

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

August 24, 2020 7:00 PM

Zoom Webinar & FB Livestreamed

Meeting No. 2020-40 Link to join via computer/smart device:

<https://juneau.zoom.us/j/93396131785> Or Call: 1-346-248-7799 or 1-929-436-2866 or 1-312-626-6799 Webinar ID: 933 9613 1785

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [*login info listed at top of agenda*] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

IV. APPROVAL OF MINUTES

A. April 20, 2020 Special Assembly Meeting #2020-18 DRAFT Minutes

**B. April 22, 2020 Special Assembly Meeting #2020-19 DRAFT Minutes
(Corrected)**

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

- A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
- B. Assembly Requests for Consent Agenda Changes
- C. Assembly Action

1. Ordinances for Introduction

- a. **Ordinance 2019-06(AL): An Ordinance Appropriating to the Manager the Sum of \$88,969 as Funding for the City and Borough of Juneau's Fiscal Year 2019 and 2020 Public Employees' Retirement System (PERS) Past Service Liability Cost for Centennial Hall; Funding Provided by the General Fund's Fund Balance.**

In 2018, CBJ removed a classification of Centennial Hall employees from the State of Alaska's Public Employees' Retirement System. As the employer, CBJ is obligated to pay a percentage of the withdrawn employees' salaries on an ongoing basis until the unfunded past service liability cost is satisfied. This ordinance would appropriate general funds to pay this liability for fiscal year 2019 and 2020 as follows:

<u>Fiscal Year</u>	<u>Rate</u>	<u>Cost</u>
FY2019	16.53%	\$43,292.34
<u>FY2020</u>	17.44%	<u>\$45,675.76</u>
Total		\$88,968.10

This request was reviewed by the Assembly Finance Committee on August 5, 2020.

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

- b. **Ordinance 2020-09(D): An Ordinance Appropriating to the Manager the Sum of \$47,746 as Funding for the City and Borough of Juneau's Fiscal Year 2021 Public Employees' Retirement System (PERS) Past Service Liability Cost for Centennial Hall; Funding Provided by the General Fund's Fund Balance.**

In 2018, CBJ removed a classification of Centennial Hall employees from the State of Alaska's Public Employees' Retirement System. As the

employer, CBJ is obligated to pay a percentage of the withdrawn employees' salaries on an ongoing basis until the unfunded past service liability cost is satisfied. This ordinance would appropriate \$47,746 of general funds to pay this fiscal year 2021 liability at a past service cost rate of 18.23%.

This request was reviewed by the Assembly Finance Committee on August 5, 2020.

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

- c. **Ordinance 2020-09(E): An Ordinance Appropriating to the Manager the Sum of \$196,832 as Funding for PFAS Contamination Cleanup at the Juneau International Airport; Funding Provided by the Airport Fund's Fund Balance.**

The Airport Board has approved Phase 2 of Cox Environmental's PFAS contract, which has to take place and be approved by ADEC before drilling/testing can occur. Cox Environmental has prepared a lump sum budget for the plan submittal to ADEC, and a plan for perimeter wells, testing, and monitoring at a cost of \$196,831.60. The Airport requests supplemental spending authority for this work.

A PFAS update was provided at the March 2, 2020 Public Works and Facilities Committee meeting. This request was reviewed and approved by the Airport Board at its July 16, 2020, meeting.

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

- d. **Ordinance 2020-09(F): An Ordinance Appropriating to the Manager the Sum of \$50,000 as Funding for the Manager's Office to Support the Systemic Racism Review Committee; Funding Provided by the General Fund's Fund Balance.**

This ordinance would appropriate \$50,000 for the Manager's Office to support the Systemic Racism Review Committee proposed under Ordinance 2020-32. If established, the committee would evaluate pending legislation and existing code and policy, and make recommendations to the Assembly to reduce the perpetuation of systemic racism.

At its meeting on August 10, 2020, the Committee of the Whole requested this appropriating ordinance be drafted and introduced at the next regular Assembly meeting.

The City Manager recommends the Assembly introduce this

ordinance and set it for public hearing at the next regular Assembly meeting.

