

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

June 8, 2020 7:00 PM

Zoom Webinar & FB Live Stream

Meeting No. 2020-31 To Join the webinar: <https://juneau.zoom.us/j/98088088215> or call:
1-346-248-7799 Webinar ID: 980 8808 8215. The meeting can also be viewed via
<https://www.facebook.com/cbjuneau/>

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Instructions for Public Participation via Zoom Webinar

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 can still 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.

B. Census Update - CANCELLED

C. COVID-19 Update and Actions

D. Proclamation: National Nursing Assistants' Week June 18-24

E. **Update from Police Chief Mercer**

IV. APPROVAL OF MINUTES

A. **March 26, 2020 Special Assembly Meeting #2020-12 DRAFT Minutes**

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 2020-22 An Ordinance Authorizing the Manager to Lease Approximately 1.25 Acres, Located adjacent to the Juneau Arts and Culture Center and Centennial Hall, to the State of Alaska for Employee Parking.**

The State of Alaska currently leases the area adjacent to the JACC and Centennial Hall for employee parking. The current lease terminates this summer. This ordinance would authorize the CBJ to continue leasing the area to the State for up to five more years.

The Lands Committee provided a motion of support to continue this lease at its meeting on May 4, 2020.

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

- b. **Ordinance 2020-24 An Ordinance Amending the Elections Code Relating to Vote by Mail for City and Borough of Juneau Municipal Elections.**

This ordinance updates the CBJ code to clarify terms, dates, and standards, so a vote by mail municipal election can be conducted fairly and efficiently. At the regular Assembly meeting on May 18, 2020, the Assembly authorized the October 2020 municipal election to be by mail. The Human Resources Committee reviewed this topic on May 18, 2020, and recommends staff draft the necessary code changes to improve voting

by mail. The changes proposed in this ordinance would apply to the municipal election on October 6, 2020.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Committee of the Whole on June 22, and set it for public hearing on June 29.

- c. **Ordinance 2020-26 An Ordinance Authorizing the Manager to Renew the Lease of the Mayflower Building and Grounds to the Juneau Montessori Center.**

The Juneau Montessori Center is a nonprofit school located in Douglas and has leased CBJ property for its school since 1992. In 2014, the Assembly authorized a five year lease, with renewal options, and a lease rate of less than fair market value subject to Assembly approval at renewal. The first five year period is expiring soon, and Juneau Montessori requested the lease rate continue at less than fair market value. The Lands Committee reviewed this request on June 1, 2020, and recommended the Assembly provide a one-year lease at \$2,000 per month, which would be less than fair market value.

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

- d. **Ordinance 2019-06(AD) An Ordinance Appropriating to the Manager the Sum of \$18,086 as Funding for the Land for Senior Assisted Living Capital Improvement Project; Funding Provided by Affordable Housing Fund's Fund Balance.**

This housekeeping ordinance would appropriate \$18,086 of the Affordable Housing Fund's Fund Balance to the Land for Senior Housing CIP. The original appropriation of \$1,512,000 was approved as part of the FY20 CIP Resolution. That appropriation amount was incidentally incorrect, as \$1,519,000 was the purchase price agreed upon by the seller and approved by the Lands Committee. Additionally, the CIP appropriation was insufficient to pay closing costs of \$11,086.

This appropriation ordinance corrects these errors.

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

- e. **Ordinance 2019-06(AE) An Ordinance Appropriating to the Manager the Sum of \$10,000,000, as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2020 Operating Budget; Funding Provided by CARES Act Funding and the Hospital Fund's Fund Balance.**

Bartlett Regional Hospital (BRH) requests an additional appropriation of

\$10,000,000 for FY20 hospital operations. After 9 months of operations, BRH has overspent its expense budget by \$6.2 million. This variance was driven by increased patient volumes and spending on additional staff and supplies necessary to provide care.

BRH has also incurred unbudgeted expenses due to the COVID-19 pandemic. This amount currently is at \$1,264,000.

