



PLANNING COMMISSION STAFF REPORT
PROPERTY DISPOSAL PAD2022 0004
HEARING DATE: JANUARY 24, 2023

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: January 13, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Adrienne Scott, Planner I

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Property Disposal Review for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- Docks & Harbors Board reviewed the application on August 25, 2022 and provided a motion to advance the application.
- The Lands, Housing and Economic Development Committee provided a motion of support on September 26, 2022.
- The Assembly passed a motion to enter into negotiations with the original proposer.

ALTERNATIVE ACTIONS:

1. **Amend:** amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed project. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

A Notice of Recommendation will be forwarded to the Assembly for further action.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 53.09.260

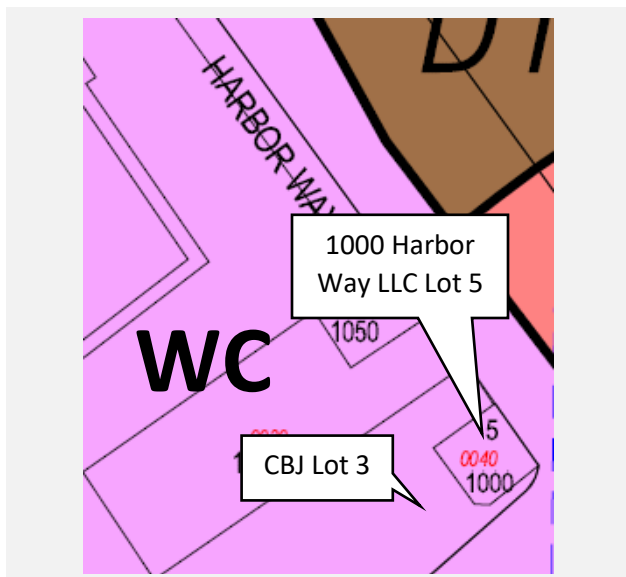
GENERAL INFORMATION	
Property Owner	1000 Harbor Way LLC / CBJ
Applicant	1000 Harbor Way LLC
Property Address	1000 Harbor Way
Legal Description	TIDELANDS ADDITION BL 51 LT 5 / LEASE TIDELANDS ADDITION BL 51 LT 3 FR/ TIDELANDS ADDITION BL 51 LT 3
Parcel Number	1C060K510040 / 1C060K510041 / 1C100K830032
Zoning	WC Waterfront Commercial
Land Use Designation	Marine Commercial (MC)
Lot Size	4,041 square feet / 4,177.68 square feet / 126,498 square feet
Water/Sewer	Public
Access	Harbor Way
Existing Land Use	Commercial
Associated Applications	NCC20220039

The Commission shall hear and decide the case per CBJ 53.09.260 - Negotiated sales, leases, and exchanges:

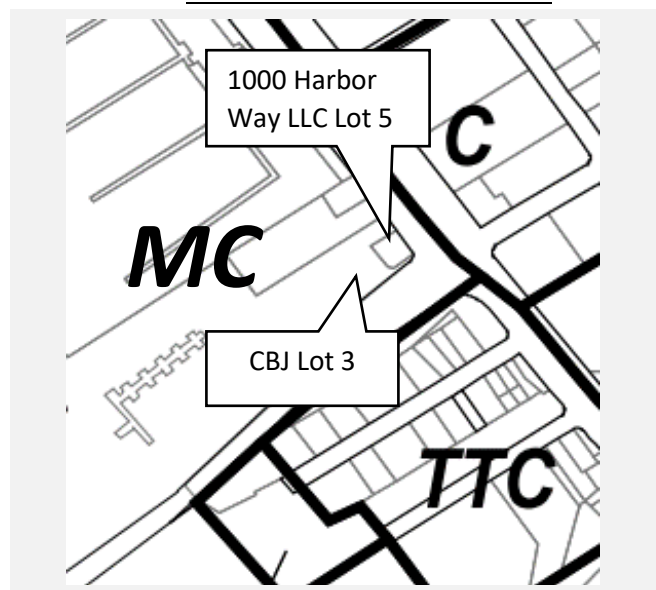
- (a) *Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.*
- (b) *Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.*

CBJ 49.10.170(c) Planning Commission Duties: *The commission shall review and make recommendations to the assembly on land acquisitions and disposals as prescribed by Title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.*

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



SURROUNDING LAND USES AND ZONING

Direction	Zoning District	Land Use
North	Waterfront Commercial	Warehouse
South	Right-of-Way	Harbor Way
East	Right-of-Way	Harbor Way
West	Waterfront Commercial	Gastineau Channel

BACKGROUND INFORMATION

Project Description – The applicant is seeking to purchase an approximately 4,812 square foot portion of CBJ-owned land that is currently managed by the Docks and Harbors Department. The applicant owns the adjacent commercial property (Lot 5), and the commercial structure that is located on Lot 5 and a leased portion of Lot 3. The applicant would use the CBJ property to consolidate the lots and create more conformity for the structure, which would no longer cross a lot line after lot consolidation.

The applicant proposes purchasing the leased portion of Lot 3, as well as a 634 square foot portion of Lot 3 on the southwest side of the structure. During the plan review process, it was discovered that the land directly to the southeast side of the building is DOT ROW, and not part of Lot 3. On Jan 6, 2022 the applicant submitted a revised proposed site plan that does not include the DOT ROW land (Attachment D).

If the disposal is approved by the CBJ Assembly, the applicant would be required to submit a minor Subdivision application per CBJ 49.15.401(a)(4) “*Lot line adjustments. The Minor Subdivision process shall be used to review adjustments to any number of lot boundary lines if the subdivision does not result in an increase in the number of lots.*” Minor Subdivisions are approved by the Director.

The current application is solely to obtain a Property Disposal Recommendation from the Planning Commission.



Background –

The lots were originally platted in 1962 (Plat 347, Tidelands Addition to the City of Juneau, a subdivision of Alaska Tidelands Survey No 3), and the structure was built in 1967.

The structure was built on two lots and crosses a lot line. Lot 5 is currently owned by 1000 Harbor Way LLC (Tidelands Addition BL 51 LT 5). Lot 3 (Tidelands Addition BL 51 LT 3) is owned by the City and Borough of Juneau. A portion of Lot 3 is leased to 1000 Harbor Way LLC. The lease lot portion of Lot 3 was created in 1967 through a lease between the City of Juneau (lessor) and D. C. and Phyllis Langdon dba L & M Enterprises (lessee) (Recorded in Deed Book 85, Page 90). Lot 5 was modified in 1967, by a State of Alaska Right-of-Way taking (Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358). Lot 3 was modified in 1980 when a portion was conveyed to the State of Alaska (recorded in Deed Book 170 page 557). The property owner is unable to get development permits to make improvements to the building due to the encroachment.

The table below summarizes relevant history for the subject parcel and proposed development.

Year	Type	Summary
1962	Plat	Plat 347, Tidelands Addition to the City of Juneau created lots 5 and 3.
1966	Building Plans	Plans for the building at 1000 Harbor Way are marked as “Approved” by the City of Juneau Alaska. Demonstrates that the building was approved in its current location.
1967	Lease	The lease recorded in Deed Book 85 page 90 created the leased portion of Lot 3 that the structure was built on.
1967	Declaration of Taking	Case No. 67-125 of the State of Alaska Superior Court at Juneau, recorded in Deed Book 85, Page 358, modified the dimensions of Lot 5.
1980	Warranty Deed	The warranty deed recorded in Deed Book 170 page 557, modified the dimensions of the leased portion of Lot 3 by deeding a portion to the State of Alaska.
1987	Plat	Plat 87-25 shows the State of Alaska Right-of-Way adjacent to the structure.
2022	Docks and Harbors Board Meeting	On August 25, 2022, the CBJ Docks and Harbors Board discussed the request from Hansen-Gress to purchase the adjacent CBJ owned land. After a lengthy discussion, the board voted 5-2 for a motion to advance the Hansen-Gress proposal. (Minutes Attachment E)
2022	Lands, Housing, and Economic Development Committee Meeting	On September 26, 2022, the CBJ Assembly Lands Housing and Economic Development Committee discussed the Hansen Gress application to purchase city property. The committee passed a motion to work with the original proposer in accordance with city code 53.09.260. (Draft Minutes Attachment F).
2022	Assembly Meeting	On November 21, 2022, the Assembly met to consider the matter and passed a motion to enter into negotiations with the applicant per CBJ 53.09.260 (Attachment G). (<i>Minutes of the meeting not yet available</i>).

CBJ 53.09.200(b) - Purpose and intent. The purpose and Intent of Title 53.09.200(b) is:

1. Inclusion in Land Management Plan. Except for property acquired by tax foreclosure or Reconveyance agreement, real property should not be conveyed prior to inclusion in a land management plan.

The Land Management Plan designates this city property for disposal as retain.

Comprehensive Plan Classification – Marine Commercial (MC)

Land to be used for water-dependent commercial uses such as marinas/boat harbors, marine vessel and equipment sales and repair services, convenience goods and services for commercial and sport fishing, marine recreation and marine tourism activities such as food and beverage services, toilet and bathing facilities, bait and ice shops, small-scale fish processing facilities, hotels and motels, and similar goods and services to support mariners and their guests. Float homes, house boats, and live-aboards would be residential uses to be allowed within an MC district.

ZONING ANALYSIS

CBJ 49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

Table of Permissible Uses – The site is used for office space. Per Table of Permissible Uses (CBJ 49.25.300), offices greater than 2,500 square feet (3,400) are allowed in the Waterfront Commercial zoning district if the use is water-dependent, water-related, or water-oriented. In the narrative for related case NCC20220039, the applicant stated that Hansen Gress provides IT support for the maritime industry, and two of their major tenants Wartsila, a cruise ship maintenance contractor, and the Marine Exchange, are water-dependent, water-related, or water-oriented.

Table of Dimensional Standards – The proposed area for disposal encompasses 4,812 square feet of land in the WC zoning district. The structure is nonconforming for setbacks (NCC20220039 Attachment H). The proposed lot consolidation, if approved, would bring the structure into greater compliance by eliminating the encroachments. The southeast street side setback would remain nonconforming at 1.8 feet.

Other Permit Required – If the land disposal is approved, the applicant would be required to submit a Minor Subdivision application per CBJ 49.15.401(a)(4) in order to consolidate the lots.

Roadway Classification Maps – Harbor Way is not classified in the CBJ Roadway Classification Map.

Hazard Areas – Using U. S. Geological Survey contour data, the overall slope of the CBJ owned lease portion of Lot 3 is approximately 31%; future development would require a Hillside Development Endorsement per CBJ 49.70.200. A portion of Lot 3 and Lot 5 is located within a Special Flood Hazard Area Zone AE. Future development in this area would require a Floodplain Development Permit per CBJ 49.70.400.

COMMUNITY SERVICES

Service	Summary
Urban Service Boundary	Within the urban service area
Water/Sewer	CBJ Water / CBJ Sewer
Fire Service Area	Within the fire service area
Schools	Juneau School District

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The below table summarizes Conservation, Historic, and Archeological Resources which may be affected by the property disposal.

Resource	Summary
Wetlands	None known
Flood Zone	A portion of Lot 3 and Lot 5 is located within a Special Flood Hazard Area Zone AE. Future development in this area would require a Floodplain Development Permit per CBJ 49.70.400.
Anadromous	There are no anadromous streams on or within 50 feet of the land disposal area.
Impaired Waterbodies	None
Historic	None
Archeological	None known
Comprehensive Plan View Sheds	No

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
5	44	Policy 5.1	<i>Develop and sustain a diverse economy, providing opportunities for employment for all residents.</i> Hanson Gress and the tenants provide year-round employment for Juneau residents.
5	56	Policy 5.9	<i>To facilitate availability of sufficient and suitable water-based facilities and associated land-based acreage to support water-dependent uses,</i>

2013 COMPREHENSIVE PLAN - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
			<p><i>and to work closely with the public and private sectors to facilitate sustainable marine commerce, commercial fishing, seafood processing, recreation, public access to the shoreline, and enjoyment of the waterfront through development of well designed port facilities.</i></p> <p>The use of the property was determined to be water-based. Lot consolidation would allow the property owner to make improvements to the structure.</p>
17	226	Community Development 17.2-SOP4	<p>Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and, particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage. Coordinate activities with an orderly system for extending and constructing the public facilities and services called for in the transportation/public facilities and services element of the Plan.</p> <p>The use of the building is office space that is water-based. The owners and lessees of the building provide employment in Juneau.</p>
17	226	Community Development 17.2-DG1	<p>To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches.</p> <p>The CBJ Assembly voted to move forward with negotiations with the applicant. There is currently a building situated on the waterfront.</p>

2016 LAND MANAGEMENT PLAN - The proposed land disposal does NOT conform with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary
CBJ Land Holdings	56	Tidelands LND-0890	<p>Retention status is retain. “Retain” means land being retained for various public purposes which include parks, harbors, airport, fire stations, schools, the hospital, maintenance shops, etc. These lands are not intended to be sold but may be eased or leased for specific purposes, such as airport related uses, consistent with an adopted plan.</p> <p>Land is currently designated as “retain.” The land management plan would need to be updated to re-designate this portion of land.</p>

2016 LAND MANAGEMENT PLAN - The proposed land disposal does NOT conform with the 2016 Housing Action Plan			
Supply & Demand Land	68	CBJ Industrial & Waterfront Industrial Property	<p>Most parcels of CBJ land zoned Industrial are under the jurisdiction of the Juneau International Airport or Docks and Harbors; both agencies operate as enterprise funds. Parcels under their jurisdiction will not be discussed in detail in this plan because money generated from those properties is directed back to the respective enterprise funds. Additionally, specific master plans for these departments will guide their disposal methods and timing. As a general rule, airport lands and tidelands will not be sold and only be leased for development.</p> <p>The Docks & Harbors board voted to advance the proposal.</p>

AGENCY REVIEW

CDD conducted an agency review comment period between December 20, 2022 and Jan 6, 2022. Agency review comments can be found in Attachment C.

Agency	Summary
Alaska DOT&PF	Revised site plan is acceptable. Would like to have opportunity to review the plat for the lot consolidation before recording.
CBJ Docks and Harbors	Sent a copy of the August 25 th , 2022 presentation by Hansen-Gress and the minutes from the Board meeting
CBJ Finance	No comments received
CBJ Lands & Resources	No comments received
CBJ Building	No comments received
CBJ General Engineering	No comments received
US Forest Service	No comments received
US Army Corps of Engineers	No comments received

PUBLIC COMMENTS

CDD conducted a public comment period between December 15, 2022 and Jan 6, 2022. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comments have been submitted at time of writing this staff report.

FINDINGS

In accordance with CBJ 49.15.580 staff finds the proposed Property Disposal complies with Title 49 Land Use Code and is in general conformity with adopted plans, specifically the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the CBJ Assembly for the disposal of approximately 4,812 square feet of CBJ land at 1000 Harbor Way.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	Updated site plan from applicant
Attachment E	Minutes from August 25, 2022 Docks & Harbors board meeting
Attachment F	Minutes from September 26, 2022 Lands, Housing and Economic Development committee meeting
Attachment G	Agenda for November 21, 2022 Assembly Meeting
Attachment H	NCC20220039



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 1000 Harbor Way		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) TIDELANDS ADDITION BL 51 LT 5		
	Parcel Number(s) 1C060K510040		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Hansen Gress/CBJ	Contact Person Tyler Gress	
	Mailing Address 1000 Harbor Way	Phone Number(s) 9074636900	
	E-mail Address tyler@hansengress.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
<div style="display: flex; justify-content: space-between;"> <div> Dan Bleidorn Landowner/Lessee (Printed Name) </div> <div> CBJ Land Mana Title (e.g.: Landowner, Lessee) </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div> X <i>Daniel Bleidorn</i> Landowner/Lessee (Signature) </div> <div> 9/13/22 Date </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div> Tyler Gress Landowner/Lessee (Printed Name) </div> <div> Lessee Title (e.g.: Landowner, Lessee) </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div> X <i>Tyler Gress</i> Landowner/Lessee (Signature) </div> <div> 8/31/2022 Date </div> </div>			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) 1000 Harbor Way, LLC			
Contact Person Tyler Gress			
Mailing Address 1000 Harbor Way, Suite 201			
Phone Number(s) 907-723-7069			
E-mail Address tyler@hansengress.com			
<div style="display: flex; justify-content: space-between;"> <div> X <i>Tyler Gress</i> Applicant's Signature </div> <div> 8/31/2022 Date of Application </div> </div>			

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials AG
Case Number PA022-004
Date Received 11/8/22



PROPERTY ACQUISITION AND DISPOSAL REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

PROJECT SUMMARY:

The building Hansen Gress recently purchased at 1000 Harbor Way is partially on CBJ leased land and partially on their property at TIDELANDS ADDITION BL 51 LT 5. To permit any work that crosses that lot line, through the building they have purchased, the lots will need to be consolidated. The desire is to purchase the land on which the building is built so they can make major structural and architectural improvements to the aging building. Before acquiring the property, we also hope that CBJ will move the lot lines to allow for development on the water side of the building. With the setbacks in place for the waterfront commercial zone, the current lot lines do not allow for the building owner to put a deck or a canopy on the water side. We hope you consider our proposal of Hansen Gress purchasing Tidelands addition Bl 5 to consolidate the lots and provide an avenue for the building owner to do the improvements necessary to protect their investment and visually improve a small portion of the Juneau waterfront.

TYPE OF PROJECT REVIEW: ☒ Property Acquisition Review ☒ Property Disposal Review

PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:

Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☐ NO

Capital Improvement Program # (CIP) _____

ESTIMATED PROJECT COST: \$ _____

ALL REQUIRED MATERIALS ATTACHED

- ☒ Complete application
- ☒ Pre-Application notes (if applicable)
- ☒ Narrative including:
 - ☒ Current use of land or building(s)
 - ☒ Proposed use of land or building(s)
 - ☒ How the proposed project complies with the Comprehensive Plan
 - ☒ How the proposed project complies with the Land Use Code (Title 49)

Site Plan (details on page 2)

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

PROPERTY ACQUISITION & DISPOSAL FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ 10			

\$100 sign Deposit
\$50 sign Fee
\$150

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number

PAD22-004

Date Received

11/8/22

Property Acquisition & Disposal Review Information

Property Acquisition & Disposal project review is outlined in CBJ 53.04 and 53.09

Each application for a Property Acquisition & Disposal project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

Application: An application for a Property Acquisition & Disposal project review will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Property Acquisition & Disposal Project Application, and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
 - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
 - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
 - d. Existing and proposed lighting (including cut sheets for each type of lighting);
 - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
 - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: Property Acquisition & Disposal project Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Current use of land or building(s)

The building at 1000 Harbor Way sits across two parcels. We own one of the parcels, and the other is essentially* the subject of this application. D&H/CBJ is the owner and they have committed this land to this lease agreement through the end of the term (with renewal, that is Fall 2085). Current use of that lot is as a leasehold to the building at 1000 Harbor Way, which has historically been a commercial office/retail building enjoying a waterfront view.

* I say "essentially" here because our application also includes 1047 square feet outside that leasehold parcel, on an adjacent CBJ parcel that is mostly water and does not have any current use. Incidentally, this additional land does contain a number of pilings of ours that are outside the existing property boundary entirely.

Proposed use of land or building(s)

We are proposing to keep the land use the same. The building has been on this land since 1967, and our objective when we bought the building earlier this year was to renovate it and continue to operate it for various tenants. We are the primary tenant, and we are an IT contractor that supports a significant cross-section of Juneau's business and non-profit organizations. Other tenants after renovation will include Wartsila and Marine Exchange of Alaska.

How the proposed project complies with the Comprehensive Plan

Page 14 of the comprehensive plan shows this property and that it resides in a Marine Commercial zoned area. Here are a few points I have raised in the past that address the waterfront nature of this office building and its occupants:

1. It's pretty fair to say that our company is the IT department for Juneau's local maritime industry: Alaska Glacier Seafoods, Taku Smokeries, DIPAC, APICDA, UFA, SEAFA, Allen Marine, other water-related tour companies, etc. We also often end up working on boat nav systems, maritime communications systems, etc. As the primary tenant in this building, we have plenty of connections to the maritime industry.
2. Our building has a long-standing lease with Wartsila, which is a cruise ship maintenance contractor.
3. Marine Exchange is moving in as another major tenant. That's all 3 tenants, maritime.

More generally, this building will offer premium waterfront office space. This is something unique Juneau does not have much of, and we are trying to permit and improve a facility that honors our position on the water.

How the proposed project complies with the Land Use Code (Title 49)

We had a pre-app review for consolidation of these two lots, and that document called out these impacts on Title 49:

1. **49.25.400 – Table of dimensional standards. Interior renovation/remodel work is permitted, but work on the exterior of the building cannot cross lot lines.**

My understanding is that the proposed project (sale of this parcel and subsequent consolidation) brings this building and its lots into compliance with this problem. It at least improves it greatly: (1) we would no longer have a building that crosses property lines and (2) the setbacks on several sides would be brought into compliance where they are not today.

2. **49.25.250 – Waterfront Districts – Uses in Waterfront Commercial (WC) districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both.**

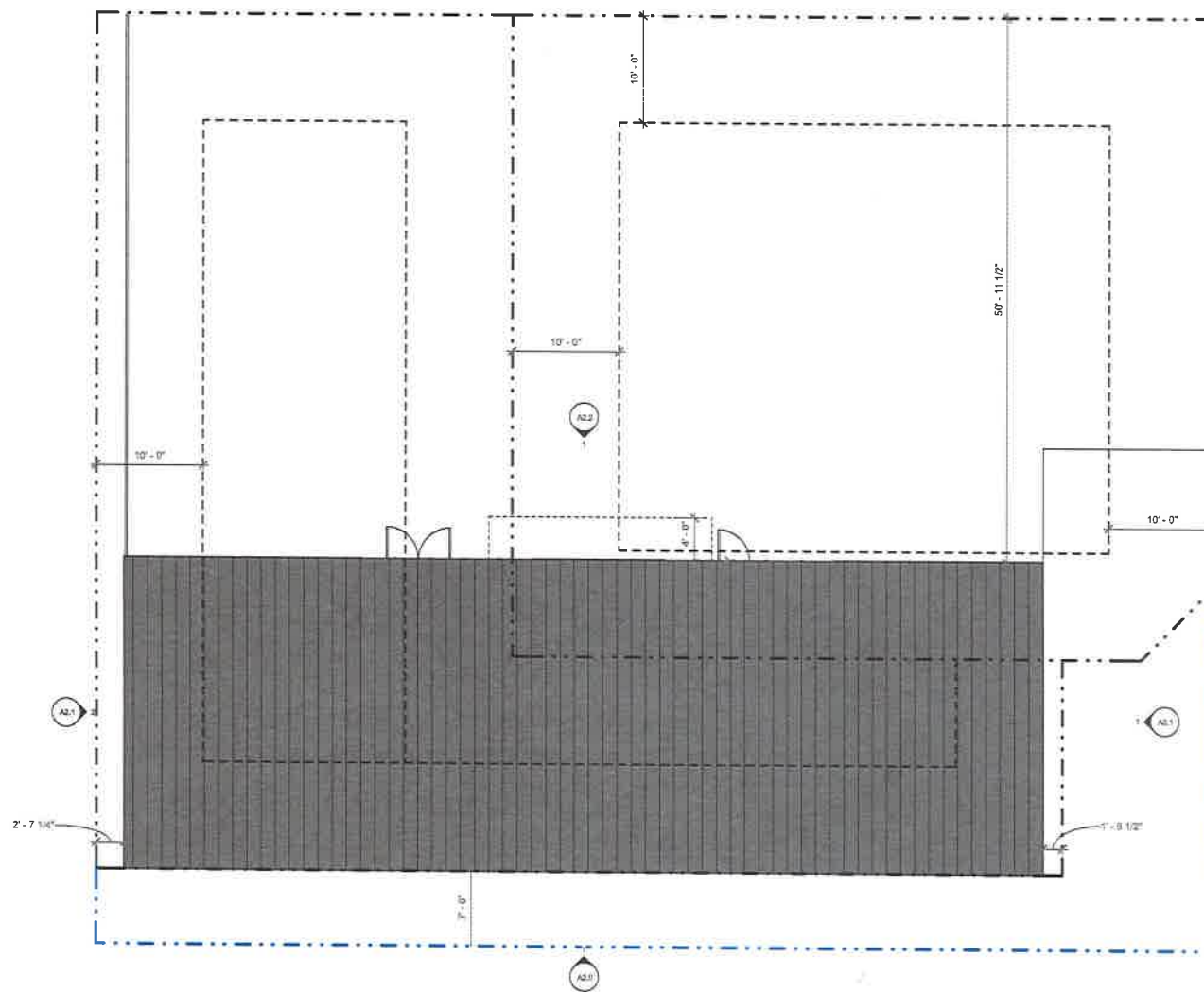
I believe our narrative above about the comprehensive plan, our tenants and relevance to waterfront use addresses this. That said, the building is already there, and *most* of the land in question is already leased to it. This application is for a sale of land to facilitate a direct remodel of the building. This would not change the “use” of the land, and certainly not change the impact of this parcel on 49.25.250 or vice versa.

3. **49.30.210 – Non Conforming Situations – CBJ CDD recommends that the owners of the structure at 1000 Harbor Way acquire a Non-Conforming Certification in order to maintain the existing conditions on the property.**

I believe this call-out in the pre-app is simply to address the 0-foot setback on the property line next to USFS property (called “west” in the pre-app), which would remain after consolidation (nothing anyone can really do about this).

Please feel free to contact me with any other questions.

Thanks,
Tyler Gress



① SITE PLAN
3/16" = 1'-0"



© 2009 West Academic, LLC. Project Number:


LEGEND

— . . — PROPERTY LINE

— . . — PROPOSED PROPERTY LINE

- - - SETBACK

[Hatched Box] EXISTING BUILDING



08/25/2012

W

N

**NorthWind
Architects, LLC**

126 Seward St.
Juneau, AK 99801
Ph 907/586.6150
www.northwindarch.com

IF THE ABOVE DIMENSION DOES NOT
MEASURE ONE INCH (1") EXACTLY, THIS
DRAWING WILL HAVE BEEN ENLARGED OR
REDUCED AFFECTING ALL LABEL SCALES

HANSEN GRESS RENOVATION

0000 HARBOR WAY
JINEFALL ALASKA

SHEET TITLE:
SITE PLAN

CHECKED	JB
DRAWN	SCC

SHEET # **A0.1**

ISSUE DATE 09.10.22



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

Harbor Way Lot Consolidation

Case Number: PAC2022 0032
Applicant: Hansen-Gress
Property Owner: CBJ Leased Land/Harbor Lights Enterprises LLC.
Property Address: 1000 Harbor Way, Juneau, AK. 99801
Parcel Code Number: 1C060K510040; 1C060K510041
Site Size: 4,041sq'/.0928acres; 4,178sq'/.0959acres
Zoning: (WC) Waterfront Commercial
Existing Land Use: Office Building

Conference Date: June 15, 2022
Report Issued: October 6, 2022

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

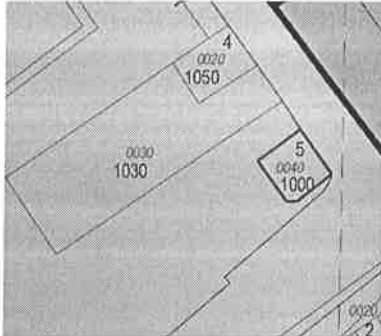
Name	Title	Email address
Shannon Crossley	Architect, Applicant	Shannon@northwindarch.com
Tyler Gress	Property Owner, Applicant	Tyler@Hansengress.com
Matt Herrick	Contractor	Matt@levelconstruction.com
Carl Uchytel	Port Director	Carl.Uchytel@juneau.org
Erich Schaal	Port Engineer	Erich.Schaal@juneau.org
David Matthew Peterson	Planning	David.Peterson@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

Applicant is proposing a lot consolidation of Tideland's Addition BL5, and BL51; and a land acquisition of a portion of Docks and Harbors, Tideland's Addition. Existing conditions and current CDD Zoning code impact desired improvements to be made to the structure.

A Warranty Deed from 2010 shows the transfer of Lot 5 (Block 51), from Peter and Mary Bernstein to Harbor Lights Enterprises LLC. Prior to this sale, Block 51 was known as Block 5. It is unclear how Block 5 was platted.

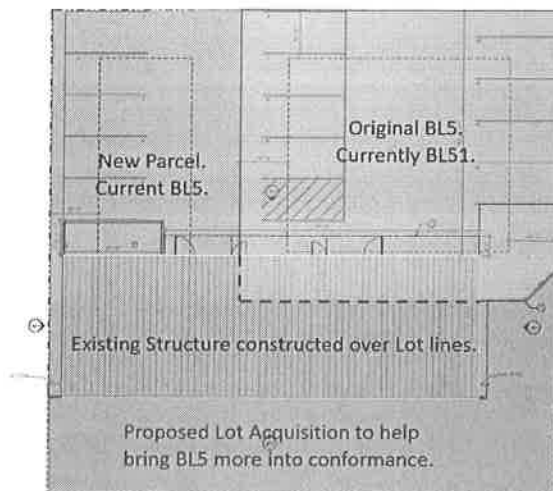


Lot 5 from 2006 Zoning Map.



Image from June 2013 CBJ GIS parcel viewer.

The structure located at 1000 Harbor way breaches the lot lines that separate BL5 and BL51. Due to the lack of documentation, it is unclear as to how the structure was permitted and allowed to be built.



Submitted Preliminary Plat June 2022.

Title 49 Impacts:

49.25.400 – Table of dimensional standards. Interior renovation/remodel work is permitted, but work on the exterior of the building cannot cross lot lines.

49.25.250 – Waterfront Districts – Uses in Waterfront Commercial (WC) districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both.

49.30.210 – Non Conforming Situations – CBJ CDD recommends that the owners of the structure at 1000 Harbor Way acquire a Non-Conforming Certification in order to maintain the existing conditions on the property.

NOTE: A variance would not be an option per variance standards. 49.20.250

(a) *Administrative variances.*

- (1) An administrative variance may be granted to allow projections not to exceed 25 percent of the yard setback requirements of this title or two feet, whichever is less, upon the director determining the following:
 - (A) Enforcement of the setback ordinance would result in an unreasonable hardship;
 - (B) The grant of the variance is not detrimental to public health, safety, or welfare; and
 - (C) The grant of the variance is narrowly tailored to relieve the hardship.
- (2) An administrative variance decision by the director may be appealed if a notice of appeal is filed within 20 days of the date the decision is signed by the director, in accordance with section 49.15.239.

(b) *Non-administrative variances.*

- (1) A variance may be granted to provide an applicant relief from requirements of this title after the prescribed hearing and after the planning commission has determined that:
 - (A) Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property;
 - (B) The unusual or special conditions of the property are not caused by the person seeking the variance;
 - (C) The grant of the variance is not detrimental to public health, safety, or welfare; and
 - (D) The grant of the variance is narrowly tailored to relieve the hardship.

Project Overview

Applicant is seeking a lot consolidation for 1000 Harbor Way. The building straddles a leased waterfront property owned by CBJ Docks and Harbors. Hansen Gress is not able to make repairs to property while building is in violation of Dimensional Standards (ref. table 49.25.400).

Planning Division – Per Article IV – Dimensional Standards - 49.25.400

1. **Zoning** – Both parcels are in the Waterfront Commercial (WC) zone.
2. **Subdivision** – A lot consolidation is considered a subdivision, and the new lot would need to meet subdivision code. The proposed consolidation would exceed minimum lot size and width.
3. **Setbacks** –
 - a. North - Front: 10'
 - b. South - Rear: 10' (Tidewater lot line requires 0' setback).
 - c. West - Side: 10' (NCC would allow for the structure to remain within setback.)
 - d. East – Side: 10'
4. **Height** – Maximum height for Primary, and Accessory uses, is 35'. (Height bonus are available).
5. **Access** – Both parcels are accessed off of Egan Drive through the Harris Harbor Driveway, and Harbor Way.
6. **Parking & Circulation** – (check if in Juneau / Douglas Geographic area). Lot is outside of the Town Center Parking District.
7. **Lot Coverage** – There is no MAXIMUM lot coverage in WC.
8. **Vegetative Coverage** – Per 49.50.300, WC lots require 10% vegetative coverage.
9. **Lighting** – N/A

10. Noise – N/A

- 11. Flood** – Panel 02110C1566E, effective 9/18/2020, Flood zone 'AE', with a flood elevation at 24'. Substantial portion of lots reside in a flood zone. Please see attached Article IV - 49.70.400. Flood Plain Development permit required.



12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement – N/A

13. Wetlands – N/A

- 14. Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 15. Plat or Covenant Restrictions** – No known restrictions.
- 16. Traffic** – Per 49.40.210: Bank, Office, Retail Commercial, Salon, and Spa requires there to be 1 parking space per 300 square feet of gross floor area. Refer to table 49.40.210(b) to determine number of handicapped spaces required.
- 17. Nonconforming situations –**
- a. Structure has been constructed within setbacks on the rear and side lot lines.
 - b. Structure has been built on the lot lines of Lot 5.
 - c. Note: Even after lot consolidation, the west lot line will be nonconforming.

Building Division

18. Building – N/A

19. Outstanding Permits –

- a. BLD20220639- "Window and siding replacement, interior renovation work"

General Engineering/Public Works

20. Engineering – See Utilities.

21. Drainage – N/A

- 22. Utilities** – (water, power, sewer, etc.) As-Builts could not be located for this parcel(s) but it is believed that only one water line serves the building (one dedicated fire line and one domestic water). A decommissioning of a second domestic water line will be required if discovered.

Fire Marshal

23. Fire Items/Access – N/A

Other Applicable Agency Review

24. USF&W – (907) 780-1163

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application (DPA)
2. Non-Conforming Certification (NCC)
3. Property Acquisition and Disposal (PAD)
4. Flood Plain Development Permit (FZD)

Details below outline the CDD process.

Note: Coordinate with Docks and Harbors, and Lands to their requirements.

1. Survey lot acquisition area.
2. Fill and submit a Property Acquisition and Disposal (PAD) application.
 - a. This will be presented to the commission.
 - b. Following the commission hearing, this will be presented to the Assembly.
 - i. May need to be seen by Lands Committee, and/or Housing & Economic Development Committee.
 - ii. Committee of the Whole.
 - iii. Assembly
3. Once approved, apply for a minor Lot Consolidation. This will require a new plat.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Submittal Fee = \$110.
Lot Creation = \$25/lot
\$110 + \$125 = \$135 Lot Consolidation Fee

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org
OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Web: www.juneau.org/community-development

Attachments:

49.25.250 Waterfront Districts
49.25.400 Minimum Dimensional Standards
49.30.210 Nonconforming Situations in general
49.40.210 Number of off street parking spaces required
49.70.400 Floodplain
Development Permit Application
Non-Conforming Certification Application
Property Acquisition and Disposal Application
Flood Plain Development Permit Application

49.25.250 Waterfront districts.

The following districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both. These districts regulate development of the waterfront to take advantage of the unique attributes and limitations of its lands:

- (a) The WC, waterfront commercial district, is intended to provide both land and water space for uses which are directly related to or dependent upon a marine environment. Such activities include private boating, commercial freight and passenger traffic, commercial fishing, floatplane operations, and retail services directly linked to a maritime clientele. Other uses may be permitted if water-dependent or water-oriented. Residential development is allowed in mixed- and single-use developments in the waterfront commercial district.
- (b) The WI, waterfront industrial district, is intended for industrial and port uses which need or substantially benefit from a shoreline location. In addition, many of the uses that are allowed in the WC, waterfront commercial district, are also allowed in the WI, waterfront industrial district. Residential uses are limited to caretaker residences in the waterfront industrial district.

(Serial No. 87-49, § 2, 1987; Serial No. 90-52, § 2, 1990; Serial No. 2012-24, § 2, 5-14-2012, eff. 6-14-2012)

Cross reference(s)—Water and harbors, CBJ Code tit. 85.

49.25.400 Minimum dimensional standards.

There is adopted the table of minimum dimensional standards, table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, chapters 49.65 and 49.70.

(Serial No. 87-49, § 2, 1987; Serial No. 89-32, § 2, 1989; Serial No. 98-09, § 5(Exh. B), 1998; Serial No. 98-20, § 2(Exh. A), 1998; Serial No. 2004-13, § 2, 9-27-2004; Serial No. 2006-13, § 2, 5-15-2006; Serial No. 2007-13, § 2, 4-2-2007; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021)

TABLE 49.25.400

TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600 ¹⁰	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600 ¹⁰	5,000	3,500	2,500		2,500							
Single-family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'
Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
Common wall dwelling				60'	40'	40'	30'	20'		20'							
Maximum lot coverage																	
Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None

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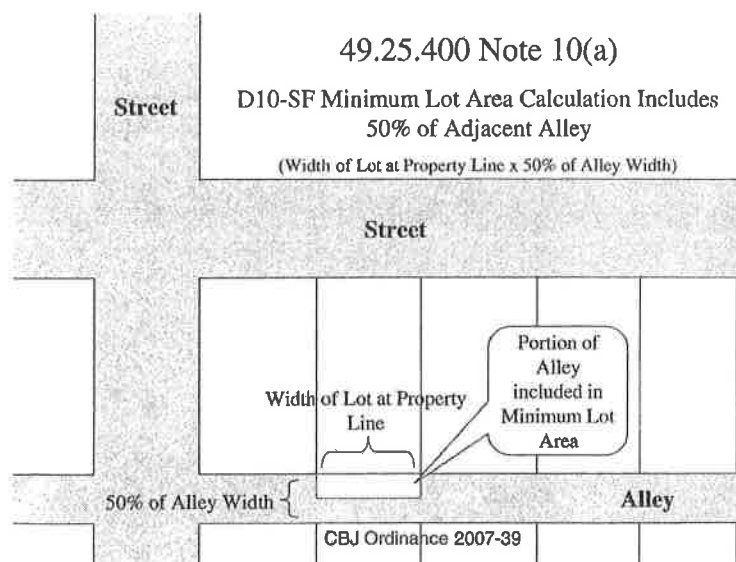
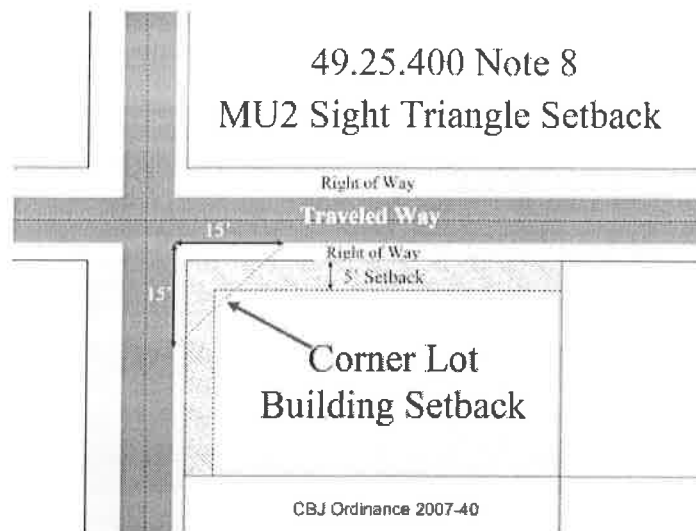
Maximum height permissible uses	45' ¹	35'	35'	35' ²	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
Minimum front yard setback ³	25' ¹	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5'5,8	0'	0'	25'	10'	10'	10'	10'
Maximum front yard setback											20'	15'					
Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
Maximum street side yard setback											15'	10'					
Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0'11	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0'11	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.

