

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

December 16, 2019 7:00 PM

Assembly Chambers
Meeting No. 2019-38

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

- A. **August 19, 2019 Regular Assembly Meeting #2019-29 DRAFT Minutes**
- B. **September 5, 2019, Special Assembly Meeting #2019-30 DRAFT Minutes**
- C. **September 16, 2019 Regular Assembly Meeting #2019-31 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 2019-06(P) An Ordinance Appropriating to the Manager the Sum of \$10,000 as Partial Funding for the Housing and Homelessness Services Coordinator Project; Grant Funding**

Provided by the Alaska Mental Health Trust Authority.

The Alaska Mental Health Trust Authority approved a \$110,000 Housing and Homelessness Services Coordinator Grant to better coordinate local housing and homelessness services that assist persons experiencing homelessness in the Capital City, including the chronically homeless, youth, veterans, families, and victims of domestic violence.

The original award was for \$100,000 a year for up to three years, beginning in FY18. In FY20 the Trust included \$10,000 in travel and training dollars for the Housing and Homelessness Services Coordinator and the Chief Housing Officer to participate in homelessness-related training and conferences. Rather than approve requests individually, the Trust requested they be submitted as a plan.

CBJ's FY20 budget was set at \$100,000. This ordinance is for the remaining \$10,000. The FY21 renewal grant is estimated to be \$110,000, and will be included in next year's budget request.

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(O) An Ordinance Appropriating to the Manager the Sum of \$250,000 as Funding for the River Road Car Cleanup; Funding Provided by the Waste Management Fund's Fund Balance.**

A property owner on River Road established an illegal junk yard with approximately 350 vehicles. The Community Development Department initiated a code enforcement action. A series of court orders authorized the CBJ to hire a contractor to clean up the junkyard with all costs paid by the property owner. This ordinance would temporarily fund the cleanup costs from the Waste Management fund. Through the court, an escrow account is intercepting \$10,000 per month from the sale of the property owner's business to fully reimburse the CBJ.

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

- c. **Ordinance 2020-02 An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.**

This ordinance would prohibit commercial rental or use of micromobility devices on the docks, seawalk, streets, and sidewalks of downtown Juneau. Micromobility devices include bikes, ebikes, scooters, and e-scooters. This ordinance would not regulate private use of bikes or use of micromobility devices on private property.

The Assembly Committee of the Whole discussed the underlying policies at its meeting on December 2, 2019.

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

- d. **Ordinance 2020-03 An Ordinance Extending the Sunset Date Relating to the Prohibition of Commercial Rental or Provision of Dockless Vehicles and the Imposition of a Permit Moratorium.**

Ordinance 2019-12 imposed a temporary moratorium related to dockless vehicles through February 1, 2020. On December 2, 2019, the Assembly Committee of the Whole discussed regulating dockless vehicles and provided recommendations to the Assembly, which resulted in Ordinance 2020-02. Given the breadth of the draft regulations in Ordinance 2020-02 and the upcoming expiration of the moratorium imposed by Ordinance 2019-12, this ordinance would give the Assembly additional time to discuss Ordinance 2020-02. If Ordinance 2020-02 is adopted on January 13, 2020, this ordinance is not necessary.

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 2876 A Resolution Adopting an Alternative Allocation Method for the FY20 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 FY2020 Shared Fisheries Business Tax Program by certifying to the State that the CBJ suffered significant effects during calendar year 2018 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 \$2,133.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

- a. **Bid Award - Bid No. 20-114 - Term Contract for CBJ Paratransit Services Contractor**

The intent of this bid is to enter into a five year term contract with a qualified contractor who, under the direction of CBJ Capital Transit, will operate the CBJ CAPITAL AKcess services program (formerly known as Care-A-Van).

Four bids were received on December 10, 2019 and the results are as follows:

<u>Bidder</u>	<u>Total Bid</u>
Catholic Community Services, Inc.	\$912,010.00
Juneau Taxi	\$919,500.00
First Student, Inc.	\$1,203,060.00
Juneau Limousine Services, LLC	\$5,200,000.00

The protest period ended December 12, 2019. The estimate for this project is \$925,000. The City Manager recommends award of Bid No. 20-114 to Catholic Community Services, Inc. in the amount of \$912,010.00 per year (five year term contract).

4. Liquor License

a. **Package Store Renewals for Liquor Licence #271 & Liquor License #2976**

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

2020-2021 Renewal of Liquor Licenses

License Type: Package Store, License #271

Alaska Cache Liquor, Inc. d/b/a Alaska Cache Liquor

Location: 156 S Franklin St., Juneau

License Type: Package Store, License #2976

No Creek Jack, Inc. d/b/a Duck Creek Market

Location: 9951 Stephen Richards Dr., 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 in the Assembly's e-packet or 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 renewals.

- A. Ordinance 2019-06(L) An Ordinance Appropriating to the Manager the Sum of \$175,000 as Funding for Snow Removal Equipment 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 \$175,000 for the purchase of snow removal equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of \$140,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$35,000 funded from Equipment Replacement Reserve Fund Balance.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

- B. Ordinance 2019-06(M) An Ordinance Appropriating to the Manager the Sum of \$220,000 as Funding for Snow Removal Equipment 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 \$220,000 for the purchase of snow removal equipment for Capital Transit to maintain access to bus shelters. Grant funding in the amount of \$176,000 is from federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$44,000 funded from Equipment Replacement Reserve Fund Balance.

