

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

March 16, 2020 7:00 PM

Assembly Chambers
Meeting No. 2020-08

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Special Recognition: Dan Beason, Juneau-Douglas City Museum Volunteer

B. Census Message

C. COVID-19 Update

**D. Resolution 2883: A Resolution Temporarily Amending Resolution 2862
Related to the Assembly Rules of Procedure and COVID-19.**

In light of the public health social distancing recommendations, this resolution would temporarily amend the Assembly Rules of Procedure to do three things (1) allow up to five Assemblymembers to participate by telephone, (2) encourage seating for members of the public to be three to six feet apart, and (3) encourage CBJ public meetings with substantial public interest to be live broadcast, like with Facebook Live. Members of the public will still be provided a public comment opportunity at meetings. However, members of the public are encouraged to email the Assembly or use the online Assembly Contact Form to provide public comments.

The social distancing recommendations for COVID-19 were discussed at the Special Committee of the Whole on March 9. Additional COVID-19 updates were provided at the Assembly Finance Committee meeting on March 11.

The City Manager recommends the Assembly adopt this resolution.

E. Resolution 2884 A Resolution of the City and Borough of Juneau Declaring a

Local Emergency in Response to COVID-19 and a Request for State and Federal Assistance.

The health and safety of our community is priority one. This resolution would allow the CBJ to access State and Federal resources to help support Bartlett Regional Hospital, Capital City Fire and Rescue, Juneau Police Department, and open financial support options for businesses and local government. For example, this declaration can expedite hiring of medical providers and procurement of supplies for the hospital and fire department. This declaration can also initiate the process for businesses to qualify for federal loans and grants. This declaration would also allow the City & Borough of Juneau to seek reimbursement for its costs in addressing COVID-19.

The City Manager recommends the Assembly adopt this resolution.

IV. APPROVAL OF 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 2019-07(A) An Ordinance Appropriating and De-Appropriating Funds from the Treasury for FY20 School District Operations**

The FY2020 school enrollment is above the level originally used to determine the Juneau School District (JSD) funding for the FY20 approved school budget.

This results in \$1,215,000 more of state revenue and an increase of \$279,500 to the contribution amount that CBJ is allowed to fund under the state cap.

The Board of Education passed a budget revision increasing state and local funding for the FY20 District's Operating Fund at its February 11, 2020, meeting.

Additionally, JSD has received notice from DEED that it will receive

\$16,600 as a supplemental grant derived from proceeds from the PFD Education Raffle Fund.

Lastly, in the FY20 CBJ Budget proceedings, the Assembly also approved additional funding of \$300,000 to JSD for Kinder Ready. As a housekeeping measure, the funding is now being appropriated for FY20 School District Operations.

The total increase in expenditures authorized in this ordinance is \$1,811,100. \$1,231,600 is funded with state revenue and \$579,500 is funded from local general government revenues.

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

- b. **Ordinance 2019-06(V) An Ordinance Appropriating to the Manager the Sum of \$1,583,735 as Funding for the Replacement of Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.**

This ordinance would appropriate grant funding in the amount of \$1,350,000 as provided by federal funds through the Alaska Department of Transportation and Public Facilities. A local match requirement of \$233,735 will be funded from the Equipment Replacement Reserve fund balance.

These funds will be used by Capital Transit for the purchase of electric buses and associated charging infrastructure.

The Public Works and Facilities Committee reviewed this topic at its meeting on January 15, 2020 and referred it to the Assembly.

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

2. Bid Award

- a. **DH20-032 Douglas Harbor Anode Installation**

This project would install zinc anodes to each steel piling in Douglas Harbor as part of a maintenance plan to extend the longevity at all Docks & Harbor facilities. The zinc anodes are welded on the piles below the

surface and provide a sacrificial benefit to the galvanized steel piling.

Funding for this project is provided by the Alaska DOT Harbor Grant program and the CBJ Harbor Enterprise operating funds.

Bids were opened on March 12, 2020. The bid protest period expired at 4:30 p.m. on March 13. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Alaska Commercial Divers, Inc.	\$177,279.00
Global Diving & Salvage, Inc.	\$148,108.00
<i>Engineer's Estimate</i>	\$248,000.00

The Docks and Harbors Board recommended this bid award at a special public meeting held on March 13, 2020.

The City Manager recommends award of this project to Global Diving & Salvage, Inc. in the total bid amount, for a total award of \$148,108.