-
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
 7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
 8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
 9. Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.
 10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Reserved.
 - (c) Minimum front yard setback of ten feet.
 11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

(Serial No. 2008-04, § 2, 2-25-2008, eff. 3-27-2008; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021; Serial No. 2021-35(am), § 4(Exh. B), 2-7-2022, eff. 3-10-2022)



(Serial No. 2007-39, § 9, 6-25-2007; Serial No. 2007-40, § 2, 6-25-2007)

49.30.210 Nonconforming situations in general.

- (a) *Continuation of nonconforming situations.* Except as otherwise provided in this title, situations made nonconforming by this title may remain.
- (b) *Change of nonconforming situation to comply with this title.* Any nonconforming situation may be changed to comply with this title. Once a nonconforming situation becomes conforming, the nonconforming rights under this chapter are relinquished with respect to that nonconforming situation, and the nonconforming situation must not be re-established.
- (c) *Ownership.* Change in property ownership does not alter the legal status of any nonconforming situation.
- (d) *Routine maintenance and repair.* Nothing in this chapter prohibits normal maintenance or routine repairs, which includes, but is not limited to, roofing repair or replacement, window replacement, and other similar minor structural repairs.

(Serial No. 2019-37, § 5, 3-16-2020, eff. 4-16-2020)

49.40.210 Number of off-street parking spaces required.

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

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two-bedroom unit	0.6 per two-bedroom unit
	2.0 per three- or more bedroom unit	0.8 per three- or more bedroom unit
Rooming house, boardinghouse, single-room occupancies with shared facilities, bed and breakfast, halfway house, and group home	1 per 2 bedrooms	1 per 5 bedrooms
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity

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(Supp. No. 142)

Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60 percent of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

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

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

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

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Motels and hotels	5,000—29,999	6,000—60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1
Commercial	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000—40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

(Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

49.70.400 Floodplain.

- (a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:
- (1) Reserved;
 - (2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;
 - (3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;
 - (4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;
 - (5) Reserved;
 - (6) Ensure that potential buyers are notified that property is in a special flood hazard area; and
 - (7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.
- (b) *Interpretation.*
- (1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.
 - (2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
 - (3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.
 - (4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.
- (c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:
- (1) Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;
 - (2) Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;
 - (3) Flood insurance studies (FISs);
 - (4) Flood insurance rate maps (FIRMs);
 - (5) Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and
 - (6) A file of all floodplain permit applications, permits, exceptions, and supporting documentation.

-
- (d) *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.
- (e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:
- (1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.
 - (2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.
 - (3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:
 - (A) Elevation of the lowest floor, including a basement, of all structures;
 - (B) Elevation to which any structure has been floodproofed;
 - (C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;
 - (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - (E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and
 - (F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.
- (f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:
- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;
 - (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
 - (4) Control filling, grading, dredging, and other development that may increase flood damage; and
 - (5) Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.
- (g) *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:
- (1) *Anchoring.*
 - (A) Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).

-
- (B) A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
 - (C) An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.
- (2) *Construction materials and methods.*
- (A) Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.
 - (B) Use methods and practices that minimize flood damage for new construction and substantial improvements.
 - (C) Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - (D) Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.
- (3) *Utilities.*
- (A) Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.
 - (B) Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
 - (C) Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.
- (4) *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:
- (A) Be designed to minimize flood damage;
 - (B) Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;
 - (C) Provide adequate drainage to reduce exposure to flood damage; and
 - (D) Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.
- (5) *[Floodplain development permit requirements.]* Review of floodplain development permits must include:
- (A) Review of the flood insurance rate map and flood insurance study for flood zone determinations for new or substantially improved structures;
 - (B) For new or substantially improved structures:
 - (i) Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.

-
- (ii) Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and
 - (iii) Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).
 - (C) In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.
 - (D) Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.
 - (6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.
 - (7) *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.
 - (h) *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:
 - (1) *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:
 - (A) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (B) Height of the bottom of all openings must be no higher than one foot above grade; and
 - (C) Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.
 - (2) *Residential construction.* New construction and substantial improvement of any residential structure:
 - (A) Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; or
 - (B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.
 - (3) *Manufactured homes.* New or substantially improved manufactured homes must:

-
- (A) Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevated to, or above, the base flood elevation, and comply with subsection (g); or
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; and meet the provisions of subsection (g)(1).
- (4) *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:
- (A) Situated on the site for fewer than 180 consecutive days;
 - (B) Fully licensed, operational, and approved for road use; or
 - (C) Meet the requirements of subsection (h)(3).
- (5) *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:
- (A) Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; or
 - (C) Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:
 - (i) The structure and utility and sanitary facilities are watertight with walls substantially impermeable to the passage of water;
 - (ii) Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - (D) A floodproof structure must be designed by an engineer or architect licensed in the State of Alaska, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on the engineer's or architect's development or review of the structural design, specifications, and plans. Certification must be provided to the director;
 - (E) Applicants proposing to floodproof nonresidential buildings must be notified at the time of floodplain development permit application that flood insurance premiums are based on rates that are one foot below the floodproofed level.
- (6) *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:
- (A) Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.
 - (B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.
 - (C) Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.
 - (D) Establishment of sanitary landfills in floodplains is prohibited.

-
- (7) *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:
- (A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or
 - (B) By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.
- (i) *Additional provisions in floodways.*
- (1) Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.
 - (2) Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.
 - (3) Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.
- (j) *Additional provisions in zones VE and V.*
- (1) New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:
 - (A) The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and
 - (B) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review the structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.
 - (C) The use of fill for structural support of buildings is prohibited.
 - (2) In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.
 - (3) In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

-
- (4) Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:
- (A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and
 - (B) The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.
 - (C) Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.
- (k) *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.
- (Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **Property Disposal Review** at **1000 Harbor Way** in a **WC Zone**.

PROJECT INFORMATION — Project Information can be found at:
<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **January 23, 2023** at
<https://juneau.org/community-development/planning-commission>
Find hearing results, meeting minutes, and more here, as well.

Now through Jan 6

Comments received during this period will be sent to the Planner, **Adrienne Scott**, to be included as an attachment in the staff report.

Jan 7 noon, Jan 20

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, Jan 24, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/85347094359> and use the Webinar ID: 853 4709 4359 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.

Jan 25, 2023

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4208 ♦

Email: pc_comments@juneau.gov

Mail: Community Development, 155 S. Seward Street, Juneau AK 99801

Printed December 19, 2022

Case No.: PAD2022 0004

Parcel No.: 1C060K510040

CBJ Parcel Viewer: <http://epv.juneau.org>

Adrienne Scott

From: Tyler Gress <tyler@hansengress.com>
Sent: Monday, January 9, 2023 4:10 PM
To: Adrienne Scott
Subject: Re: CBJ property disposal application

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

Here you go!



Attachment B - Abutters Notice and Public Notice Sign Photo



Adrienne Scott

From: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Sent: Friday, January 6, 2023 3:59 PM
To: Adrienne Scott
Cc: Schuler, Michael K (DOT); Harp, Kelly M (DOT)
Subject: RE: CBJ Land Disposal Application

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

Good afternoon Adrienne,

This proposed adjusted lot line on the subject site plan looks much improved. We would definitely like to have the opportunity to review the final replat with consolidated lot lines before it is recorded, but assuming the surveyor utilizes the information on the survey of our right of way that I previously provided for reference, we should not have any issue. I certainly appreciate this being brought to our attention for review so that we were able to resolve this!

Thank you,

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517

From: Adrienne Scott
Sent: Friday, January 6, 2023 3:40 PM
To: Drown, Arthur EE (DOT)
Cc: Schuler, Michael K (DOT) ; Harp, Kelly M (DOT)
Subject: RE: CBJ Land Disposal Application

Hi Arthur, thanks for speaking with me on this project a few weeks ago. I have attached a revised site plan from the applicant. Please let me know if you have any questions for me, or comments that you would like me to include in my report.

Thank you,

Adrienne Scott (she/her/hers) | **Planner I**
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0753 ext. 4208



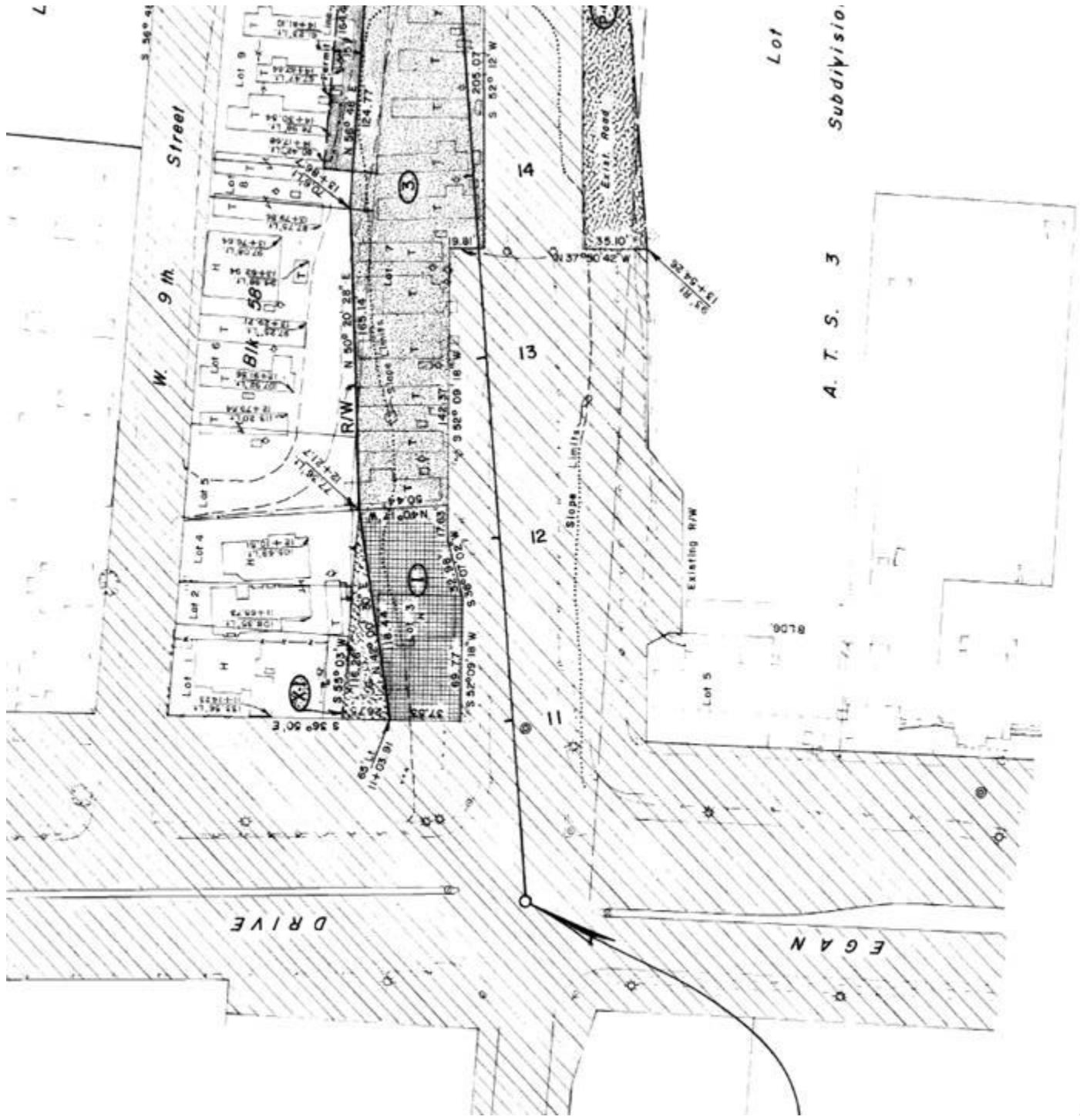
Fostering excellence in development for this generation and the next.

From: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Sent: Wednesday, December 21, 2022 10:32 AM
To: Adrienne Scott <Adrienne.Scott@juneau.gov>
Cc: Schuler, Michael K (DOT) <michael.schuler@alaska.gov>; Harp, Kelly M (DOT) <kelly.harp@alaska.gov>
Subject: RE: CBJ Land Disposal Application

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

Good morning Adrienne,

I think we should discuss this a bit further before I submit my official comments on this proposed land disposal. If I understand correctly, the City is proposing the disposal of 1C060K510041 and a portion of ATS 3. A portion of the proposed disposal of ATS 3 as outlined below is not the City's to dispose of as it is DOT ROW. Attached is a copy of plat 87-25 which is the platted right of way for the Juneau Douglas/Gastineau bridge. From what I understand, we have not relinquished any ROW in this area since this plat was recorded and this is the most current representation of ROW as it stands today. Please let me know if I am misunderstanding the area that the proposed disposal encompasses.



Below is a rough estimate of the ROW line transposed CBJs parcel viewer.



Thank you for beginning this discussion and please let me know if I have made a mistake in my understanding of the proposal. I will be happy to submit official comment once I know I understand the proposal correctly.

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517

From: Adrienne Scott <Adrienne.Scott@juneau.gov>

Sent: Tuesday, December 20, 2022 4:34 PM

To: Adrienne Scott <Adrienne.Scott@juneau.gov>

Subject: CBJ Land Disposal Application

You don't often get email from adrienne.scott@juneau.gov. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I am reaching out to seek comment on a proposed acquisition of CBJ –owned land at 1000 Harbor Rd. The applicant is seeking to purchase approximately 5,225 square feet of city-owned land off of Harbor Way in downtown Juneau. The applicant owns the building at 1000 Harbor Way. A portion of the building is located on leased City land. The property acquisition would allow the applicant to consolidate the lots and make structural and architectural improvements to the structure.

Please see attached application. You can see a map of the proposed property disposal here:

<https://juneau.org/community-development/short-term-projects> under PAD20220004.

There is a comment form attached if you would like to provide comment, please return to me by January 3, 2022. Let me know if you have any questions about the project.

Thank you,

Adrienne Scott (she/her/hers) | **Planner I**

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4208



Fostering excellence in development for this generation and the next.



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CBJ DOCKS & HARBORS

STAFF PERSON/TITLE: Carl Uchytel, Port Director

DATE: 1/3/2023

APPLICANT: 1000 Harbor Way LLC

TYPE OF APPLICATION: PAD22-04 CBJ Property Acquisition and Disposal Review

PROJECT DESCRIPTION:
Hansen-Gress property acquisition

LEGAL DESCRIPTION: Lease Tidelands Addition BL 5, ATS 3 FR Tidelands Addition BL

PARCEL NUMBER(S): 1C060K510041, 1C100K830032

PHYSICAL ADDRESS: 1000 Harbor Way

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

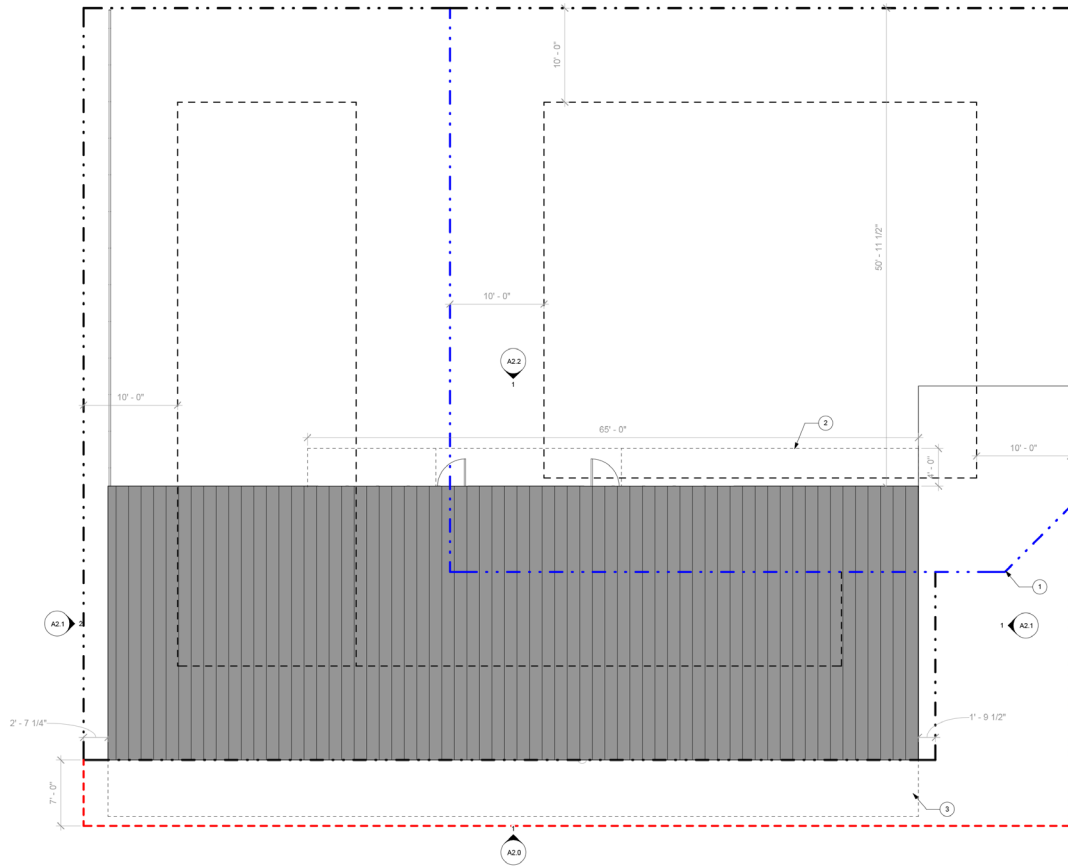
The Docks & Harbors Board meet on December 29th and wishes to provide the Hansen-Gress presentation and Board meeting minutes of August 25th, 2022 which are attached.



TIDELANDS ADDITION BL 51 LT 5 & LEASE TIDELANDS ADDITION BL 5 LOT CONSOLIDATION



1 SITE PLAN
3/16" = 1'-0"



CODE ANALYSIS:

AUTHORITY HAVING JURISDICTION:
CITY AND BOROUGH OF JUNEAU

DESCRIPTION:
THE PROPOSED PROJECT IS A RENOVATION OF AN EXISTING COMMERCIAL BUILDING WITH ABATEMENT AT THE EXTERIOR WALLS, EXTERIOR SIDING REPLACEMENT, WINDOW REPLACEMENT, ADDITIONAL GLAZING, AWNING REPLACEMENT AND INTERIOR RENOVATION WORK.

ADDRESS:
1000 HARBOR WAY
JUNEAU, ALASKA 99801

BUILDING OWNERS:
HARBOR LIGHTS ENTERPRISES LLC
1000 HARBOR WAY, SUITE 201
JUNEAU, ALASKA 99801
P: 907.463.6900

APPLICABLE CODES:
2012 INTERNATIONAL FAMILY OF CODES
2014 NATIONAL ELECTRICAL CODE (NEC)
2009 ANSI A117-1 STANDARDS FOR ACCOMMODATING INDIVIDUALS WITH DISABILITIES
ALL OTHER CODES AND ORDINANCES AS AMENDED AND ADOPTED BY THE CITY AND BOROUGH OF JUNEAU BUILDING DEPARTMENT (AUTHORITY HAVING JURISDICTION)

BUILDING SQUARE FOOTAGE:
GROSS BUILDING AREA: 4928 SF
GROSS 1ST FLOOR AREA: 2512 SF
GROSS 2ND FLOOR AREA: 2416 SF

OCCUPANCY:
PRIMARY OCCUPANCY: BUSINESS (B)
SECONDARY OCCUPANCY: MODERATE-HAZARD STORAGE (S-1)
SPRINKLER SYSTEM: YES
NO FIRE SEPARATIONS NECESSARY
BUSINESS: 408 SF/100 = 46
ACCESSORY STORAGE: 292 SF/300 = 1

TYPES OF CONSTRUCTION:
TYPE V-B, TWO-STORY
AUTOMATIC SPRINKLER SYSTEMS: PROVIDED
FIRE STROBE/ALARM: PROVIDED

ZONING AND LAND USE SUMMARY:
WATERFRONT COMMERCIAL (WC)
PROPERTY IS COMPRISED OF TWO LOTS THAT SHALL BE CONSOLIDATED, AS SOON AS PROPERTY OWNERSHIP IS OBTAINED BY THE SAME PARTY
FRONT SETBACK: 10'-0"
SIDE YARD SETBACK: 10'-0"
REAR YARD SETBACK: 10'-0"
EXISTING PARKING LAYOUT TO REMAIN

GENERAL NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ACTUAL BUILDING CONDITIONS AND DIMENSIONS. WHERE DISCREPANCIES OR CONFLICTS ARE FOUND, NOTIFY ARCHITECT PRIOR TO COMMENCING WORK
2. DO NOT SCALE OFF OF DRAWINGS.
3. DIMENSIONS ARE TO GRIDLINE, FACE OR CENTER OF FRAMING UNO.
4. STRUCTURAL ELEMENTS SHOWN IN ARCHITECTURAL DRAWINGS FOR REFERENCE ONLY. SEE STRUCTURAL DRAWINGS FOR ALL STRUCTURAL INFORMATION.
5. WHERE DOOR OPENINGS ARE NOT DIMENSIONED, LOCATE DOOR OPENINGS TO ENSURE 3" MIN JAMB FRAMING.

SHEET NOTES:

1. SITE PLAN INDICATES PROPOSED PROPERTY LINES. CURRENT LINES ARE PROHIBITIVE OF DEVELOPMENT AND CREATE A NON CONFORMING CONDITION BY PASSING THROUGH AN EXISTING BUILDING
2. PROPOSED EXPANSION OF EXISTING CANOPY OVER ENTRIES
3. FUTURE PHASE: PROPOSED DEVELOPMENT AFTER PARCEL CONSOLIDATION

LEGEND

- PROPERTY LINE
- SETBACK
- PROPOSED PROPERTY LINE
- PROPOSED ELIMINATED PROPERTY LINE
- EXISTING BUILDING



02/15/2020



NorthWind Architects, LLC

138 Seward St
Juneau, AK 99801
Ph 907.586.6150
www.northwindarch.com

IF THE ARCHIVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED AFFECTING ALL LABEL SCALES.

HANSEN GRESS RENOVATION

1000 HARBOR WAY
JUNEAU, ALASKA

SHEET TITLE:
SITE PLAN

CHECKED	JB
DRAWN	SCC
Issue	date description

SHEET # **A0.1**

ISSUE DATE 08.22.22

Why is this property consolidation important?

As a community, we all want to see this building improved. The property line issue will impact this project and all future building permits for the property, and now is the time to correct improper building practices that allowed the building to be initially built.



Attachment C - Agency Comments

Could HG pursue a variance?

Unfortunately, no.

“

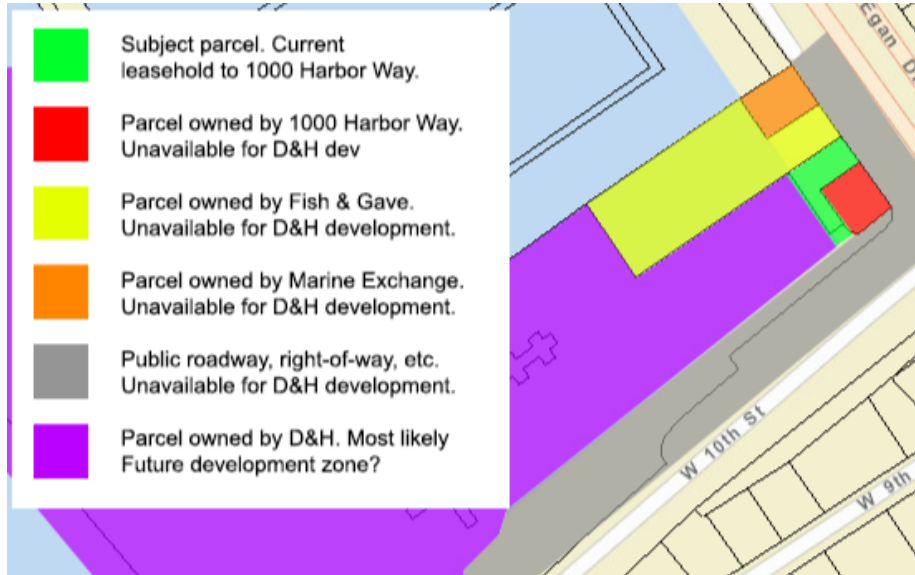
In general, the Planning Commission does not have authority to grant a variance for a building that crosses a property line, especially in this circumstance. In other words, a building cannot cross a property line. CBJC 49.15.110 & 49.15.120. For argument sake, assume the Planning Commission grants a variance that burdens CBJ property (i.e. D&H managed property). That variance would be a nullity because the Assembly would also need to agree to sell that chunk of property (via a lot line adjustment, CBJC 49.15.401(a)(4), assuming the resulting lots are compliant with Title 49) at which time there is no need for a variance because the property line would shift.

-Robert Palmer, City Attorney

”

Can D&H deny this request?

Yes, of course!



But why? The parcel is locked up in a lease for 58 more years.

- How does being a landlord for 58 years further the D&H mission?
- Is this all about D&H development options in the year 2080?

D&H development options in 58 years



Private land and/or setback,
unavailable for CBJ use.



Available for CBJ development
in all scenarios.

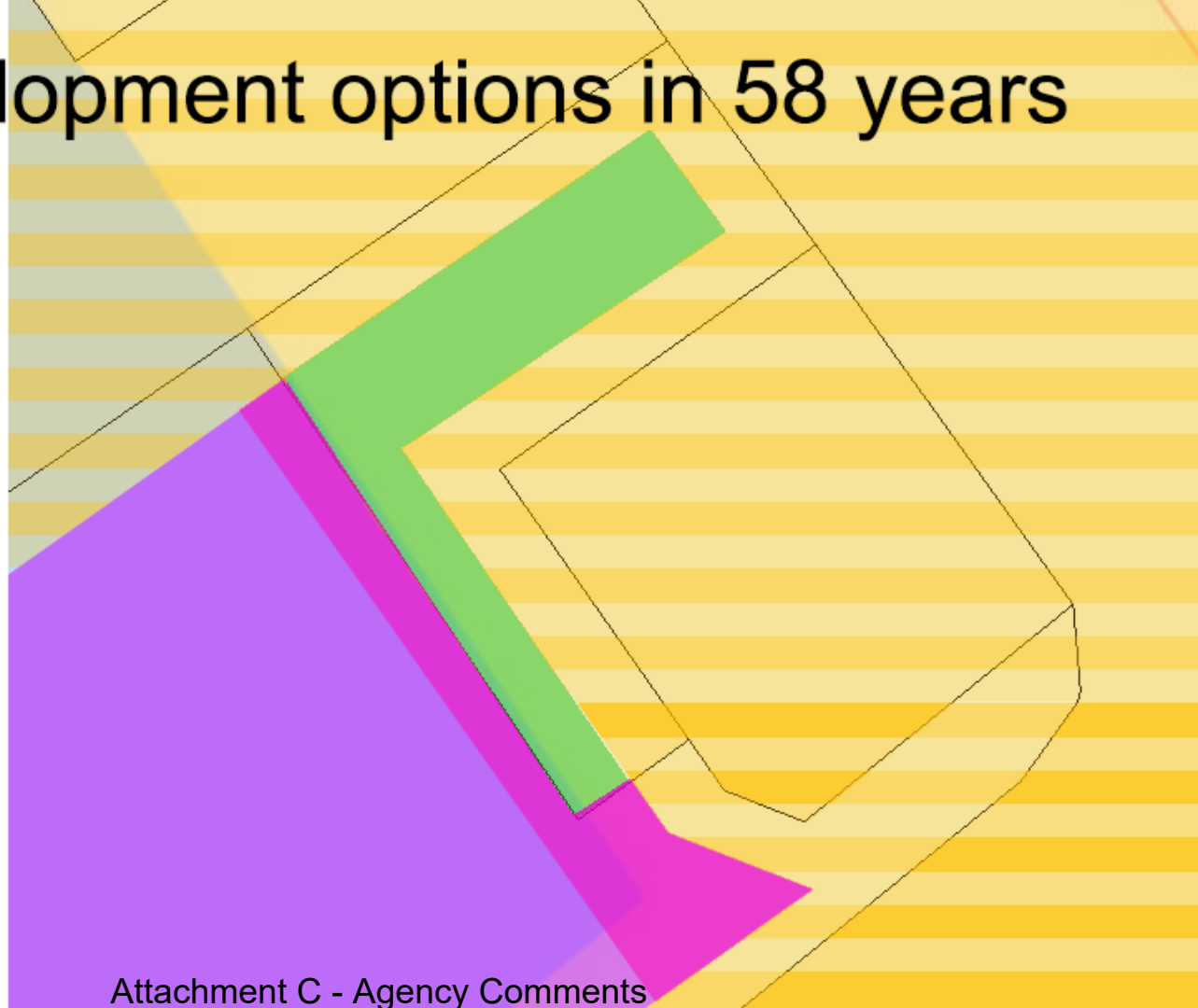
*This all comes down to possible D&H
use of ~16 feet of tidelands in 58 years.*



Current leasehold parcel less
setbacks. ~9 feet of tidelands.



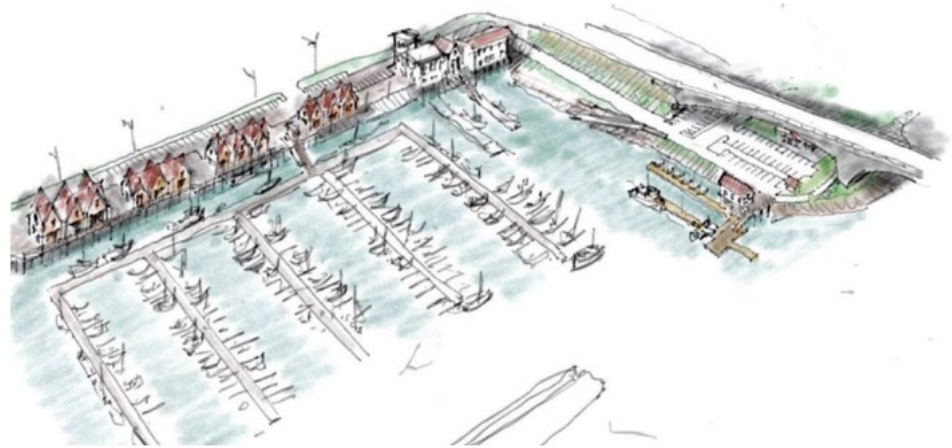
Additional footprint requested
to conform piles and future deck.
7 more feet of tidelands.



A Development Opportunity for D&H

Today, D&H has no access to develop on this location for 58 years.

- HG is willing to write in an easement for a future D&H development. This will fit into the masterplanning efforts by CBJ to continue the seawalk.
- HG is willing to write in first right of refusal on consolidated parcel of land.
- This transaction gives D&H more real options



Our Proposal

The Lands committee does not need specifics today. This will come back to negotiation before it goes to the assembly. A simple motion will move this forward.

“

A motion of support for disposing of City property to Hansen Gress.

”

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, August 25, 2022
City Hall Room 224 and via Zoom

- A. **CALL TO ORDER:** Mr. Etheridge called the August 25th meeting to order at 5:55 p.m. in City Hall Room 224 and via Zoom.
- B. **ROLL CALL:** The following members were in attendance in City Hall Room 224 or via Zoom; James Becker, Paul Grant, Matthew Leither, Mark Ridgway, Annette Smith, Lacey Derr and Don Etheridge.

Members Absent: Debbie Hart and David Larkin

Also present: Christine Woll – Assembly Member, Carl Uchytel – Port Director, Matthew Creswell – Harbormaster, Erich Schaal – Port Engineer, Benjamin Brown – CBJ Attorney and Nichole Benedict – Administrative Assistant.

- C. **PORT DIRECTOR REQUESTS FOR AGENDA CHANGES** – None

- D. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

Kirby Day – Juneau, Alaska

Mr. Day spoke on behalf of Tourism Best Management Practices (TBMP). He was at the Operations/Planning meeting last week and heard some concerns and complaints after the Golden North Salmon Derby. Normally we have an opportunity to get all of the whale watching and sport fishing captains together prior to the derby weekend. With the very busy cruise ship calendar there was not a good time to get everyone together. They decided to gather the minutes from the last meeting in 2019 and send those out to everyone. They sent out reminders about the increase in traffic and to please be respectful of sport fisherman. He has sent out more correspondence letting everyone know we have about a month left of this tourism season and please take the time to remind captains to be diligent and committed to what has been agreed to. We need everyone to be mindful of wakes coming in and out of Statter Harbor and proper zones for entering and leaving Statter Harbor.

- E. **APPROVAL OF JULY 28TH, 2022 MINUTES**

Hearing no objection, the July 28th Board minutes were approved as presented.

- F. **CONSENT AGENDA**

2. A. Public Requests for Consent Agenda Changes – None

B. Board Members Request for Consent Agenda Changes

Mr. Ridgway spoke about the recommendation and asked to amend the wording. He feels it is not our place to advance efforts, it is our job to do what is best for the Docks & Harbors Enterprises. He does not like the phrase “to advance Goldbelt’s efforts” and would like the recommendation to be amended as follows.

RECOMMENDATION: TO DIRECT STAFF TO INITIATE AN APPRAISAL AND ESTABLISH A PROCESS TO COORDINATE DOCKS & HARBORS INTERESTS WITH GOLDBELTS EFFORTS TO DEVELOP THE SEADROME PROPERTY.

Mr. Grant agreed with Mr. Ridgway and said the new wording for the recommendation is appropriate.

Public Comment – None

Board Discussion

Mr. Grant said Mr. Ridgway makes an important point that we are not here to advance projects, we are here to protect Docks & Harbors interests.

Mr. Becker agreed with the change of wording.

MOTION by Mr. Ridgway to direct staff to initiate an appraisal and establish a process to coordinate Docks & Harbors interests with Goldbelt's efforts to develop the Seadrome property and ask unanimous consent.

The motion passed with no objections.

G. UNFINISHED BUSINESS

3. Hansen-Gress Building Changes

Shannon Crossley with NorthWind Architects, LLC presented a PowerPoint presentation found on page 53 of the packet. Ms. Crossley shared a sketch showing the building and property line. A building permit cannot be issued to do any renovation work to the outside of the building because it would cross a property line owned by Docks & Harbors. The property is in a prominent location and they would like to beautify the building to align with more development down the way. She said she believes these two parcels were always meant to be together and for whatever reason it has not happened up until now.

Board Questions:

Mr. Ridgway asked questions about page 58 in the packet and to explain what Docks & Harbors owns and what is being requested in the sale.

Ms. Crossley said there are mere inches from the outside of the building to the property line on the waterside. She said the parcel in front of the building is Docks & Harbors owned tidelands.

Mr. Ridgway asked if the Planning Commission could offer a variance. He would like to know if the deck and awning are included with the current renovations.

Ms. Crossley said the deck and awning are being looked at for future renovations and have not been added to the current project.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Leither asked if they had filed a formal application with the Planning Commission to receive a variance.

Ms. Crossley said no, they have not requested a variance or filed for a building permit yet.

Mr. Leither said he is not a planning or zoning expert. If we decide not to sell you the land you will need to receive a variance to move ahead.

Ms. Crossley said if Docks & Harbors decides not to sell the property the building owner would not be able to make any improvements to the building, maybe siding and new windows only. She said no variance will ever exists to build over property lines.

Mr. Ridgway asked about a revised property appraisal with both lots as one.

Ms. Crossley said they had to install a deck for the scaffolding to sit on to replace the siding of the building. She was hoping they could leave the deck in place and put on a railing and make it a proper deck. With the current property line they will need to make the deck temporary and tear it down once the siding is complete.

Mr. Gress said a deck sounds luxurious but it is really necessary to do any type of work to that side of the building. From a maintenance side of things this building is very difficult to deal with. There are also some issues with the pilings and this request is also about cleaning up the area.

Mr. Uchtyl said the yearly lease for this property is approximately \$6,000. The most recent appraisal for the property was \$73,000.

Mr. Ridgway asked if there are any current development plans that this sale would impact.

Mr. Schaal said he is not aware of anything that would be affected with combining these pieces of land.

Mr. Gress said the current building is valued at \$380k and the property is valued at \$483K.

Mr. Becker said selling tidelands is a big deal especially for the City Assembly. He would like to see this sale work out and thinks they would do a good job on the project.

Mr. Uchtyl said the Lands Committee meets in September and will discuss this property.

Ms. Smith asked if there are any other projects in the works where we will be giving up land. She mentioned the Goldbelt land swap at the Seadrome Property.

Mr. Uchtyl said he expects a tideland lease request from Juneau Tours in Statter Harbor. At one time the Marine Exchange of Alaska came to us and was looking for property to expand their operations.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Schaal said we did this exact type of deal with the Archipelago Lot. We took four parcels of land and combined them into two lots and sold some of the property.

Public Comments – None

Board Discussion/Action

Ms. Derr said a variance cannot be granted over property lines. If they were to build something on our property we would be responsible for the property tax for the structure. A public-private partnership is something that is huge and done frequently. The sale of CBJ land to provide further access to our resources is well within the realm of what CBJ does. She knows it is hard to give up tidelands, but in this case it would hinder anyone that owns this building from doing necessary work.

Mr. Leither said if the property line is inconvenient for the building owner it is not our responsibility. They decided to purchase the building knowing what would be their property and what would be owned by Docks & Harbors.

Mr. Ridgway said he agreed with Mr. Leither. It is not our job to help their property, buyer beware. He believes they knew this would be an issue and purchased the building and land anyways. He is concerned for the building and it falling into the sea if they cannot make the necessary repairs over the 50 year lease. He would like the appraisal to be done to show the value of both lots as one.

MOTION by Mr. Grant: Whereas the sale of tidelands under the control of the Docks and Harbors Board is contrary to the public policy of the City and Borough of Juneau (CBJ) (CBJ 85.02.063 (b)(4)); and

Whereas the public policy of the CBJ favors the leasing of tidelands for water related purposes (CBJ 85.02.063 (b)(4)); and

Whereas the Hansen/Gress organization (the Developer) has requested to purchase a portion of CBJ tidelands for purposes of performing necessary rehabilitation of a building which sits partially on leased CBJ tidelands and partially on privately owned land; and

Whereas it appears that many, if not all, of the Developer's objectives could be accomplished by the leasing of additional tidelands combined with the granting of variances, conditional use permits, or other conditional permissions by the CBJ Planning Commission; and

Whereas such an arrangement would be consistent with the public policy of the CBJ;

Now, therefore, the Docks and Harbors Board finds as follows:

1. The Developer's request to purchase CBJ tidelands is denied;
2. The Developer should exhaust all possible avenues through application to the Juneau Planning Commission to achieve the necessary permissions to further its development objectives;
3. The CBJ Planning Commission is requested to look favorably on any application filed by the developer which is consistent with the conceptual drawings submitted to the Docks and Harbors Board, but which does not involve the sale of CBJ tidelands;

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

4. If requested by the Developer, staff is directed to enter into negotiations for a lease of additional CBJ property which is sufficient to meet the projects requirements, as well as any future CBJ needs for access or passage across the developer's property. Any lease negotiated between the parties is subject to the approval of the Docks and Harbors Board.