This supplemental appropriation will be funded by CARES Act funding of \$7,252,838. The remaining balance of \$2,747,162 will be funded by the Hospital Fund's Fund Balance.

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

- f. **Ordinance 2019-06(AG) An Ordinance Appropriating up to \$8,500,000 to the Manager for Phases 2 and 3 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.**

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This would provide additional funding of \$8.5M for Phases 2 and 3 of the Business Sustainability Program. This topic was discussed by Assembly committees on May 20 (AFC) and June 1 (COW).

The City Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee on June 17, and then set for public hearing on June 29 unless a Special Assembly meeting is scheduled earlier for public hearing.

- g. **Ordinance 2019-06(AH) An Ordinance Appropriating up to \$1,000,000 to the Manager for a COVID-19 Conservation Corps Program; Funding Provided by the CARES Act Special Revenue Fund.**

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This ordinance would create an employment training program for people furloughed, unemployed, or underemployed due to COVID-19. This ordinance would provide a grant to Trail Mix, Inc., and supplemental FY21 appropriations to Eaglecrest and the Parks and Recreation Department for COVID-19 Conservation Corps programs. As of late May, Trail Mix had nearly 150 people interested in such a program. The Assembly Finance Committee briefly discussed this topic during the budget process. The Economic Stabilization Task Force recommended the Assembly consider this program at its meeting on June 4, 2020.

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

- h. **Ordinance 2019-06(AI) An Ordinance Appropriating to the Manager the Sum of \$700,000 for COVID-19 Testing Equipment to be Operated by Bartlett Regional Hospital; Funding Provided by the CARES Act Special Revenue Fund.**

These funds would be used to purchase testing equipment to expand the capacity of local testing for COVID-19. A medium-complexity technology has been selected and the funds would be used to purchase a Roche 6800, 8800 or similar equipment and related supplies. A medium-complexity machine can be easily operated with the technical expertise that currently exists in Juneau. Once operational, this will allow for broad scale, high sensitivity, same day COVID-19 testing.

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

- i. **Ordinance 2019-06(AJ) An Ordinance Appropriating to the Manager the Sum of \$52,600 as Supplemental Funding for Downtown Parking's Fiscal Year 2020 Operating Budget; Funding Provided by the Downtown Parking Fund's Fund Balance.**

Downtown Parking is anticipating a budgetary shortfall of \$52,600 in the FY20 operating budget. This was caused by increased electricity costs at the DTC garage due to a colder winter, and an overage in contractual services. The contractual services overage occurred from unbudgeted lease payments for the sub-port parking area. These anticipated expenses were added late in FY19 after the Downtown Parking budget was already submitted.

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

2. Resolutions

- a. **Resolution 2892 A Resolution Providing For Interest Rates For The General Obligation Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.**

On June 24, 2020 CBJ is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately \$7.3 million in general obligation bonds in order to refund/refinance bonds originally issued in June 2010. The original bonds were issued to fund a portion of the Dimond Park Aquatic Center.

The issuance of bonds was authorized by the Assembly in Ordinance 2020-19 (adopted May 18, 2020). The final Assembly action, per CBJ Charter, related to these bonds is to “prescribe” (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts. CBJ legal counsel, K&L Gates, has prepared Resolution 2892 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution list the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all the bonds is estimated to be around 2.0% and result in a net present value savings of \$150k.

The City Manager recommends the Assembly adopt this resolution.

- b. **Resolution 2894 A Resolution Authorizing the Manager to Convey a Driveway and Utility Easement across a Fraction of City Property in the Vicinity of 11000 North Douglas Highway.**

Roger and Ann-Marie Ramsey own a landlocked parcel and are seeking a driveway and utility easement across CBJ land. There are two similar overlapping easements on this City-owned property that provide access to other privately owned landlocked parcels. Fair market value was determined by appraisal to be \$13,355.