- e. **Ordinance 2020-09(G): An Ordinance Appropriating to the Manager the Sum of \$600,000 as Funding for the Voice-over-Internet-Protocol (VoIP) Phone System Replacement Capital Improvement Project; Funding Provided by the Fleet Fund's Fund Balance.**

CBJ's telephone system and handsets have been in continuous use for more than two decades, and modernization will bring future operational savings. CBJ Libraries have piloted new phone technology using voice-over-internet-protocol (VoIP), and the results have been very positive. Implementation of the new system is projected to save 20% annually in telephone system costs. Funding for the new system will be provided by Fleet/Equipment Reserve Fund.

Information on this topic will be provided to the Assembly Finance Committee at its September 2, 2020, meeting.

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

- f. **Ordinance 2020-43: An Ordinance Appropriating up to \$500,000 to the Manager for a COVID-19 Juneau ArtWorks Grant Program; Funding Provided by the CARES Act Special Revenue Fund.**

This ordinance appropriates \$300,000 of CARES Act funding for the purpose of supporting artists who have been substantially negatively impacted by the COVID-19 pandemic. Proposals for the creation of artworks in any media would be evaluated and selected by a review committee, and the resulting artworks would become public property.

The Assembly Finance Committee reviewed this ordinance at its meeting on August 5, 2020 and requested that it be introduced and set for public hearing.

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

2. Liquor License

- a. **Liquor License One New: 5924 & Two Transfers: 4192 & 2728**

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

Liquor License New Application

License Type: Wholesale-General, License #5924

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

Location: 2092 Jordan Ave Suite 550, Juneau

Liquor License Regular Transfer

License Type: Restaurant/Eating Place, License #4192

Transfer From: *Jeong Hee Kim*

Jeong Hee Kim d/b/a Seongs Sushi Bar JH Inc, 740 W. 9th St., Juneau

Transfer To: *Jeongkwi Hwang*

JH Inc d/b/a Seongs Sushi Bar JH Inc, 740 W. 9th St., Juneau

Liquor License Transfer with Security Interest

License Type: Beverage Dispensary, License #2728

Transfer From: *Tracy LaBarge*

Molly Ventures Inc., d/b/a McGivney's Sports Bar & Grill, 9101 Mendenhall Mall Rd., Juneau

Transfer To: *David McGivney*

Molly Ventures Inc., d/b/a McGivney's Sports Bar & Grill, 9101 Mendenhall Mall Rd., Juneau

CBJ departments have reviewed the above licenses and recommend the Assembly waive its right to protest the applications. Copies of the documents associated with these licenses are available upon request to the Clerk's Office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license new application and transfers.

3. Other Items for consent

a. **CSP2020-0005 Juneau Douglas Bridge and roundabout; portions of North and South Douglas Highway**

The Alaska Department of Transportation and Public Facilities (ADOT&PF) will rehabilitate and reconstruct the surfaces of the road and sidewalks on the Juneau Douglas Bridge, the roundabout, and part of South Douglas Highway. This project will include repairing the joints on the Juneau Douglas Bridge, ADA improvements to sidewalks, replacement of guard rail, and improved drainage. One comment regarding bike accommodations was received. The comment is outside of the scope of this project, as the project funding is limited to rehabilitation and associated reconstruction, and the comment proposes new construction. ADOT&PF can consider the comment when construction funds are available. The Planning Commission approved the project at its

regular meeting on July 28, 2020.

The Planning Commission's decision will stand unless the Assembly chooses to take up the project and find differently.

b. Marijuana Licenses: One New Application, Two Renewal Applications

Marijuana License - New

License Type: Retail Marijuana Store, License #25190

Licensee: Alaskan Coffee Pot, LLC d/b/a: Alaskan Coffee Pot

Location: 2219 Dunn St., Juneau

{AMCO 60 day comment period ends: September 14, 2020}

Marijuana License - Renewals

License Type: Marijuana Product Manufacturing Facility License #10271

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

Location: 2315 Industrial Blvd Suite B, Juneau

{AMCO 60 day comment period ends: September 27, 2020}

License Type: Standard Marijuana Cultivation Facility License: #10270

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

Location: 2315 Industrial Blvd Suite A, Juneau

{AMCO 60 day comment period ends: September 27, 2020}

The above marijuana licenses are before the Assembly to either protest or waive its right to protest. CBJ departments have reviewed these licenses and found the businesses to be in compliance with CBJ Code. Your packet contains the redacted renewal applications along with the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's office upon request.

In the event the Assembly does protest any of these licenses, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the above-listed new marijuana application and renewals.