Ms. Derr objected to the motion. She feels the motion is incredibly restrictive when we already have a lot of the answers. She does not want to deny this request.

Roll Call Vote:

James Becker – No
Paul Grant – Yes
Matthew Leither – Yes
Mark Ridgway – No
Annette Smith – No
Lacey Derr – No
Don Etheridge – Yes

Yes – 3

No – 4

Motion failed

Motion by Mr. Grant to table this discussion until after the Assembly Lands Committee can meet.

Ms. Derr objected to tabling the discussion.

Roll Call Vote:

James Becker – No
Paul Grant – Yes
Matthew Leither – Yes
Mark Ridgway – Yes
Annette Smith – No
Lacey Derr – No
Don Etheridge – Yes

Yes – 4

No – 3

Motion failed

Ms. Woll said the Assembly appreciates getting a recommendation from the Board on this issue. If there is action from the Lands Committee it will be sent to the Assembly. There is still some time and she welcomes members and staff to be present and voice opinions on this proposal at those meetings.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Ridgway asked if Ms. Woll had an opinion on selling tidelands and what the Assembly might do.

Ms. Woll said she has no idea how the Assembly will vote on this issue and she is not ready to decide how she will vote yet. She takes the “should not” verbiage seriously, but obviously there is multiple considerations here.

Mr. Uchytel said the Board can recommend one way or the other. The City Attorney knows what is in this proposal and has weighed-in that for them to move forward - a sale is necessary.

Mr. Grant said he disagrees. They might not be able to get everything they want, but there is a lot they can do.

MOTION by Annette Smith to advance the Hansen-Gress proposal that includes easements for future Docks & Harbors development as well as first right of refusal on the consolidated land and building sale as well as the evaluation of property by Docks & Harbors contracted appraiser that assumes the property as a single lot.

Roll Call Vote:

James Becker – Y

Paul Grant – N

Matthew Leither – N

Mark Ridgway – Y

Annette Smith – Y

Lacey Derr – Y

Don Etheridge – Y

Yes – 5

No – 2

Motion passed.

H. NEW BUSINESS – None

I. ITEMS FOR INFORMATION/DISCUSSION

4. UAS Property Conveyance

Mr. Uchytel share a presentation starting on page 61 in the packet. He and Mr. Etheridge met with the University of Alaska Land Management. After they discussed our proposal with the management team they decided retaining the property was in their best interest. They will continue to lease the property to Docks & Harbors for the appraised \$230K a year. The yearly lease for the last 35 years was about \$10K-\$15K. The University has brought up the potential for a reduction in the lease if we can show an educational benefit to the university. He believes the reduction would be pennies on the dollar and not significant. He is not sure if the Assembly will allow the \$2M set aside for purchasing the land to be used to pay the new higher lease terms. There is considerable overhead incurred regardless if we lease or buy the

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

property. The boatyard equipment and travel lift is well past its useful life. We will also need a new pier build. We are using original cranes on the dock and paid \$30K last year to rebuild one and the other is on its last leg. We have sub-lessees on the property and collect \$2,800 from Maritime Hydraulics, \$29K from Juneau Marine Services and \$4,400 from Nordic Tug Charters.

Board Discussion

Mr. Becker does not want to give up on trying to get them to sell the property.

Mr. Uchytel said the University thinks selling this piece of land will devalue the 5.3 acres with the vocational technology building. They have a fiduciary responsibility to do what is best for the university.

Mr. Leither said he understands why they do not want to sell it. He asked if there another area we can put a boat yard and what would this land be used for if not leased or sold to us.

Mr. Etheridge mentioned the recent NCL property sale and they might be thinking what this entire parcel could potentially be worth someday. He would like the Board to come to a consensus if it is worth reentering into a lease that will cost us three or four times the price of the property.

Mr. Grant asked what would happen if we ended our lease and had them work directly with our lessee to see what they could get without our involvement. Maybe we can take that \$2M and find something else that could work long-term.

Ms. Derr spoke about University's money troubles years ago when we first started talking about the purchase of land. Now after CARES funding, their income has increased and they might not need to sell the property. She is also interested in alternatives and mentioned Douglas Harbor as one. She spoke about the recent vessel that hit a log and was taking on water over the derby weekend. They went straight to the downtown haul-out at 5 a.m. and were immediately met with staff to get the vessel out of the water. This type of facility is incredibly important to the community.

Mr. Ridgway agrees with the sentiment. The long-term lease would be expensive but a boatyard is a vital services. He likes the idea of looking at other options.

Mr. Grant asked about the EPA regulations of the boatyard. He would like to know if we get tasked with making the facility EPA compliant as the landlord. He is concerned about our exposure. He would like to know if we able to do a year-to-year lease so we can keep the boatyard going.

Mr. Uchytel said when we first signed the lease the EPA regulations were almost nonexistent. There are going to be contaminants with this type of work. There is a risk with leasing and purchasing the property. There is a five acre fill zone by Norway Point that has potential for a boatyard. In 2016 it was estimated to be a \$30M project. We have also looked at the Little Rock Dump as a potential site, at roughly a \$30M project cost.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Becker said pollution is an issue with the boatyard and they are currently trying to deal with that. He knows we cannot throw our hands up and walk away. There are not enough places like this one to accommodate boat haul outs. He also asked if we are currently accepting money for planning efforts at that location.

Mr. Uchytel said we did not receive the RAISE Grant and we are still waiting to hear about a PIDP Grant for developing the site.

Mr. Ridgway would like to look at two options. A short term lease and alternate site options for a boatyard and haul-out.

Mr. Leither asked if the university is willing to do a short-term lease with us.

Mr. Etheridge said they are willing to negotiate. They told us there might be options to reduce the price but they want a long-term lease. Our Board needs to come up with ideas and then bring them before the University of Alaska Board to see how they will feel.

Mr. Grant would like to see what the economics are of this. He would like to see what would happen if we walked away. Currently we are subsidizing the boatyard and the hydraulic shop.

Mr. Etheridge said he has heard the hydraulic shop already has another location in mind if the lease rate increases.

Mr. Ridgway said a lot of commercial vessels are leaving Juneau for locations with lower moorage rates. He asked how it is working so far with us subsidizing an industry for boat storage. He would like to see plans and asked if we really want to be a landlord.

Mr. Grant would like a legal review of what our environmental liability would be if we decided to enter into a long-term lease.

Mr. Uchytel said he thinks the environmental issues are going to be significant. The cranes on the property are also shot, what we are doing is providing a service to the community. The value isn't financial from the boatyard, it is to the commercial fishing fleet that can now be hauled out or use the cranes to change out their gear.

Mr. Leither asked if we thought about having our own boatyard and managing it. He wonders what kind of revenue that could offer.

Mr. Uchytel said the boatyard and hydraulics leases expired with our lease with the University of Alaska.

Ms. Smith brought up the question if it is fair for our harbor patrons to subsidize these private businesses.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Grant wonders how it will be received if CBJ is completing with other private business in town.

Mr. Leither said if the private businesses could afford the lease price this wouldn't be an issue. Unfortunately, they can't afford the maintenance, upkeep or lease cost.

Mr. Schaal thinks we would lose money to operate our own boatyard. We have already shown we do not want to run a boatyard at the Auke Bay Loading Facility. Docks & Harbors has paid very minimal rates for the last 35 years for this lease. The University is probably considering that.

Mr. Becker said the reason the lease was so minimal was because CBJ gave the university \$500K back in the day.

Mr. Ridgway said whatever decision we make it will most likely need to be a short-term one. He does not feel we are ready to get into a 35 year lease for \$233K.

Mr. Leither asked about the Auke Bay Loading Facility and why that wasn't an option.

Mr. Schaal said we had some extra TIGER money and bought the Sea-Lift. Our staff was running the boatyard but we were having difficulty filling it. The Board made the decision to put it up for lease.

Mr. Uchytel said he does not hear a consensus on how the Board would like to move forward. All he has heard so far is the Board would like to hear more options.

Mr. Ridgway would like to direct staff to continue conversations with the university. We should probably let them know about these discussions and ideas by the Board.

Mr. Leither needs more information before he can make a decision. He needs to know more about the financials and available lease terms.

Mr. Uchytel asked if the 33 year lease was off the table would the Board consider a short-term lease.

Mr. Ridgway said he wants to know if it is an option on the table. If a shorter lease is not an option it might be time to let our tenants know we might not be able to provide that property because of the high cost.

Mr. Uchytel said we received a one-year extension with existing conditions. This memo was to put the options forward and what they include. We are unable to have an executive session to discuss this like the University can.

Ms. Smith said if we walk away that is not stopping the boatyard, it is just stopping us from being the middle man.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

Mr. Uchytel said Mr. Schaal leaves in a month. There are many other projects going on and we are designing the north-end of Aurora. Because of the level of effort, a short-term lease is probably not our best option.

Mr. Leither said he feels this is a year-long conversation needed through many meetings. This will not be solved tonight. He thinks Juneau needs a boatyard and is not willing to sign off on a 33 year lease.

Mr. Etheridge said the current lease is only good until May 2023.

Mr. Grant said a five year lease will cost Docks & Harbors \$1.25M.

Public Comment

Dennis Watson – Juneau, Alaska

Mr. Watson feels the only option is a short-term lease. He said Docks & Harbors does not have the money coming in that would make up the lease cost. There is a lot of liability on the table here and he would like to have that discussed in an executive session and not with the public. The property owner has not done much in the way of improvements over the last 28 years. He would like to see the Board members come together and have a discussion that does not go off track like they did tonight. He said the Board only meets twelve times a year and they always go this way.

~~5. Open Meetings Act, Motions & By Laws Presentation by Port Director~~

J. STAFF, COMMITTEE AND MEMBER REPORTS

Ms. Derr asked if there had been changes to the regulation to allow storage on fingers. Some of the commercial fishing community has been asking her why they are not allowed to put locking boxes on their fingers when so many are using fingers for storage. If there has been no change to this regulation, can we please start enforcing it and asking people using the dock for storage to remove their items?

Mr. Creswell said there is no change and harbor patrons are not allowed to store personal belongings on the docks or fingers. He will plan to walk the docks soon and see who is doing this and manage the issue.

K. PORT ENGINEER'S REPORT

- Mr. Schaal said he has handed in his resignation and has accepted a position with the City of Wasilla as the Public Works Director. His last day will be on September 23rd.

L. HARBORMASTER'S REPORT

- Mr. Creswell said the Golden North Salmon Derby was slow fishing.
- Last weekend was the king crab opener and was easily four times busier than the derby. It was complete chaos for 96 hours. Staff was incredibly busy and he tried a different way to use the launch ramp. It worked overall with only three complaints.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

- The Army Divers are in town and doing work for us. They have been out at Statter Harbor for the last four days trying to raise the sunken vessel the ANGELA K. While trying to raise the vessel the mast and poles were ripped off and it was left down in 100 feet of water.
- Staff built and installed a new fish cleaning station at the North Douglas Boat Launch Ramp.
- Staff is currently 50% complete with replacing the concrete on the Fisherman's Terminal Float.
- Mr. Scott Hinton, Port Operations Supervisor has also given his resignation and accepted a position with the State of Alaska Department of Environmental Conservation. His last day will be September 11th.
- We are currently still trying to hire Port and administrative staff.
- The last cruise ship on our docks will be on October 17th.
- He issued thirteen notices at Douglas Harbor requiring sea trials. Three have already passed the trials leaving ten left. A few extensions were given for ongoing work and he will stay on top of that.
- There are currently three boats in the impound process.

Mr. Grant asked if there was different sea trial requirements for houseboats.

Mr. Creswell said float houses are in the non-moving vessel zones and sea trials are not required.

Ms. Derr asked if the impounds were live-a-boards or general moorage in the harbor.

Mr. Creswell said one is a live-a-board.

M. PORT DIRECTOR'S REPORT

- Mr. Uchytel said staff went to Taku Harbor and did some work replacing hinges.
- Huna Totem is now the new owner of the Subport property. He has been meeting with interested parties regarding the purchase. CBJ does not own all the tidelands there and Docks & Harbors is only meeting as a consultant.
- Mr. Uchytel will be on leave from September 3rd – 12th.

N. ASSEMBLY LIAISON REPORT

- They had a Committee of the Whole meeting a few weeks ago and discussed dock electrification. Mr. Uchytel made some recommendations and the Assembly accepted the proposal. They are preparing a revenue bond to fund electrification of one of the docks.
- The Assembly officially approved the 1% sales tax list that included \$6.5M for harbor projects. This will be on the ballot in October 2022.

O. BOARD ADMINISTRATIVE MATTERS

- The next Operations/Planning Committee meeting is on Wednesday, September 21st.
- The next full Board meeting is on Thursday, September 29th.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 25th, 2022

- There is a new format being used for the agenda packets. This is a requirement by the City Clerk and they will be in this format going forward. If anyone would like to see something changed or added to the agenda please let Mr. Uchytel know.

P. ADJOURNMENT - The meeting adjourned at 8:32 p.m.



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 EXISTING BUILDING

01.06.23

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, August 25, 2022
City Hall Room 224 and via Zoom

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Also present: Christine Woll – Assembly Member, Carl Uchytel – Port Director, Matthew Creswell – Harbormaster, Erich Schaal – Port Engineer, Benjamin Brown – CBJ Attorney and Nichole Benedict – Administrative Assistant.

- C. **PORT DIRECTOR REQUESTS FOR AGENDA CHANGES** – None

- D. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

Kirby Day – Juneau, Alaska

Mr. Day spoke on behalf of Tourism Best Management Practices (TBMP). He was at the Operations/Planning meeting last week and heard some concerns and complaints after the Golden North Salmon Derby. Normally we have an opportunity to get all of the whale watching and sport fishing captains together prior to the derby weekend. With the very busy cruise ship calendar there was not a good time to get everyone together. They decided to gather the minutes from the last meeting in 2019 and send those out to everyone. They sent out reminders about the increase in traffic and to please be respectful of sport fisherman. He has sent out more correspondence letting everyone know we have about a month left of this tourism season and please take the time to remind captains to be diligent and committed to what has been agreed to. We need everyone to be mindful of wakes coming in and out of Statter Harbor and proper zones for entering and leaving Statter Harbor.

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- F. **CONSENT AGENDA**

2. A. Public Requests for Consent Agenda Changes – None

B. Board Members Request for Consent Agenda Changes

Mr. Ridgway spoke about the recommendation and asked to amend the wording. He feels it is not our place to advance efforts, it is our job to do what is best for the Docks & Harbors Enterprises. He does not like the phrase “to advance Goldbelt’s efforts” and would like the recommendation to be amended as follows.

RECOMMENDATION: TO DIRECT STAFF TO INITIATE AN APPRAISAL AND ESTABLISH A PROCESS TO COORDINATE DOCKS & HARBORS INTERESTS WITH GOLDBELTS EFFORTS TO DEVELOP THE SEADROME PROPERTY.

Mr. Grant agreed with Mr. Ridgway and said the new wording for the recommendation is appropriate.

Public Comment – None

Board Discussion

Mr. Grant said Mr. Ridgway makes an important point that we are not here to advance projects, we are here to protect Docks & Harbors interests.

Mr. Becker agreed with the change of wording.

MOTION by Mr. Ridgway to direct staff to initiate an appraisal and establish a process to coordinate Docks & Harbors interests with Goldbelt's efforts to develop the Seadrome property and ask unanimous consent.

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CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
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Mr. Uchytel said the yearly lease for this property is approximately \$6,000. The most recent appraisal for the property was \$73,000.

Mr. Ridgway asked if there are any current development plans that this sale would impact.

Mr. Schaal said he is not aware of anything that would be affected with combining these pieces of land.

Mr. Gress said the current building is valued at \$380k and the property is valued at \$483K.

Mr. Becker said selling tidelands is a big deal especially for the City Assembly. He would like to see this sale work out and thinks they would do a good job on the project.

Mr. Uchytel said the Lands Committee meets in September and will discuss this property.

Ms. Smith asked if there are any other projects in the works where we will be giving up land. She mentioned the Goldbelt land swap at the Seadrome Property.

Mr. Uchytel said he expects a tideland lease request from Juneau Tours in Statter Harbor. At one time the Marine Exchange of Alaska came to us and was looking for property to expand their operations.

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Mr. Schaal said we did this exact type of deal with the Archipelago Lot. We took four parcels of land and combined them into two lots and sold some of the property.

Public Comments – None

Board Discussion/Action

Ms. Derr said a variance cannot be granted over property lines. If they were to build something on our property we would be responsible for the property tax for the structure. A public-private partnership is something that is huge and done frequently. The sale of CBJ land to provide further access to our resources is well within the realm of what CBJ does. She knows it is hard to give up tidelands, but in this case it would hinder anyone that owns this building from doing necessary work.

Mr. Leither said if the property line is inconvenient for the building owner it is not our responsibility. They decided to purchase the building knowing what would be their property and what would be owned by Docks & Harbors.

Mr. Ridgway said he agreed with Mr. Leither. It is not our job to help their property, buyer beware. He believes they knew this would be an issue and purchased the building and land anyways. He is concerned for the building and it falling into the sea if they cannot make the necessary repairs over the 50 year lease. He would like the appraisal to be done to show the value of both lots as one.

MOTION by Mr. Grant: Whereas the sale of tidelands under the control of the Docks and Harbors Board is contrary to the public policy of the City and Borough of Juneau (CBJ) (CBJ 85.02.063 (b)(4)); and

Whereas the public policy of the CBJ favors the leasing of tidelands for water related purposes (CBJ 85.02.063 (b)(4)); and

Whereas the Hansen/Gress organization (the Developer) has requested to purchase a portion of CBJ tidelands for purposes of performing necessary rehabilitation of a building which sits partially on leased CBJ tidelands and partially on privately owned land; and

Whereas it appears that many, if not all, of the Developer's objectives could be accomplished by the leasing of additional tidelands combined with the granting of variances, conditional use permits, or other conditional permissions by the CBJ Planning Commission; and

Whereas such an arrangement would be consistent with the public policy of the CBJ;

Now, therefore, the Docks and Harbors Board finds as follows:

1. The Developer's request to purchase CBJ tidelands is denied;
2. The Developer should exhaust all possible avenues through application to the Juneau Planning Commission to achieve the necessary permissions to further its development objectives;
3. The CBJ Planning Commission is requested to look favorably on any application filed by the developer which is consistent with the conceptual drawings submitted to the Docks and Harbors Board, but which does not involve the sale of CBJ tidelands;

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4. If requested by the Developer, staff is directed to enter into negotiations for a lease of additional CBJ property which is sufficient to meet the projects requirements, as well as any future CBJ needs for access or passage across the developer's property. Any lease negotiated between the parties is subject to the approval of the Docks and Harbors Board.

Ms. Derr objected to the motion. She feels the motion is incredibly restrictive when we already have a lot of the answers. She does not want to deny this request.

Roll Call Vote:

James Becker – No
Paul Grant – Yes
Matthew Leither – Yes
Mark Ridgway – No
Annette Smith – No
Lacey Derr – No
Don Etheridge – Yes

Yes – 3

No – 4

Motion failed

Motion by Mr. Grant to table this discussion until after the Assembly Lands Committee can meet.

Ms. Derr objected to tabling the discussion.

Roll Call Vote:

James Becker – No
Paul Grant – Yes
Matthew Leither – Yes
Mark Ridgway – Yes
Annette Smith – No
Lacey Derr – No
Don Etheridge – Yes

Yes – 4

No – 3

Motion failed

Ms. Woll said the Assembly appreciates getting a recommendation from the Board on this issue. If there is action from the Lands Committee it will be sent to the Assembly. There is still some time and she welcomes members and staff to be present and voice opinions on this proposal at those meetings.

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Mr. Ridgway asked if Ms. Woll had an opinion on selling tidelands and what the Assembly might do.

Ms. Woll said she has no idea how the Assembly will vote on this issue and she is not ready to decide how she will vote yet. She takes the “should not” verbiage seriously, but obviously there is multiple considerations here.

Mr. Uchytel said the Board can recommend one way or the other. The City Attorney knows what is in this proposal and has weighed-in that for them to move forward - a sale is necessary.

Mr. Grant said he disagrees. They might not be able to get everything they want, but there is a lot they can do.

MOTION by Annette Smith to advance the Hansen-Gress proposal that includes easements for future Docks & Harbors development as well as first right of refusal on the consolidated land and building sale as well as the evaluation of property by Docks & Harbors contracted appraiser that assumes the property as a single lot.

Roll Call Vote:

James Becker – Y

Paul Grant – N

Matthew Leither – N

Mark Ridgway – Y

Annette Smith – Y

Lacey Derr – Y

Don Etheridge – Y

Yes – 5

No – 2

Motion passed.

H. NEW BUSINESS – None

I. ITEMS FOR INFORMATION/DISCUSSION

4. UAS Property Conveyance

Mr. Uchytel share a presentation starting on page 61 in the packet. He and Mr. Etheridge met with the University of Alaska Land Management. After they discussed our proposal with the management team they decided retaining the property was in their best interest. They will continue to lease the property to Docks & Harbors for the appraised \$230K a year. The yearly lease for the last 35 years was about \$10K-\$15K. The University has brought up the potential for a reduction in the lease if we can show an educational benefit to the university. He believes the reduction would be pennies on the dollar and not significant. He is not sure if the Assembly will allow the \$2M set aside for purchasing the land to be used to pay the new higher lease terms. There is considerable overhead incurred regardless if we lease or buy the

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property. The boatyard equipment and travel lift is well past its useful life. We will also need a new pier build. We are using original cranes on the dock and paid \$30K last year to rebuild one and the other is on its last leg. We have sub-lessees on the property and collect \$2,800 from Maritime Hydraulics, \$29K from Juneau Marine Services and \$4,400 from Nordic Tug Charters.

Board Discussion

Mr. Becker does not want to give up on trying to get them to sell the property.

Mr. Uchytel said the University thinks selling this piece of land will devalue the 5.3 acres with the vocational technology building. They have a fiduciary responsibility to do what is best for the university.

Mr. Leither said he understands why they do not want to sell it. He asked if there another area we can put a boat yard and what would this land be used for if not leased or sold to us.

Mr. Etheridge mentioned the recent NCL property sale and they might be thinking what this entire parcel could potentially be worth someday. He would like the Board to come to a consensus if it is worth reentering into a lease that will cost us three or four times the price of the property.

Mr. Grant asked what would happen if we ended our lease and had them work directly with our lessee to see what they could get without our involvement. Maybe we can take that \$2M and find something else that could work long-term.

Ms. Derr spoke about University's money troubles years ago when we first started talking about the purchase of land. Now after CARES funding, their income has increased and they might not need to sell the property. She is also interested in alternatives and mentioned Douglas Harbor as one. She spoke about the recent vessel that hit a log and was taking on water over the derby weekend. They went straight to the downtown haul-out at 5 a.m. and were immediately met with staff to get the vessel out of the water. This type of facility is incredibly important to the community.

Mr. Ridgway agrees with the sentiment. The long-term lease would be expensive but a boatyard is a vital services. He likes the idea of looking at other options.

Mr. Grant asked about the EPA regulations of the boatyard. He would like to know if we get tasked with making the facility EPA compliant as the landlord. He is concerned about our exposure. He would like to know if we able to do a year-to-year lease so we can keep the boatyard going.

Mr. Uchytel said when we first signed the lease the EPA regulations were almost nonexistent. There are going to be contaminants with this type of work. There is a risk with leasing and purchasing the property. There is a five acre fill zone by Norway Point that has potential for a boatyard. In 2016 it was estimated to be a \$30M project. We have also looked at the Little Rock Dump as a potential site, at roughly a \$30M project cost.

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Mr. Becker said pollution is an issue with the boatyard and they are currently trying to deal with that. He knows we cannot throw our hands up and walk away. There are not enough places like this one to accommodate boat haul outs. He also asked if we are currently accepting money for planning efforts at that location.

Mr. Uchytel said we did not receive the RAISE Grant and we are still waiting to hear about a PIDP Grant for developing the site.

Mr. Ridgway would like to look at two options. A short term lease and alternate site options for a boatyard and haul-out.

Mr. Leither asked if the university is willing to do a short-term lease with us.

Mr. Etheridge said they are willing to negotiate. They told us there might be options to reduce the price but they want a long-term lease. Our Board needs to come up with ideas and then bring them before the University of Alaska Board to see how they will feel.

Mr. Grant would like to see what the economics are of this. He would like to see what would happen if we walked away. Currently we are subsidizing the boatyard and the hydraulic shop.

Mr. Etheridge said he has heard the hydraulic shop already has another location in mind if the lease rate increases.

Mr. Ridgway said a lot of commercial vessels are leaving Juneau for locations with lower moorage rates. He asked how it is working so far with us subsidizing an industry for boat storage. He would like to see plans and asked if we really want to be a landlord.

Mr. Grant would like a legal review of what our environmental liability would be if we decided to enter into a long-term lease.

Mr. Uchytel said he thinks the environmental issues are going to be significant. The cranes on the property are also shot, what we are doing is providing a service to the community. The value isn't financial from the boatyard, it is to the commercial fishing fleet that can now be hauled out or use the cranes to change out their gear.

Mr. Leither asked if we thought about having our own boatyard and managing it. He wonders what kind of revenue that could offer.

Mr. Uchytel said the boatyard and hydraulics leases expired with our lease with the University of Alaska.

Ms. Smith brought up the question if it is fair for our harbor patrons to subsidize these private businesses.

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Mr. Grant wonders how it will be received if CBJ is completing with other private business in town.

Mr. Leither said if the private businesses could afford the lease price this wouldn't be an issue. Unfortunately, they can't afford the maintenance, upkeep or lease cost.

Mr. Schaal thinks we would lose money to operate our own boatyard. We have already shown we do not want to run a boatyard at the Auke Bay Loading Facility. Docks & Harbors has paid very minimal rates for the last 35 years for this lease. The University is probably considering that.

Mr. Becker said the reason the lease was so minimal was because CBJ gave the university \$500K back in the day.

Mr. Ridgway said whatever decision we make it will most likely need to be a short-term one. He does not feel we are ready to get into a 35 year lease for \$233K.

Mr. Leither asked about the Auke Bay Loading Facility and why that wasn't an option.

Mr. Schaal said we had some extra TIGER money and bought the Sea-Lift. Our staff was running the boatyard but we were having difficulty filling it. The Board made the decision to put it up for lease.

Mr. Uchytel said he does not hear a consensus on how the Board would like to move forward. All he has heard so far is the Board would like to hear more options.

Mr. Ridgway would like to direct staff to continue conversations with the university. We should probably let them know about these discussions and ideas by the Board.

Mr. Leither needs more information before he can make a decision. He needs to know more about the financials and available lease terms.

Mr. Uchytel asked if the 33 year lease was off the table would the Board consider a short-term lease.

Mr. Ridgway said he wants to know if it is an option on the table. If a shorter lease is not an option it might be time to let our tenants know we might not be able to provide that property because of the high cost.

Mr. Uchytel said we received a one-year extension with existing conditions. This memo was to put the options forward and what they include. We are unable to have an executive session to discuss this like the University can.

Ms. Smith said if we walk away that is not stopping the boatyard, it is just stopping us from being the middle man.

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Mr. Uchytel said Mr. Schaal leaves in a month. There are many other projects going on and we are designing the north-end of Aurora. Because of the level of effort, a short-term lease is probably not our best option.

Mr. Leither said he feels this is a year-long conversation needed through many meetings. This will not be solved tonight. He thinks Juneau needs a boatyard and is not willing to sign off on a 33 year lease.

Mr. Etheridge said the current lease is only good until May 2023.

Mr. Grant said a five year lease will cost Docks & Harbors \$1.25M.

Public Comment

Dennis Watson – Juneau, Alaska

Mr. Watson feels the only option is a short-term lease. He said Docks & Harbors does not have the money coming in that would make up the lease cost. There is a lot of liability on the table here and he would like to have that discussed in an executive session and not with the public. The property owner has not done much in the way of improvements over the last 28 years. He would like to see the Board members come together and have a discussion that does not go off track like they did tonight. He said the Board only meets twelve times a year and they always go this way.

~~5. Open Meetings Act, Motions & By Laws Presentation by Port Director~~

J. STAFF, COMMITTEE AND MEMBER REPORTS

Ms. Derr asked if there had been changes to the regulation to allow storage on fingers. Some of the commercial fishing community has been asking her why they are not allowed to put locking boxes on their fingers when so many are using fingers for storage. If there has been no change to this regulation, can we please start enforcing it and asking people using the dock for storage to remove their items?

Mr. Creswell said there is no change and harbor patrons are not allowed to store personal belongings on the docks or fingers. He will plan to walk the docks soon and see who is doing this and manage the issue.

K. PORT ENGINEER'S REPORT

- Mr. Schaal said he has handed in his resignation and has accepted a position with the City of Wasilla as the Public Works Director. His last day will be on September 23rd.

L. HARBORMASTER'S REPORT

- Mr. Creswell said the Golden North Salmon Derby was slow fishing.
- Last weekend was the king crab opener and was easily four times busier than the derby. It was complete chaos for 96 hours. Staff was incredibly busy and he tried a different way to use the launch ramp. It worked overall with only three complaints.

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- The Army Divers are in town and doing work for us. They have been out at Statter Harbor for the last four days trying to raise the sunken vessel the ANGELA K. While trying to raise the vessel the mast and poles were ripped off and it was left down in 100 feet of water.
- Staff built and installed a new fish cleaning station at the North Douglas Boat Launch Ramp.
- Staff is currently 50% complete with replacing the concrete on the Fisherman's Terminal Float.
- Mr. Scott Hinton, Port Operations Supervisor has also given his resignation and accepted a position with the State of Alaska Department of Environmental Conservation. His last day will be September 11th.
- We are currently still trying to hire Port and administrative staff.
- The last cruise ship on our docks will be on October 17th.
- He issued thirteen notices at Douglas Harbor requiring sea trials. Three have already passed the trials leaving ten left. A few extensions were given for ongoing work and he will stay on top of that.
- There are currently three boats in the impound process.

Mr. Grant asked if there was different sea trial requirements for houseboats.

Mr. Creswell said float houses are in the non-moving vessel zones and sea trials are not required.

Ms. Derr asked if the impounds were live-a-boards or general moorage in the harbor.

Mr. Creswell said one is a live-a-board.

M. PORT DIRECTOR'S REPORT

- Mr. Uchytel said staff went to Taku Harbor and did some work replacing hinges.
- Huna Totem is now the new owner of the Subport property. He has been meeting with interested parties regarding the purchase. CBJ does not own all the tidelands there and Docks & Harbors is only meeting as a consultant.
- Mr. Uchytel will be on leave from September 3rd – 12th.

N. ASSEMBLY LIAISON REPORT

- They had a Committee of the Whole meeting a few weeks ago and discussed dock electrification. Mr. Uchytel made some recommendations and the Assembly accepted the proposal. They are preparing a revenue bond to fund electrification of one of the docks.
- The Assembly officially approved the 1% sales tax list that included \$6.5M for harbor projects. This will be on the ballot in October 2022.

O. BOARD ADMINISTRATIVE MATTERS

- The next Operations/Planning Committee meeting is on Wednesday, September 21st.
- The next full Board meeting is on Thursday, September 29th.

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- There is a new format being used for the agenda packets. This is a requirement by the City Clerk and they will be in this format going forward. If anyone would like to see something changed or added to the agenda please let Mr. Uchytel know.

P. ADJOURNMENT - The meeting adjourned at 8:32 p.m.

ASSEMBLY LANDS HOUSING AND ECONOMIC DEVELOPMENT MINUTES

September 26, 2022 at 5:00 PM

City Hall Conf. Room 224 / Zoom Webinar



<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

A. LAND ACKNOWLEDGEMENT

B. CALL TO ORDER

ROLL CALL - Chair Hale called the meeting to order at 5:00 pm.

Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak,

Other Assembly Members Present: Mayor Beth Weldon, Maria Gladziszewski, Christine Woll

Members Absent: none

Liaisons Present: none

Liaisons Absent: Lacey Derr, Docks and Harbors; Mandy Cole, Planning Commission; Chris Mertl, Parks and Recreation

Staff Present: Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Robert Palmer, City Attorney; Matt Creswell Docks & Harbors Harbormaster; Robert Barr, Deputy City Manager

Members of the Public Present: Tim Riley, Taku Terrace Condominium Association

D. APPROVAL OF AGENDA – The agenda was approved as presented

E. APPROVAL OF MINUTES - August 29, 2022 Draft Minutes

1. 2022-08-29 LHED Draft Minutes were approved as presented

F. AGENDA TOPICS

2. Hansen Gress Application to Purchase City Property

Mr. Bleidorn discussed this topic.

Mr. Smith asked about the first rights of refusal and asked if that needed to be included in the motion or will that be part of the negotiation. Mr. Bleidorn replied that it does not need to be included in the motion because it is already in the Docks and Harbors Board review and will be something that we add as we move forward and negotiate.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee forward this application to the Assembly with a motion to work with the original proposer in accordance with city code 53.09.260. Motion passed no objections.

3. Taku Terrace Association Request to Purchase City Property

Mr. Bleidorn discussed this topic.

Mr. Smith asked if there is a time limit on appraisals, as he was open to say that the appraisal listed in the presentation would still be good unless there absolutely needs to be a new appraisal. Mr. Bleidorn replied that there are sections of code that say city appraisals have to be completed within 90-days of the sale, but that is listed under easements. The city has accepted appraisals up to a year old but have not worked on one that is three years old. Mr. Palmer replied that whether the city

sells this property is still a decision to be made, so if the assembly thinks that the 2019 appraisal reflects current fair market values then that can be used but if the assembly doesn't think it reflects current fair market values then you can ask for an updated appraisal.

Mr. Bryson asked about the purchase offer at \$150,000, did the city suggest that to them or is that their request for us that they are open to. Mr. Bleidorn replied that the city declined that offer, but they submitted that letter directly to the Assembly, so it is theoretically still on the table, if that's the direction Assembly decides to go as far as determining fair market value.

Chair Hale asked about the number of condos in this unit. Mr. Bleidorn replied there are 35 units. Chair Hale noted a calculation she did that was \$411,600 divided by 35 units is \$11,760 per unit, which would be the cost. Mr. Bleidorn confirmed that calculation. Chair Hale noted that if it were sold for that value, then that the cost to each unit would be \$11,760 and is presuming that the condo association would be able to take out some sort of mortgage to cover the costs if they did purchase this from the city. Mr. Riley replied that the city is representing that they are offering the price at fair market value, but fair market value would be the estimated value of the property minus our leasehold interest. Chair Hale noted that this setting is not appropriate for Mr. Riley to ask questions about the committee but could reach out to the Lands Manager with these questions. Mr. Riley replied that they have a lease on the property and the city cannot provide a fee simple value because they do not own the fee simple value, they own a leasehold value and Taku Terrace owns the lease fee value. Mr. Riley noted that they assume they could get a loan. Mr. Bleidorn commented that if the city decides that now is not the time to dispose of this property we can continue to lease it to the association for the remainder term, at \$300 a month for the remaining term that equals over the amount of \$150,000. If we are looking at this in a strictly financial situation, the assembly should continue to lease this for the remainder of the term, and then sell it at the end for fair market value, which would bring the most finances to the city. That is probably not in the best interest of the association, and which is why we are here today looking at a potential disposal. Chair Hale asked to confirm the monthly rate of \$300 per month, if that was per unit. Mr. Bleidorn clarified that was the entire property amount.

Mr. Bryson asked about comparing an identical piece of land the same size without a lease on it, what would be comparison values. Let us just assume similar characteristics of "land B" does not have at lease on it, what would be the difference in value to this leased land. Mr. Bleidorn replied that we do not have an identical property to compare, but earlier he noticed that the apartment building, next to Foodland is currently on the market. It is a smaller lot and it assessed at just the land value. Our assessments have land and property. The apartment building was valued at over \$600,000. This property is different from that, it has some access issues and is larger, so it is difficult to come up with that comparison value. That is why we hire appraisers because they are license and bonded, and determine that kind of information.

Chair Hale asked about the motion, with staff requesting a motion of support, is that from the LHED committee to staff, and then what would be the next step. Mr. Bleidorn replied that the next step would it be for an appraisal to be completed and then we would draft the ordinance for introduction, because we've already gone through the Planning Commission and we have gotten the motion of support to work with the original proposer. We are just at the stage, where this is the hold up, the appraisal, or the determination of fair market value.

Mr. Smith asked what the current HOA fees for the condos and wanted to know about the amount of the other appraisal. Mr. Riley replied that he is personally paying \$950 a month in HOA fees, but he has a somewhat larger unit. He believes the smallest units are paying around \$500 per month. Chair Hale replied that the 2019 appraisal was \$411,600. Mr. Smith asked about the leasehold interest appraisal amount. Mr. Riley replied noted that he is a commercial appraiser and that in terms of negotiation, their appraisal value was somewhere between \$150,000 and \$200,000. That was prior to our uncovering the fact that there is no access to this property, and that we have to pay more than we pay the city for the lease of the property, for access to and parking on, the easement that we have from the building next door.

Chair Hale noted that her inclination at this point, and knowing that the next time that this committee meets it will be a new assembly, but the information at this point is so many questions have come up, and I think there is some confusion. My inclination is to hold this in committee and I do not know what my fellow committee members think about this. It seems like there is no exact sense of urgency about this, and asked Mr. Bleidorn to speak as to whether there is a problem with holding this item in committee. Mr. Bleidorn sees no problem with holding this in committee and bringing it back to the committee at a future date.

Mr. Bryson, Mr. Smith, Wáahlaal Gídaak, and Chair Hale all confirmed to hold this item in committee.

4. Ordinance 2022-48 An Ordinance Related to City and Borough of Juneau Land Management Plan Duration, Restrictions, and Authority.

Mr. Bleidorn, Mr. Creswell, and Mr. Palmer discussed this topic.