On June 11, 2019, the Planning Commission recommended the Assembly grant this easement. On March 2, 2019, the Lands Committee recommended the Assembly grant this easement for fair market value.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

- a. **Bid No. 21-006 Term Contract for Transport Services for Household Hazardous Waste and E-Waste**

This is a five-year term contract to transport Household Hazardous Waste & E-Waste from Juneau to recycling centers in Washington. Recycling supplies will also be transported from Washington back to Juneau. This contract will begin in FY21, effective July 1, 2020.

Bids were opened on this project on May 14, 2020. The bid protest period ended May 19, 2020. The following bids were received:

Bidder	Total Bid
Samson Tug & Barge	\$143,400.00
Alaska Marine Lines	\$146,900.00

Estimate \$175,000.00

The City Manager recommends that the bid be awarded to Samson Tug & Barge in the total bid amount of \$143,400.

b. Bid No. 21-012 Term Contract for Roadway De-Icing Chemicals

This will be a five-year term contract for the purchase and delivery of roadway de-icing chemicals for use in the Engineering/Public Works Department, Streets Division, and the Juneau International Airport. Combined estimated costs are *approximately* \$310,000 per year. This term contract will take effect on July 1, 2020.

Bids were opened on this project on May 20, 2020. The following bids were received:

Bidder	Total Bid
CP Industries, LLC	\$301,904.00
Alaska Garden Pet & Supply	\$306,000.00

The protest period ended June 3, 2020.

The City Manager recommends the award of this contract to CP Industries, LLC in the total bid amount of \$301,904.

4. Liquor License

a. Liquor Licenses-2 New & 1 Transfer

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

Liquor License New Applications

License Type: Distillery License, License #5901

Name: Alaskan Brewing, LLC d/b/a Alaskan Distilling Co.

Location: 5366 Commercial Blvd., Juneau

License Type: Distillery License, License #5905

Name: Alaskan Brewing, LLC d/b/a Alaskan Distilling Co.

Location: 5433 Shaune Dr., Juneau

Liquor License Transfer of Ownership & Location

License Type: Beverage Dispensary, License #772

Transfer From:

NYT, Inc d/b/a Rendezvous at 184 S. Franklin St. Juneau

Transfer To:

**AK Grizzly Bar, LLC d/b/a AK Grizzly Bar at 210 Admiral Way,
Juneau**

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest the applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's office.

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

VIIIPUBLIC HEARING

A. Ordinance 2020-14 An Ordinance Authorizing the Sale of Foreclosed Property Located at 12280 Glacier Highway by Sealed Competitive Bid.

Property tax is due every year. State law (AS 29.45.290-500) prescribes a multi-year process to foreclose on property with unpaid property tax. The property at 12280 Glacier Highway has had unpaid property tax since 2017. In November 2019, the CBJ received a Clerk's Deed for the property.

There is an unoccupied house on the property, and the owner of record (Steven Baker) has not responded to multiple attempts to cure the property tax debt. Staff has reached out to other family members who said the owner left the state and has not been reachable for some time. The property has been the subject of multiple nuisance complaints.

State law authorizes a municipality to retain foreclosed property or dispose of foreclosed property when there is no public purpose for it. Staff does not see a public purpose to retain the property except a small public utility easement along Glacier Highway.

The Lands Committee recommended selling this property at its meeting on February 10, 2020.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2020-23(b) An Ordinance Amending the Purchasing Code to Allow for Additional Methods of Public Notice and Electronic Receipt of Bids.

This ordinance would amend the CBJ Procurement Code to allow on-line advertising of solicitations and electronic submission of bids and proposals. This change is intended to promote public competition, reduce administrative processing, and lower procurement costs.

Version (b) reflects the newspaper publication changes recommended by

the Assembly Finance Committee on May 6, 2020.

The City Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2019-06(AC)(b) An Ordinance Appropriating up to \$3,500,000 to the Manager for Phase 1 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This ordinance incorporates two of the Task Force's recommendations into a business sustainability grant program: (1) a \$2.2M rent/lease and long-term debt cost program and (2) a \$1.3M utility cost program.