VIIIPUBLIC HEARING

A. Ordinance 2020-32(c): An Ordinance Establishing a Systemic Racism Review Committee.

Ordinance 2020-32 was discussed by the Assembly Committee of the Whole

on July 20, 2020. The Assembly referred it to the August 3 Assembly Human Resources Committee meeting for further discussion, set it for introduction at the August 3 regular Assembly meeting, and referred it to the August 10 Committee of the Whole for further discussion.

Version (c) of the ordinance reflects changes proposed by the Committee of the Whole / Assemblymember Edwardson since the July 20 meeting.

Depending how the charge is implemented, this committee could effect substantial changes in Assembly ordinance and resolution workflow. As most ordinances and resolutions considered by the Assembly are deliberated in committees, there is often a substantial legislative history to each Assembly action. Due to the provision in this ordinance that requires comments six days prior to an Assembly meeting, it is most probable that there will be a need for meetings and information by this proposed committee right up until that deadline. Usually when committees are unsure of the answer to a question, they naturally ask for more time and more information.

As written the Assembly should be prepared for a potentially large staffing burden and large effort by the Assembly itself.

As this is a policy matter regarding Assembly workflow, I have no recommendation.

B. Ordinance 2020-42: An Ordinance Amending the Land Use Code Relating to Floodplain Maps and Regulations.

The National Flood Insurance Program allows property owners in the CBJ to continue obtaining flood insurance. To participate in the National Flood Insurance Program, the CBJ must adopt updated floodplain maps, a flood insurance study, and enforce a floodplain management ordinance. The Federal Emergency Management Agency (FEMA) dictates much of the process and standards. Based on the flood insurance study, the flood map revisions have gone through an extensive public review process beginning in April 2018. The Planning Commission reviewed this item multiple times, including most recently on June 23, 2020. The Flood Insurance Rate Maps and the Flood Insurance Study (139 pages) are available online: <https://beta.juneau.org/community-development/special-projects/flood-map-revisions>

The City Manager recommends the Assembly adopt this ordinance.

C. Emergency Ordinance 2020-44: An Emergency Ordinance Amending Ordinance 2020-36 related to the COVID-19 Nonprofit Sustainability Grant Program Terms.

The Assembly adopted Ordinance 2020-36 on August 3, 2020, which created the COVID-19 Nonprofit Sustainability Grant Program. After August 3, the grant

administrator identified an eligibility condition in Ordinance 2020-36 that would significantly limit the nonprofits that could benefit from this program if the nonprofit received federal or state CARES Act money. This emergency ordinance expands the eligibility condition, which is similar to what the Assembly did in the Business Sustainability Grant Program Phase 2, Section (f) of Ordinance 2019-06(AG)(d).

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Taku Terrace Land Purchase Request

In June of 1970, the City of Juneau adopted Resolution 404 authorizing the lease of City property located adjacent to Evergreen Cemetery to John Rader, now Taku Terrace Condo Association. The lease agreement was signed in June of 1970 and has a term of ninety (90) years. Taku Terrace Association applied to purchase this property from the City as private financing has become problematic with the Association not owning the land. This property was listed in the 2016 Land Management Plan as “retain” which will be updated prior to a disposal of this property. The Lands Committee provided a motion of support to work with Taku Terrace Association as the original applicant towards a negotiated sale. The Planning Commission recommended updating the Land Management Plan and disposal of this property. If a motion of support is received this item will go to the Lands Committee before returning to the full Assembly for adoption of an ordinance.

The City Manager recommends the Assembly pass a motion of support for updating the Land Management Plan and to work with Taku Terrace Condo Association towards the disposal of City property.

XI. STAFF REPORTS

A. BRH Facility Planning

Due to the COVID pandemic, BRH faces difficult facility needs to address social distancing requirements. To meet social distancing on a permanent basis, improvements are necessary during intake and delivery of medical services. BRH anticipates that renovations to the hospital could cost on the order of four million dollars. Improvements to the hospital could include replacement of the triage tent with a permanent structure, improvements to electronic scheduling, telemedicine and other intake procedures and areas, improvements to air handling systems and other similar upgrades.

BRH requests \$400,000 in CARES Act funding to begin planning, design and cost estimating for these improvements. As the CARES Act funds must be expended by 12/31/2020, at this time it does not appear that construction costs would be

eligible.

The City Manager recommends that the Assembly request an appropriation ordinance or forward this issue to committee.

XII.ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

- A. **Litigation Updates and Strategies**

XV. 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