Mr. Smith commented that he remembered at a recent assembly meeting, where there was a motion for a certain area; I believe the downtown waterfront that essentially shifted. It had shifted the status quo from Docks and Harbors to the assembly again in a limited area of the harbor downtown, and was wondering if it makes sense to put it in code or not. My other question was on page four of the ordinance, line sixteen, striking the word “tideland”, and replacing it with “property under the jurisdiction of Docks and Harbors.” My only question on that is, I know Docks and Harbors has significant land holdings, or land that they manage, and are all of those water dependent or water-related uses, or would that prohibit the times where there it makes sense that the Docks and Harbors lands could be used for something else and or sold. Chair Hale asked if this shift for the assembly to be more involved than Docks and Harbors. Mr. Palmer replied that this is something that could be done; this would be an opportunity to make an administrative change on the operational side. What Mr. Smith is hinting at is two years ago the assembly made comments but it didn’t quite go as far as a formal motion and direction, but considering ideas of maybe changing Docks and Harbors away from under the manager’s authority, which is slightly different than what this ordinance is doing for the land management plan. If this is something different from what this committee wants to do, or if there are other questions we can hold this in committee.

Mayor Weldon noted that she was at the Docks and Harbors board meeting, and what Mr. Smith is referring to is page four of six of the ordinance where tidelands is crossed out and replaced with property under the jurisdiction of docks and harbors. Chair Hale commented to Mr. Smith that his

topic is too large for the committee to tackle through this vehicle at this time, although it may be something we want to tackle later on. Mr. Smith commented that he would do more research to see what the scope of the motion was and can look to see if this is related. Mayor Weldon commented that the board did this because all of the property they are working through with our timeline, they sweated out this language for quite some time to figure out a way to deal with lands and tidelands. Mr. Smith commented that he would look at the land management plan on the different Docks and Harbors properties, as this seems like a significant shift.

Wáahlaal Gíidaak asked in terms of looking at this, Mr. Palmer alluded to that, this is not encompassing all lands, where do we go for the Docks and Harbors lands that are not included in the current land use plan, where does that land go and what plan does it go into. She also asked where we are going with this, the framing of this particular initiative and resolution. Mr. Palmer replied that all of Docks and Harbors lands is included in our current land management plan. For the second question, with no bias intent read into this reply, but it's really hard to make land disposal requests, whether it's easements or sales, it doesn't matter, consistent with our code, because Docks and Harbors does not have a land management plan. This would remove the requirement for Docks and Harbors to have that land management plan for their properties.

Chair Hale asked that if this is saying that a land disposal of Docks and Harbors lands would go through the exact same process as land disposal of other tidelands. Mr. Palmer confirmed that it would have additional public process.

Mr. Smith commented that the code now states that all property in the jurisdiction of Docks and Harbors should not be sold, is there any current Docks and Harbors lands in the current land management plan that is marked for disposal. It seems a bit strict to write in the code that no Docks and Harbors land should ever be sold. Chair Hale commented that the on line nine, "the Docks and Harbors board should be guided by the following principles when proposing changes to the land management plan," so I think the "not sold" is a principle and is not saying that it cannot be sold.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee forward draft ordinance 2022-48 to the Committee of the Whole with a motion. Motion passed no objections.

5. Ordinance 2022-51 An Ordinance Authorizing an Alternative Procurement Method Related to the Emergency Department Addition and Renovation at Bartlett Regional Hospital.

This ordinance authorizes the Manager to competitively solicit proposals and enter into an alternative procurement method for preconstruction services and construction of the Emergency Room Addition and Renovation project at Bartlett Regional Hospital consistent with CBJ charter and Alaska Statute. General Contractor/Construction Manager is a qualification based procurement method that allows the contractor to be involved in the design process to limit risk and cost for complicated projects such as the Emergency Room where the department needs to remain operational during construction.

The Bartlett Board of Directors approved the use of GC/CM for this project at its May 26, 2022 meeting. The Public Works and Facilities Committee approved use of GC/CM for this project at its June 6, 2022 meeting.

Mr. Bleidorn and Mr. Palmer discussed this topic.

Mr. Bryson moved that the Lands, Housing, and Economic Development Committee amend draft ordinance 2022-51, page two, line ten, from \$1,493,000 to \$1,400,000 and forward draft ordinance 2022-51 to the Special Assembly meeting on September 26, 2022. Motion passed, no objections.

G. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

H. STANDING COMMITTEE TOPICS

6. Telephone Hill Updates

Mr. Bleidorn discussed the receipt of a letter that was submitted from the Telephone Hill non-profit management group. Chair Hale commented that she encourages the Telephone Hill residents to work with the non-profit that is in negotiations to work on dates and work together.

7. LHED Committee Goals – no updates

I. NEXT MEETING DATE - November 7, 2022

J. ADJOURNMENT

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



REGULAR ASSEMBLY MEETING 2022-26 AGENDA

November 21, 2022 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar ID: 915 1542 4903

Submitted By:

Duncan Rorie Watt, City Manager

A. FLAG SALUTE

B. LAND ACKNOWLEDGEMENT

C. ROLL CALL

D. SPECIAL ORDER OF BUSINESS

1. Instruction for Public Participation

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

2. Special Recognition: Mitchell McDonald and Martin Larsen, for collaboration and assistance during the Gastineau Avenue landslide

3. Special Recognition: Kirby Day, for 25 years of administering the Tourism Best Management Practices (TBMP) program

E. MANAGER'S REQUEST FOR AGENDA CHANGES

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual.)

G. CONSENT AGENDA

Public Request for Consent Agenda Changes, Other than Ordinances for Introduction

Assembly Request for Consent Agenda Changes

Assembly Action

H. Ordinances for Introduction

4. Ordinance 2022-06(b)(V) An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.

This request would provide \$200,000 in funding to remedy a conflict with the existing water system and the proposed Bartlett Regional Hospital Emergency Department (ED) Addition. The funding will allow the waterline to be upgraded and relocated away from the proposed ED Addition. This work will connect the new water systems completed from other recent projects. The Douglas Highway water project is complete and in the process of being closed out.

The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting.

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

5. Ordinance 2022-21 An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.

This ordinance would amend the Juneau Board of Equalization's rules of procedure, which govern property tax appeals. The substance of this ordinance comes from three sources: the Anchorage Board of Equalization rules, the existing Juneau Board of Equalization rules, and changes to state law since the existing Juneau property tax appeal code was adopted in the 1970s.

The Juneau Board of Equalization reviewed this ordinance on September 20, 2022. The Assembly Committee of the Whole reviewed this ordinance on September 26, 2022 and November 7, 2022.

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

6. Ordinance 2022-40 An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipment.

The Federal Aviation Administration (FAA) is updating safety controls for aircraft collision avoidance. A contractor for the FAA, L3Harris submitted an application to lease cabinet and antenna space at the Juneau Police Station located at 6255 Alaway Avenue. L3Harris would use the leased space to improve the Wide Area Multilateration surveillance system for the airport. Fair market value has been determined by appraisal to be \$540 per year.

The Juneau International Airport Manager reviewed this application and is in favor of granting this lease. The Juneau Police Department Radio Electronics Specialist reviewed this application and is in favor of granting this lease. The LHED Committee reviewed this request at its meeting on June 27, 2022, and provided a motion of support for leasing this property to L3Harris. On August 1, 2022, the Assembly authorize the Manager to negotiate with L3Harris.

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

7. Ordinance 2022-54 An Ordinance Amending the Investments and Collateral Chapter of Title 57 Related to Investment Policies.

This ordinance, and a companion resolution (#3022) that will be presented on December 12, 2022, would update the City and Borough of Juneau Investment Policy. Specifically, this ordinance would clarify how the investment policy is updated, would add sustainability to the investment objectives, and would add two more authorized investment instruments.

On September 7, 2022, the Assembly Finance Committee recommended these changes to the investment policy.

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

- 8. Ordinance 2022-61** An Ordinance Amending the Uniform Sales Tax Code to Allow Very Small Businesses to File Sales Taxes Annually.

This ordinance would allow businesses that have less than \$20,000 in gross sales per year the ability to file sales tax returns annually instead of quarterly. If a business opts-in to the annual filing option, the business would be required to file quarterly returns if gross annual sales exceed \$20,000.

The Assembly Finance Committee reviewed this topic on November 2, 2022.

The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at the special Assembly meeting on November 30, 2022.

- 9. Ordinance 2022-06(b)(W)** An Ordinance Appropriating \$3,984,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Employee Negotiated Wage and Health Increases; Funding Provided by Various Sources.

This ordinance would appropriate \$3,984,400 for CBJ's fiscal year 2023 employee negotiated wage and health increases for the Marine Engineers Beneficial Associations (MEBA), Public Safety Employees Association (PSEA), International Association of Fire Fighters (IAFF), and un-represented employees. This appropriation funds a 5.5% wage increase for all employees in fiscal year 2023 and a 5% increase to the employer health contribution. Additionally, this ordinance appropriates authority for a 15% increase to attorney salaries and compensation increases for the City Manager and City Attorney, as approved by the Assembly during the September 12, 2022 Regular Assembly meeting.

The Assembly approved the MEBA and PSEA negotiated labor contracts during the Regular Assembly meeting on July 11, 2022. The Assembly will consider the IAFF negotiated labor contract during the November 21, 2022 Regular Assembly meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the special Assembly meeting on November 30, 2022.

- 10. Ordinance 2022-06(b)(X)** An Ordinance Appropriating \$116,400 to the Manager as Funding for Eaglecrest's Fiscal Year 2023 Pay Plan Adjustment; Funding Provided by Eaglecrest Revenue.

This ordinance would appropriate \$116,400 for Eaglecrest's FY23 pay plan adjustment. The pay plan adjustment increases employee wages by 7%. This adjustment follows two previous pay plan increases Eaglecrest implemented in calendar year 2022 in an effort to increase employee wages over minimum wage and align pay with ski industry standards. The most recent pay adjustment, approved by the Eaglecrest Board on September 15, 2022, is intended to promote employee recruitment and retention. This appropriation also provides for sign-on and returning employee bonuses for seasonal employees.

Funding for this ordinance is provided by Eaglecrest revenue.

The Manager recommends the Assembly introduce this ordinance and set it for public hearing at the special Assembly meeting on November 30, 2022.

I. Resolutions

- 11. Resolution 3003** A Resolution of the City and Borough of Juneau Supporting Full Funding in the Amount of Eight Million, Two Hundred Thirty-six Thousand, Eight Hundred Fifteen Dollars (\$8,236,815) for the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget.

This resolution recommends full funding for the State of Alaska Department of Transportation's Harbor Facility Grant Program. CBJ has been a beneficiary of approximately \$13 million in harbor

grant funding since the program's inception. In June, CBJ was notified of a \$2M Tier II grant for the next phase of Aurora Harbor.

Although Docks & Harbors does not have any projects eligible for consideration this year, the municipalities of Sitka, Whittier, and Wrangell/Meyers Chuck have committed to contribute \$8,236,815 in local match funding for FY2024 towards three harbor projects of significant importance for Alaska. The Docks & Harbors Board reviewed this resolution at its regular board meeting on October 27, and has recommended forwarding it to the full Assembly for approval.

The City Manager recommends this resolution be adopted.

12. Resolution 3006 A Resolution Ratifying the Economic Terms Tentative Agreement between the City and Borough and the International Association of Fire Fighters, Local 4303, AFL-CIO.

This resolution would provide Assembly ratification, as required by CBJ 44.10.020, of the terms of the tentative agreement negotiated between the City and Borough of Juneau and the International Association of Fire Fighters (IAFF) for a collective bargaining agreement that will go in effect on July 1, 2022, and expire on June 30, 2025. Economic terms will be effective on November 21, 2022.

The tentative agreement includes economic modifications of the annual wage increases of 5.5%, 2%, and 2% during the three fiscal years of the [contract](#). In addition, there are increases to the employer contribution to health insurance of approximately 5% for the first two fiscal years and an employer contribution increase of up to 5% in the third fiscal year of the contract.

In addition, there are increases to two premium pays, additional leave accrual for engineers based on changes to minimum staffing and minor operational changes. Lastly, the CBJ agreed to enter into a procurement process to conduct a market wage study in the 3rd year of the CBA. An overview of the agreement is included in your packet.

This tentative agreement has been ratified by IAFF membership.

The City Manager recommends this resolution be adopted.

13. Resolution 3007 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation and Public Facilities.

On October 28, 2022, the Juneau Coordinated Transportation Coalition (JCTC) met and reviewed nominations for funding from the SFY23 DOT&PF mobility grants. To be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by motion or resolution by the local municipal government.

SAIL submitted the only request for funding, which is for a Replacement ADA Taxi. The project was endorsed by JCTC.

On November 7, 2022, the Public Works and Facilities Committee voted to forward a Resolution of support for the SAIL application to the full Assembly.

Upon approval, the resolution would serve as an addendum to the CBJ 2020 Juneau Coordinated Human Services Transportation Plan.

The City Manager recommends this resolution be adopted.

14. Resolution 3008 A Resolution Adopting an Alternative Allocation Method for the FY2023 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

This resolution would facilitate the CBJ's participation in the State's FY2023 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2021 from fisheries business activities within the CBJ's qualifying area.

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

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

The City Manager recommends the Assembly adopt this resolution.

J. Bid Awards

15. Bid Award - BRH ED Addition and Renovation, RFP E23-156b

This project consists of a construction firm serving in a Construction Manager at Risk capacity to provide pre-construction and construction services for the Bartlett Regional Hospital Emergency Department Addition and Renovation project. This Alternative Procurement method was authorized by the Assembly with Ordinance 2022-51. Two proposals were received for this project. Their scores are outlined in the bid letter included in this packet.

I recommend award of this project to Dawson. In accordance with Ordinance 2022-51, the Manager shall present the recommended Construction Manager at Risk company proposal to the Assembly for approval prior to commencing negotiations with the selected firm. If the Assembly accepts the proposal, the initial contract for pre-construction services will be for \$70,000, and the total contract value will not exceed \$200,000 without prior Assembly approval.

K. Transfers

16. Transfer Request T-1045 A Transfer of \$320,000 from CIP R72-149 Meadow Lane Improvements to CIP R72-150 Cedar Lane Reconstruction.

This request would provide \$320,000 in additional funding needed to construct the segment of Cedar Lane between Mendenhall Boulevard and Columbia Boulevard. Cost escalation and additional necessary drainage improvements discovered during design contributed to the need for additional funding. The Meadow Lane project is nearly complete and will retain adequate funding to cover remaining project work.

The Public Works and Facilities Committee reviewed this request at the November 7, 2022 meeting.

The City Manager recommends approval of this transfer.

L. City/State Project Review

M. Other

N. PUBLIC HEARING

17. Ordinance 2022-06(b)(U) An Ordinance Appropriating \$500,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

Docks and Harbors has been awarded a \$2 million matching harbor facility grant from the Alaska Department of Transportation (ADOT), restricted solely to project construction. This ordinance would appropriate \$500,000 of Harbors fund balance to the Aurora Harbor Improvements CIP, increasing the total project balance sufficiently to leverage the full value of the ADOT 50/50 matching grant while ensuring adequate funds are available to award the project bid, which is estimated to exceed \$4 million. This project was #13 on CBJ's FY23 Legislative Priority List.

The Docks and Harbors Board approved this request at the September 29, 2022 meeting. The Systemic Racism Review Committee reviewed this ordinance at its October 25, 2022 meeting.

The City Manager recommends the Assembly adopt this ordinance.

18. Ordinance 2022-39 An Ordinance Amending Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals.

The Docks & Harbors Board has considered and recommends changes to 85.25.090. The intent is to allow pedestrians, without boat ownership, to walk dogs on CBJ harbor floats, which is currently prohibited. Additionally, there is administrative language addressing the curbing of domestic animals on harbor floats.

The proposed changes have been included as publicly noticed agenda items and discussed at Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28. The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25. The Special Board meeting and intent to propose changes to 85.25.090 was noticed via Juneau EMPIRE, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. The Systemic Racism Review Committee considered this ordinance at its October 25, 2022 meeting.

The City Manager recommends the Assembly adopt this ordinance.

19. Ordinance 2022-43 An Ordinance Amending Boat Harbor Regulations Relating to Vessel Identification.

The Docks & Harbors Board has considered and recommends changes to CBJC 85.25.020. The intent of this change is to require all vessels in the CBJ harbors to display name or other state or federal identification.

The proposed change has been included in publicly noticed agenda items and discussed at the Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28.

The Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25th. The Special Board meeting and intent to propose changes to CBJC 85.25.090 was noticed via the Juneau Empire, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. The Systemic Racism Review Committee reviewed this ordinance at its meeting on October 25, 2022.

The City Manager recommends the Assembly adopt this ordinance.

O. UNFINISHED BUSINESS

P. NEW BUSINESS

20. Hansen Gress Application to Purchase City Property

Hansen Gress recently purchased the building and property located at 1000 Harbor Way. A portion of this building is located on leased City tidelands. City tidelands are all designated "retain" in the Land Management Plan. Prior to this property being re-subdivided and sold the Plan will need to be amended

by ordinance to allow for the disposal of this property. Hansen Gress submitted an application to acquire the City property in order to be able to “make major structural and architectural improvements to the aging building”. The applicants are having difficulties redeveloping the property because the building is over the property lines. If the property is acquired, the applicant will consolidate the lots in order to create a property that conforms to City code. This application was reviewed by the Docks and Harbors Board at the August 25th meeting and provided a motion to advance this application. The Lands Housing and Economic Development Committee reviewed this request at the September 26 2022 meeting and forwarded this application to the Assembly with a motion to work with the original proposer in accordance with city code 53.09.260.

The City Manager requests a motion to authorize the City Manager to negotiate the disposal of City property to Hansen Gress.

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

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

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

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

22. Regulations Amending Title 05 Docks and Harbors, Chapters 07, 15, 20, 25 The Docks & Harbors Board has considered and recommends changes to 11 separate regulations under Title 05:

- (1) Allow inactive vessels to moor at the National Guard Dock. 05 CBJAC 07.010.
- (2) Reservation for more than seven days need to be paid in full. 05 CBJAC 15.035.
- (3) Impose a six month threshold for residential vessel leasing arrangement. 05 CBJAC 20.050.
- (4) Kayak launch ramp use at Statter Harbor is free. 05 CBJAC 20.060.
- (5) Clarifying Statter Harbor Bus lot permit fee. 05 CBJAC 20.090.
- (6) Allowing crane use with a key card. 05 CBJAC 20.110.
- (7) Clarifying storage fees. 05 CBJAC 10.130.
- (8) Clarifying summer parking lot fees at Statter Harbor. 05 CBJAC 20.160.
- (9) Repealing Auke Bay Loading Facility Float fee. 05 CBJAC 20.190.
- (10) Impose a fee for vessels that do not move every 10 days during the summer. 05 CBJAC 25.060.
- (11) Clarify winter moorage processes. 05 CBJAC 25.080.

These omnibus administrative changes have been included as publicly-noticed agenda items and discussed at Docks & Harbors regular Board or Operations-Planning Committee meetings on the following dates: May 18, June 22, June 30, July 20, and July 28. After the requisite minimum 21-day public notice period, the Docks & Harbors Board conducted a Public Hearing at a Special Board meeting on August 25. The Special Board meeting and intent to propose omnibus changes to Title 05 regulations was noticed via Juneau EMPIRE, Facebook, Docks & Harbors TIDE LINE, and during KINY Action Line appearances. Docks & Harbors received no written comments to the proposed changes. Members of the public provided testimony at the August 25 Public Hearing but no changes were made to the

advertised language. Prior to the September 12 Assembly meeting, CBJ Law provided legal direction that the proposed changes did not comport with CBJ Code 01.60.220 (Fiscal notes on regulations). As such, Docks & Harbors repeated the process with the inclusion of fiscal notes for each of the regulation changes. The Docks & Harbors regular Board or Operations-Planning Committee discussed the 11 regulations changes with fiscal notes at the following meetings: September 21, September 29, October 19 and October 27. On November 9, after exceeding the requisite 21-day public notice period and making notices through the above media sources, the Docks & Harbors Board conducted the second Public Hearing at a Special Board meeting. Docks & Harbors received email correspondence from a single harbor patron regarding 05 CBJAC 25.060 (Summer management at Statter Harbor) which the Board considered in their deliberations.

The City Manager recommends the Assembly approve the regulations except 05 CBJAC 07.010. Pursuant to CBJC 01.60.260(c)(2), the City Manager recommends the Assembly direct that a resolution be prepared for 05 CBJAC 07.010 and referred to the Assembly Public Works & Facilities Committee for further discussion.

23. 2023 Assembly Meeting Calendar

The draft 2023 Assembly Meeting Calendar is enclosed in this packet and before the Assembly for amendment and/or approval.

24. Supplemental Agreement - BRH Campus Waterline Replacement

CBJ 53.50.040 (C) gives the Manager limited authority to approve supplemental agreements to existing capital improvement projects, provided that the Assembly is notified and that there is a best interest finding. A best interest finding memorandum is included in the packet along with a drawing of the area of work. Major benefits of this supplemental agreement are to allow various BRH projects to stay on schedule and to allow close coordination on campus construction activity.

As this supplemental agreement is within the Manager's procurement limits, no action is required by the Assembly and this staff report meets the reporting requirement.

Q. STAFF REPORTS

R. ASSEMBLY REPORTS

Mayor's Report

Committee and Liaison Reports

Presiding Officer Reports

S. ASSEMBLY COMMENTS & QUESTIONS

T. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

U. EXECUTIVE SESSION

V. SUPPLEMENTAL MATERIALS

W. ADJOURNMENT

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

The Office of the Mayor
City & Borough of Juneau, Alaska

PROCLAMATION
Honoring S. Kirby Day III

WHEREAS, Kirby Day has been working in Juneau tourism since 1991; and

WHEREAS, in 1997, while at Princess Tours, Kirby stepped up to lead a burgeoning effort to lessen the impacts of tourism and transformed it into a powerful positive effort that incentivized tour operators to join in; and

WHEREAS, Tourism Best Management Practices (TBMP) became the structure for adjusting daily tourism operations to address community issues; and

WHEREAS, in the early years of the program, Kirby organized annual meetings in multiple areas of town to engage residents and tour operators, hear neighborhood-specific concerns, and generate solutions together; and

WHEREAS, TBMP has grown since that time, adding ever more operators and guidelines, working to create a harmonious partnership with the community; and

WHEREAS, TBMP has been replicated in at least five other ports in Alaska and around the world; and

WHEREAS, TBMP is cited as a global example of destination stewardship by Cruise Line International Association; and

WHEREAS, Kirby is locally recognized for his leadership in guiding local operators from a sense of competitiveness to a sense of collaboration that continues to make the program successful today; and

WHEREAS, Kirby's personal commitment to the TBMP program has been key to its industry-wide participation and ongoing success.

Therefore, I, Beth A. Weldon, Mayor of the City & Borough of Juneau, Alaska on behalf of the City & Borough Assembly, do hereby issue this proclamation honoring

S. Kirby Day III

for his long service to the people and community of Juneau and his outstanding contributions to the happiness, enrichment, and well-being of Alaska's Capital City.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City & Borough of Juneau, Alaska to be affixed this 21st day of November, 2022.



Beth A. Weldon, Mayor

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Transferring \$200,000 from CIP W75-061 Douglas Highway Water - David to I St. to CIP R72-141 Hospital Drive Improvements.

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

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

Section 2. Transfer of Appropriation. It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that 200,000 be transferred:

From: CIP

W75-061	Douglas Hwy Water – David to I St.	(\$ 200,000)
---------	------------------------------------	--------------

To: CIP

R72-141	Hospital Drive Improvements	\$ 200,000
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Section 3. Source of Funds.

Water Funds	\$ 200,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-21

An Ordinance Related to Property Tax Appeals and Codifying the Board of Equalization Rules of Procedure.

WHEREAS, Alaska law articulates standards for property taxation, including appeals to the board of equalization and to the superior court (A.S. 29.45.190-210), which were codified in 1985; and

WHEREAS, A.S. 29.45.200(b) provides the board of equalization is governed in its proceedings by rules adopted by ordinance that are consistent with general rules of administrative procedures; and

WHEREAS, A.S. 29.45.210(d) provides a property owner may appeal a board of equalization determination to the superior court, and that appeal is heard on the record established at the hearing before the board of equalization; and

WHEREAS, many of the property tax appeal provisions in CBJ code predate the 1985 amendments to Alaska law, and this ordinance is intended to make the CBJ provisions consistent with state law and provide clarity for board of equalization proceedings.

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

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

Section 2. Amendment of Section. CBJC 15.05.041 Challenges of tax status, is amended to read:

15.05.041 Challenges of tax status.

The owner of a property placed on the assessment roll may request the assessor remove such property from the roll if the owner believes the property is exempt. The assessor may require the owner to provide affidavits relating to the use of the property and other information relevant to the determination of tax status of the property. The procedure and period for challenging the tax status of a property shall be the same as for challenging the assessed value except that the appeal from the assessor's final decision shall be directly to superior court. ~~shall be to the assembly which shall hear such appeals immediately prior to sitting as a board of equalization.~~

(Serial No. 79-48, § 6, 1979)

State law reference(s)—Corrections, AS 29.45.180; appeal, AS 29.45.200190.

Section 3. Amendment of Section. CBJC 15.05.140 Board of equalization to send additional notices, is repealed and reserved:

15.05.140 Reserved. Board of equalization to send additional notices.

~~If it appears to the board of equalization that there are overcharges or errors or invalidities in the assessment roll, or in any of the proceedings leading up to or after the preparation of the roll, and there is no appeal before the board of equalization, or if the name of a person is ordered by the board of equalization to be entered on the assessment roll, by way of addition or substitution, for the purpose of assessment, the board of equalization shall require the assessor to mail notice of assessment to that person or that person's agent giving him or her at least 30~~

1
2 days from the date of mailing within which to appeal to the board of equalization against the
3 assessment.

4 (CBJ Code 1970, § 15.05.140; Serial No. 70-33, § 3, 1971)

5
6 **Section 4. Amendment of Section.** CBJC 15.05.150 Appeal by person assessed, is
7 repealed and replaced as follows:

8
9 **15.05.150 Appeal to Board of Equalization ~~Appeal by person assessed.~~**

10 (a) *Appellant.* A taxpayer whose name appears on the assessment roll or the agent or assigns
11 of that taxpayer may appeal to the board of equalization for relief from an alleged error in
12 valuation not adjusted by the assessor to the taxpayer's satisfaction. A person who receives
13 notice or whose name appears on the assessment roll, or agent or assigns of that person, may
14 appeal to the board of equalization for relief from any alleged error in the valuation, overcharge,
15 or omission or neglect of the assessor not adjusted to the taxpayer's satisfaction.

16 (b) *30-day appeal period.* The taxpayer shall, within 30 days after the date of mailing of notice
17 of assessment, submit to the assessor a written notice of appeal specifying grounds in the form
18 that the board of equalization requires. Otherwise, the right of appeal ceases unless the board
19 of equalization finds that the taxpayer was unable to comply.

20 (c) *Late-filed appeal.* A taxpayer who seeks to appeal the assessor's valuation after the 30-day
21 appeal period has closed shall file a letter and supporting documents, if any, with the assessor
22 stating the reasons why the taxpayer was unable to comply within the 30-day appeal period. A
23 panel of the board shall consider each letter but shall not consider evidence regarding property
24 valuation. The board shall only consider reasons the taxpayer was unable to comply within the
25 30-day appeal period. The taxpayer shall have five minutes to make an oral presentation solely

1
2 focused on the taxpayer’s inability to comply within the 30-day appeal period. The board’s
3 determination shall be based on the taxpayer’s letter and any supporting documents or oral
4 presentation. If the request is granted, the taxpayer shall have 30 days from the board’s
5 decision to file a valuation appeal and submit all evidence required by this title. The assessor
6 shall send notice of the of the board's decision to the taxpayer.

7
8 (1) Unable to comply. The board shall interpret the term "unable to comply" as
9 meaning that a taxpayer must demonstrate compelling reasons or circumstances
10 that would have prevented a reasonable person under the circumstances from filing
11 an appeal. The term “unable to comply” does not include situations in which the
12 taxpayer forgot about or overlooked the assessment notice, was out of town during
13 the 30-day appeal period for filing an appeal, or similar situations. Rather, it covers
14 situations that are beyond the control of the taxpayer and, as a practical matter,
15 prevent the taxpayer from recognizing what is at stake and dealing with it. Such
16 situations would include a physical or mental disability serious enough to prevent
17 the taxpayer from dealing rationally with the taxpayer’s financial affairs.

18 (CBJ Code 1970, § 15.05.150; Serial No. 70-33, § 3, 1971)

19 State law reference(s)—Appeal, AS 29.45.190.

20
21 **Section 5. Amendment of Section.** CBJC 15.05.160 Time for appeal and service of
22 notice, is repealed and reserved:

23 **15.05.160 Reserved. Time for appeal and service of notice.**

24 (a) ~~Notice of appeal, in writing, specifying the grounds for the appeal, shall be filed with the~~
25 ~~board of equalization within 30 days after notice of assessment is mailed to the person~~
~~appealing. If notice of appeal is not mailed within 30 days, the right of appeal ceases as to any~~

~~matter within the jurisdiction of the board, unless it is shown to the satisfaction of the board of equalization that the taxpayer was unable to appeal within that time.~~

~~(b) A copy of the notice of appeal shall be sent to the assessor, by the person appealing, and the notice filed shall include a certificate that a copy was mailed or delivered to him or her.~~

(CBJ Code 1970, § 15.05.160; Serial No. 70-33, § 3, 1971)

Section 6. Amendment of Section. CBJC 15.05.170 Appeal record, is repealed and reserved:

15.05.170 Reserved. Appeal record.

~~Upon receipt of a copy of the notice of appeal, the assessor shall make a record of the appeal in such form as the board of equalization may direct. The record shall contain all the information shown on the assessment roll in respect to the subject matter of the appeal, and the assessor shall place the record before the board of equalization prior to the time for hearing the appeal.~~

(CBJ Code 1970, § 15.05.170; Serial No. 70-33, § 3, 1971)

Section 7. Amendment of Section. CBJC 15.05.185 Board of equalization, is amended to read:

15.05.185 Board of equalization.

(a) *Membership; duties; term of office; term limits.*

- (1) *Membership.* The board of equalization shall comprise a pool of no fewer less than five ~~six~~, and up to nine, members, not assembly members, appointed by the assembly. Quorum for the board when conducting non-quasi-judicial matters is five members. ~~There shall be up to three panels established each year. Each panel hearing appeals shall consist of three members. The board chair shall assign~~

~~members to a specific panel and schedule the panels for a calendar of hearing dates.~~
The board shall hear appeals in panels consisting of three members. The assignment of members to panels and the establishment of a hearing calendar shall be done in consultation with the individual members. ~~Additionally, members may be asked to take the place of regular assigned panel members in the event an assigned panel member is unable to attend a scheduled meeting.~~

- (2) *Qualifications of members.* Members shall be appointed on the basis of their general business expertise and their knowledge or experience with quasi-judicial proceedings. General business expertise may include, but is not limited to, real and personal property appraisal, the real estate market, the personal property market, and other similar fields.
- (3) *Duties.* The board, acting in panels, shall only hear appeals for relief from an alleged error in valuation on properties brought before the board by an appeal filed by a taxpayer. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation, the panel may alter an assessment of property only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record, the case shall be remanded to the assessor for reconsideration. ~~A hearing by the board may be conducted only pursuant to an appeal filed by the owner of the property as to the particular property.~~
- (4) *Term of office.* Terms of office shall be for three years and shall be staggered so that approximately one-third of the terms shall expire each year.

- 1
- 2 (5) *Term limits.* No member of the board of equalization who has served for three
- 3 consecutive terms or nine years shall again be eligible for appointment until one
- 4 full year has intervened, provided, however, that this restriction shall not apply if
- 5 there are no other qualified applicants at the time reappointment is considered by
- 6 the assembly human resources committee.
- 7
- 8 (6) Compensation of members. Compensation for members shall be \$100.00 per
- 9 meeting. Board members may decline compensation by providing written notice to
- 10 the municipal clerk.
- 11 (b) *Chair.* The board annually shall elect a member to serve as its chair. The chair shall
- 12 coordinate all board activities with the municipal clerk ~~assessor~~ including assignment of panel
- 13 members, scheduling of meetings, and other such board activities.
- 14 (c) *Presiding officer.* Each panel shall ~~elect~~ appoint its own a presiding officer who shall ~~to~~ act
- 15 as the chair for the panel and who shall exercise such control over meetings as to ensure the
- 16 fair and orderly resolution of appeals. ~~In the absence of the elected presiding officer the panel~~
- 17 ~~shall appoint a temporary presiding officer at the beginning of a regular meeting.~~ The presiding
- 18 officer shall make rulings on the admissibility of evidence and shall conduct the proceedings of
- 19 the panel in conformity with this chapter and with other applicable federal, state and municipal
- 20 law.
- 21
- 22 (d) *Report to the assembly.* The board, through its chair, shall submit an independent report to
- 23 the assembly each year by September 15 identifying, at a minimum, the number of cases
- 24 appealed, the number of cases scheduled to be heard by the board, the number of cases actually
- 25 heard, the percentage of cases where an error of valuation was determined to exist, the number
- of cases remanded to the assessor for reconsideration, the number of cases resulting in the

board altering a property assessment, and the net change to taxable property caused by board action. The report shall also include any comments and recommendations the board wishes to offer concerning changes to property assessment and appeals processes.

(Serial No. 2005-51(c)(am), § 4, 1-30-2006)

State law reference(s)—Appeal, AS 29.45.200.

Section 8. Amendment of Section. CBJC 15.05.190 Hearing of appeal, is repealed and replaced as follows:

15.05.190 Board of Equalization hearing ~~Hearing of appeal.~~

(a) Preparation of appeal packet.

The appellant must submit to the assessor's office all documentary evidence and briefing in their possession that the appellant believes is relevant and wishes the board to consider within 15 days following the close of the 30-day appeal period. Upon receipt of the notice of appeal and the appellant's documentary evidence, the assessor shall make a record of the appeal for presentation to the board of equalization. The record shall contain the notice of appeal, the appellant's timely filed documentary evidence and briefing, all the information shown on the assessment roll in respect to the subject matter of the appeal, and the assessor's briefing. The parties may supplement the record by a witness list and additional documents in accordance with subsection (c)(8) of this section up to ten days prior to the appeal hearing. The assessor shall place the complete record before the board of equalization at least seven days prior to the appeal hearing.

(b) Quorum and voting.

(1) Quorum. A quorum for hearing appeals shall consist of three board members.

1
2 (2) Voting. To alter an assessment or to grant an appeal in part or in whole for the
3 appellant, at least two members of the board must vote in the affirmative to either
4 (i) reverse and remand to the assessor for further consideration or (ii) alter the
5 assessment. Any appeal or part thereof that is not granted by the board shall be
6 deemed denied, and the assessor's original assessment giving rise to the appeal
7 remains the final valuation determination. Any alteration to the assessment made
8 by the assessor during a hearing shall require an affirmative vote by at least two
9 members in order to become a final valuation determination.

10
11 (c) Conduct of hearings; decisions. Except as otherwise provided in this chapter, hearings
12 shall be conducted by each panel of the board of equalization in accordance with the following
13 rules:

14 (1) Application of CBJC 01.50. The appeal procedures of chapter 01.50 do not apply to
15 hearings conducted under this chapter except as specifically provided.

16 (2) Record. The municipal clerk of the assembly is ex officio clerk of the board of
17 equalization. The municipal clerk shall keep electronic recordings of the board's
18 proceedings. The municipal clerk shall record in the minutes of each meeting or
19 record of appeals all proceedings before the board of equalization, the names of
20 persons protesting assessments, and all changes, revisions, corrections, and orders
21 relating to claims or adjustments.

22 (3) Counsel. All parties may be represented by counsel during hearings before the
23 board.

24 (4) Commencement of hearing. Every appeal shall be assigned an appeal case number,
25 which should be read into the record along with the name of the appellant and the

1
2 tax identification number at the commencement of the hearing. If an appellant fails
3 to appear, the board of equalization may proceed with the hearing in the appellant's
4 absence.

5 (5) Burden of proof. The appellant bears the burden of proof. The only grounds for
6 adjustment of an assessment are proof of unequal, excessive, improper, or under
7 valuation based on facts that are stated in a valid written appeal or proven at the
8 appeal hearing. If the valuation is found to be too low, the board may raise the
9 assessment. The board should sustain the original assessed value if the relevant
10 documentary evidence or briefing is not timely submitted to the assessor's office
11 within 15 days from the close of the 30-day appeal period absent a good faith
12 attempt at compliance.

13
14 (6) Rules of evidence. Evidence shall only be presented by the appellant and the
15 assessor or their authorized representatives. The board shall not be restricted by
16 the formal rules of evidence; however, the presiding officer may exclude evidence
17 irrelevant to the issue(s) appealed. Relevant evidence includes but is not limited to
18 purchase and closing documents, appraisal reports, broker opinions of value,
19 engineer reports, estimates to repair, rent rolls, leases, and income and expense
20 information. Hearsay evidence may be considered provided there are adequate
21 guarantees of its trustworthiness and it is more probative on the point for which it
22 is offered than any other evidence that the proponent can procure by reasonable
23 efforts.

24
25 (7) Order of presentation. Each party shall be allowed a total of fifteen minutes to
present evidence including personal presentations and direct or cross-examinations.

1
2 The appellant shall present evidence and argument first. Following the appellant,
3 the assessor shall present evidence and argument. The appellant may reserve up to
4 ten minutes for rebuttal directed solely to issues raised by the assessor. At the
5 conclusion of the parties’ presentations, board members may ask questions, through
6 the presiding officer, of either the appellant or the assessor. The presiding officer
7 may end the questioning and call for a motion from the other board members.

8
9 (8) Witnesses, exhibits and other evidence.

10 (i) The appellant and the assessor may offer oral testimony of witnesses and
11 documentary evidence during the hearing.

12 (ii) The appellant and assessor may agree to waive deadlines to supplement the
13 record more than ten days prior to the appeal hearing. However, only the
14 chair can authorize requests to supplement the record—upon motion to the
15 municipal clerk by a party if the evidence being offered satisfies the criteria
16 in CBJC 01.50.110(e)—filed within ten days preceding the appeal hearing.

17 (iii) The assessor shall make available to the appellant all reasonably relevant
18 assessor records requested within 15 days following the close of the 30-day
19 appeal period.

20 (iv) If an appellant has refused or failed to provide the assessor or assessor's
21 agent full access to property or records, the appellant shall be precluded
22 from offering evidence on the issue or issues affected by that access and
23 those issues shall be decided in favor of the assessor.

24 (v) At the request of the appellant, evidence submitted pursuant to subsection
25 (c)(6) or (c)(8) of this section relating to the assessed valuation of property

used in an income-producing commercial enterprise shall be confidential.

The assessor and the appellant may stipulate to facts to be presented to the board provided the assessor has received credible and reliable evidence to establish the facts.

(9) Decisions. At the conclusion of the hearing the board shall determine, based solely on the evidence submitted, whether the assessment is unequal, excessive, improper, or an under valuation. The board should issue findings of fact and conclusions of law clearly stating the grounds upon which the board relied to reach its decision and advising all parties of their right to appeal the decision to superior court.

(10) Certification. The presiding officer shall review and give final board certification to all appeal decisions.

(11) Termination of appeal upon agreement between appellant and assessor. After an appeal to the board of equalization has been filed, any value which has been agreed to by the assessor and the appellant shall constitute a withdrawal and termination of the appeal by the appellant and the agreed upon valuation shall become the assessed value.

~~(a) At the hearing of the appeal, the board of equalization shall hear the appellant, the assessor, other parties to the appeal, and witnesses, and consider the testimony and evidence, and shall determine the matters in question on the merits.~~

~~(b) If a party to whom notice was mailed as provided in this title fails to appear, the board of equalization may proceed with the hearing in the party's absence.~~

~~(c) The burden of proof in all cases is upon the party appealing.~~

~~(d) The board of equalization shall maintain a record of appeals brought before it, enter its decisions therein and certify to them. The minutes of the board of equalization shall be the record of appeals unless the board of equalization shall provide for a separate record.~~
(CBJ Code 1970, § 15.05.190; Serial No. 70-33, § 3, 1971)
State law reference(s)— Board of Equalization, AS 29.45.210; Hearing, AS 29.45.210.

Section 9. Amendment of Section. CBJC 15.05.200 Judicial review, is amended to read as follows:

15.05.200 Judicial review.

An appellant or the assessor may appeal a determination of the board of equalization to the superior court within 30 days as provided by rules of court applicable to appeals from the decisions of administrative agencies. Appeals are heard on the record established at the hearing before the board of equalization.

~~A person aggrieved by an order of the board of equalization may appeal to the superior court for review de novo after exhausting administrative remedy under this title.~~
(CBJ Code 1970, § 15.05.200; Serial No. 70-33, § 3, 1971)
State law reference(s)—Appeal to superior court, AS 29.45.210(d).

Section 10. Amendment of Section. CBJC 15.05.210 Municipal clerk record keeping certification of changes, is amended to read as follows:

15.05.210 Municipal clerk record keeping certification of changes.

~~The municipal clerk of the assembly is ex officio clerk of the board of equalization. The municipal clerk shall record in the minutes of each meeting or record of appeals all proceedings~~

1
2 ~~before the board of equalization, the names of persons protesting assessments, and all changes,~~
3 ~~revisions, corrections, and order relating to claims or adjustments.~~ Within three days following
4 the final hearings of the board of equalization the municipal clerk shall certify to the assessor
5 corrections, revisions, and changes authorized and approved by the board of equalization.
6

7
8 **Section 11. Effective Date.** This ordinance shall be effective 30 days after its
9 adoption.

10 Adopted this _____ day of _____, 2022.

11
12 _____
13 Beth A. Weldon, Mayor

14 Attest:

15 _____
16 Elizabeth J. McEwen, Municipal Clerk
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DATE: 10/5/2022
TO: Deputy Mayor Gladyszewski, Assembly Committee of the Whole
FROM: Adam Gottschalk, Assistant Municipal Attorney
SUBJECT: Ord. 2022-21: Board of Equalization Rules

The 2021 Board of Equalization process was frustrating for all involved—property owners, the Board of Equalization members, and the Assessor’s staff. While the bulk of the frustrations likely originate from opinions of property value, there are many changes to CBJ code that can alleviate some procedural frustrations.

Procedural Background

On September 20, 2022, the five remaining members of the Board of Equalization (“Board”) reviewed Ordinance 2022-21. The Board recommended the proposed ordinance with several minor grammatical changes and two substantive changes, which increased appellants’ opportunities to be heard. On September 26, 2022, the Assembly Committee of the Whole discussed the ordinance and requested it stay in committee.

Substantive Background

The proposed changes in Ord. 2022-21 affect *process*. Notably, tax payers’ burdens and the assessor’s discretion derive from state law. *E.g.*, AS 29.45.210(b) (tax payer burden); AS 29.45.110(a) (full and true value). Many of the proposed changes in Ord. 2022-21 have already been tested and are in place through the Board’s adopted rules of procedure, which have been included in the materials distributed prior to every Board hearing. Through codification, every appellant and potential appellant (i.e., property owner), and any other interested person, will have ready access to these rules of procedure. One goal of codifying these rules is to demystify the tax appeal process.

Beyond providing more notice of and further clarifying the tax appeal process, the proposed changes should also increase the efficiency of the Board. This is accomplished by creating a prehearing structure between appellants and the assessor. This structure will curtail eleventh-hour document submissions—absent good cause—that tend to trigger confusion and delays during hearings and often result in appeals being remanded back to the assessor for more consideration (and then coming back before the Board). This structure will also result in appeals being “hearing ready” sooner and providing a heads up to the Board so that potential conflicts of interest can be spotted and addressed in advance.

Short explanations for changes in Proposed Ordinance 2022-21 vCOW are provided below:

The following proposed amendments were modeled off of authorizing language in state law (*i.e.* A.S. 29.45.200(b)) and off of the Anchorage Board of Equalization rules (*i.e.* AMC 12.05.053).

Section 2, CBJC 15.05.041. This proposed change renders the superior court—rather than the assembly—the proper body to hear appeals from assessor determinations regarding property exemptions.

Section 3, CBJC 15.05.140. This proposed change removes an unexercised board oversight function regarding the assessment process and assessment.

Section 4, CBJC 15.05.150.

(a) This proposed change increases clarity by removing unnecessary language. The categories of error can be found at CBJC 15.05.180, which is not included in Ord. 2022-21.

(b) This proposed change is a relocation of CBJC 15.05.160(a) and reflects the notice of appeal is sent to the assessor rather than to the board.

(c) This proposed change provides a process for taxpayers to advocate before the board regarding late-filed appeals. The code currently does not describe this process, so the board has long operated on a case-by-case basis with guidance from a 2013 memo by former city attorney, John Hartle. In the review process on September 20, 2022, the Board added a five-minute oral argument component for this issue. The proposed changes will provide more guidance and process to late-filing taxpayers than current code and board procedure.

(1) This proposed change provides a definition for “unable to comply,” which is currently found in the same above-mentioned 2013 memo and is consistent with the code and long-standing application (e.g., CBJC 15.05.160(a); CBJC 69.10.020(1)(C)).

Section 5, CBJC 15.05.160.

(a) Under the proposed changes, this section will be relocated to CBJC 15.05.150(b).

(b) Under the proposed changes, this section will be relocated to CBJC 15.05.150(b) and (c) and is partially obviated by these as the notice will solely be sent to the assessor.

Section 6, CBJC 15.05.170. Under the proposed changes, this section will be relocated to CBJC 15.05.190(a).

Section 7, CBJC 15.05.185.

(a)

(1) This proposed change clarifies that quorum for the board shall be five members. Further, the proposed change removes the concept of fixed three-member panels, a concept that is impractical (it is easier to have *any* three members available on a set date than *an exact* three members) and does not work when the board has five, seven, or eight members (rendering one or two members “leftover”).

(3) This proposed change reflects the board does not exercise an oversight function regarding the assessment process and assessment roll as codified in CBJC 15.05.140.

(6) This proposed change seeks to compensate members for their time reviewing records and hearing appeals. Compensation serves to acknowledge current members’ commitment and contribution, and to incentivize potential members to apply for any of the *four* vacant seats. Having a full, nine-member board would promote timely cycle completions.

(b) This proposed change reflects current practice and minimizes the risk of inadvertent *ex parte* communication between the board and the assessor.

(c) This proposed change reflects panels should not be fixed, so each panel will need to elect a presiding officer. Under the board’s current rules of procedure, a presiding officer is appointed for each hearing.

Section 8, CBJC 15.05.190.

(a) This proposed change creates a structured process for appellants and the assessor to submit and exchange evidence and create a record for the board. This structured timeline is similar to the Municipality of Anchorage’s, which is found at AMC 12.05.053(C)(7). Timely submission and exchange facilitates board review and consideration and minimizes eleventh-hour submissions that tend to frustrate the process (e.g., the board having insufficient time to review evidence, the board remanding an appeal back to the assessor for further consideration of late-filed evidence). Notably, under the proposed changes, appellants and the assessor may agree to waive the deadline to supplement the record (*see* Proposed CBJC 15.05.190(c)(8)(ii)) and they may also supplement the record within the ten days preceding their hearings by way of motions showing evidence satisfies the criteria of CBJC 01.50.110(e) (e.g., newly discovered, wrongly withheld).

(b)

(1) This proposed change clarifies that a panel consists of three members and reaffirms that only a simple majority of the panel is necessary for quasi-judicial action.

(2) This proposed change clarifies that the assessor’s original recommended valuation is the default valuation in the absence of a successful appeal or affirmative board vote altering the assessed valuation otherwise. This proposed change also redirects board voting to

Page 4

remove the unconventional vote posture whereby board members commonly move for “no” votes.

(c)

(1) This proposed change reaffirms that, except where specifically provided, the appeal procedures of CBJC 01.50 do not apply to board hearings. This non-application already comes from CBJC 01.50.020(a)(2). The proposed change is sought to provide additional notice of CBJC 01.50’s non-application in order to curb any confusion, similar to the explicit statement of non-application found at CBJC 53.50.425(a).

(2) This proposed change is a relocation of CBJC 15.05.210.

(3) This proposed change expresses the longstanding practice, consistent through code, whereby parties to an appeal, as well as hearing officers and quasi-judicial panels, may be represented by counsel.

(4) This proposed change clarifies the duty to maintain records. The provision regarding hearing appeals in the absence of a properly notified appellant is a relocation of CBJC 15.05.190(b) and echoes state precedent that it is the appellant’s burden to prove error.

(5) This proposed change describes appellants’ burdens under state statute and case law. The consequences for untimely submissions echo that burden.

(6) This proposed change further supports and describes the presiding officer’s duties pursuant to CBJC 15.05.185(c). Beyond clarifying the duties of the presiding officer, this more descriptive provision can assist parties’ preparation and presentations.

(7) This proposed change represents current board practice. This will provide appellants substantially more time than appellants are provided by Anchorage’s corresponding code, AMC 12.05.050-55, which only guarantees appellants five minutes (see AMC 12.05.053(C)(6)). These limitations reflect the relatively narrow scope of the board’s review and the substantial discretion afforded to assessors’ methodologies under state statute and case law. On September 20, 2022, the board further sought to make clear board members’ questioning would not interrupt parties’ presentations or count as parties’ time.

(8)

(i) This proposed change represents current board practice.

(ii) This proposed change provides conditions to waive deadlines and/or belatedly supplement the record when there is good cause.

(iii) This proposed change represents a corresponding duty of the assessor indicating mutual obligations of parties to exchange information.

(iv) This proposed change prevents appellants from making arguments about factual evidence the assessor is unable to investigate, confirm, or rebut.

(v) This proposed change makes clear to appellants they can submit sensitive or confidential business income information to the assessor and have that information

Page 5

be considered while remaining confidential. It is hoped this will incentivize communication between the parties and that more information will increase assessments' accuracy.

(9) This proposed change reaffirms state precedent and the duties of quasi-judicial boards.

(10) This proposed change reflects current board procedure and is a relocation of part of CBJC 15.05.210.

(11) This proposed change clarifies that parties may withdraw an appeal if they come to an agreed upon valuation without the board's intervention.

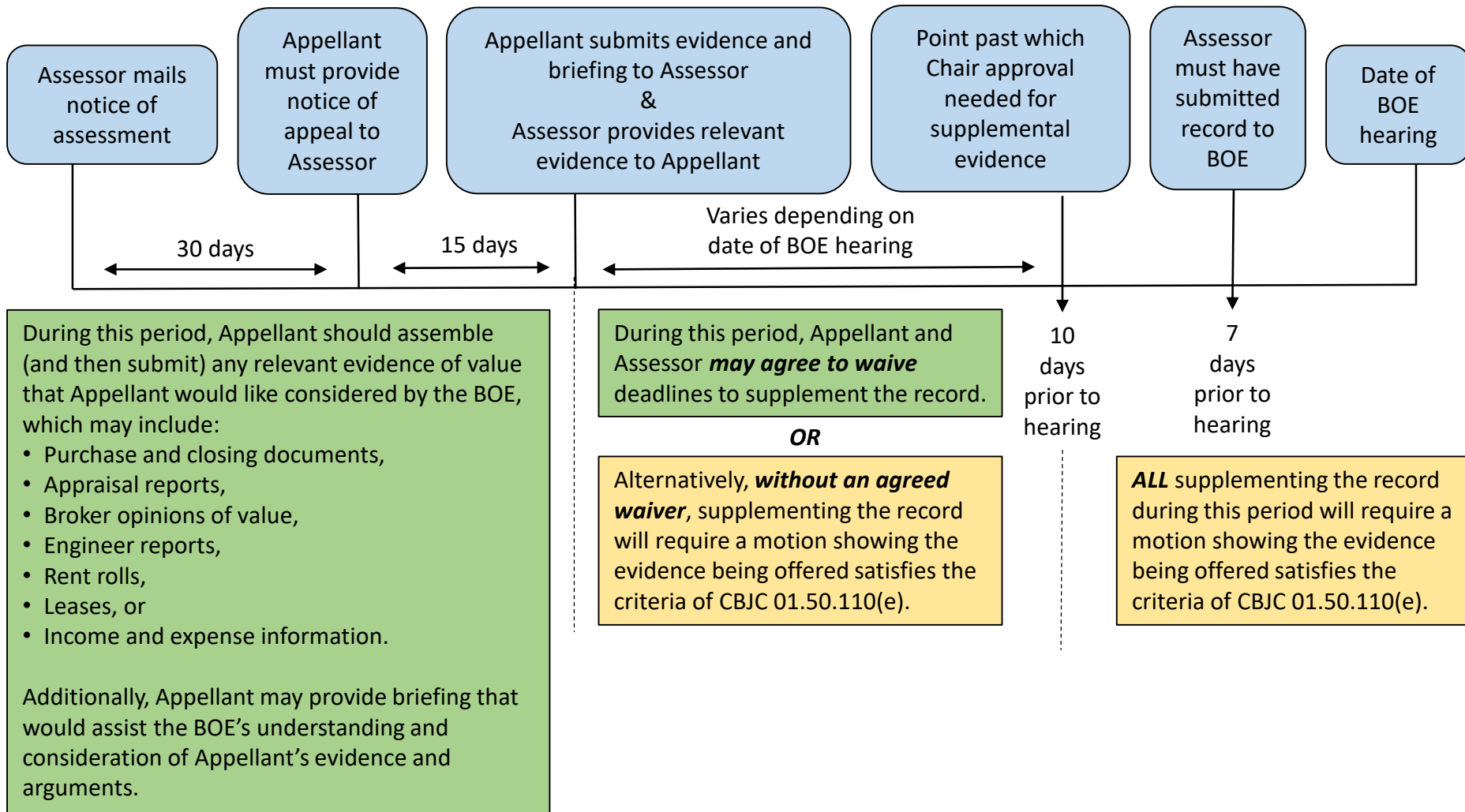
Section 9, CBJC 15.05.200. This proposed change expresses state statute for board appeals (see AS 29.45.200(c), Alaska R. App. P. 602(a)(2)).

Section 10, CBJC 15.05.210. This proposed change clarifies the duties of the municipal clerk following board hearings.

/AG

DATE: 11/18/2022
TO: Mayor Beth Weldon & Assembly
FROM: Adam Gottschalk, Asst. Mun. Atty.
SUBJECT: Ord. 2022-21: BOE Timeline

Section H, Item 5.



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Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-40

An Ordinance Authorizing the Manager to Lease Space at the Juneau Police Department Headquarters to L3Harris Technologies, Inc. for Aircraft and Air Traffic Control Safety Equipment.

WHEREAS, the City and Borough of Juneau (CBJ) owns real property at 6255 Alaway Avenue, which is the location of the Juneau Police Department; and

WHEREAS, at the June 27, 2022 meeting, the Lands Housing and Economic Development Committee provided a motion of support to lease this property; and

WHEREAS, at the August 1, 2022 meeting, the Assembly passed a motion of support to work with L3Harris as the original proposer in accordance with CBJC 53.09.260.

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

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

Section 2. Authorization. The Manager is authorized to lease space for a wall-mounted cabinet for replacement of the Wide Area Multilateration Phase I system at the Juneau Police Department main facility located at:

6255 Alaway Avenue, Juneau, AK, 99801, which is also known as Tract J1 of J.P.D. Subdivision II, Plat #2009-15, Juneau Recording District.

Section 3. Terms and Conditions. The final lease shall be subject to the following essential terms and conditions:

(A) Purpose. The purpose of this Agreement is to support Lessee’s efforts under its Prime Contract No. DTFAWA-07-C-00067, including all amendments and modifications thereto, with the Federal Aviation Administration (FAA). This Prime Contract includes the replacement of the Wide Area Multilateration (WAM) Phase I system.

(B) Term. The initial lease term shall be five years.

(C) Renewal. The lease may be renewed every five years for a maximum term of 35 years.

1
2
3 (D) Maintenance. L3Harris is responsible for the cost of all its equipment being
housed at JPD, as well as any necessary maintenance of the equipment.

4 (E) Rent. Rent shall be fair market value, which was established by appraisal
5 as \$540.00 annually for the first lease period.

6 (F) Other terms and conditions. The Manager may include other lease terms
7 and conditions as the Manager determines to be in the public interest.

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

9 Adopted this _____ day of _____, 2022.

10
11 _____
Beth A. Weldon, Mayor

12 Attest:

13
14 _____
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-54

**An Ordinance Amending the Investments and Collateral Chapter of Title 57
Related to Investment Policies.**

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

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

Section 2. Amendment of Section. CBJC 57.25.015 is amended to read:

57.25.015 Management of municipal funds.

- (1) Pooling of funds. The finance director will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping, and administration.
- (2) Investment decisions shall be guided by this section and by the City and Borough of Juneau Investment Policy. Material changes to the investment policy shall be brought to the assembly finance committee by the city manager for review and to the assembly for approval by resolution.
- (3) The finance director will choose which investment portfolio is most appropriate for funds based on the objectives at hand. Portfolio types are outlined in the investment policy.

- 1
- 2 (4) Appropriate benchmarks shall be selected by the finance director based upon portfolio
- 3 goals and holdings of the portfolio. Benchmark selection shall be approved by the city
- 4 manager as a function of the investment policy statement.
- 5 (5) Safekeeping and custody.
- 6 (A) Delivery vs. payment. All trades of marketable securities will be executed using the
- 7 delivery vs. payment (DVP) method to ensure that securities are deposited in an
- 8 eligible custody account prior to the release of funds.
- 9 (B) Safekeeping. Securities will be held by a centralized, independent third-party
- 10 custodian selected by the City and Borough, as with all securities held in the City
- 11 and Borough's name. The safekeeping institution shall annually provide a copy of
- 12 their most recent report on internal controls (Statement of Auditing Standards No.
- 13 70, or SAS 70).
- 14
- 15 (6) Restricted funds shall be deposited into separate and restricted alternative investments,
- 16 bank accounts, or other accounts which may be interest-bearing and held by financial
- 17 institutions for the benefit of the municipality, with all revenues and expenses associated
- 18 with such funds allocated to such investments or accounts. Restricted funds may be
- 19 commingled with other similarly restricted funds within the discretion of the finance
- 20 director.
- 21
- 22 (7) The finance director may obtain the services of such investment managers, advisors,
- 23 custodians, and other professionals as are reasonably prudent and necessary to manage all
- 24 municipal funds.
- 25

- 1
- 2 (8) Investment portfolio performance reports shall be prepared and posted to the City and
- 3 Borough website on a quarterly basis. These reports shall be addressed with the assembly
- 4 finance committee on a semi-annual basis.
- 5

6 **Section 3. Amendment of Section.** CBJC 57.25.018 is amended to read:

7

8 **57.25.018 Investment objectives.**

9 Investment portfolios will be selected to achieve the overall investment objectives. The

10 primary objectives of investment activities shall be safety, liquidity, and return:

11 (a) *Safety.* Investments shall be undertaken in a manner that seeks to ensure the preservation

12 of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate

13 risk. The finance director and hired contractors, if any, shall manage investment funds

14 exercising the judgment and care under the circumstances then prevailing which an

15 institutional investor of ordinary prudence, discretion, and intelligence exercises in the

16 management of large investments entrusted to it, not in regard to speculation but in regard to

17 the permanent disposition of funds, considering probable safety of capital as well as probable

18 income.

19

20 (1) *Credit risk.* The City and Borough will minimize credit risk, which is the risk of loss

21 of all or part of the investment due to the failure of the security issuer or backer, by:

22 (A) Limiting investments to the types of securities listed in Code section 57.25.020.

23 (B) Pre-qualifying and conducting ongoing due diligence of the financial

24 institutions, broker/dealers, intermediaries, and advisers with which the City

25 and Borough will do business.

- 1
- 2 (C) Diversifying the investment portfolio so that the impact of potential losses from
- 3 any one type of security or from any one individual issuer will be minimized.
- 4 (2) *Interest rate risk.* The municipality will minimize interest rate risk, which is the
- 5 risk that the market value of securities in the portfolio will fall due to changes in
- 6 market interest rates, by:
- 7 (A) Structuring the investment portfolio so that security maturities match cash
- 8 requirements for ongoing operations, thereby avoiding the need to sell
- 9 securities on the open market prior to maturity.
- 10 (B) Investing operating funds primarily in shorter-term securities, money market
- 11 mutual funds, exchange-traded funds (ETF), or similar investment pools and
- 12 limiting individual security maturity as well as the average maturity of the
- 13 applicable portfolio.
- 14
- 15 (b) *Liquidity.* The investment portfolio shall remain sufficiently liquid to meet all operating
- 16 requirements that may be reasonably anticipated. This is accomplished by structuring the
- 17 portfolio so that securities mature concurrent with cash needs to meet anticipated demands
- 18 (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the
- 19 portfolio should consist largely of securities with active secondary or resale markets to meet
- 20 unanticipated demands (dynamic liquidity). Alternatively, a portion of the portfolio may be
- 21 placed in money market mutual funds, ETFs, or local government investment pools which offer
- 22 same-day liquidity for short-term funds.
- 23
- 24 (c) *Return.* The investment portfolio shall be designed with the objective of attaining a market
- 25 rate of return throughout budgetary and economic cycles, taking into account the investment
- risk constraints and liquidity needs. Return on investment is of secondary importance

1
2 compared to the safety and liquidity objectives described above. The core investments are
3 limited to relatively low risk securities in anticipation of earning a fair return relative to the
4 risk being assumed. Securities shall generally be held until maturity with the following possible
5 exceptions:

- 6 (1) A security with declining credit may be sold early to minimize loss of principal;
7
8 (2) Selling a security and reinvesting the proceeds that would improve the quality,
9 yield, or target duration in the portfolio may be undertaken; or
10 (3) Unanticipated liquidity needs of the portfolio require that the security be sold.

11 (d) Sustainability. Where each investment decision, when possible and appropriate, considers
12 environmental, social, and governance factors, and is consistent with the principles outlined in
13 CBJ Resolution 2755. The finance director and treasurer may direct investment decisions to
14 further promote these principles on sustainability, and as the objectives of safety, liquidity, and
15 return permit.
16

17 **Section 4. Amendment of Section.** CBJC 57.25.020 is amended to read:
18
19 **57.25.020 Authorized investments.**

20 To provide maximum security for the investment of public funds and to provide the
21 greatest interest revenue consistent with safety, funds may be invested only in the following
22 instruments:

- 23 (1) Obligations of, or obligations insured or guaranteed by, the United States or
24 agencies or instrumentalities of the United States;
25

- (2) Commercial paper issued by corporations or businesses and rated at least A1/P1 by a nationally recognized statistical rating organization (NRSRO), and collateralized commercial paper with no time limit;
- (3) Negotiable certificates of deposit issued by rated banks;
- (4) Repurchase agreements secured by obligations insured or guaranteed by the United States or agencies or instrumentalities of the United States;
- (5) Bank obligations insured by the appropriate federal insurance agency, including nonnegotiable certificates of deposit secured as provided in section 57.25.030;
- (6) Custodial money market funds and other mutual funds so long as the nature of the fund is generally consistent with all other provisions of this section of the code;
- (7) United States dollar denominated corporate bonds rated investment grade or higher by NRSRO ~~a nationally recognized rating agency~~ at the time of purchase;
- (8) Mortgage-backed securities and collateralized mortgage obligations (CMOs) issued and insured or guaranteed by the United States or agencies or instrumentalities of the United States;
- (9) Asset-backed securities that are publicly traded and rated AAA by a NRSRO at the time of purchase;
- (10) Domestic fixed income mutual fund or ETF: Securities issued in the United States matching security types, quality, and maturity ranges contained in the Bloomberg Barclays Aggregate Index;
- (11) Domestic equity mutual fund or ETF: Common and preferred stock issued by companies domiciled in the United States, and traded on a domestic stock exchange, or traded through the NASDAQ system;

- (12) International equity mutual fund or ETF: Common and preferred stock issued by companies domiciled outside the United States, primarily in developed countries, as defined by the financial times stock exchange;
- (13) Loans to specified funds of the City and Borough for the purpose of capital acquisition, made as provided in section 57.05.045;
- (14) An investment pool for public entities authorized by AS 37.23;
- (15) Taxable and or tax exempt municipal debt rated AA- or better by at least one NRSRO;
- (16) Debt issued by supranational agencies rated AAA by at least one NRSRO; or
- ~~(17)-(15)~~ Other investment types or asset classes as provided in the Investment Policy and consistent with all other provisions of this section of the Code.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-61

An Ordinance Amending the Uniform Sales Tax Code to Allow Very Small Businesses to File Sales Taxes Annually.

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

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

Section 2. Amendment of Section. CBJC 69.05.070 is amended to read:

69.05.070 Periodic returns, penalties and interest for delinquency.

- (a) Every person making sales, rentals, or performing services within the City and Borough, and transportation network companies on behalf of transportation network company drivers, shall on or before the last day of the month, unless the last day of the month is a Saturday, Sunday, or federal, state or City and Borough holiday in which case the due date will be extended until the next business day, immediately following the end of each filing period complete a return for the required filing period setting forth the total amount of all sales, rentals and services, regardless of whether such transactions are taxable or nontaxable, the amount of sales tax due, and such other information as the City and Borough may require, and sign and deliver or mail the return to the City and Borough manager. Periodic returns shall be filed for the calendar quarters ending on March 31, June 30, September 30, and December 31, unless the seller or transportation network

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2 company on behalf of a transportation network company driver is allowed or directed by
3 the City and Borough manager to file for a different time period as authorized in this
4 section and section 69.05.100. A seller, other than a governmental agency, making only
5 exempt sales may be allowed, upon written request to the City and Borough treasurer or
6 the manager, to file returns for periods which vary from the standard calendar quarter and
7 which cover time periods up to one year.

- 8
9 (b) The tax levied under this chapter, whether or not collected from the buyer, except for
10 credit transactions covered in subsection (c) of this section, must be remitted by the seller
11 or transportation network company on behalf of a transportation network company driver
12 to the City and Borough at the time of transmitting the return, and if not so remitted or if
13 the return is not timely filed, such tax is delinquent. A late filing penalty of \$25.00 shall be
14 added to all late returns. The postmark shall determine the date of filing mailed returns.
15 In addition, a late payment penalty of five percent per month or any fraction thereof, until
16 a total late payment penalty of 25 percent has accrued shall be added to all returns until
17 such tax, penalty and interest thereon have been paid. Such penalty shall be assessed and
18 collected in the same manner as the tax is assessed and collected. In addition to these
19 penalties, interest on the delinquent tax from the due date until paid shall accrue and be
20 collected in the same manner the delinquent tax is collected. The annual interest rate on
21 delinquent tax shall be five percent per year above the Wall Street Journal Prime Rate, or
22 similar published rate, on January 2nd each year, rounded to the nearest full percentage
23 point, as determined by the Finance Director; provided, however, that if such calculated
24 rate would fall below ten percent per year, the interest rate shall be ten percent per year,
25

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2 and if the calculated rate would exceed 15 percent per year, the interest rate shall be 15
3 percent per year.

4 (c) The seller or transportation network company on behalf of a transportation network
5 company driver shall report and remit sales tax to the City and Borough on the same
6 basis, cash or accrual, the seller or transportation network company uses for reporting
7 federal income tax. A seller reporting on the accrual basis shall be allowed a tax credit for
8 sales tax previously paid by the seller on any sale, service or rental made on credit to the
9 extent the seller declares such debt to be uncollectible and a bad debt for federal income
10 tax purposes. Such bad debt credit must be claimed on a timely filed quarterly sales tax
11 report within two years from the date of sale in which the bad debt arose.

12
13 (d) Except as otherwise provided herein, all returns, reports, and information required to be
14 filed with the City and Borough under this chapter, and all information deductible from
15 such filed returns, reports, and information, shall be kept confidential and are not subject
16 to public inspection. Except upon court order, such returns, reports, and information shall
17 be made available only to employees of the City and Borough whose job responsibilities are
18 directly related to such returns, reports, and information; to the person supplying such
19 returns, reports, and information; and to persons authorized in writing by the person
20 supplying such returns, reports, and information. The following information shall be made
21 available to the public: the name and address of sellers and transportation network
22 companies collecting and remitting sales tax on behalf of transportation network company
23 drivers; whether or not a business, including a transportation network company, or
24 transportation network company driver is registered to collect sales tax in the City and
25 Borough; whether or not a business transportation network company or transportation

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2 network company driver is current in filing sales tax returns and in remitting sales tax,
3 the amount of sales tax due, and the number of returns not filed; and the names and
4 exemption number of nonprofit agencies which have received a nonprofit exemption
5 number from the manager. The manager may, from time to time, publish the names of
6 sellers and transportation network companies collecting and remitting sales tax on behalf
7 of transportation network company drivers delinquent in remitting sales taxes and the
8 amount thereof including the "doing business as" name under which the seller or
9 transportation network company is doing business when the sales tax delinquency being
10 published arises from that business; provided that the names of sellers or transportation
11 network companies who have signed a confession of judgment for the delinquent sales
12 taxes, penalties, and interest, and a stipulation to postpone execution on the judgment,
13 and who are current in their sales tax payments under such stipulation as of the date on
14 which the names are submitted to the publisher, will not be published. Information may
15 also be made available to the public in the form of statistical reports if the identity of
16 particular sellers or transportation network companies is not revealed by the reports.
17
18

19 (e) The City and Borough may permit the proper officer of the United States, of a state, or
20 other municipality to inspect tax returns or reports filed under this title, or may furnish to
21 the officer a copy of the tax return, if the other jurisdiction grants substantially similar
22 privileges to the City and Borough, and if the City and Borough determines that other
23 jurisdiction provides adequate safeguards for the confidentiality of the returns and reports,
24 and that the returns and reports will be used for tax purposes only.

25 (f) Very small business annual filing. The quarterly filing requirements of subsection (a) are
waived and an annual filing is allowed for a seller that anticipates having \$20,000 or less

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2 of gross sales in the subsequent calendar year. A seller that elects to file annually is
3 required to begin making quarterly filings in the calendar quarter that gross annual sales
4 exceed \$20,000. Failure of a seller to begin making quarterly filings after gross annual
5 sales exceed \$20,000 shall result in the imposition of penalties and interest described in
6 subsection (b).
7

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

10 Adopted this _____ day of _____, 2022.

11
12 _____
13 Beth A. Weldon, Mayor

14 Attest:

15 _____
16 Elizabeth J. McEwen, Municipal Clerk
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Presented by: The Manager
 Introduced: November 21, 2022
 Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$3,984,400 to the Manager for the City and Borough of Juneau's Fiscal Year 2023 Employee Negotiated Wage and Health Increases; Funding Provided by Various Sources.

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 \$3,984,400 to fund the City and Borough of Juneau's fiscal year 2023 employee negotiated wage and health increases, distributed as follows:

General Fund:

Finance	\$ 275,000
Law	187,300
Community Development	156,400
General Engineering	149,900
Libraries	139,300
Information Technology	102,900
Parks & Landscape	94,200
Manager's Office	75,500
Human Resources	31,400
Clerk's Office	23,300
RecycleWorks	8,000
Mayor & Assembly	<u>7,800</u>
Total General Fund	<u>\$ 1,251,000</u>

Special Revenue Funds:

Police	\$ 857,000
Fire	369,900
Parks & Recreation	240,600
Capital Transit	228,200
Streets	146,900
Lands & Resources	18,400
Eaglecrest Ski Area	9,100
Downtown Parking	<u>1,200</u>
Total Special Revenue Funds	<u>\$ 1,871,300</u>

Enterprise Funds:

Wastewater	\$ 231,000
Airport	213,100
Harbors	95,500
Water	89,700
Docks	<u>83,200</u>
Total Enterprise Funds	<u>\$ 712,500</u>

Internal Service Funds:

Facilities Maintenance	\$ 68,800
Public Works Fleet	44,000
Risk Management	<u>36,800</u>
Total Internal Service Funds	<u>\$ 149,600</u>

<u>Total Appropriation</u>	<u>\$ 3,984,400</u>
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Section 3. Source of Funds

General Funds	\$ 3,093,600
Wastewater Funds	231,000
Airport Funds	213,100
Harbors Funds	95,500
Water Funds	89,700
Docks Funds	83,200
Facilities Maintenance Funds	68,800
Fleet Funds	44,000
Risk Management Funds	36,800
Lands & Resources Funds	18,400
Eaglecrest Funds	9,100
Downtown Parking Funds	1,200

<u>Total Source of Funds</u>	<u>\$ 3,984,400</u>
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this ____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$116,400 to the Manager as Funding for Eaglecrest's Fiscal Year 2023 Pay Plan Adjustment; Funding Provided by Eaglecrest Revenue.

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 \$116,400 for Eaglecrest’s fiscal year 2023 pay plan adjustment.

Section 3. Source of Funds

Eaglecrest Revenue \$ 116,400

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

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: B. Brown

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3003

A Resolution of the City and Borough of Juneau Supporting Full Funding in the Amount of Eight Million, Two Hundred Thirty-six Thousand, Eight Hundred Fifteen Dollars (\$8,236,815) for the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget.

WHEREAS, the majority of the public boat harbors in Alaska were constructed by the State in the early years of Statehood in the 1960s and 1970s; and

WHEREAS, Alaska's harbor facilities represent critical transportation links, are vital public infrastructure, and are essential hubs for waterfront commerce which supports beneficial economic activity in Alaskan coastal communities; and

WHEREAS, the harbor facilities in Alaskan coastal communities are ports of refuge for ocean-going vessels, and serve as the gateway for supplies, trade in goods and services, and connections to national and global markets for Alaskan exports and imports; and

WHEREAS, over the course of the past 30 years, the State of Alaska has transferred ownership of formerly State-owned harbors to local governments, allowing local control, but also significantly increasing the operational and maintenance costs which must be borne by local governments; and

WHEREAS, the majority of former State harbor facilities transferred to municipalities were at the time of transfer at or near the end of their serviceable lives; and

WHEREAS, Alaska's municipalities have strived to allocate the resources necessary to maintain and, when possible, improve harbor facilities transferred to them by the State of Alaska, but have faced increasing challenges in managing the significant financial burdens attendant on the harbor facilities formerly owned and maintained by the State; and

WHEREAS, the Governor and the Alaska Legislature recognized the magnitude of the problem with the fiscal burden placed on local governments by the transfer of State harbor facilities to local governments, and created the Harbor Facility Grant Program in 2006 with the passage of Senate Bill 291; and

WHEREAS, the Alaska Department of Transportation and Public Facilities applies statutory criteria to projects for which local governments apply for funds under the Harbor

Facility Grant Program, including municipal capacity to operate and maintain harbor facilities in the future without State aid, public safety and emergency factors, prior municipal expenditure on harbor facility maintenance, and options to reduce or eliminate the need for a proposed project; and

WHEREAS, municipal governments applying for harbor facility grants must provide 50% of the total project cost, which effectively and efficiently leverages local funds with the prudent investment of State funds; and

WHEREAS, during the last 15 years the Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, the Alaska Municipal League has conducted research about Alaska's ports and harbors which indicates the backlog of projects needed to repair and replace former State-owned harbors has increased to at least \$500,000,000; and

WHEREAS, the municipalities of Sitka, Whittier, and Wrangell/Meyers Chuck have successfully submitted applications to the Department of Transportation and Public Facilities which require matching funds, and these municipalities have committed to contribute \$8,236,815 in local match funding in Fiscal Year 2024 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, Alaska is a maritime state and its harbors are foundational to the Alaskan way of life and the economy, it is in all Alaskans' best interest to maintain this critical infrastructure by using State, Local and Federal funds to recapitalize the crucial harbor moorage infrastructure statewide.

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

Section 1. Funding. The Governor of Alaska and the Alaska Legislature are respectfully urged to fund the State of Alaska Harbor Facility Grant Program in the Fiscal Year 2024 State Capital Budget in the amount of \$8,236,815 to enhance and elevate the safety, well-being, and economic prosperity of Alaskan coastal communities.

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

Adopted this _____ day of November, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3006

**A Resolution Ratifying the Economic Terms Tentative Agreement
between the City and Borough and the International Association of
Fire Fighters, Local 4303, AFL-CIO.**

WHEREAS, the negotiating team representing the City and Borough of Juneau has reached a tentative agreement with the negotiating team representing the employees in the International Association of Fire Fighters Local 4303 AFL-CIO bargaining unit; and

WHEREAS, the union representing those bargaining unit employees has reported that such employees have ratified the terms of the tentative agreement; and

WHEREAS, CBJ 44.10.120 requires that the agreement be presented to the Assembly for ratification by resolution; and

WHEREAS, the negotiating teams have tentatively agreed to the following economic terms in addition to other agreement updates: 5.5% wage increases in FY23, effective November 21, 2022, 2% wage increases in FY24, 2% wage increases in FY25; increases to the employer contribution to health insurance of 5% in FY23 and FY24 and up to 5% in FY25; and premium pay incentives and additional leave accrual for Engineers with an additional annual cost of approximately \$20,800 per year; and a lump sum of \$500 for each member to be prorated according to the budgeted FTE for less than full time members and who are employed on October 20, 2022; and

WHEREAS, the tentative agreement for these terms and conditions of employment is in keeping with previous Assembly direction.

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

Section 1. Ratification. That the Labor Agreement, valid for a three-year period beginning July 1, 2022 through June 30, 2025, between the City and Borough and the International Association of Fire Fighters Local 4303, AFL-CIO bargaining unit be amended in accordance with the tentative agreement and is hereby ratified by the Assembly. However, for FY23, the economic terms will be effective on November 21, 2022.

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

Adopted this _____ day of _____, 2022.

Attest: _____
Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk



MEMORANDUM

Date: November 17, 2022

To: City Assembly

Thru: Duncan Rorie Watt
City Manager

From: Dallas Hargrave
Human Resources & Risk Management Director

Re: Request for Ratification of IAFF Tentative Agreement

The City and Borough of Juneau (CBJ) and International Association of Fire Fighters (IAFF) reached tentative agreement on a three-year collective bargaining agreement on October 25, 2022. The contract will take effect on July 1, 2022, with financial terms effective on November 21, 2022, and conclude on June 30, 2025.

The IAFF held a ratification vote on the new contract terms. The City and Borough of Juneau (CBJ) was informed by IAFF on November 14, 2022 that the membership voted to ratify the tentative agreement of the new collective bargaining agreement.

The tentative agreement contains substantive changes related to wages, health insurance, premium pays and additional leave accrual for Firefighter/Engineers due to minimum staffing changes. In addition, agreeing to enter into a procurement process to select a contractor to perform a market wage study in the 3rd year of the CBA. There were also some operational changes which do not have a monetary impact or the monetary impacts are minor and can be managed within the budget. I have attached a summary sheet of changes for your review.

Economic Changes:

All economic terms will be effective on November 21, 2022.

Wages and Pay:

FY23: The parties agree to a 5.5% general increase to the wage schedule in FY23 for all bargaining unit members. Additionally the parties agreed to a lump sum of \$500 for each member and to be prorated according to the budgeted FTE for less than full time members and who are employed on October 20, 2022.

Increases to Professional Pays

Base Wage Adjustments

- Team Coordinator 5%

- Supply Coordinator 2%

Staffing for Engineers

Additional leave accrual of .92 for Firefighter/Engineers based on changes to minimum staffing requirements.

FY24: The wage schedule shall increase by 2% for all bargaining unit members.

FY25: The wage schedule shall increase by 2% for all bargaining unit members.

Health Insurance

FY23: The parties agreed to increase the employer contribution approximately 5% from \$1460 to \$1533 per full time eligible employee, per month.

FY24: The parties agreed to increase the employer contribution approximately 5% from \$1533 to \$1610 per full time eligible employee, per month.

FY25: The parties agreed to increase the employer contribution up to approximately 5% from \$1610 to \$1690 per full time eligible employee, per month.

Below is a summary of estimated non-cumulative costs of the changes related to wages and health insurance:

IAFF Contract Effective November 21, 2022							
% Wage Increases	FY23		FY24		FY25		3-Yr Total
All members	5.5%		2.0%		2.0%		
Annual Cost Increases	FY23		FY24		FY25		3-Yr Total
Wages	\$	226,651	\$	131,257	\$	133,882	\$ 491,790
Health Insurance	\$	48,632	\$	51,063	\$	53,616	\$ 153,311
Premium Pays	\$	20,800	\$	21,216	\$	21,640	\$ 63,656
Lump Sum	\$	28,250					\$ 28,250
Total	\$	324,333	\$	203,536	\$	209,138	\$ 737,007

Wage Study

The CBJ agreed to enter into a procurement process to select a contractor to perform a market wage study in the 3rd year of the CBA to be out for bid by January 31, 2024. The market wage study will include job classes of Firefighter/EMT I/II/III, Firefighter/Paramedic, Firefighter/Engineer and Firefighter/Captain. The costs are difficult to estimate for two years from now, but likely \$10-\$20K for this onetime cost.

Operational Changes:

There were operational changes that involved incorporating language from previously agreed upon letters of agreement and operational changes outlined in the attachment.

Conclusion:

Overall contract negotiations were constructive. Table talks proceeded with both parties discussing issues and resolving problems. Eventually, a federal mediator spent two days with the parties to assist in reaching an agreement on the final economic terms. Fire Chief Rich Etheridge, Assistant Chief Travis Mead, Administrative Officer Brenwynne Grigg, and HRRM Director Dallas Hargrave and HR Manager Shannon McCain (Chief Spokesperson) participated on the bargaining team.

Request for Action:

The overall financial package is in line with the previous briefings to the Assembly. We respectfully request that the Assembly ratify the terms of this contract.

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Coversheet	<p>\$500 lump sum payment to each full time IAFF member employed on October 20, 2022 prorated for part-time and seasonal members.</p> <p>Wage study request for RFP LOA with the following terms:</p> <ol style="list-style-type: none"> The wage study RFP will be in accordance with CBJ purchasing code and Department of Finance procurement rules Job classes to be included are Firefighter/EMT I/II/III, Firefighter Paramedic, Firefighter/Paramedic, Firefighter Captain CBJ will seek input for consideration from IAFF when drafting the solicitation IAFF may select one member and one alternate member to participate on the vendor selection committee Solicitation to be posted by January 31, 2024 CBJ will provide a copy of the final report to IAFF A Labor Management committee will be formed to discuss the outcome of the market study
Article 2 – Recognition	2.1 Addition of Community Assistance Response and Emergency Services (CARES) job classes into the contract (Sobering Center and Mobile Integrated Health EMT's and Paramedics)
Article 10 – Uniforms, Tools, and Equipment	<p>10.1 – New language to identify items included in employer provided uniforms for CARES staff, annual uniform inspection and replacement or repair to be at the Fire Chief discretion.</p> <p>10.7 – Modernized language from “manned” stations to “staffed stations”. Added language regarding providing space for lactating members in accordance with federal law.</p>
Article 11 – Hours of Work	<p>11.1 - Added language regarding 24 hour members experiencing pregnancy or temporary disability will not be included in minimum staffing or take a spot on the leave calendar.</p> <p>11.2 - Incorporated work rules from the CARES letter of agreement regarding standard workweeks for non-24 hour shifts.</p>

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

	<p>11.3 – Incorporated CARES employees into shift trade language, added language that limits 12 hour CARES employees to no more than 16 continuous hours worked and articulates trades are only allowable within their job class.</p> <p>11.4 C – Clarified that CARES members are excluded from mandatory overtime.</p>						
Article 12 – Training	<p>12.3 – Added language to allow text books and training materials to remain the property of the employee for employer provided training.</p> <p>12.6 – New language added that articulates the conditions under which a CARES employee is permitted to volunteer as a Volunteer Firefighter and prohibits them from volunteering for EMS calls unless assigned and paid at the appropriate rate of pay.</p> <p>12.7 – New language added regarding the Paramedic Education Program that clarifies the existing process of the CBJ’s commitment to funding the completion of the program for an employee selected to participate who is meeting all program requirements.</p>						
Article 13 – Pay Rates and Pay Days	<p>13.1 – Pay Schedule: Increases to the pay schedules as described below:</p> <table><tr><td>FY23</td><td>FY24</td><td>FY25</td></tr><tr><td>5.5%</td><td>2%</td><td>2%</td></tr></table> <p>Lump sum payment of \$500 to be prorated for employees in less than full FTE equivalent.</p> <p>13.4 – Clarified language regarding the probationary period.</p> <p>13.6 – Incorporated overtime language from the CARES work rule LOA. Added new language that CARES employees must be authorized to respond to “all call” incidents and when authorized they will be paid for a minimum of one hour if they respond. New language added that salaried employees are not eligible for overtime. New language added to clarify that CARES employees are excluded from the OT rules for employees engaged in fire suppression.</p>	FY23	FY24	FY25	5.5%	2%	2%
FY23	FY24	FY25					
5.5%	2%	2%					

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

	<p>13.7 – New language added that provides for non-56 hour employees compensatory leave balance may not exceed 100 hours at the beginning of the pay period.</p> <p>New language added that employees may not split a shift between compensatory time and overtime.</p> <p>13.8 – added language to clarify that that acting status under this article is for fire suppression members only. Language added to clarify acting shifts for duration and eligibility must be consecutive.</p> <p>13.9 - Changed language around Standby Pay to include cell phones, phone call or text and to include CARES operating procedures for response in addition to Fire SOP.</p> <p>13.11 – Changed payday language to reflect current practices.</p> <p>13.13 – Professional Pays</p> <p>Added language that employees are only eligible for professional pays that are within their assigned position and job class except educational professional pays.</p> <p>Added language that the EMS officer is eligible for base wage adjustment professional pays with approval of the Fire Chief.</p> <p>Base Wage Adjustments (BWA) Professional Pay</p> <ul style="list-style-type: none"> • Added language clarifying that an employee may not receive educational professional pay if it is a minimum qualification of their position. • Team Coordinator retitled and expanded to Coordinator pay. Added clarifying language that must be coordinating training for rope and water, Hazmat, ARFF or Fire training: Increased from 2% to 5% • Technical Rescue Team Rope or Water combined into Rope AND Water team, added clarifying language to define that an employee must be an active member, and on both rope and water to receive professional pay: 1.5%
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Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

- EMS Supply Coordinator retitled and expanded to Supply Coordinator: Increased from 1% to 2%
- Peer Fitness Trainer 1% eliminated
- Volunteer Station Manager 2% eliminated
- EMT III expanded scope 1% eliminated

As Assigned (AA) professional pay

- Medevac Flight Pay retitled to Flight Pay and language added to provide clarification of definition of flight pay.

13.16 – Added language to the Paramedic Retention bonus to allow for any position at CCFR that requires a paramedic license (CARES) to be eligible.

Added language that if an employee voluntarily demotes they would have to pay back the bonus.

Deleted language that an employee who takes a position in a different job class where a paramedic license is not required would have to pay the bonus back.

Housekeeping to remove language specific to 2019 bonus implementation.

Added language that a paramedic may be eligible to receive the bonus again if they have fulfilled the terms of their first bonus and the list of eligible members who have not accepted is exhausted and there are still bonuses left to claim.

Added language that members who have received the bonus, but have transferred or promoted out of the paramedic job class shall remain on the mandatory overtime list in the paramedic job class in lieu of repayment, so long as they maintain current licensure for the duration of the agreement, otherwise they are subject to the terms of the repayment agreement.

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Article 14 – Holidays	14.1 - Incorporated language from the CARES work rules letter of agreement that in lieu of holidays they receive an increased leave accrual.
Article 15 - Leave	<p>15.1 E. - Added language to provide additional leave accrual of .92 for Firefighter Engineers owing to minimum staffing requirements.</p> <p>15.1 F - Incorporated language from the CARES Work Rules letter of agreement to provide additional leave accrual in lieu of holidays.</p> <p>15.1 G – Added clarifying language that this section applies to firefighters in seasonal and long term temporary positions.</p> <p>15.4 – Added new language that probationary employees serving their initial probation who are unable to use their minimum leave requirement may request a waiver through the Fire Chief.</p> <p>15.20 – Changed language for leave cash-in's to increase the amount an employee can cash in from 15 to 21 days and increase the required minimum balance from 21 to 27 days.</p> <p>Added new language to allow the Fire Chief to approve a leave cash-in in excess of 21 days for demonstrated hardship as long as the minimum balance is maintained.</p>
Article 16 – Health Benefits and Employee Wellness	<p>16.1 B - Updates</p> <p>Employer Contribution Amounts</p> <p>FY23: Employer contribution is increase from \$1460 to \$1533, approximately 5%</p> <p>FY24: Employer contribution is increase to \$1610, approximately 5%</p> <p>FY25: Employer contribution is increase up to \$1690, approximately 5%</p>

Tentative Agreement Summary of Major Changes

Effective July 1, 2022 through June 30, 2025

Article 17 – Retirement	Incorporated the Medical Expense Reimbursement Plan (MERP) letter of agreement from appendix B. Housekeeping changes to add headers and spell out the title of the MERP.
Article 20 – Promotions, Special Team Appointments & Voluntary Demotions	20.1 Added language to clarify this section only applies to firefighters. Added new language to clarify that nothing the Article prevents the Fire Chief from recruiting without creating a promotional list as long as it is announced in the job posting. 20.2 Added language to clarify this section only applies to firefighters. Added language that employees not meeting training requirements will be removed from active duty status for special team appointments.
Article 25 – Duration of Agreement	Three-year agreement

Terms: Community Assistance Response and Emergency Services (CARES)

Presented by: The Manager
Presented: 11/21/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3007

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

WHEREAS, the City and Borough has adopted the 2020 Juneau Coordinated Human Services Transportation Plan, to identify available transportation services and to lay out strategies to address gaps in transportation services provided those who are elderly, have disabilities, or who qualify as low-income and use public transportation for traveling to and from work; and

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT&PF) makes available grant funding for mobility projects; and

WHEREAS, in order to be considered for grant funding, each community must prioritize their projects and that priority list must be endorsed by the local government; and

WHEREAS, the Juneau Coordinated Transportation Coalition is a coalition of community partners working to improve the effectiveness and efficiency of transportation in Juneau; and

WHEREAS, one of the Coalition's main roles is to rank funding requests from member agencies proposing transportation and mobility projects and submit those recommendations to the Assembly; and

WHEREAS, the Juneau Coordinated Transportation Coalition and related agency representatives held a regular Juneau Coordinated Transportation Coalition meeting on October 28, 2022, and voted on the priority list for State Fiscal Year 2022 DOT&PF grant funding as follows:

1. SAIL Replacement ADA Taxi

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

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Presented by: The Manager
 Introduced: 11/21/2022
 Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3008

A Resolution Adopting an Alternative Allocation Method for the FY2023 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity within the Northern Southeast Fisheries Management Area.

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY2023 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2021 from fisheries business activities; and

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods that may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

WHEREAS, the City and Borough of Juneau proposes to use an alternative allocation method for allocation of FY2023 funding available within the Fisheries Management Area 17: Northern Southeast Area in agreement with all other municipalities in this area participating in the FY2023 Shared Fisheries Business Tax Program.

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

Section 1. The City and Borough of Juneau certifies that the following alternative allocation method fairly represents the distribution of significant effects during calendar year 2021 of fisheries business activity in Fisheries Management Area 17: Northern Southeast Area:

- All municipalities share one half of the funding allocation equally between the respective municipalities; and
- All municipalities share the remaining half of the funding allocation on a per capita basis.

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

Adopted this ____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 SOUTH SEWARD STREET, JUNEAU, ALASKA 99801

TO: Rorie Watt
City and Borough Manager

Date: November 17, 2022

FROM: Caleb Comas
Contract Administrator

SUBJECT: RFP RESULTS: Notice of Intent to Award
Construction Manager at Risk (CMAR) for the
Bartlett Regional Hospital Emergency Department Addition & Renovation
Contract No. E23-156b

Two proposals were received for the subject project on November 9, 2022. The scores assigned to each proposal by the selection committee are as follows:

Selection Committee Members

Proposer	A		B		C		D		E		Total Rank
	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	
Dawson	177	1	171	2	209	1	176	2	171	1	7
Cornerstone	173	2	176	1	203	2	179	1	164	2	8

Project Manager: Lisa EaganLagerquist

This project consists of a construction firm serving in a Construction Manager at Risk capacity to provide pre-construction and construction services for the Bartlett Regional Hospital Emergency Department Addition & Renovation project. This Alternative Procurement method was authorized by the Assembly with Ordinance 2022-51.

Funding Source: BRH Fund and BRH Revenue Bond

Total Project Funds: \$12,425,000

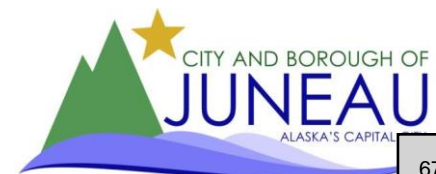
CIP No. B55-083 (\$1.4M) and B55-086 (\$11.025M)

Pre-Construction Encumbrance: \$200,000

Staff recommends award of this project to Dawson. In accordance with Ordinance 2022-51, which authorizes an Alternative Procurement method, the Manager shall present the recommended Construction Manager at Risk company proposal to the Assembly for approval prior to commencing negotiations with the selected firm. If the Assembly accepts the proposal, the initial contract for pre-construction services will be for \$70,000, and the total contract value will not exceed \$200,000 without prior Assembly approval.

Approved: _____
Duncan Rorie Watt
City & Borough Manager

Date of Assembly Approval: _____



Dawson

Section J, Item 15.



Request for Proposals (RFP E23-156b) for CMAR Services for the Bartlett Regional Hospital Emergency Department Addition and Renovation

Dawson Construction, LLC
8401 Airport Blvd.
Juneau, AK 99801
907.780.1500

Contact: Chris Gilberto
Email: cgilberto@dawson.com

November 9, 2022

Dawson

November 9, 2022

City and Borough of Juneau, Purchasing Division
155 South Seward Street
Juneau, AK 99801

ALASKA

907.780.1500 TEL

P.O. Box 35825 (99803)
8401 Airport Blvd.
Juneau, AK 99801

www.dawson.com

Re: Request for Proposals (RFP E23-156b) for CMAR Services for the Bartlett Regional Hospital Emergency Department Addition and Renovation

Dear City and Borough of Juneau (CBJ) and Selection Committee,

Having quality healthcare in our community for our neighbors, our employees, and our families in Juneau is of the utmost importance for Dawson. We are personally vested in the success of the BHR ED project and are the best fit as your CMAR partner. Dawson understands the complexities of working in an occupied healthcare facility and how to overcome the challenges to deliver a successful project. As your partner, the focus will be on minimal disruptions so the BRH ED may continue providing high-quality, professional healthcare throughout the entire construction process.

Working in an operating hospital has unique requirements. Dawson's expertise working in operating healthcare facilities makes us the best partner for City & Borough of Juneau on this project:

- ✓ **Our experience and personnel** in Juneau are unmatched with the leadership of Chris Gilberto, Jason Sabin, and Kendall Nielsen, our most experienced healthcare team.
- ✓ **Our project approach during preconstruction:** As your partner, we will find a phasing plan that minimizes impacts to the emergency department while managing and meeting the budget and schedule.
- ✓ **Our planning and mitigation for disruptions** is our focus throughout preconstruction and into construction. We will communicate and coordinate daily to keep the needs of the ED/Hospital in the forefront of our construction.
- ✓ **Our estimating process and ideas** will include value engineering and enhancement options that will ensure budgets are met without impacting the life cycle of the facility.
- ✓ **Our innovative approach to solutions** will be to the benefit of the project team and user of the facility by keeping the operations of the hospital our primary focus.

Local Partners: Dawson has partnered with the City & Borough of Juneau on 55 projects over the past 30+ years, ranging in size and scope. **We value this relationship and take exceptional pride in building for the community where our people live and work.** CMAR and best value contracts make up over 65% of our projects. We understand the partnering and collaboration necessary to make these projects successful. We have vast experience building and remodeling **over 50 healthcare facilities**, many of which were open during construction, and are excited to partner with you on this project.

Addendum 1, Addendum 2, and Addendum 3 have been received, reviewed, and acknowledged.

Sincerely,



Chris Gilberto
Construction Manager, Dawson Construction

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3.8 Innovation	14

PROJECT TEAM EXPERIENCE

Dawson's Juneau-based team has 60+ years of experience working in Juneau, including a history of working together on healthcare projects. Chris Gilberto's leadership will guide the project team and ensure the schedule and budget are constantly in check. Jason Sabin's onsite leadership will focus on safety and minimal disruptions for BRH employees and patients. His experience working in this facility gives him intimate knowledge of the structure and processes involved with working in a functioning emergency department.



CHRIS GILBERTO
Construction Manager

- » 23 years of experience
- » 12 CMAR projects the past 8 years

30% TIME COMMITMENT TO THIS PROJECT



JASON SABIN
Superintendent

- » 28 years of experience in Southeast Alaska
- » 3 most recent projects have been healthcare facilities

100% TIME COMMITMENT TO THIS PROJECT



CALEB MCGRAW
Day-to-day Project Manager

- » 12 years of Experience in Southeast Alaska
- » Completed 3 healthcare projects in last 4 years

50% TIME COMMITMENT TO THIS PROJECT



KENDALL NIELSEN
Project Executive

- » 20 years of experience
- » \$85M in healthcare projects in last 5 years
- » Hundreds of millions of dollars in healthcare projects in his career

TEAM MEMBERS' EXPERIENCE WORKING TOGETHER ON SIMILAR PROJECTS:

PROJECT	YEAR	CHRIS	JASON	KENDALL	CALEB
BRH Behavioral Health Facility	Ongoing	✓	✓	✓	✓
SEARHC Juneau Empire Medical Admin Building	2021	✓	✓	✓	
SEARHC Ethel Lund Medical Center Renovation	2020	✓	✓	✓	
SEARHC Wrangell Medical Center Long-term Care	2022	✓		✓	✓
SEARHC Wrangell Medical Center	2020			✓	✓
Sealaska Heritage Institute Arts Campus	2022	✓		✓	✓
Juneau International Airport Reconstruction	2022	✓		✓	✓

SIMILAR PROJECT EXPERIENCE - COSTS, SCHEDULE, QUALITY

ETHEL LUND MEDICAL CENTER RENOVATIONS JUNEAU, AK

19,840 sf renovations to the ground and main floors of the existing clinic completed in multiple phases to accommodate the clinic’s operations. Renovations were made to the lobby, reception area, waiting area, physical therapy room, ICT areas and offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine. All work was performed while the clinic was fully occupied.



COSTS: \$5.5M final contract

TEAM: Jason, Chris, Kendall
CONSULTANT: Jim Rehfeldt

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ MULTI-PHASE CONSTRUCTION
- ✓ OCCUPIED FACILITY
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

SCHEDULE: 9/19 to 11/20
Duration - 15 months

BRH BEHAVIORAL HEALTH FACILITY JUNEAU, AK

Demolition of the existing facility and construction of a new 14,500 gross square foot facility comprised of outpatient offices, inpatient residential care suites, general storage, and underground parking.



COSTS: \$14.5M ongoing

TEAM: Jason, Chris, Kendall, Caleb

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ BRH CAMPUS
- ✓ DESIGN ASSISTANCE
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

ONGOING SCHEDULE:
Duration - 23 months

SIMILAR PROJECT EXPERIENCE - COSTS, SCHEDULE, QUALITY

SEARHC WRANGELL MEDICAL CENTER WRANGELL, AK

New construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility. The project also included interior renovations at the existing clinic, which remained operational throughout the project.



COSTS: \$23.3M final contract

TEAM: Kendall, Caleb
CONSULTANT: Jim Rehfeldt

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ OCCUPIED FACILITY
- ✓ CMAR
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

SCHEDULE: 8/20 to 9/22
Duration - 21 months

SEARHC WRANGELL MEDICAL CENTER LONG-TERM CARE ADDITION WRANGELL, AK

New construction of a Long Term Care addition with 4-resident rooms to the existing north wing of the Long Term Care unit at Wrangell Medical Center. Construction coordination and phasing is crucial to meet SEARHC renovation standards and provide a safe environment for the current LTC residents and staff. This has required barriers separating the work areas from the occupied adjacent spaces.



COSTS: \$2.1M ongoing

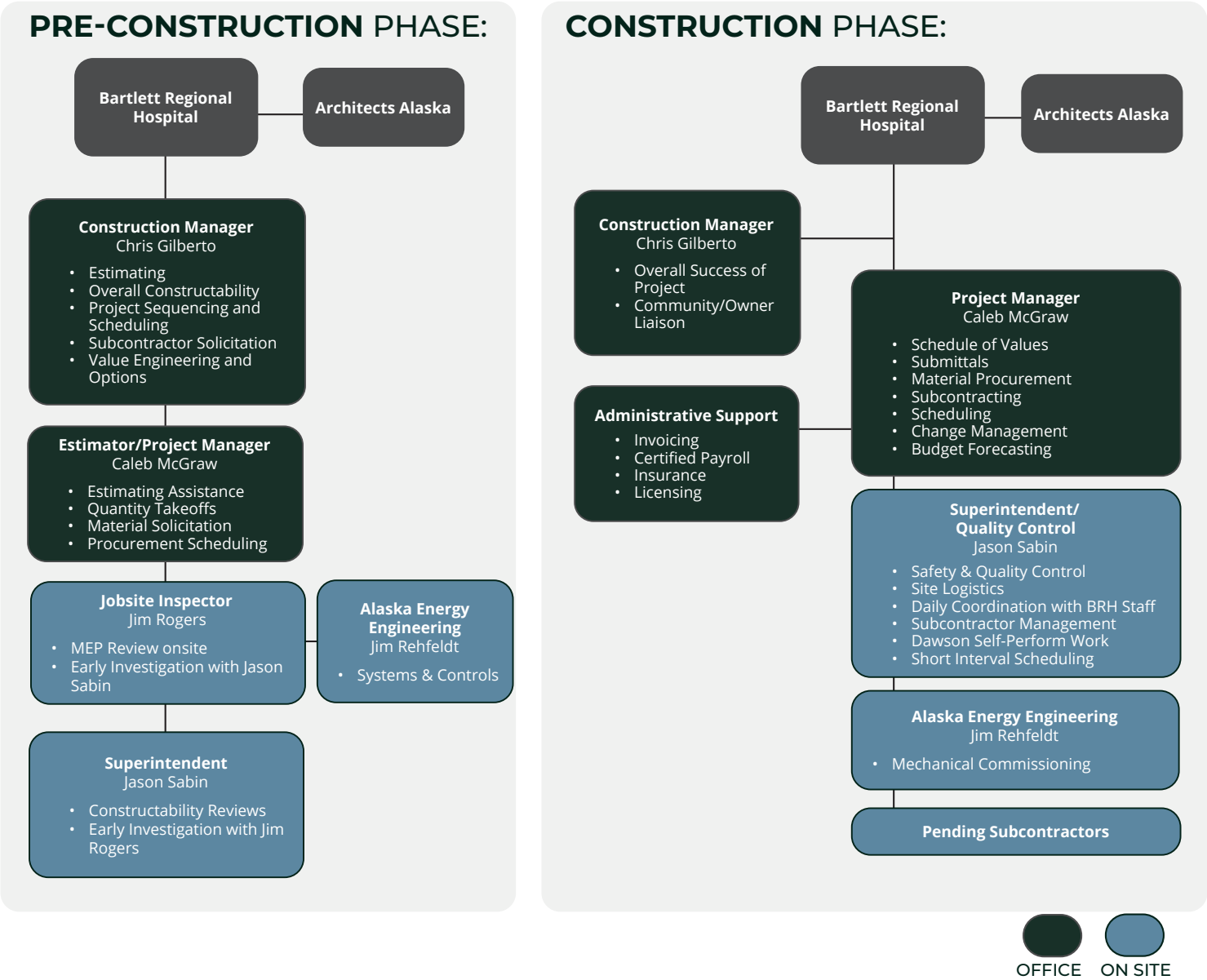
TEAM: Chris, Kendall, Caleb
CONSULTANT: Jim Rehfeldt

SIMILARITIES:

- ✓ HEALTHCARE FACILITY
- ✓ OCCUPIED FACILITY
- ✓ PRIVATELY NEGOTIATED
- ✓ VALUE ENGINEERING
- ✓ REPEAT CLIENT

ONGOING SCHEDULE:
Duration - 8 months

The organizational charts below indicate the roles of supervision, lines of authority, administrative functions, and responsibilities for each role both in the pre-construction phase and the construction phase of the project. Each chart also notes which roles will be onsite and which will be in the office:



CLIENT TESTIMONIAL

“As far as **the Dawson Construction team that Chris (Gilberto) leads, the whole team is superlative.** Their performance at Juneau Housing First Project has been very professional. Dawson Construction's management team has the ability to deliver required documents and information in a timely manner, which *is needed for our grant process. Their team has first-rate record keeping. The team has exeptional skills at project budgeting. It has been energizing for me to work with a class act company that understands and is dedicated to the **TEAM** approach and assists the developer, architects, engineers, consultants and subcontractors in making the project efficient and economical, and (a company that) takes **special care to ensure the finished building meets and exceeds the developer and owner expectations.** ”*

– Larry Gamez, Project Manager,
Tlingit Haida Regional Housing Authority



Chris Gilberto | Construction Manager

23 YEARS EXPERIENCE
9 YEARS WITH DAWSON

CERTIFICATIONS

Carpenter's Local 1281
Apprenticeship Training
Program

REFERENCES

Dave Hurley
Northwind Architects
907.586.6150

Steve Merkel
SEARHC
907.966.8406

Lee Kadinger
Sealaska Heritage Institute
Owner
907.463.4844

QUALIFICATIONS

Chris has managed projects in Alaska for 19 years and is well-versed in CMAR projects. He has established relationships with local subcontractors and regulatory agencies that will benefit the cost, schedule and quality of this project. Chris will lead the team through preconstruction, value engineering, design reviews, estimating, and will be an additional point of contact throughout construction for any concerns by owners and design team.

SUCCESSFUL JUNEAU PROJECT EXPERIENCE

- ✓ **BRH Behavioral Health Facility (BHF)** Project was awarded to Dawson that originally included the demolition of the existing facility and construction of a new, 14,500 sf BHF that is located on an infilled site with a concrete garage and two stories of operation-focused space. Once awarded, the project was paused to make design changes to fit the evolving needs of the end user. Changes included a complete structural redesign change from a wood structure to structural steel and including the addition of a 3rd floor. Specific details related to the project included rooms for those in need with anti-ligature features and materials used to provide a safe calming space. Throughout the project, changes in design and use of the facility created a challenges related to material procurement, work sequencing and on-site coordination. Chris and Jason Sabin navigated these challenges while continuing to keep the project moving forward.
- ✓ **SEARHC Ethel Lund Medical Center Renovations** Renovations to the ground and main floors of the existing clinic completed in two phases to accommodate the operations while facility was occupied. Renovations were made to the lobby, reception and waiting areas, physical therapy room, ICT areas, offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine.
- ✓ **Sealaska Heritage Institute (SHI) Arts Campus** The Sealaska Heritage Institute Instructional Arts Campus involves construction of an Arts Instructional Building; below-ground-level concrete parking structure connected to the existing underground parking area under the neighboring One Sealaska Plaza; an open pedestrian plaza; an open canopy structure adjacent to the One Sealaska Plaza building; and landscaping and arts installation.
- ✓ **Juneau International Airport Reconstruction** This project involves demolition, reconstruction and renovation of approximately 35,000 sf of the existing Juneau International Airport terminal building. Scope includes hazardous material abatement; demolition of existing building, elevator and escalator; installation of a new elevator; and new construction of a two-story, 12,500 sf structure. The project used a phased approach with the first phase including partial demolition and construction of the addition, and the second phase includes replacing stairs, elevators, escalators and infilling construction. All work was performed within the operational airport.
- ✓ **Douglas Island Building Renovation** The Douglas Island Building is a two-story, 42,530 square foot facility housing the Alaska Department of Fish and Game and the Alaska Department of Corrections. Renovations encompassed structural repairs and upgrades.



Jason Sabin | Superintendent

28 YEARS EXPERIENCE
8 YEARS WITH DAWSON

EDUCATION

OSHA 10, OSHA 30
Aerial Lift Operator
Scaffold Erector and
User Qualification
UBC Leadership Training
AK-CESCL Training
First Aid & CPR Certificate

REFERENCES

Dave Hurley
NorthWind Architects
907.321.4495

Steve Merkel
SEARHC
907.463.4000

Brent Fagerstrom
State of Alaska DOA
907.723.3987

QUALIFICATIONS

Jason is our most experienced superintendent for renovations of occupied facilities. He excels at coordinating with owners and tenants and ensuring open communication is maintained so there are no surprises. Jason will be responsible for managing construction crews, subcontractors, day-to-day construction work, short interval scheduling, safety and quality control and will ensure all work is being completed in accordance with the contract specifications and work schedule. Jason's last 3 projects have been healthcare related.

SUCCESSFUL JUNEAU PROJECT EXPERIENCE

- ✓ **BRH Behavioral Health Facility (BHF)** Project was awarded to Dawson that originally included the demolition of the existing facility and construction of a new, 14,500 sf BHF that is located on an infilled site with a concrete garage and two stories of operation-focused space. Once awarded, the project was paused to make design changes to fit the evolving needs of the end user. Changes included a complete structural redesign change from a wood structure to structural steel and including the addition of a 3rd floor. Specific details related to the project included rooms for those in need with anti-ligature features and materials used to provide a safe calming space. Throughout the project, changes in design and use of the facility created a challenges related to material procurement, work sequencing and on-site coordination. This is a current project for Jason, where he continues to overcome these challenges. Once complete, he will be available to transfer seamlessly to this project.
- ✓ **SEARHC Juneau Empire COVID Testing Center** Project includes renovation of existing administrative offices to provide safe, clean location for local COVID testing for the Juneau community.
- ✓ **SEARHC Ethel Lund Medical Center Renovation** Tenant improvements to the ground and main floors of the existing SEARHC Ethel Lund Medical Clinic. Work was performed in two phases to accommodate the operational facility. Alternative Delivery: LS to negotiated.
- ✓ **Court Plaza Building Cladding and Window Replacement** Replacement of exterior envelope with new metal wall panels over a rain screen assembly, new ribbon windows and minor interior work as required to complete the exterior renovation. Alternative Delivery: LS to negotiated.
- ✓ **Marine Exchange** New construction of a 6,400 sf, three-story office building for the Marine Exchange of Alaska. Creative solutions proposed during pre-construction resulted in an accelerated project schedule and 2.5% savings in construction costs. CMAR.
- ✓ **Douglas Island Building Renovation** Renovations to an existing two-story building on a constrained site including structural repairs, envelope replacement, installation of a new curtain wall assembly, terracotta siding, interior finishes, landscaping and associated mechanical and electrical work. Alternative Delivery: RFP Selection.



Caleb McGraw | Project Manager

QUALIFICATIONS

Born and raised in Sitka, Alaska, Caleb has an ingrained understanding of building in Southeast Alaska regions. He has worked on a variety of construction projects including occupied healthcare facilities and active airports. Caleb possesses a detail-oriented work ethic and excels at planning for complex logistics and working within occupied facilities.

SUCCESSFUL PROJECT EXPERIENCE

- ✓ **SEARHC Wrangell Medical Center** The Wrangell Medical Center provides essential services for the city of Wrangell, including emergency services, acute care, transitional care, primary care, long-term care and ancillary hospital services. The project included new construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility and all associated site and utility infrastructure work. The new structure connects to the existing two-story clinic building through a covered walkway. The project also included interior renovations at the existing clinic, which remained operational throughout the project.
- ✓ **SEARHC Wrangell Medical Center Long Term Care Addition** New construction of an approximately 1,800 sf single story, wood framed with SOG, Long Term Care addition of 4-resident rooms to the existing north wing of the Long Term Care unit at Wrangell Medical Center. MEP systems scope of work entail extending the existing MEP systems from the existing building, which were designed for the future area of the LTC additions. MEP scope also includes changing the Hot Water Piping Loop in the existing LTC wing. Construction coordination and phasing will be required to meet SEARHC renovation standards and provide a safe environment for the current LTC residents and staff. This will require barriers separating the work areas from the occupied adjacent spaces. All associated interior finishes, and site and utility infrastructure work to be included.
- ✓ **Juneau International Airport Terminal Reconstruction** Demolition, reconstruction and renovation of approximately 35,000 sf of the existing Juneau International Airport terminal building. Scope includes hazardous material abatement; demolition of existing building, elevator and escalator; installation of a new elevator; and new construction of a two-story, 12,500 sf structure. All work was performed within the operational airport.
- ✓ **Sitka Secondary Critical Water Supply** Construction of a new Membrane Filter Plant, Intake and Raw Water Pump Station for the production of potable water. The project includes development of greenfield sites, and connections to existing utilities and treatment facilities. The Membrane Filter Plant includes installation of Owner-furnished membrane filtration equipment, a new pre-engineered metal building, chemical systems, standby generator, and ancillary systems.

12 YEARS EXPERIENCE

4 YEARS WITH DAWSON

EDUCATION & CERTIFICATIONS

B.S. University of Alaska, Anchorage

US Army Corps of Engineers
Construction Quality Management
for Contractors Certificate

AGC Project Management Training
Certificate

Procore Certified: Project Manager
Certificate

REFERENCES

Dan Kirsch

PTS Inc., Anchorage
907.561.6237

Aaron Morrison

Respec Engineering
907.561.6237

Mike Poutney

SEARHC
907.966.8413



Kendall Nielsen | Project Executive

20 YEARS EXPERIENCE
5 YEARS AT DAWSON

EDUCATION

Brigham Young University,
B.S. Construction Management

REFERENCES

Kimberly McHugh

Cumming Corporation
253.579.6050

Lincoln Ferris

Seattle Central College
425.766.7346

Miro Petrovic

US Healthvest
281.615.4483

QUALIFICATIONS

Kendall has worked in the construction industry for 20 years. His large scale project experience spans 12 states and the island of Guam, including CM/GC and complex renovations. Kendall prides himself on collaboration and building his teams around the owner's vision. He is a strong proponent of getting the job done right the first time and doing the right thing.

RELEVANT PROJECT EXPERIENCE

- ✓ **YTT JVCP Ambulatory Health Care Facility** 21,000 sf new construction for primary care, women's health, urgent and walk-in care, pharmacy, lab, dental, wellness center, emergency medical services, and integrated behavioral health and community health services.
- ✓ **SEARHC Ethel Lund Medical Center Renovations** Renovations to the ground and main floors of the existing clinic completed in two phases to accommodate the operations while facility was occupied. Renovations were made to the lobby, reception and waiting areas, physical therapy room, ICT areas, offices, pharmacy, lab, phlebotomy, library, work rooms, and mechanical mezzanine.
- ✓ **SEARHC Wrangell Medical Center** The project included new construction of the 35,000 sf Critical Access Hospital and Long-Term Care Facility and all associated site and utility infrastructure work. The project also included interior renovations at the existing clinic, which remained operational throughout the project.



Jim Rogers | MEP Specialist

45 YEARS EXPERIENCE
28 YEARS AT DAWSON

CERTIFICATIONS

Journeyman Plumber License
(AK and WA)

Mechanical Administration
License

REFERENCES

John Kleinegger

Ketchikan Public Works
307.228.2441

Joe Swain

Sitka Water &
Wastewater Department
907.747.1895

Jennifer Holstrom

Ketchikan Public Utilities - Elec-
tric

QUALIFICATIONS

Jim truly excels in projects with complex mechanical systems. With a detailed, patient approach and a keen understanding of MEP systems, there is no one better for this project than Jim. He is Dawson's go-to Superintendent for inspecting complex mechanical systems. He is able to identify potential risks to the work and schedule before they negatively impact the project, provide mitigation recommendations, and keep production on track.

RELEVANT PROJECT EXPERIENCE

- ✓ **SEARHC Mt.Edgecumbe Hospital ER Replacement** Full demolition and replacement of 3,400 sf of the ground floor footprint of the ER facilities. Work included demo/replacement of existing AHU located in the building's mechanical attic, as well as demo of current rated shaft between ground floor and mechanical attic and replacement with enlarged rated shaft, which includes structural augmentation of the second and attic floor assemblies. All work was completed within the occupied medical facility, requiring some work to be completed over nights and weekends.
- ✓ **Mendenhall Waste Water Treatment Plant Biosolids Dryer Facility** Coordination and installation of all process pipe and equipment, and oversee facility startup, testing and commissioning within a fully operational waste water treatment plant.
- ✓ **Sitka UV Disinfection** Plant Development of a green-field site, a new, 5,400 sf pre-engineered metal building with a basement, installation of owner-furnished UV disinfection equipment, fluoride system, a standby generator, and ancillary systems.
- ✓ **Whitman Lake Hydroelectric** Phased project involving Installation of a 4.6 MW hydro-electric dam on the existing non-powered dam at Whitman Lake. Jim led constructability reviews and value engineering analysis to bring the project cost from \$26M to less \$16M, without losing any scope.



Our proposed consultant is **Jim Rehfeldt with Alaska Energy Engineering, LLC**, who will be responsible for mechanical commissioning. Jim is invaluable during preconstruction when identifying and pricing systems and controls.

Jim is principal engineer of Alaska Energy Engineering LLC (AEE), a Juneau-based company. Jim has extensive experience with mechanical design, working with the goal of optimizing a facility's performance and life cycle. He has performed several analyses at medical facilities throughout southeast Alaska and is a leader in his field.

On a recent project with Dawson, Jim was brought in to help reduce cost of the overall functionality of the facility and reduce the need for additional heat pumps for the expansion and was able to optimize the existing facilities mechanical system.

JIM HAS BEEN A CONSULTANT ON 12 DAWSON PROJECTS SINCE 2009



Jessica Welch | Safety Manager

5 years of experience
1 year at Dawson

Qualifications

Jessica is a dedicated safety professional with three years field experience and two years of education in the Occupational Safety & Health Associate program. With strong collaboration skills and a positive attitude, Jessica strives to achieve top-level safety. Jessica will provide safety training, orientation, inspections, and expertise to ensure a safe project for your staff, patients and guests, and our workforce.



Stephanie Bash | Contracts Administrator

21 years of experience
21 years at Dawson

Qualifications

Stephanie brings 21 years of knowledge and experience performing contracts administration at Dawson. She is an expert in her field and is able to lead the administrative and financial reporting requirements associated with complex projects and multiple funding sources. In addition, Stephanie processes our Owner contracts, oversees sub-contractor compliance, and works closely with our insurance and bonding agents.

7

OF PROJECTS WITH CBJ CURRENTLY

40+

OF HEALTHCARE PROJECTS IN OCCUPIED FACILITIES

\$170M

IN CMAR / CM/GC PROJECTS IN THE LAST 5 YEARS

CMAR PROJECT EXPERIENCE

Dawson is well versed in CMAR contract delivery with more than \$500M in CMAR and alter-nate contract projects in the past five years.

The relative dollar value of our contract deliv-ery methods is split between 65% negotiated/ best value contacts and 35% competitive bid.

Working with these two procurement methods provides the benefits of exceptional service while maintaining competitive pricing.

COLLABORATIVE PROBLEM SOLVING

We are dedicated to delivering projects which enhance the commu-nity, and are excited to bring this addition and renovation to the BRH Emergency Department. We approach every project with a partnering mindset and strive to do the right thing for our clients. Our focus during preconstruction is to bring your vision to life while maintaining your budget.

We will strive to understand your definition of success and work as a partner to achieve your success factors.

Our role includes cost estimating, design assist and coordination, schedule management, bid package development, and early procure-ment. With open, honest communication and a team mindset, we are confident we can deliver a successful preconstruction experience, and will:

- » **Meet and communicate with directly-impacted employees.** We will meet with BRH employees in affected areas, communi-cate, and collaborate to identify challenges the employees antic-ipate during all conststruction phases, as well as their priorities and wishes for us to consider. Discussions will include the plan for keeping ambulance access clear, and strategy for keeping processes flowing with *minimal disruption or interruptions throughout construction.*
- » **Manage risks and mitigate concerns with design team.** Jim Rogers and Jason Sabin will conduct early investigations. Knowing the project beforehand and being intimately familiar with all as-pects will help identify risks ahead of time and mitigate any con-cerns from pre-inspections all while coordinating with the design team.
- » **Make your priorities our priorities.** Our partnership will be cohesive as we move through preconstruction with your priorities as the focus. The common goal of keeping the emergency depart-ment fully-functioning and capable to provide the level of care expected by the community and the staff.

76%

OF OUR CONTRACTS ARE
NEGOTIATED/REPEAT
CLIENTS

55

TOTAL # OF PROJECTS
DAWSON AND CBJ
HAVE PARTNERED ON

CLIENT TESTIMONIAL

“Dawson provided us an exceptional experience from the initial bid to the completion of the project. It has been very easy to work with all members of the Dawson team. We truly appreciate the quick work and professionalism throughout this process and strongly recommend your company for any future jobs.

The entire project went smoothly and efficiently which was a direct result of Dawson being proactive in identifying areas of concern and working together with the architect, our project manager, and others in order to quickly develop effective alternatives when addressing any issues. Thanks to your leadership combined with the entire crew's dedication and energy, staff and residents are enjoying their much deserved space every day.”

*-Michelle Mahoney,
Sitkans Against Family Violence (SAFV),
Re: SAFV Shelter Expansion project*

BID PACKAGES AND PROCUREMENT STRATEGY

Bid Package Development

We will develop all Bid Packages and connect with Subcontractors through Building Connected, a web-based bidding program. Packages will be broken down by specification, with a goal of having a minimum of three vetted subcontractors/suppliers for all scopes of work. All subcontractors will be reviewed by project team and discussed before award, considering their past performance, ability to deliver on schedule, and the quality of their work. As we consider suppliers, the availability and pricing will be reviewed and discussed based on the specifications. We will present alternate products if there is a better, faster delivery item that is different from what is stated in the specifications.

Procurement Strategy

- Large procurements will be reviewed, allowing us to make the best decisions possible for purchasing for this project. We will maintain a detailed procurement log to closely monitor all materials and procurement shedule.
- » **Long Lead Items** Early procurement buyout will be key for this project. We will use our local yards and storage areas for all early material, and will utilize our buying power within Anchorage, Juneau, and WA state markets.
 - » **Soliciting Subcontractor Interest** With 50+ years as a successful and proven contractor in southeast Alaska, we have built strong relationships with subcontractors and suppliers who provide us with the best pricing, and accommodate demanding project schedules. Our partnership with the local subcontractors will ensure this renovation and addition project is given priority.

PRECONSTRUCTION SERVICES

Our preconstruction services will be divided into four main buckets as outlined in the graphic below. This plan helps maintain deadlines and provides complete transparency during the process.

During preconstruction, we will determine with the whole team if additional investigations or inspections are necessary.

PROJECT	NOTES	PRIMARY RESP.	SECONDARY
1 PRECON MEETING & GENERAL PARTICIPATION			
Design Meetings	-	Chris	Caleb
BRH Employee Precon Meetings	Meeting with nurses/BRH Employees	Jason	Chris
Internal Precon Meetings	Coordinate and review	Chris	Caleb
Early Investigations	Onsite investigations	Jim R.	Jason
2 ESTIMATING/VE/CONSTRUCTABILITY/BIDDING			
SD Estimate	Chris to lead, assist from Caleb	Chris	Caleb
DD Estimate	Chris to lead, assist from Caleb	Chris	Caleb
CD to Permit Estimate	Chris to lead, assist from Caleb	Chris	Caleb
Bidding Preparation	Chris to lead, assist from Caleb	Chris	Caleb
CD to Bid Estimate	Chris to lead, assist from Caleb	Chris	Caleb
Estimating Support	Dawson Resources	Caleb	
Cost Alignment (VE/Option)	Meetings to maintain budget/scope alignment	Chris	Caleb
Constructability Review	Work sessions with design team	Chris	Jason
3 SCHEDULING & SITE LOGISTICS			
Scheduling	Updates as needed	Caleb	Chris
Site Logistics/ICRA	Occupied area, employees & patients	Jason	Caleb
Short Interval Schedule	Updates every 3 weeks	Jason	
4 EARLY SCOPE COORDINATION (MEP, UTILITIES)			
MEP Onboarding	Bid Packages, Solicitation	Caleb	Admin
MEP Design Coordination & Cost Analysis	-	Chris	Caleb

During the pre-construction phase and the estimating process, the goal will be to incorporate all work shown. Ultimately, budgets must be met which dictates the need for Value Engineering and the opportunity for enhanced options.

Dawson has completed over 45 CMAR and alternate delivery projects with great success, ensuring the owner's budget was met.

This collaborative approach to design and estimating ensures everyone is on the same page at all times.

OPTIONS LOG

An Options Log is a *wish list of additional scopes of work which may be added as funding becomes available*. This log will be created during value engineering and updated throughout construction to track critical decision deadlines necessary to maintain the

Dawson

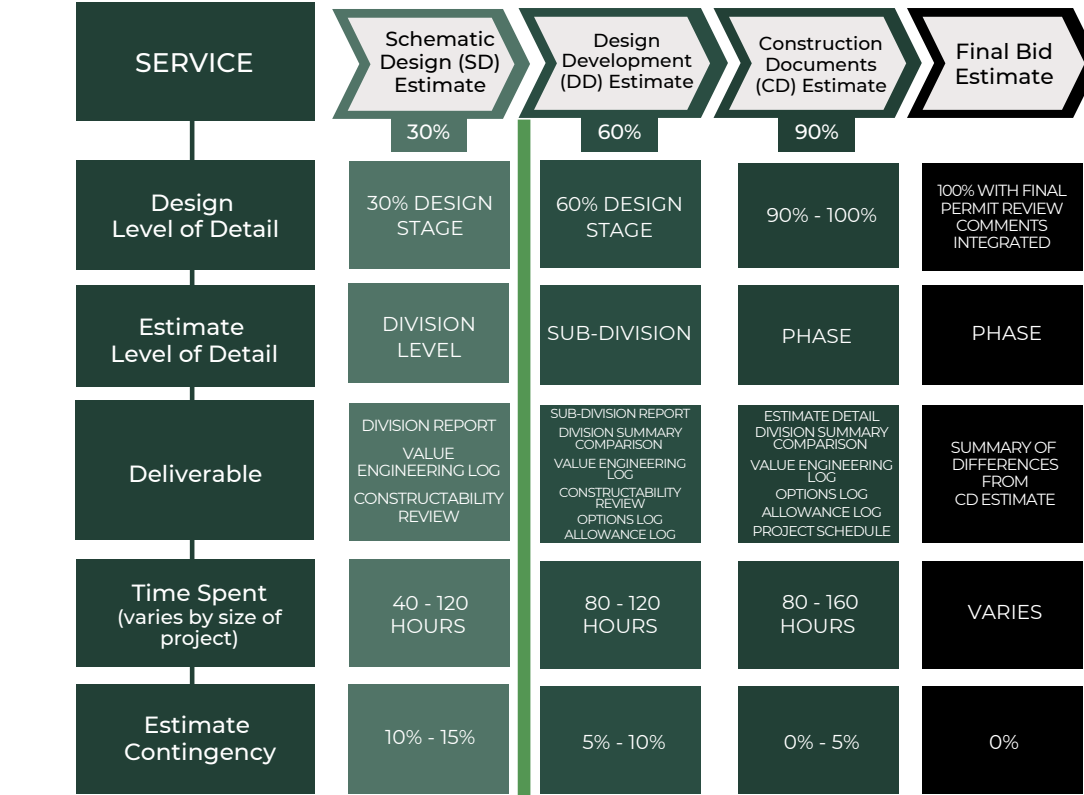
OPTIONS LOG					
Option No.	Description	Submitted Date	Decision Req'd by Date	ROM & Priority	
				A	B
1	Elect Hardware 4 control doors				
2	Elect - Provide security system				
3	Elect - Access control system				
4	Elect - CCTV system				
5	3 solar powered light poles	04/11/12			
6	3 standard light poles	04/11/12			
7	Windows - Repair broken seals				
8	Level slab, lower floor 220				
9	Even slab, lower floor 220				\$50,072

VALUE ENGINEERING EXPERIENCE

At Dawson, we use Value Engineering (VE) as a value-adding exercise. When Value Engineering, we look for solutions that do not sacrifice elements that are critical to the project. That often leads us into the civil, structural, and foundation systems which are hidden parts of the facility and frankly won't be missed by most. Some of our early agenda items will be prioritizing discrete areas like elevations, footings, and structure to see what savings we might be able to capture. We will spend time analyzing assemblies and breaking each component down. Each element has a value, and if we can isolate each piece we can concentrate on the big ticket areas and look for alternatives. We take pride in maximizing value without compromising your end product. Our goal through the VE process will be to achieve the desired building functionality while making value decisions that preserve:

- ✓ Performance
- ✓ Resiliency
- ✓ Aesthetics
- ✓ Flexibility

We will use a Value Engineering Log to manage savings opportunities as well as an Options Log to track betterments for the project. The use of Value Engineering and an Options Log is **key to the success of CMAR projects**. Dawson will manage the budget and track scope enhancements with our Options Log. Our logs will track the description of work, a rough order of magnitude (ROM), deadlines for decisions without impacting schedule and pricing, as well as note if additional design changes will be required.



PRECONSTRUCTION PROCESS

We have developed a detailed approach to the preconstruction process to **bring predictability to the budget and the schedule**. This will add value throughout preconstruction with constructability, value engineering, innovation, and schedule optimization.

CONSTRUCTION PHASING

We understand the ED needs to **function with minimal disruptions** in order to be successful. We will work with the BRH, CBJ, and Architects of Alaska to create a phasing plan and construction sequence that works best to smoothly incorporate construction into the daily functions of the ED.

It will be important to identify early on which medical machinery will be affected by disruptions and create a mitigation plan to avoid interruptions. Jim Rogers will conduct a thorough site visit to identify access, equipment, and any possible effects from construction to **avoid any issues on the front end**.

Dawson is **partnering with Jim Rehfeldt of Alaska Energy for balancing and commissioning** – proper airflow throughout construction for all users of the facility. We foresee multiple balancing or temp balancing taking place, with final commissioning and balancing at the completion of the project. Jim will also assist us in identifying the needs for achieving negative air in all phases of construction.

COMMITMENT TO QUALITY

Our entire focus, while producing a quality product, is minimizing disruptions, predicting any issues ahead of time during investigation, and upholding the functions of the ED throughout construction.

During phasing, all ICRA protocols will be followed to ensure that there is clean separation between construction and the users of the facility. While partitioning off sections for construction, we will ensure all pathways are accessible for hospital operations such as gurneys and staff access. **We will work to ensure suitable access for ambulances and patients**, along with other key elements that need to be addressed for phasing.

SCHEDULING AND PLANNING

Dawson's mission of "Building with leadership, predictability, and value to ensure successful construction projects" begins with project management and control of the schedule. A Critical Path Method (CPM) schedule will be created in the pre-construction phase and managed through the life of the project. While the CPM schedule is utilized for overall project planning and measuring progress, the day to day activities will be planned and managed utilizing a short interval schedule, or Three-Week-Look-Ahead schedule, which will follow the critical path of the project. We will work with BRH and design team for schedule development. Clear lines of communication will be maintained during construction ensuring you and your staff always know the next construction phase.

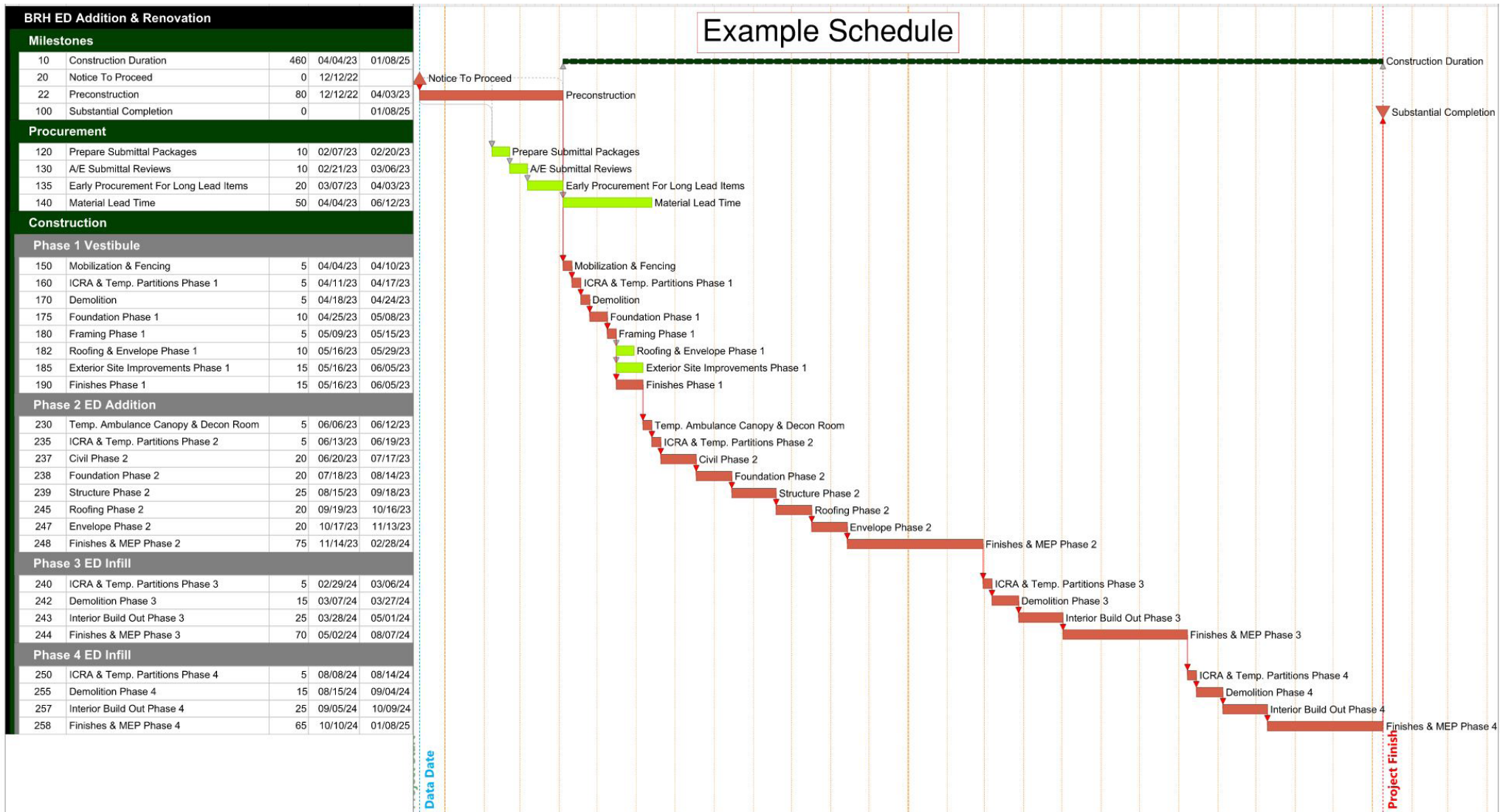
We will work with facility managers to ensure key program elements are kept in place while maintaining quality throughout construction.

Key aspects of the schedule to assist in managing the work include:

- » Integration of submittals, long-lead products, and early procurement
- » Identification of time windows where construction activities may be adversely impacted, or where we can take advantage of opportunities to accelerate the schedule
- » Clearly identify milestones which may affect each stage in construction
- » Adequate time for commissioning, owner move-in, and start-up

EXAMPLE SCHEDULE

Below is an example schedule showing a phasing plan. Actual schedule will be coordinated with the owner and design team prior to construction. Section J, Item 15.



Start Date: 12/12/22
Finish Date: 01/08/25

Example BRH ED Addition & Renovation
Owner: Bartlett Regional Hospital
Architect: Architects Alaska
Contractor: Dawson Construction LLC

Bartlett
Regional Hospital

dawson

SCHEDULING, COST CONTROL, PROCUREMENT

We will create a schedule that considers procurement lead times to create a construction sequence. Once identified, we will use our procurement/quality log to track all procurement activities, track subcontractors long lead items, and make sure schedule stays on track. Any early procurement items may be kept at one of the two Dawson Juneau yards that are secured and heated for just in time delivery at the project site. We will have monthly budget forecasting where the project is reviewed, course correction made if needed to control costs. Any change orders that may take place will be managed through a COP log, with reconciled change orders updating the contract on a monthly basis.

QUALITY CONTROL, SAFETY, AND ICRA

Safety is always of the utmost importance on our jobsites. At Dawson, safety comes first before anything else, regardless of circumstances.

Safety is one of Dawson's core values and nothing more than ZERO accidents is acceptable. We have one of the lowest EMR's in Alaska. Safety is led by Superintendent Jason Sabin but supported by Jessica Welch as shown in sidebar.

At the beginning of the project, we will develop, communicate and execute a site specific quality control plan following our 3-step QC program, which focuses on preparatory meetings, initial inspections and follow-up inspections for each phase of work. Jason will be responsible for tracking and recording each phase to ensure work is completed right the first time. The crew will have weekly safety meetings and team huddles, with the understanding that all employees have authorization to stop work should any unsafe situation arise.

An ICRA plan will be developed that will focus on providing safe separation between the construction crew and the occupants of the facility. The ICRA plan will include how construction areas will maintain negative air in the construction space, the location of panels specifically-designed for hospitals that will run from floor to ceiling, and providing clear and accessible walkway for those using the facility.

PUNCHLIST AND WARRANTY PROGRAMS

Upon completion of areas in the emergency department, Dawson will perform an assessment and create a punch list and a warranty program. The punch list will be managed through Procore allowing all parties visibility of outstanding and completed items. All items will be completed prior to turning over the newly renovated/constructed space. This will avoid any post-construction activities that would impact the functionality of the ED/trauma/patient areas.



Our goal is to not have any items on the punchlist and warranty. However, as a Juneau-based contractor we will be right here to address any warranty items that come up.

Dawson-owned ICRA panels in place

Our Safety Manager Jessica Welch will visit the site to perform monthly safety and QC audits to ensure that the safety and QC plans are being implemented and to correct any potential issues before they impact the schedule or budget. The tools we utilize to ensure safety and quality on site include:

- » *Daily Reports and Inspection Reports*
- » *Project Specific Quality Control Plan*
- » *Mock-Ups*
- » *Preconstruction Meetings*
- » *Preparatory Meetings*
- » *Follow-Up Inspections*



LOCAL PARTNER MEANS:

- **lower labor costs**
- **less travel**
- **less housing/per diem**
- **more money staying here in the Juneau community**

DAWSON KNOWS CBJ AND JUNEAU CONSTRUCTION!

LABOR RESOURCES

Acknowledging the lack of skilled tradesman readily available at the union halls, Dawson is in the unique position to have the largest construction labor pool in Juneau. With union crews already in place at our BRH Behavioral Health Facility our team will not have the struggle or cost of manning the project with remote crews or dealing with the lack of available labor or housing within the Juneau market.

SELF-PERFORM CAPABILITIES

Dawson is truly a self perform general contractor and are proud to provide our talented pool of tradesman for this projects. Self-performing our work allows us ***the ability to drive schedule, increase the quality of work and ensure we are delivering a project that meets or exceeds expectations.***

Dawson has the largest pool of tradesman in Juneau. We currently self-perform the following scopes of work:

- » **Concrete:** Dawson is the largest purchaser/installer of concrete in Juneau and has recently invested in Symons Forming Systems, resulting in increased labor production, reduced job site waste, and lower costs related to freight and material handling.
- » **Coldformed and light gauge metal framing:** Our crews are equipped with all cordless tools to maintain a clean and orderly site. We purchase pre-cut studs specifically for each project which reduces waste, improves production, and minimizes the need for cutting, thus avoiding loud disruptions which is specifically rewarding when working in an occupied facility.
- » **Exterior Envelopes:** Dawson has the experience and is familiar with the installation of all types of weather barriers and assemblies, from mechanically-fastened to fluid-applied. We have installed multiple rain screen assemblies including each type of panels currently shown in the design documents.
- » **Membrane Roofing:** As a Carlisle certified installer, Dawson can self-perform the roofing for the project and maintain the existing warranty that is in place at BRH. Not only does this allow us to prioritize the roofing to be "dried in," but it reduces overall cost to the project.
- » **Additional scopes:** Selective demo, site improvements, and all interior and exterior finish carpentry.



MITIGATION PLANNING AND COMMUNICATION

Disruption planning and mitigation is achieved by strong communication with onsite personnel, particularly the owner's representative on the BRH staff. As your partners, we will listen and act upon your needs in order to successfully mitigate disruptions.

Jason Sabin, onsite Superintendent, will ensure **BRH's needs are a priority throughout all of construction.** Once identified, Dawson will develop a mitigation plan to ensure needs are met, and that **construction activities do not impact the patients, services, and focus of the ED.**

BRH strives to provide the best service possible for their patients, and unknown disruptions due to construction is unacceptable. Dawson defines disruptions as *anything that impedes the user of the facility from functioning outside of their standard operating procedures.* This can include unwelcoming sounds, smells, taste, vibrations or unsightly conditions.

Dawson's role is to ensure these disruptions do not happen.

We understand this is the only emergency room in Juneau.

Functionality and absolute minimal disruption are key.

Emergencies are unpredictable, but we bring predictability to the construction process.



Not only will we thoroughly communicate and coordinate with BRH staff, but we will utilize specialized tools and equipment that contribute to the reduction of these impacts, including:

- » The use of a vac truck for excavation around sensitive utilities such as communication lines
- » Vacuum attachments for tools to remove dust from any drilling
- » The potential use of a slurry backfill vs compacting rock to reduce vibrations felt during construction and that could create issues with sensitive equipment with in the ED or the critical care unit just above the ED

Our main goal is to deliver a quality finished product while ensuring the construction process is as seamless as possible. Signage, directions, clear visuals, delineation, reduced laydown area on site will be provided to maximize use of construction space. Just-in-time delivery will allow a minimal amount of space to be used for materials onsite. Jason will also focus on maintaining direct access from helipad elevator to the emergency room with no disruptions or blocking.

CLIENT TESTIMONIAL

"It has been our pleasure to work with Dawson Construction on six major affordable residential, new construction and rehabilitation projects since 2006."

"We have been very pleased with the quality of workmanship in all of the completed projects. Dawson's **value engineering and cost estimation input has been critical to the success of all of the projects** in meeting feasibility tests, securing financing, optimum design for construction, and meeting budget targets."

- John E. Harmon
Former Executive Director, BWCHA

ESTIMATOR MANAGER MODEL

Dawson utilizes what we call a Estimator Manager model where the same person who provides the estimate manages the construction. This maintains continuity between the phases of preconstruction and construction and allows our estimators to understand the actual construction and account for work not necessarily shown or yet developed in the construction documents.

As an estimator when reviewing in progress construction documents it is our job to "fill in the blanks". By doing this we can establish a real budget that accounts for scopes of work yet to be detailed or shown. In these cases, Dawson will either provide an estimate or recommend an allowance for the scope of work.

ALLOWANCES

An allowance will be used when a scope of work is known but not quantifiable. Dawson will coordinate with the design team and owner to identify what a reasonable allowance should be. In most cases, this should be within a few percentages of the allowance with any savings going back to the owner, and any overages increasing the overall budget via change order.

CONTINGENCY

Contingency will be used when scopes of work has been identified but due to a lack of predictability the cost associated with the work exceeded the budget and the GMP contingency has to be used to replenish the budget. Dawson will have a 5% contingency when estimating the 65% design documents. As we approach GMP, the contingency amount will be reduced to account for higher order of detail provided.

Both allowances and contingencies will be tracked on a log and reviewed with the COP log at each OAC meeting. This allows the owner to know where the cost are at all times.

SUCCESSFUL COST ESTIMATING

Dawson provides estimate variance reports

1) between design phases and

2) between our estimate and the 2nd party (see examples right)

We have the ability to drill down to a line item level of detail in order to determine the cause of any variance.

Dawson
Sample Project

Reconciled
Dawson SD vs DD Estimate Variance

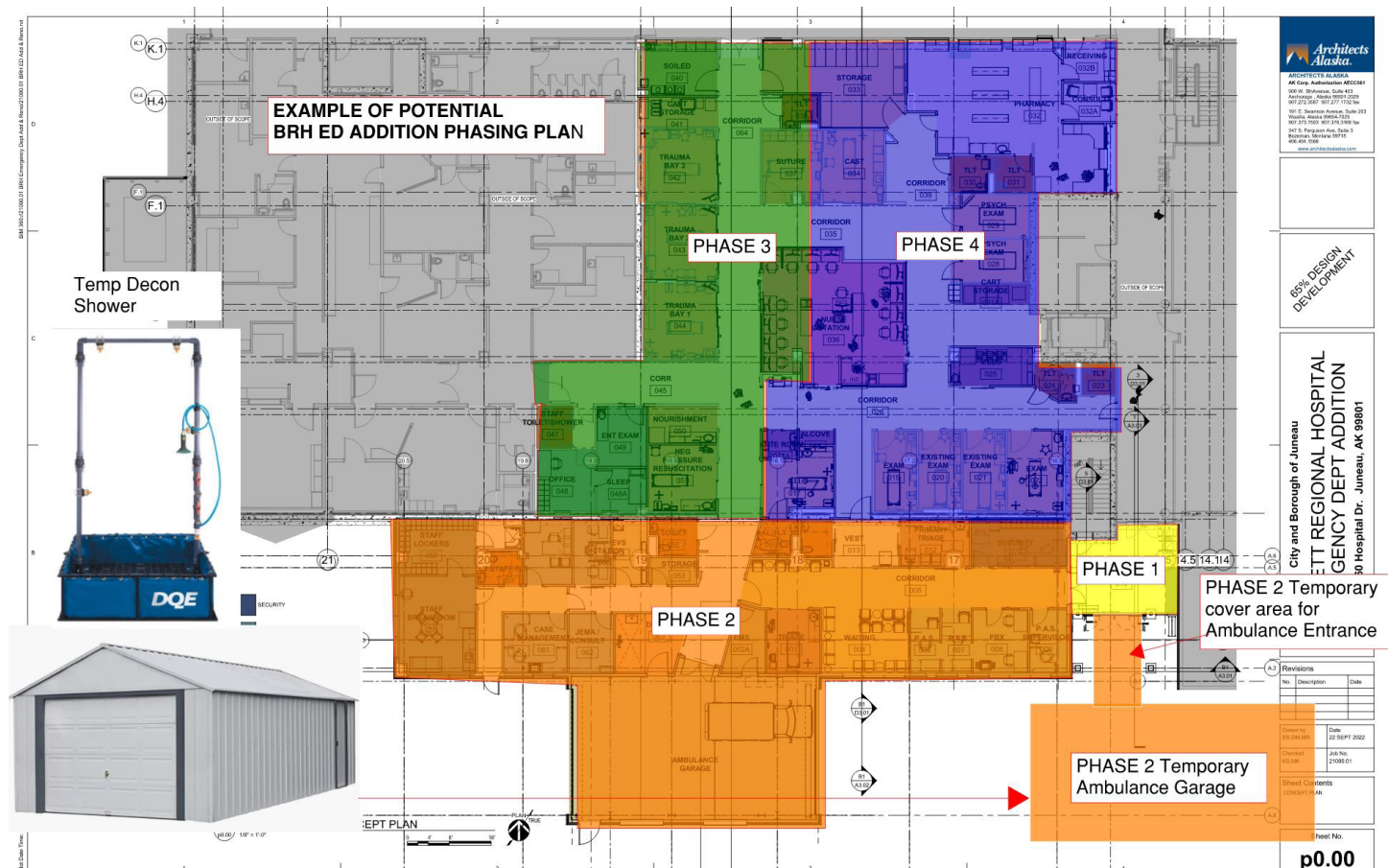
CSI Major Division	Description	Dawson DD Estimate	2nd Party DD Estimate	Variance	Percent Variance	Comments
01 00 00	Building Construction	\$1,430,320	\$1,430,320	\$0.00	0.0%	
02 00 00	Concrete	\$7,552,949	\$7,481,317	-\$71,632	-0.9%	
03 00 00	Masonry	\$1,125,348	\$1,097,704	-\$27,644	-2.4%	
04 00 00	Steel	\$225,336	\$225,336	\$0.00	0.0%	
05 00 00	Wood, Plastic, and Composite	\$1,811,936	\$3,112,426	\$1,300,490	71.8%	
06 00 00	Paint and Related Finishes	\$7,146,340	\$3,818,171	-\$3,328,169	-46.6%	
07 00 00	Interior	\$2,327,176	\$2,627,702	\$300,526	12.9%	
08 00 00	Electrical	\$1,174,136	\$1,174,136	\$0.00	0.0%	
09 00 00	Plumbing	\$1,006,419	\$1,006,419	\$0.00	0.0%	
10 00 00	Heating, Ventilating, and Air Conditioning	\$1,829,848	\$1,829,848	\$0.00	0.0%	
11 00 00	Transportation	\$1,175,506	\$1,175,506	\$0.00	0.0%	
12 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
13 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
14 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
15 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
16 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
17 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
18 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
19 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
20 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
21 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
22 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
23 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
24 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
25 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
26 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
27 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
28 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
29 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
30 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
31 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
32 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
33 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
34 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
35 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
36 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
37 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
38 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
39 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
40 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
41 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
42 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
43 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
44 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
45 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
46 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
47 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
48 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
49 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
50 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
51 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
52 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
53 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
54 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
55 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
56 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
57 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
58 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
59 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
60 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
61 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
62 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
63 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
64 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
65 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
66 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
67 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
68 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
69 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
70 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
71 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
72 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
73 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
74 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
75 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
76 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
77 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
78 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
79 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
80 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
81 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
82 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
83 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
84 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
85 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
86 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
87 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
88 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
89 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
90 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
91 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
92 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
93 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
94 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
95 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
96 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
97 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
98 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
99 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
100 00 00	General Construction	\$10,000	\$10,000	\$0.00	0.0%	
Total		\$61,174,219	\$60,987,682	-\$186,537	-0.3%	
Proposed Value Engineering (Current):						
Estimate / Design / Construction	\$3,875,485	\$1,071,791	\$27,288			Included above
Estimate / Design / Construction	\$1,224,484	\$1,219,142	-\$5,342			
General Liability Insurance	\$2,000,151	\$3,047,244	\$1,047,093			
Builder's Risk	\$0	\$0	\$0			By Owner
Total MACC	\$60,126,067	\$60,788,659	\$662,592		1.1%	
4.00%						
Payment and Performance Bond	\$3,357,217	\$3,410,887	\$53,670			With Fee
General Liability Insurance						With Fee
Builder's Risk (State and City of Baltimore)	\$1,454,300	\$1,454,300	\$0			
Specified Contract Contingency						
Total GMP	\$73,988,264	\$74,670,056	\$681,792		0.9%	

INNOVATIVE METHODS

- » **Early Investigations:** we plan to bring in our resident MEP expert Jim Rogers to bring attention to existing conditions. Jim will do a preliminary onsite investigation and review of all access for mechanical, electrical, gas, ceilings and corridors.
- » **Ambulance Bay and Decontamination Room:** Our proposed potential phasing plan includes a temporary ambulance bay and decontamination room. This will provide continuous, uninterrupted access to the emergency department and service of the ambulance provider. We will ensure constant access to the facility by creating a temporary ambulance and decontamination room and covered shelter, creating protection and privacy of patients using the facility, most importantly **negating any interruptions to the hospital patients and programs.**
- » **Equipment for Nurses:** During construction, Dawson will provide temporary nurse call systems for exam rooms and as needed for phased construction until permanent system is installed.
- » **Minimize Impact:** Tools and equipment used throughout construction will be specific to minimize the noise, dust, and vibrations impacts. We are aware of utilities throughout the BRH campus. When excavating these utilities, a back truck will be used for excavation to be sure damage and disruptions to the utilities do not take place.

POTENTIAL PHASING PLAN:

Example phasing plan shown below. Actual phasing plan will be developed with the owner and design team during preconstruction.



We want to be your partner on this project.

Dawson is invested in working on projects that benefit the Juneau community. We will work with BRH to continue carrying out your commitment to “continuous improvement by providing high-quality, professional healthcare to meet the changing needs of our community and region.”

Our experienced personnel, similar project experience, approach to preconstruction and construction services, keen attention to mitigation of disruptions, estimating methods, and innovative ideas for bringing your project in on schedule while maintaining budget all combine to make us the best partner for this project.

We are dedicated to delivering projects that exceed expectations, and look forward to our part in continuing to make BRH the best hospital for the community of Juneau.



PRICE PROPOSAL FORM

Documents which are the basis for this Price Proposal:

1. This RFP and all Exhibits
2. RFP Addenda

Price Proposal Summary

Assume \$10,200,000 GMP and 21-month construction duration for fee calculation.

A. Pre-Construction Services Fixed Fee	\$ <u>70,000</u>
B. Construction Manager Fixed Fee	\$ <u>790,000</u>
C. General Conditions Cost <i>(use attached GC Price form)</i>	\$ <u>566,000</u>
TOTAL FEE (A+B+C):	\$ <u>1,426,000</u>

Please Attach with Price Proposal:

- General Conditions Price Proposal (See Attachment 8)
- Hourly rates for supervisory and administrative personnel
- Equipment cost basis

Dawson Construction, LLC

11/9/2022

Company

Date



Director

Chris Gilberto

Signature and Title

Printed Name

CMAR for the BRH ED Addition and Renovation RFP E23-156b

Attachment to Price Proposal

HOURLY RATES FOR SUPERVISORY & ADMINISTRATIVE PERSONNEL

ROLE DESCRIPTION	HOURLY RATE
Sr. Project Manager	\$115.00/hour
Superintendent	\$110.00/hour
Project Manager	\$90.00/hour
Project Engineer	\$65.00/hour
Project Administrator	\$55.00/hour
Safety Manager	\$80.00/hour

EQUIPMENT COST BASIS

EQUIPMENT DESCRIPTION	MONTHLY RATE
Concrete Coring Kit	\$3,800.00/month
Electric Concrete Saw Walk-behind	\$500.00/month
Concrete Scanner Kit	\$3,800.00/month
Glass Picker	\$2,700.00/month
Forklift – 10,000lbs, 56' Reach	\$4,450.00/month
Forklift – 11,000lbs, 55' Reach	\$4,450.00/month
Self-Dumping Hopper – Heavy Duty	\$250.00/month
Forklift Picking Devices	\$280.00/month
Storage Container 8'x20'	\$180.00/month
Flam Liquids Container	\$170.00/month
Field Office – 32ft.	\$650.00/month
Trimble Total Station w/ Data Collector	\$3,800.00/month
Trimble GPS Rover	\$3,800.00/month
LED Site Lights	\$800.00/month
F150/SUV/Car	\$2,125.00/month

Presented by: The Manager
Introduced: November 21, 2022
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
ALASKA

SERIAL NUMBER T-1045

It is hereby ordered by the Assembly of the City and Borough of Juneau,
Alaska, that \$320,000 be transferred:

From: CIP

R72-149	Meadow Lane Improvements	(\$ 320,000)
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To: CIP

R72-150	Cedar Lane Reconstruction	\$ 320,000
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The \$320,000 consists of:

General Sales Tax	\$ 320,000
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Moved and Approved this _____ day of _____, 2022.

D. Rorie Watt, City Manager

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: October 24, 2022
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

An Ordinance Appropriating \$500,000 to the Manager for the Aurora Harbor Improvements Capital Improvement Project; Funding Provided by Harbors Funds.

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

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

Section 2. Appropriation. There is appropriated to the Manager the sum of \$500,000 for the Aurora Harbor Improvements Capital Improvement Project (H51-125).

Section 3. Source of Funds

Harbors Funds	\$ 500,000
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Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth A. McEwen, Municipal Clerk

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Presented by: D&H Board
Presented: 10/24/2022
Drafted by: B. Brown

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-39

An Ordinance Amending Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals.

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

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

Section 2. Amendment of Section. CBJC 85.25.090 Prohibited acts, is amended to read:

85.25.090 Prohibited acts.

It is unlawful for any owner, master, operator or managing agent or other person to commit any of the following acts within the boat harbor:

...

- (7) To allow or permit any dog or other domestic animal to be tethered or restrained to any part of a float or ramp, or to permit any dog to urinate or defecate on the floats. If a dog or other domestic animal urinates on a float or ramp, the urine must be cleaned up by the application of water in an amount sufficient to eradicate the urine. If a dog or other domestic animal defecates on a float, ramp, or any other area of the harbor including the parking lot, the feces must be cleaned up immediately and disposed of in a proper trash receptacle. All dogs must be leashed in such a manner that a person capable of controlling the dog is able to

1
2 maintain positive control of them while on the dock, and in compliance with CBJC 08.40.020.

3 ~~Only the dogs of owners of boats legally moored in the harbor, or the dogs of the guests of such~~
4 ~~boat owners, shall be permitted on the floats, but then only when on a leash and for such~~
5 ~~minimum time as is necessary to go between the boat and shore.~~

6 ...
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8
9 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

10 Adopted this _____ day of _____, 2022.

11
12 _____
13 Beth A. Weldon, Mayor

14 Attest:

15 _____
16 Elizabeth J. McEwen, Municipal Clerk
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Presented by: The Manager
Presented: 09/12/2022
Drafted by: B. Brown

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-43

An Ordinance Amending Boat Harbor Regulations Relating to Vessel Identification.

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

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

Section 2. Amendment of Section. CBJC 85.25.020, is amended to read:

85.25.020 Identification.

If federal or state law, rule or regulation does not compel the numbering or other identification of any boat or vessel, the board shall establish by regulation how such boats shall be identified, and thereafter no such boat or vessel nor any other boat or vessel, shall be allowed in the boat harbor unless it is properly identified. All vessels shall be required to display a current state registration or display the vessel's name and hailing port if it is a federally documented vessel, or a permanently-affixed name and contact number if the vessel is not required to be state registered or federally documented. Failure by any owner, operator or master to so identify any boat or vessel using the boat harbor shall be a violation of this chapter.

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

Adopted this _____ day of _____, 2022.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

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

TO: Mayor Weldon and the Assembly
FROM: Dan Bleidorn, Lands and Resources Manager
SUBJECT: Hansen Gress Application to Purchase City property
DATE: November 18, 2022

Hansen Gress recently purchased the building and property located at 1000 Harbor Way. A portion of this building is located on leased City land with the legal description of Tidelands Addition Block 5, Lot 5. Hansen Gress submitted an application to acquire the City property in order to be able to "make major structural and architectural improvements to the aging building". The applicants are having difficulties redeveloping the property because the building is not completely on its own property. If the requested property is acquired, the applicant will consolidate the lots in order to create a property that conforms to City code.

This property is part of the City tideland holdings which are designated as retain in the 2016 Land Management Plan (LMP). In order to dispose of this property the Assembly must also update the LMP to re-designate the specific property to a dispose designation. If this application moves forward, as part of the negotiations the Manager will request a right of first refusal so that if the proposed property is sold in the future the City will have the opportunity to purchase the property.

The Docks and Harbors Board reviewed this application at the August 25th meeting and it provided a motion to advance this application. The Lands, Housing and Economic Development Committee provided a motion of support at the September 26 meeting. The LHED Committee did not discuss the need to update the LMP in order to proceed with this application, but it will have the opportunity to analyze it if the Assembly provides an affirmative motion to negotiate with the applicant.

If the Assembly provides a motion to work with the original proposer, the application will be reviewed by the Planning Commission. The final terms and conditions are subject to approval by the Assembly by ordinance. Since the applicant owns the building on top of the land, it is not practical to dispose of this property by competition after an invitation for further proposals as stated in 53.09.260.



2022 5th Late File List to Assembly

Late File Senior & Disabled Veteran Exemption List:

Name	Parcel Number	Property Address
JEFFERY TROUTT	2D04020A0230	1617 A SECOND ST
KARL VANDOR	4B3101000052	13680 GLACIER HWY

Jeffery Troutt

1617~~4~~Second St
Juneau AK 99824
United States
907-723-5684
jtroutt@me.com

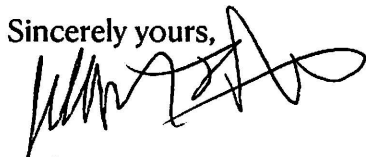
June 28, 2022

Juneau Assembly
155 S. Seward St.
Juneau, AK 99801

Dear Assembly,

Attached please find a copy of the attached Senior Citizen Property Tax Exemption form. I did not file it before the March 31 deadline because I was unaware of it. I filled out the form as soon as I became aware of it

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Jeffery Troutt', with a stylized flourish at the end.

Jeffery Troutt

Received

JUL 28 2022

7-21-22

Section P, Item 21.

CBJ-Assessors Office

MEMBERS OF CBJ ASSEMBLY

AFTER I SOLD MY HOUSE AT 4485 MOUNTAINSIDE DRIVE AND BOUGHT MY LOT AT 13680 GLACIER HWY IN JUNE OF 2021, I WENT TO THE FRONT DESK AT THE CBJ OFFICES AND ASKED ABOUT THE TRANSFER OF MY SENIOR CITIZEN EXEMPTION ON PROPERTY TAX FROM MY OLD HOUSE TO THE NEW HOUSE AND THEY TOLD ME IT WOULD BE AN AUTOMATIC TRANSFER. I DID NOT KNOW THAT IT DID NOT HAPPEN UNTIL I RECEIVED MY 2022 PROPERTY TAX BILL

THANK YOU
KARL VANDER

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 07 – Inactive Vessel Management

Title 05 Chapter 15 – Fees and Charges

Title 05 Chapter 20 – Small Boat Harbor Fees and Charges

Title 05 Chapter 25 – Statter Harbor Management Regulations

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 07 Inactive Vessel Management, to read:

05 CBJAC 07.010 Inactive vessel management.

...

- (b) *Moorage areas designated for inactive vessels.* Certain moorage within Douglas, Harris, and Aurora Small Boat Harbors and at the National Guard Dock is designated as moorage eligible for use by inactive vessels. This Mmoorage includes the east side of the head float in Aurora Harbor, ~~the area along~~ the east side of the head float in Harris Harbor, ~~and the west side of the area along~~ the head float in Douglas Harbor, and the National Guard Dock. Maps showing the moorage designated for inactive vessels are available at any of the harbor offices.

...

Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 15 Fees and Charges, to read:

...

05 CBJAC 15.035 Reservation charge policy.

...

- (d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1 in the year of requested moorage at no additional charge if space is available. Starting May 1, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture

of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. All reservations made for a period of more than seven days will be paid in full at the time of reservation. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

...

Section 4. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20 Small Boat Harbor Fees and Charges, to read:

...

05 CBJAC 20.050 Residence surcharge.

...

- (b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is ~~being occupied and used by any person as a residence, dwelling, or abode, , rented, or leased as a place of residence.~~ Any rental or leasing of a vessel by its owner must be for a period of no less than six months, subject to prior written approval by the Harbormaster. Rental for any period of less than six months and subleasing are not permitted. Once a vessel is in used as a residence, dwelling, or abode the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used ~~for~~ as a residence, dwelling, or abode.

...

05 CBJAC 20.060 Recreational boat launch fees.

- (a) *Launch ramp permit required.* A boat trailer owner or vehicle owner (when launching vessels without a trailer) will obtain any and all necessary launch ramp permits for using one or more of the Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, the Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, and the Echo Cove Boat Launch to launch and recover recreational vessels. Use of the Kayak Launch Ramps at Amalga Harbor and Statter Harbor is free and does not require a launch ramp permit.

...

05 CBJAC 20.090 Statter ~~Boat Harbor~~ Bus Lower Parking Lot permit fee.

- (a) *Definition.* The fee assessed to the owner of a vehicle for picking-up and discharging passengers for passenger-for-hire activities at the Statter Harbor Bus Lower Parking Lot.
- (b) *Requirements.* The owner of a vehicle using the Statter Harbor Bus Lower Parking Lot to pick-up and discharge passengers for passenger-for-hire activities must apply to and obtain a permit from the Harbormaster. 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 payment of fees.

- (c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter ~~Boat~~ Harbor ~~Bus Lower Parking~~ Lot to pick-up and discharge passengers for passengers-for-hire activities as follows:

...

05 CBJAC 20.110 Crane use fees.

...

- (b) *Crane use requirements.* A person must obtain approval from the Harbormaster before using a hydraulic crane. ~~Crane use fees must be paid in advance. A person may reserve use of the crane. Charges shall be assessed through an electronic key card issued by Docks and Harbors. Payment of the crane use fee is required to obtain a reservation. The Harbormaster will require a person using the crane to post a bond or other guaranty before using a crane when the Harbormaster believes such security is necessary.~~

...

05 CBJAC 20.130 Storage fees.

- (a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is \$0.50 per square foot per calendar month, or portion thereof. ~~A person who maintains a reserved moorage assignment may store one personal item of up to 200 square feet for \$0.25 per square foot per calendar month, or portion thereof.~~ The Harbormaster is authorized to issue permits and develop written procedures to implement this section.

...

05 CBJAC 20.160 Parking lot fees.

...

- (2) From May 1 through September 30 each year, the fee to park in designated pay spaces at Don D. Statter Harbor Facilities shall be \$1.00 per hour or portion thereof, or \$5.00 per 24 hours or portions thereof, ~~or \$100.00 per calendar month or portion thereof. The number of monthly parking permits shall be managed and issued by the Port Director or representative. From October 1 through April 30, the off season monthly fee shall be \$50.00 per calendar month or portion thereof.~~ The applicable fee must be paid in advance.

...

05 CBJAC 20.190 Reserved. Auke Bay Loading Facility Drive Down Float Fee.

~~Auke Bay Loading Facility Drive Down Float shall be accessed at a fee of \$5.00 per vehicle/truck occurrence. Charges shall be assessed through an electronic key card issued by Docks and Harbors.~~

Section 5. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 25 Statter Harbor Management Regulations, to read:

...

05 CBJAC 25.060 Summer management.

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility, under its own power, for at least six consecutive hours. Vessels which do not clear the facility for at least six consecutive hours after any ten-day period shall be assessed the daily fee in accordance with 05 CBJAC 20.070. A vessel owner may request an exception to this rule by submitting a request in writing to the Harbormaster, who may grant the request in writing upon a showing of exigent circumstances by the vessel owner. Unless directed otherwise by the Harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.

...

05 CBJAC 25.080 Winter management.

- (a) From October 1 through April 30 each year, the Harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:
 - (1) During the month of ~~August~~ September each year, a person wishing to obtain a moorage assignment may submit a request for moorage via email or apply on an application form provided by the Harbormaster. ~~The person shall submit a \$100.00 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;~~
 - (2) ~~During~~ Before the end of the month of September each year, the Harbormaster, with consideration to vessel size and space availability, shall assign moorage in the order in which applications were received ~~by lottery~~ until all of the designated spaces are ~~is~~ assigned or all of the applications are processed.
 - ~~(3) After assigning moorage by lottery, the Harbormaster may assign moorage if space is available at the facility.~~
- (b) No person, other ~~then~~ than the moorage assignee, shall moor in an assigned space without Harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay all applicable fees on a timely basis. Moorage assignees shall notify the Harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).


...

Section 6. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJC 01.60.200 were followed by the agency. The notice period began on October 6, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

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

Date: 11/17/2022

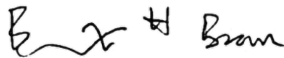

Carl Uchytel, P.E.
Port Director

Legal Review

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

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

Date: 17 November 2022


Benjamin Brown
Assistant Municipal Attorney

Assembly Review

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

Date: _____

Elizabeth J. McEwen
Municipal Clerk

Filing with Clerk

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

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

Date: _____

Elizabeth J. McEwen
Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 07 – Inactive Vessel Management

Title 05 Chapter 15 – Fees and Charges

Title 05 Chapter 20 – Small Boat Harbor Fees and Charges

Title 05 Chapter 25 – Statter Harbor Management Regulations

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 07 Inactive Vessel Management, to read:

05 CBJAC 07.010 Inactive vessel management.

...

- (b) *Moorage areas designated for inactive vessels.* Certain moorage within Douglas, Harris, and Aurora Small Boat Harbors and at the National Guard Dock is designated as moorage eligible for use by inactive vessels. This Mmoorage includes the east side of the head float in Aurora Harbor, ~~the area along the east side of the head float in Harris Harbor, and the west side of the area along the head float in Douglas Harbor, and the National Guard Dock.~~ Maps showing the moorage designated for inactive vessels are available at any of the harbor offices.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 15 Fees and Charges, to read:

...

05 CBJAC 15.035 Reservation charge policy.

...

(d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1 in the year of requested moorage at no additional charge if space is available. Starting May 1, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. All reservations made for a period of more than seven days will be paid in full at the time of reservation. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). While this proposed change would not directly impose new costs on persons subject to the regulation, patrons who reserve moorage for greater than seven days would forfeit reservation payments, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

...

Section 4. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20 Small Boat Harbor Fees and Charges, to read:

...

05 CBJAC 20.050 Residence surcharge.

...

(b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is ~~being occupied and used by any person as a residence, dwelling, or abode, rented, or leased as a place of residence.~~ Any rental or leasing of a vessel by its owner must be for a period of no less than six months, subject to prior written approval by the Harbormaster. Rental for any period of less than six months and subleasing are not permitted. Once a vessel is in used as a residence, dwelling, or abode the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used ~~for~~ as a residence, dwelling, or abode.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.060 Recreational boat launch fees.

Regulations of Docks & Harbors

Amending 05 CBJAC 07; 05 CBJAC 15; 05 CBJAC 20; and 05 CBJAC 25

- (a) *Launch ramp permit required.* A boat trailer owner or vehicle owner (when launching vessels without a trailer) will obtain any and all necessary launch ramp permits for using one or more of the Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, the Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, and the Echo Cove Boat Launch to launch and recover recreational vessels. Use of the Kayak Launch Ramps at Amalga Harbor and Statter Harbor is free and does not require a launch ramp permit.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.090 Statter ~~Boat~~ Harbor Bus Lower Parking Lot permit fee.

- (a) *Definition.* The fee assessed to the owner of a vehicle for picking-up and discharging passengers for passenger-for-hire activities at the Statter Harbor Bus Lower Parking Lot.
- (b) *Requirements.* The owner of a vehicle using the Statter Harbor Bus Lower Parking Lot to pick-up and discharge passengers for passenger-for-hire activities must apply to and obtain a permit from the Harbormaster. 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 payment of fees.
- (c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter ~~Boat~~ Harbor Bus Lower Parking Lot to pick-up and discharge passengers for passengers-for-hire activities as follows:

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.110 Crane use fees.

...

- ~~(b) Crane use requirements.~~ A person must obtain approval from the Harbormaster before using a hydraulic crane. ~~Crane use fees must be paid in advance.~~ A person may reserve use of the crane. Charges shall be assessed through an electronic key card issued by Docks and Harbors. ~~Payment of the crane use fee is required to obtain a reservation. The Harbormaster will require a person using the crane to post a bond or other guaranty before using a crane when the Harbormaster believes such security is necessary.~~

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs

on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.130 Storage fees.

- (a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is \$0.50 per square foot per calendar month, or portion thereof. ~~A person who maintains a reserved moorage assignment may store one personal item of up to 200 square feet for \$0.25 per square foot per calendar month, or portion thereof.~~ The Harbormaster is authorized to issue permits and develop written procedures to implement this section.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would impact individuals who store property by increasing payment for 1000 square feet from \$250 per month to \$500 per month in each of the next three fiscal years, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.160 Parking lot fees.

...

- (2) From May 1 through September 30 each year, the fee to park in designated pay spaces at Don D. Statter Harbor Facilities shall be \$1.00 per hour or portion thereof, ~~or \$5.00 per 24 hours or portions thereof, or \$100.00 per calendar month or portion thereof.~~ The number of monthly parking permits shall be managed and issued by the Port Director or representative. ~~From October 1 through April 30, the off season monthly fee shall be \$50.00 per calendar month or portion thereof.~~ The applicable fee must be paid in advance.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 20.190 ~~Auke Bay Loading Facility Drive Down Float Fee~~ Reserved.

~~Auke Bay Loading Facility Drive Down Float shall be accessed at a fee of \$5.00 per vehicle/truck occurrence. Charges shall be assessed through an electronic key card issued by Docks and Harbors.~~

Section 5. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 25 Statter Harbor Management Regulations, to read:

...

05 CBJAC 25.060 Summer management.

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the Regulations of Docks & Harbors
Amending 05 CBJAC 07; 05 CBJAC 15; 05 CBJAC 20; and 05 CBJAC 25

facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility, under its own power, for at least six consecutive hours. Vessels which do not clear the facility for at least six consecutive hours after any ten-day period shall be assessed the daily fee in accordance with 05 CBJAC 20.070. A vessel owner may request an exception to this rule by submitting a request in writing to the Harbormaster, who may grant the request in writing upon a showing of exigent circumstances by the vessel owner. Unless directed otherwise by the Harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would impact individuals who fail to move their vessels every ten days, who would be charged \$0.61/LF per day in lieu of the monthly discounted charge of \$0.26/LF per day, as an estimate of costs pursuant to CBJ Code 01.60.220(b).

...

05 CBJAC 25.080 Winter management.

- (a) From October 1 through April 30 each year, the Harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:
- (1) During the month of ~~August~~ September each year, a person wishing to obtain a moorage assignment may submit a request for moorage via email or apply on an application form provided by the Harbormaster. ~~The person shall submit a \$100.00 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;~~
 - (2) ~~During~~ Before the end of the month of September each year, the Harbormaster, with consideration to vessel size and space availability, shall assign moorage in the order in which applications were received ~~by lottery~~ until all of the designated spaces are ~~is~~ assigned or all of the applications are processed.
 - (3) ~~After assigning moorage by lottery, the Harbormaster may assign moorage if space is available at the facility.~~
- (b) No person, other ~~then~~ than the moorage assignee, shall moor in an assigned space without Harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay all applicable fees on a timely basis. Moorage assignees shall notify the Harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).

Fiscal Note/Cost Estimate: This regulation would not require an increased appropriation, and requires no fiscal note pursuant to CBJ Code 01.60.220(a). This proposed change would not impose new costs on persons subject to the regulation, and thus requires no estimate of costs pursuant to CBJ Code 01.60.220(b).

...

Section 6. 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 _____, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

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

Date:_____

Carl Uchytel, P.E.
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) Consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) Existence of code authority and the correctness of the required citation of code authority; and
- (3) Clarity, simplicity of expression, and absence of possibility of misapplication.

Date:_____

Benjamin Brown
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of_____. They were adopted by the Assembly.

Date:_____

Elizabeth J. McEwen
Municipal Clerk

Filing with Clerk

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

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

Date: _____

Elizabeth J. McEwen
Municipal Clerk

ASSEMBLY MEETING CALENDAR*

Section P, Item 23.

2023

January						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

October						
Su	Mo	Tu	We	Th	Fr	Sa
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
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19	20	21	22	23	24	25
26	27	28				

May						
Su	Mo	Tu	We	Th	Fr	Sa
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
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27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
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26	27	28	29	30		

March						
Su	Mo	Tu	We	Th	Fr	Sa
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June						
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25	26	27	28	29	30	

September						
Su	Mo	Tu	We	Th	Fr	Sa
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24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1					

*See reverse side for details

ASSEMBLY MEETING CALENDAR 2023

Section P, Item 23.

This "At a Glance Calendar" is a planning tool subject to change. For the current, up-to-the-minute calendar, please check online at <https://juneau.org/calendar>

Regular Assembly & HRC Meetings

[10/23 Assembly Reorganization Meeting (No HRC)

Assembly retreat date TBD]

PWFC/LHED/COW Meetings

Assembly Finance Committee Meetings

Holidays

Municipal Election Day & Certification Day

Reg. Meeting Start Times for Assembly Committees

Human Resources Committee (HRC) – 6pm

Regular Assembly Meetings – 7pm

Special Assembly Meetings – 5:30 or 6pm

Public Works & Facilities Comm. (PWFC) – 12:10pm

Lands, Housing & Economic Dev. (LHED) – 5pm

Committee of the Whole (COW) – 6pm

Assembly Finance Committee (AFC)

~AFC-During Budget Season 5:30pm start/All others 6pm start

(All Meeting Times Subject to Change as Needed)

Special Charter Required Dates & other Events/Conferences

1/17 Start of Legislative Session (Community Welcome Reception @ Elizabeth Peratrovich Hall)

1/31-2/2 SE Conference Mid-Session Summit

2/22-24 AML Legislative Summit

3/20-3/20 JSD Spring Break

4/5 Spec. Assembly Mtng to Introduce Budget followed by 1st AFC Budget Cycle Meeting

4/26 Spec. Assembly Mtng for Charter Required Public Hearing on Budget Ordinances, Mill Levy Ordinance, & CIP Resolution followed by AFC

7/10 Last Regular Assembly to introduce an ordinance for inclusion on the 10/3/23 CBJ ballot

7/31 Last Regular Assembly to adopt an ordinance for inclusion on the 10/3/23 CBJ ballot

AML Conf. of Mayors & Summer Legislative Conf. [August Dates/Venue TBA]

9/19-21 SE Conference (Sitka)

10/3 CBJ Regular Municipal Election Day; 10/17 Election Certification

11/29 AFC Meeting to provide direction to the City Manager in advance of the FY25/FY26 Budget Cycle

AML Virtual Newly Elected Officials Training [Nov/Dec. Dates/Venue TBA]

Assembly & Admin staff attending AML Annual Conference & Affiliate Association Meetings [Nov/Dec. Anchorage Dates/Venue TBA]

[AML = Alaska Municipal League]

**ASSEMBLY MEETING CALENDAR
2023**

Section P, Item 23.



MEMORANDUM

DATE: November 2, 2022
TO: Rorie Watt, City Manager
THROUGH: Katie Koester, Engineering and Public Works Director
FROM: Jeanne Rynne, Chief Architect
SUBJECT: Best Interest Finding – BRH Waterline Interconnection Supplemental Agreement

Request

Allow a supplemental agreement be executed with Admiralty Construction under the BRH Site Improvements Project contract (BE21-164) to replace the existing water line currently routed under the proposed BRH Emergency Department Addition. This work will be accomplished by connecting the two ends of the new waterlines installed by the BRH Site Improvements Project and the BRH Water and Sewer Upgrades project. Pursuant to Municipal Code 53.50.040 (c):

The manager may approve supplemental agreements not greater than \$250,000.00 or 25 percent of the contract amount, whichever is less, per contract. The manager shall notify the assembly, at its next regular meeting, of any supplemental agreement approved.

The BRH Site Improvements original contract award was just over \$1.9 million.

Background

Public Works & Engineering and BRH have worked closely together to repair and update the infrastructure surrounding and within the BRH Campus, including the municipal water distribution system, which feeds the campus, as well as carrying water to Lemon Creek, Mendenhall Valley and out the Road. Three recent road and utility infrastructure projects have reconstructed this critical water distribution system while improving the campus infrastructure:

- Hospital Drive Reconstruction (Twin Lakes Road to Johnson Youth Center(JYC))
- BRH Site Improvements (Hospital Drive - from JYC to the second entrance of Hospital Access Road and Hospital Access Road)
- BRH Water and Sewer Upgrades (Salmon Creek Filter Plant and storage tank, alongside the new Behavioral Health Facility to the parking lot behind BRH, south of the Emergency Department entrance)

The BRH Water and Sewer Upgrades project was a project that originated due to proximity of the existing 40-year old 12" ductile iron (D.I.) waterline that runs closely adjacent to the new Behavioral Health Facility and under some of new site improvements (large retaining walls, paved access drive to the parking level of the new facility, etc.). Upon discovery of the close proximity and unsuccessful negotiations with the Behavioral Health Facility site work contractor, a project was solicited to perform this work.

The BRH Site Improvements project was terminated adjacent to the Administration driveway due to concerns of impeding access to the Behavioral Health Facility construction project – extending the work

further would have created a bottleneck that would have limited traffic and access to the south parking lot and the construction project.

COVID scheduling impacts and delays, material supply chain issues, coordination and access issues and impacts among the multiple, simultaneously occurring projects are the reason the 270 foot segment (extension of Hospital Drive) between the Administration entrance to the Hospital Access Road and the termination of the replacement of the piping to accommodate the Behavioral Health Facility has not been completed. Construction of this segment would have directly impacted the main access to the Behavioral Health facility and placed the separate contractors at odds with each other and caused construction delays.

Second, the alignment of the existing water piping remaining to be replaced runs under the proposed Emergency Department Facility(ED) addition. This piping needs to be relocated away from the new addition footprint to avoid conflict and allow maintenance of the water piping providing municipal water to Lemon Creek and out the road.

BRH is scheduled to begin construction of the ED Addition in the spring of 2022. Authorization to proceed on the ED Addition was given by Assembly Ordinance 2020-09(AU), approved April 26, 2021 and Assembly Ordinance 2021-08(b)(am)(X) approved February 28, 2022.

Project Funding

This work will be funded by a combination of Water Utility CIP funds and BRH Hospital Drive CIP funds.

Justification

Site Constraints and Minimized Disruptions

- Through their other adjacent projects (Water and Sewer Line Upgrades BE22-185 and Site Improvements BE21-164), Admiralty Construction has investigated and are already familiar with many of the unknowns such on the BRH Campus and understand the temporary water connections necessary to keep the hospital operational while working on the water system. They have an intimate understanding of the existing BRH water system operation to minimize unnecessary water shutdowns and disruptions that would affect the health and life safety of BRH.
- Contractor is aware of traffic patterns, emergency access requirements and has a proven, excellent working relationship with BRH and understanding of maintaining access with minimal disruptions.
- Contractor is familiar with the existing waterline configuration due to work on the related contracts and installed a temporary 6" water service connection to maintain BRH, Wildflower Court and Rainforest Recovery in service since these services are on a dead-end. This was done to maintain uninterrupted water service to BRH and Wildflower Court. This will be connected to the new 16" water main to move it out from the ED addition footprint to facilitate the remaining BRH water service line replacement in the future. Contractor is familiar with numerous existing valves that do not work and understands the state of the existing water system.
- The potential of a new contractor performing the work as low bidder of a newly tendered bid would be required to familiarize themselves with the complexities of the operation and workings of the existing BRH water system.

Costs and Scheduling Benefits

- Allowing this work to proceed under a supplemental agreement will provide the best opportunity to order materials sooner and allow construction to occur earlier in the spring to avoid delays to the ED Addition project.
 - o If this supplemental agreement is approved, materials could be ordered by early December 2022 or sooner.
 - o Preparation and advertisement of bid documents would delay material procurement approximately 8-12 weeks – with an optimistic contract notice to proceed in early February 2023. The impact to the material supply times would put the contractor at a disadvantage of ordering materials late in the game for the upcoming construction season, most likely meaning the earlier contractor orders are filled in the order they are received, delaying delivery even longer.

Schedule Impacts

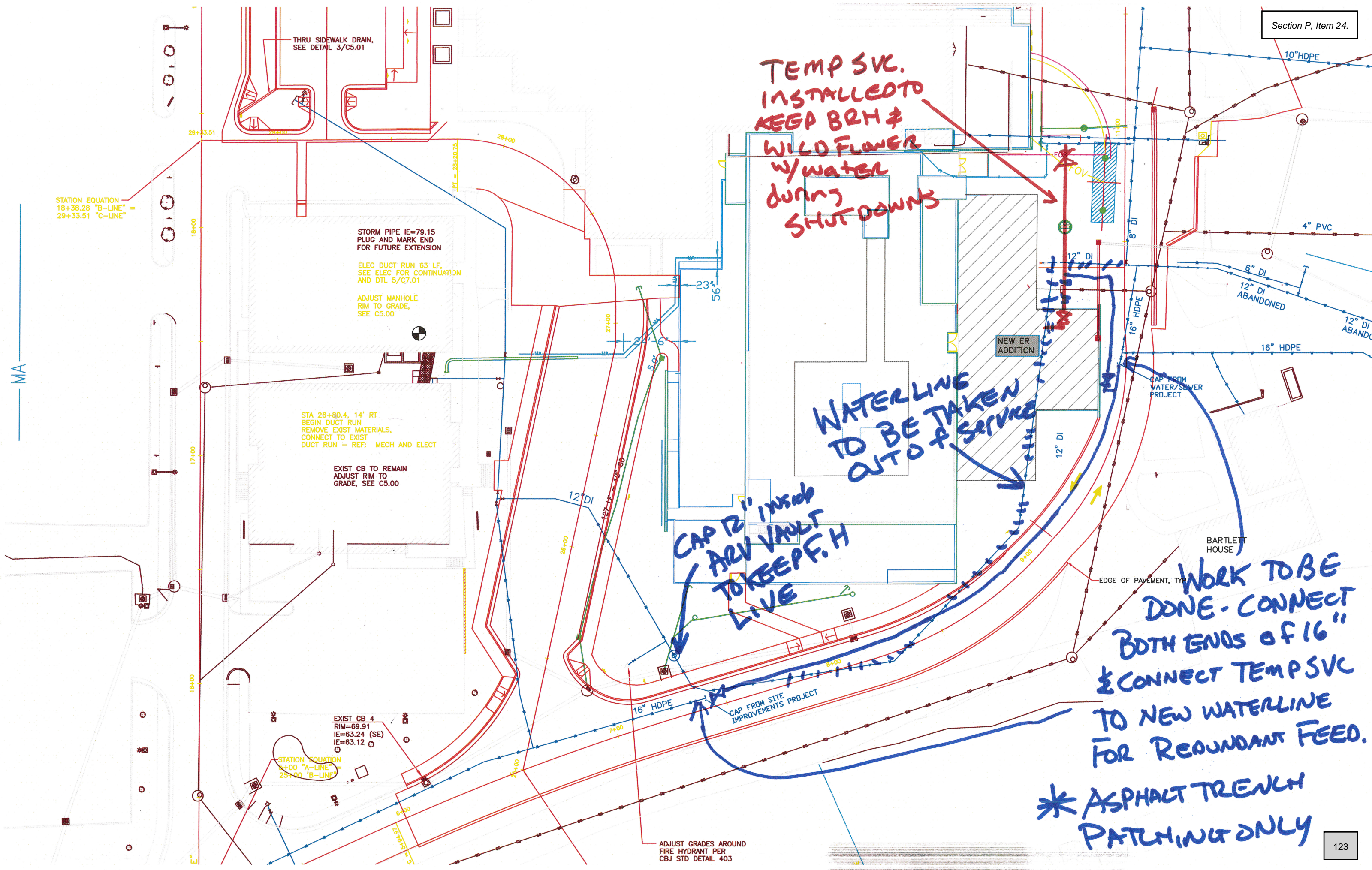
The BRH ED Addition project excavation and foundation installation could not proceed without significant difficulty to work around, protect or temporarily relocate the water main under the proposed building, and then the same work would be dismantled or abandoned in place when the new, permanent waterline is installed.

Cost

Current cost estimates place this work between \$200k and \$240k, however final pricing will not be known until the contractor and engineer finalize the details of work and the supplemental agreement.

Summary

It is in the best interest of the CBJ to perform this work under a supplemental agreement with Admiralty Construction to minimize schedule impacts to the BRH ED Addition project, avoid disruptions in services to BRH and adjacent facilities due to Admiralty's familiarity with the existing water system configuration and history of successfully accommodating the BRH needs while performing the necessary utility work.





DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 1000 Harbor Way		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) TIDELANDS ADDITION BL 51 LT 5		
	Parcel Number(s) 1C060K510040		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Hansen Gress/CBJ	Contact Person Tyler Gress	
	Mailing Address 1000 Harbor Way	Phone Number(s) 9074636900	
	E-mail Address tyler@hansengress.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Dan Bleidorn Landowner/Lessee (Printed Name) </div> <div style="width: 45%;"> CBJ Land Mana Title (e.g.: Landowner, Lessee) </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> X <i>Daniel Bleidorn</i> Landowner/Lessee (Signature) </div> <div style="width: 45%;"> 9/13/22 Date </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Tyler Gress Landowner/Lessee (Printed Name) </div> <div style="width: 45%;"> Lessee Title (e.g.: Landowner, Lessee) </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> X <i>Tyler Gress</i> Landowner/Lessee (Signature) </div> <div style="width: 45%;"> 8/31/2022 Date </div> </div>			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) 1000 Harbor Way, LLC			
Contact Person Tyler Gress			
Mailing Address 1000 Harbor Way, Suite 201			
Phone Number(s) 907-723-7069			
E-mail Address tyler@hansengress.com			
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> X <i>Tyler Gress</i> Applicant's Signature </div> <div style="width: 45%;"> 8/31/2022 Date of Application </div> </div>			

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number NCC22-039	Intake Initials AS
Date Received 11/8/22	

Attachment H - NCC2022 0039



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☐ PARKING ☐ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☒ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the *situation was allowed when established* may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
Structure has been constructed within setbacks on the rear and side lot lines.	
Structure has been built on the lot lines of Lot 5.	
Note: Even after lot consolidation, the west lot line will be nonconforming.	

Relevant information to show that the *situation was maintained over time* may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

- ☒ Complete Application (Per CBJ 49.30.310)
- ☒ Narrative
 - ☒ As-built survey or similar document
 - ☒ Documentation
 - ☒ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>100</u>			
Admin. of Guarantee	\$ <u>0</u>			
Adjustment	\$ <u>0</u>			
Total Fee	\$ <u>100</u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center
907-586-0770.

Case Number

NCC22-039

Date Received

11/8/22

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

The narrative for this non-conforming certification is pretty simple. This application was requested in conjunction with our overarching application to purchase and subsequently consolidate lots at 1000 Harbor Way.

Historic information is lacking and that is why we have the non-conforming situation. The building sits where it sits, and the lot lines are where they are. Apparently since it was built in the 1960s, although the lot and subplot leaves more questions than answers. We are trying to remediate as much of these non-conformities as possible by purchasing and consolidating the lots.

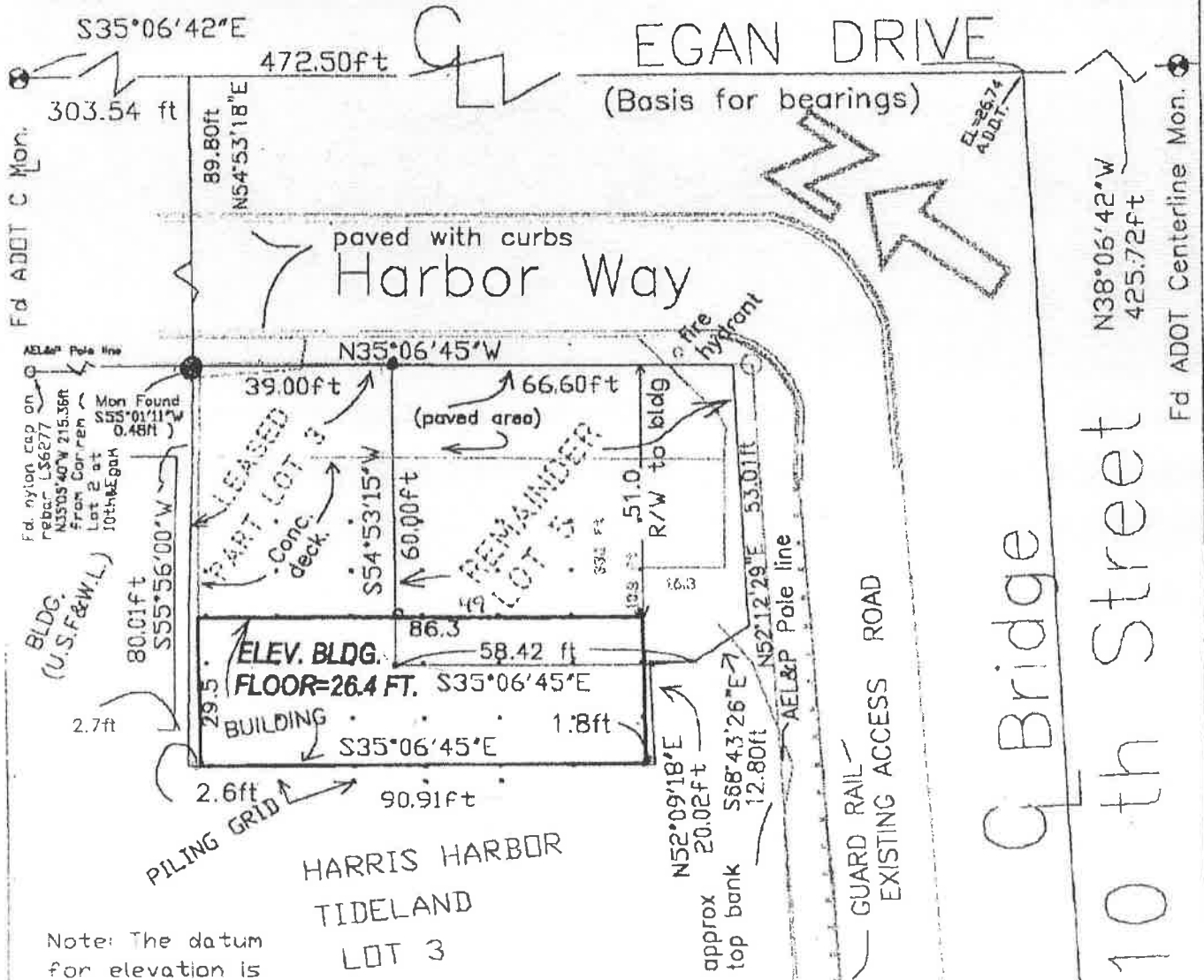
We are including an as-built from 2008, which shows the lots and building layout.

Please contact me with any specific questions.

I believe the fee is waived as this is submitted in conjunction with the other permit / application, etc.

A survey of a part of Lot 3 and a part of Lot 5, Block 51 of the Tidelands Addition to the City of Juneau according to plat #347 Juneau Recording District. This survey includes all of Lot 3 except for state right of way taking described in DB 85 P 358, J.R.D. The survey also includes all of the tidelands lease in Lot 3 described in the lease from the City of Juneau to D.C.&Phyllis Langdon, which lease is dated 3 March 1967.

Scale
1 in = 30 ft



Note: The datum
for elevation is
ADOT Centerline shown
based on USC&GS BM 15
EL=24.70 FT. above M.L.L.W.

SURVEYOR'S CERTIFICATE:
I certify this drawing is an accurate representation of a survey made by me and that all information is correct to the best of my knowledge, and there are no encroachments.

JULY 29, 1999

AS-BUILT SURVEY
OF PART OF LOTS 3 AND 5,
BLOCK 51
TIDELANDS ADDITION PLAT 347
JUNEAU ALASKA

FOR
PETER BERNSTEIN
1000 HARBOR WAY
JUNEAU ALASKA