3. Liquor License

a. **Liquor License Transfer of License 5095 and Renewals for Licenses: 3695, 5706, 848 & 2812**

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

Transfer of Liquor License

License Type: Recreational Site, License #5095

From: Taku Lanes LLC d/b/a Taku Lanes

To: Pins, LLC d/b/a PINZ

Location: 608 W Willoughby Ave., Juneau

2020-2021 Renewal of Liquor Licenses

License Type: Beverage Dispensary, License #3695

South of the Bridge, LLC d/b/a Louie's Douglas Inn

Location: 915 3rd Street, Douglas

License Type: Restaurant Eating Place, License #5706

Canton Asian Bistro, LLC d/b/a Canton Asian Bistro

Location: 8585 Old Dairy Rd #105, Juneau

License Type: Restaurant Eating Place, License #848

V's Grinders, LLC d/b/a V's Cellar Door

Location: 222 Seward Street, Juneau

License Type: Restaurant Eating Place-Seasonal, License #2812

Genuine Ventures, LLC d/b/a Tracy's King Crab Shack

Location: 432 S. Franklin Street, 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 liquor license transfer and liquor license renewals.

4. Transfers

- a. **Transfer T-1027 A Transfer of \$4,024,000 from Various Capital Improvement Projects to CIP R72-141 Hospital Drive Reconstruction, W75-057 Lee St. Pump Station Replacement, U76-123 Delta Drive Reconstruction, and R72-147 Goodwin Road Reconstruction**

This transfer of \$4,024,000 of Sales Tax and Water funds from three CIPs to R72-141 Hospital Drive Reconstruction, W75-057 Lee St. Pump Station Replacement, U76-123 Delta Drive Reconstruction, and R72-147 Goodwin Road Reconstruction.

Hospital Drive: to provide additional funds as the project estimate in the FY20 CIP was substantially low as well as the discovery of additional storm drainage and other improvements that were required in addition to water system and pavement replacement.

Delta Drive Reconstruction: This is a priority as both the water and wastewater systems require replacement. The project was listed as a priority in FY21, however did not receive funding. This project would be designed during the summer of 2020, with construction beginning in spring of 2021.

Goodwin Road Reconstruction: This project was prioritized next after Delta Drive and requires \$1.218 million to proceed. The project design would occur during the summer of 2020, with construction beginning in spring of 2021.

Lee Street Pump Station: The Water Utility recently received a \$4

million loan that will be used to complete the Douglas Highway Water system replacement, David Street to I Street, making \$4 million of water utility funds, originally appropriated for the water system replacement, available to complete other Water Department priorities. The next identified priorities requiring funding are Lee Street and Bonnie Brae Pump Stations.

The Public Works and Facilities Committee recommended approval of this transfer at its February 26, 2020, regular meeting.

The City Manager recommends approval of this transfer.

VIIIPUBLIC HEARING

A. Ordinance 2020-12 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in Lemon Creek to the Alaska Department of Transportation and Public Facilities.

The State of Alaska Department of Transportation & Public Facilities has requested to purchase four small fractions of lots totaling 2,368 square feet along the Glacier Highway right-of-way in the vicinity of Renninger Street in Lemon Creek. The ADOT intends to improve Glacier Highway from Vanderbilt Road towards the old Walmart property. The PRAC provided a positive recommendation for this proposal at its November 2, 2019 meeting. On January 8, 2020 the Planning Commission found the project consistent with CBJ adopted plans. The Lands Committee reviewed the request on February 10, 2020 and provided a motion of support to the Assembly. The City will dispose of this property to the DOT for fair market value as determined by appraisal and waiver valuation.

The City Manager recommends the Assembly adopt this ordinance.

B. Resolution 2880 A Resolution Authorizing the Manager to Convey Easements Located Along Glacier Highway in the Lemon Creek Area to the Alaska Department of Transportation and Public Facilities.

The State of Alaska Department of Transportation & Public Facilities has requested five temporary construction easements and one permanent easement. The easements would be used to improve Glacier Highway from Vanderbilt Road towards the old Walmart property.

The PRAC provided a positive recommendation for this proposal at its meeting on November 2, 2019. On January 8, 2020, the Planning Commission found the project consistent with CBJ adopted plans. The Lands Committee reviewed this request on February 10, 2020, and provided a motion of support to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

C. Ordinance 2020-13 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in the Mendenhall Valley to the Alaska

Department of Transportation and Public Facilities.