This ordinance is nearly identical to the ordinance above; the only differences are the dollar amounts and the fact that two different grants were received from ADOT for this purpose.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

- C. Ordinance 2019-06(N) An Ordinance Appropriating to the Manager the Sum of \$270,000 as Funding for the Replacement of Three Paratransit 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 \$270,000 for the purchase of three paratransit buses for Capital Transit. Grant funding in the amount of \$216,000 is provided by

federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of \$54,000 funded from Equipment Replacement Reserve Fund Balance. This funding will replace three paratransit buses that have exceeded their useful life and are scheduled for replacement. The funds are from the Federal Transit Administration and come through the State of Alaska Department of Transportation and Public Facilities.

The Public Works and Facilities Committee reviewed this appropriation at its December 10, 2018, meeting and recommended forwarding it to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2019-40 An Ordinance Repealing the Waste Management Utility Code.

This ordinance would repeal the CBJ Code provisions that impose a \$4 monthly charge for household hazardous waste and \$100 annual fee for businesses that recycle at the landfill. The costs to administer the fee exceeded the revenue collected, the fee was challenging to equitably enforce, and the fee discouraged businesses from recycling. The CBJ will continue to provide recycling and household hazardous waste collection services to extend the life of the landfill and protect the environment.

This ordinance was discussed at the Assembly Finance Committee on September 25 and November 6, 2019.

The City Manager recommends the Assembly adopt this ordinance.

E. Ordinance 2019-41(b) An Ordinance Increasing the Motor Vehicle Registration Tax.

State law authorizes municipalities to impose a motor vehicle registration tax by ordinance. This ordinance would increase the biennial motor vehicle registration tax in the CBJ from \$44 to \$70 for non-commercial vehicles and from \$4 to \$10 for motorcycles and non-commercial trailers commencing on January 1, 2021.

Commercial vehicles remain exempt because some commercial vehicles may be taxable through the business personal property tax and state law prohibits a municipality from imposing a motor vehicle registration tax and assessing a business personal property tax. The increase in revenue created by this ordinance is intended to support the costs to maintain CBJ streets.

Version (b) of the ordinance adds the automatic \$1 and \$5 fee escalators after the initial five year term.

This ordinance was discussed at the Assembly Finance Committee on September 25, November 6, and December 4, 2019.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

F. Ordinance 2019-47 An Ordinance Authorizing Vacation of Right-of-Way at Lot 10, Evergreen Heights Subdivision, Located at 1706 Willow Drive.

This ordinance would authorize the vacation of 444 square feet of a right-of-way. The right-of-way was created by a plat in 1958, does not benefit the public, and is not anticipated to benefit the public. Because this right-of-way was created by a dedication in a subdivision process, the municipality cannot charge for vacating it.

On October 29, 2019, the Planning Commission and on December 9, 2019, the Lands Committee recommended the Assembly approve the vacation of this right-of-way.

The City Manager recommends the Assembly adopt this ordinance.

G. Ordinance 2019-48(b) An Ordinance Authorizing the Manager to Convey Lot 3, Bonnie Subdivision, Located at 11031 Mendenhall Loop Road, to Margaret Tharp and David Lendrum for Fair Market Value.

Margaret Tharp and David Lendrum applied to purchase CBJ property adjacent to their property. On September 17, 2018, the Assembly authorized the Manager to negotiate the sale of property with the original applicants. During the negotiations, the applicants agreed to grant the CBJ an access and utility easement, which will provide a 60-foot corridor for a future right-of-way to access hundreds of acres of CBJ property in the Goat Hill and Pederson Hill regions. The applicants recently requested CBJ financing of ten percent down for ten years at a ten percent interest rate, which has been an option for other similar CBJ land sales. Version (b) of the ordinance adds the requested CBJ financing provision.

The Planning Commission reviewed this proposal at its November 13, 2018 meeting and recommended the Assembly sell the property. The Lands Committee reviewed the proposal and passed a motion of support for the Assembly to complete the sale at its meeting on August 6, 2018.

The City Manager recommends the Assembly adopt version (b) of this ordinance.

IX. UNFINISHED BUSINESS

A. Alaska Department of Transportation & Public Facilities' Request to Purchase CBJ Property for the Mendenhall Loop Road Improvement Project

The Alaska Department of Transportation and Public Facilities submitted a request to acquire two fractions of CBJ property and associated easements to improve Mendenhall Loop Road:

A. 0.18 acres of Block A, Field Acres Subdivision (Stephen Richards and Loop Road intersection)

B. 0.39 acres of Lot 1A, USS 2084 (Floyd Dryden and Loop Road intersection)

CBJ code empowers the Assembly to decide if the land disposal request should be considered and, if so, whether by direct negotiation with the original proposer or by competition with other proposals. (CBJC 53.09.260).

At the Assembly meeting on November 25, 2019, there was confusion about whether the Planning Commission had reviewed this land disposal, which resulted in the Assembly not authorizing the Manager to negotiate the requested land disposals. On June 13, 2019, the Planning Commission reviewed this project and recommended the Assembly approve it. The School District, Capital City Fire and Rescue, CBJ Streets, and CBJ Engineering all provided comments prior to the Planning Commission meeting and support the project. If the Assembly authorizes the Manager to negotiate the land disposals, the Assembly Lands Committee would review the results of the negotiations.

The Assembly Committee of the Whole discussed this matter at its meeting on December 2, 2019.

With that new information, the Manager recommends the Assembly adopt the following motions:

- 1. Rescind the previously adopted motion related to the land disposal of 0.18 acres of Block A, Field Acres Subdivision that was adopted on November 25, 2019. (Requires 6 votes to rescind)**
- 2. Authorize the Manager to negotiate the sale of the two requested parcels and associated easements with the Alaska Department of Transportation and Public Facilities.**

X. NEW BUSINESS

A. BRH Provider Network Development Analysis Solicitation

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