On May 20, the Assembly Finance Committee recommended an ordinance be drafted for the \$2.2M program. There was additional discussion that staff should evaluate the \$1.3M utility cost program idea. After working with the co-chairs of the Task Force, this ordinance combines the two programs, which provides a simplified and efficient mechanism to provide grants to businesses that are suffering interruptions caused by COVID-19.

On June 1, 2020, the Committee of the Whole made amendments that are reflected in version (b) of this ordinance.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

A. Ordinance 2020-08 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2020 Based Upon the Proposed Budget for Fiscal Year 2021.

This ordinance establishes the mill rates for property taxes for 2020, which funds a significant portion of the City and Borough of Juneau's FY21 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY21 Revised Budget as amended by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies. For FY21, the AFC recommends no change in mill rate from the FY20 Adopted Budget, resulting in a total mill levy of 10.66 mills; the components of which are:

Operating Mill Rate by Service Area	Millage	Change from FY20 Adopted
Roaded Service Area	2.45	-

Fire Service Area	0.31	-
Areawide	6.70	-
Operating Total	9.46	-
Debt Service	1.20	-
Total	10.66	-

An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC reviewed the mill rate ordinance at its meetings on April 22 and May 27, referring the amended ordinance to the full Assembly for adoption.

The City Manager recommends the Assembly adopt this ordinance as amended by the Assembly Finance Committee.

B. Ordinance 2020-09 An Ordinance Appropriating Funds from the Treasury for FY21 City and Borough Operations.

This ordinance appropriates \$385,686,000 in expenditure authority for the City and Borough of Juneau's FY21 operating budget, excluding the School District. The Charter requires adoption of the FY21 operating budget by June 15.

It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects, as well as the associated expenditures within the funds themselves. These transfers account for \$103,686,200 of the FY21 operating budget. The total appropriated expenditure authorization, net of inter-fund transfers, is \$281,999,800. This ordinance also recognizes \$365,495,800 of projected revenue and transfers-in, and decreases fund balances, across all funds, by \$20,190,200. The revenue and fund balance draw are sufficient to fund the budgeted expenditures.

The original ordinance was introduced at the April 1, 2020 Special Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC referred the amended budget ordinance to the full Assembly for adoption at the May 27, 2020 AFC meeting.

The City Manager recommends the Assembly adopt this ordinance, as amended by the Assembly Finance Committee.

C. Resolution 2877(b) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2021 through 2026, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2021.

This resolution adopts the Capital Improvement Program (CIP) for fiscal years 2021 through 2026, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY21. This resolution authorizes \$34.5 million for capital improvement projects and \$0.8 million for operating budget activities.

The Public Works and Facilities Committee (PWFC) reviewed the preliminary CIP resolution at its meeting on March 2, 2020 and forwarded the plan to the Assembly.

The CIP resolution was introduced at the April 1, 2020 Special Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC referred the amended resolution to the full Assembly for adoption at the May 27, 2020 AFC meeting. The Charter requires adoption of the FY21 CIP by June 15.

The City Manager recommends the Assembly adopt this resolution, as amended by the Assembly Finance Committee.

X. NEW BUSINESS

A. Sealaska Heritage Institute v. CBJ Planning Commission: Notice of Appeal regarding conditions of a Conditional Use Permit 2020-0007 for arts campus building and plaza.

On June 2, 2020, the Clerk's office received a timely filed appeal of a Planning Commission decision to grant a Conditional Use Permit for an Arts Campus Building and Plaza USE#2020 0007.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

XIII CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. SUPPLEMENTAL MATERIALS

- A. Red Folder- Ordinance 2019-06(AI) Local COVID-19 Memo from EOC Planning Section Chief Robert Barr
- B. Red Folder- Ordinance 2019-06(AG) Proposed Amendment from Loren Jones
- C. Corrected Proposed Amendment to Ordinance 2019-06(AC) from Loren Jones
- D. RED FOLDER - CIP Resolution 2877(c)

XVI. 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