The State of Alaska Department of Transportation & Public Facilities has requested to purchase 25,050 square feet of city property for Mendenhall Loop Road improvements for traffic flow, safety and to meet current standards. The Planning Commission reviewed this project on June 11, 2019 and found it consistent with CBJ adopted plans. On January 7, 2020 the PRAC provided a positive recommendation with conditions. The Lands Committee reviewed this on February 10, 2020 and provided a motion of support to the Assembly. The City will dispose of this property to the ADOT for fair market value as determined by appraisal.

The City Manager recommends the Assembly adopt this ordinance.

D. Resolution 2881 A Resolution Authorizing the Manager to Convey Easements Located Along Mendenhall Loop Road to the Alaska Department of Transportation and Public Facilities

The State of Alaska Department of Transportation & Public Facilities has requested three temporary construction easements and one permanent easement. The easements would be used to improve Mendenhall Loop Road near Floyd Dryden Middle School and Stephens Richards Memorial Drive.

The Planning Commission reviewed this project on June 11, 2019, and found it consistent with CBJ adopted plans. The Parks and Recreation Advisory Committee provided a positive recommendation at its meeting on January 7, 2020. The Lands Committee reviewed this request on February 10, 2020, and provided a motion of support to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

E. Ordinance 2019-37 An Ordinance Amending the Land Use Code to Repeal and Replace the Nonconforming Development Code.

A nonconforming situation occurs, for example, when a house is lawfully constructed but due to an amendment to Title 49, the house could not be rebuilt today. A designation of nonconforming has caused some lenders in Juneau to require higher down payment amounts and other terms, which makes buying and selling certain property extremely difficult.

This ordinance would repeal the existing Title 49 nonconforming code and replace it with regulatory provisions that better reflect our community values. Unlike the current nonconforming code, this ordinance would emphasize that most nonconforming housing situations could be rebuilt if the residential structure was accidentally destroyed, like by a fire or avalanche. See 49.30.215(d)(1). This ordinance also codifies the current practice of Community Development to determine if a development is conforming, nonconforming, or noncompliant. See 49.30.310. This ordinance should make buying and selling most nonconforming

residential developments easier while protecting the community from harmful nonconforming developments.

The Planning Commission recommended amending the nonconforming provisions of Title 49 after holding multiple public meetings including: August 27, 2019; September 17, 2019; and October 15, 2019. The Assembly Committee of the Whole reviewed this topic on December 9, 2019.

The City Manager recommends the Assembly adopt this ordinance.

F. Ordinance 2020-06 An Ordinance Amending the Land Use Code Repealing the Subdivision Review Committee.

The Subdivision Review Committee is a four-member advisory committee of the Planning Commission created to review and comment on subdivisions. However, the Subdivision Review Committee has not convened in a long time as most subdivisions are now reviewed and approved by the Community Development Department director and because the minor subdivision limit of four lots increased to 13 lots in 2015.

By repealing the requirement for the Subdivision Review Committee, this ordinance would eliminate authority conflicts between the Subdivision Review Committee and the director, and it would maintain the impartiality of Planning Commissioners to review major subdivisions and appeals of minor subdivisions.

When the Planning Commission updated its Rules of Order on December 10, 2019, it recommended the Assembly repeal the requirement to have a Subdivision Review Committee.

The City Manager recommends the Assembly adopt this ordinance.

G. Ordinance 2020-07 An Ordinance Amending the Comprehensive Plan Related to Historic and Cultural Preservation.

This ordinance would repeal the 1981 Downtown Historic District Development Plan and replace it with a new Historic and Cultural Preservation Plan. The new plan provides greater access to grants, greater acknowledgment of Juneau's cultural history, and greater preservation of Juneau's historical buildings and properties.

The Planning Commission reviewed this ordinance on November 12 and 26, 2019, and recommended the Assembly adopt it as part of the Comprehensive Plan. The Assembly Committee of the Whole reviewed this ordinance on February 10, 2020, and referred it to the Assembly for introduction.

The Plan is available at
<https://3tb2gc2mxpvu3uwt0l20tbhq-wpengine.netdna-ssl.com/wp-content/uploads/2020/02/Historic-Preservation-and-Cultural-Plan-FINAL-VERSION-2020.02.19.pdf>

Hardcopy versions of the Plan are also available at the Municipal Clerk's Office and at Community Development.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

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. ADJOURNMENT

XVI. SUPPLEMENTAL MATERIALS

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