Section 1. The City & Borough of Juneau endorses Medicaid expansion, recognizing we all have an interest in ensuring that Alaskans are as productive as possible so they can contribute to our communities and economy.

Section 2. The City & Borough of Juneau strongly urges the Alaska Legislature to expand Medicaid for the benefit of Alaskans and the Alaska economy to take effect in July 2015 and, while reform efforts are of tremendous importance, this work should not delay health care coverage for those Alaskans who would be eligible for Medicaid under expansion.

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

Adopted this _____ day of _____, 2015.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk