

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

December 12, 2016 5:00 PM
City Hall, Assembly Chambers

I. ROLL CALL

Debbie White, Chair, called the meeting to order at 5:03 pm.

Members Present: Chair Debbie White; Assembly members: Mary Becker; Jesse Kiehl; Norton Gregory

Liaison Present: Weston Eiler, Docks and Harbors; Chris Mertl, PRAC; Carl Greene, Planning Commission

Staff Present: Greg Chaney, Lands Manager; Rachel Friedlander, Lands and Resources Specialist; Dan Bleidorn, Deputy Lands Manager; Rorie Watt, City Manager

II. APPROVAL OF AGENDA

The agenda was approved.

III. APPROVAL OF MINUTES

A. October 31, 2016

The October 31, 2016 minutes were approved as amended.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Subport Parking

City Manager Rorie Watt addressed the Lands Committee with the December 5th, 2016 memo provided. Mr. Watt also let the Committee know there have been parking initiatives and communications with the Downtown Business Association (DBA) and the Downtown Improvement Group (DIG) and expects progress in that arena over the coming months.

Mr. Kiehl asked why the Fee-In-Lieu Funding Source, instead of the Downtown Parking Fund (DPF), would be used in this situation and said the DPF would be the more appropriate source. Mr. Watt replied that the DPF is used for fund balance for the Marine Park and the Downtown Transportation Center parking garages. Mr. Watt did not think the DPF would be poor choice for using funds, however cautioned the Committee that the DPF does not have the most robust funds and would like to look into the deferred maintenance plan of the Marine Park garage. Mr. Kiehl asked if the State previously leased this parcel from the Mental Health Trust and Mr. Watt confirmed it so.

Mr. Mertl asked what Mr. Watt's definition of "short term" was, and Mr. Watt replied around a year, but that there is no starting or ending point to parking. Mr. Mertl asked if this would be paid parking, and Mr. Watt replied it would be either state parking that the State provides to their employees or the City would pay for it and not charge. Mr. Watt explained that because this parking lot is the furthest parking lot from downtown, users will need an incentive to use the lot and if the City is to pay for the lot, that Mr. Watt would work to get local business workers to park over there. Mr. Mertl then asked if Mr. Watt has discussions with the other party that is interested in this lot, and Mr. Watt replied this lease would not interfere with "bigger and better" things for the community or be in competition with the private sector.

Mr. Gregory asked if the City knows the cost of the property and Mr. Watt replied he did not know the exact cost but that it would be several million. Chair White added that when the Mental Health Trust sells property, it is the cost of the appraisal plus a 20-25 percent increase on top of that.

Mr. Kiehl asked about the price differences on the memo and Mr. Watt replied there was one theory to drain all the money in the Fee-In-Lieu Fund and put it in the Downtown Parking Fund. Mr. Watt said the \$30,000 is around \$2,000 a month for around a year, and is a good number to give flexibility.

Mr. Kiehl moved that an ordinance be drafted to appropriate \$30,000 for this purpose from the Downtown Parking Fund, since a temporary use would not fit public understanding of the use of Fee-In-Lieu funds. Mr. Kiehl said the Downtown Parking Fund would be a more appropriate fund to use for this lease.

Chair White asked who is going to enforce the use of the lot for downtown business owners and Mr. Watt replied if it was State employees, it would be the State's responsibility however if it was made available for public use, the City would be responsible for plowing, maintenance, and towing of derelict cars.

The Lands Committee unanimously made a motion of support for staff to draft an ordinance that appropriates \$30,000 from the Downtown Parking Fund to be used for leasing the Alaska Mental Health Trust's Support property for parking.

PUBLIC PARTICIPATION ON AGENDA ITEM A

Bob Janes, president of Juneau Ocean Center (JOC), let the Lands Committee know that JOC submitted the application to purchase the Mental Health Trust lot and has begun the process of negotiations. Mr. Janes said the appraised value of property is \$2.75 million, and that JOC is very supportive of the City's near term interest in leasing the lot for parking.

B. Right of Way Use

Mr. Watt addressed the Lands Committee with the December 5th, 2016 memo provided concerning potential to lease CBJ rights-of-way.

Mr. Mertl agreed with Mr. Watt, and urged him to also consider including a provision to minimize “sign clutter” so that things do not become visually overbearing.

Mr. Kiehl asked Mr. Watt when excess right of way is or is not available, provided a few examples for Mr. Watt to consider, and asked how a property owner would know if there is excess right of way in front of them. Mr. Watt replied it is necessarily a bit subjective, evaluated the examples Mr. Kiehl provided, and said he recommended that the Manager would determine when it would be appropriate to lease segments of right-of-way, since leasing rights-of-way may become controversial. Mr. Kiehl asked if Mr. Watt needed a new ordinance for this issue, or if he could create a policy for this. Mr. Watt replied when taking an expansive view of existing code, the City could place this issue into the same section as food carts but that would be an aggressive application of that code section. Mr. Watt said the idea of charging fair market value is where new code is needed, since this is something the CBJ does not currently do. Mr. Kiehl then asked if this would only be available to an adjacent property owner, or could anyone apply and Mr. Watt replied that after his memo was drafted, he regretted not putting “adjacent property owner” in there, but then thought of another situation where the adjacent property owner would not object to a third party use. If the adjacent property owner is supportive and there is no impediment to pedestrian flow, then it could be okay.

Mr. Mertl asked if the Seawalk was right of way, and Mr. Watt replied that it is not. Mr. Watt then discussed the potential for a joint waterfront-downtown neighborhood plan in the future.

Mr. Chaney provided clarification that fair market value for rights of way would be determined by adjacent property values since the City does not assess values for rights of way.

PUBLIC PARTICIPATION ON AGENDA ITEM B

Bill Heumann, building owner at 432 S. Franklin St., said Tracy LaBarge of Tracy’s Crab Shack is a tenant of his, and is the business that will be using this new code if approved. Mr. Heumann said there has already been a lot of input from the City on this project, and he’s not exaggerating when he says there is 100 feet between his business and the bus parking lot. Mr. Heumann said the only thing he wants to speak to is fair market value, and that businesses should pay for what they are using however some consideration should go into the seasonality of the operation; that there will be no

permanent building construction on the right of way; and use of the area is weather dependent.

The Lands Committee unanimously adopted a motion of support for staff to draft an ordinance as described in the December 5th, 2016 memo to use a piece of right-of-way for outside tables and chairs.

VI. STAFF REPORTS

Mr. Chaney let the Lands Committee know that collaborative progress is being made on the Implementation Strategy for the Land Management Plan, and developments will soon be shared with the Committee.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

There were no committee member or liaison comments or questions.

VIII. ADJOURNMENT

The meeting was adjourned at 5:46pm.