

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

September 16, 2019 7:00 PM

Assembly Chambers
Regular Meeting 2019-31

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Introduction of Exchange Students

B. Proclamation: Energy Efficiency Day 2019

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 2019-38 An Ordinance Amending Ordinance No. 87-28 Vacating the Reversion Clause Relating to the Conveyance Agreement and Quit Claim Deed for Property Located at 1968 Lemon Creek Road, Further Described as Lot 20, Block D, Glacier View Subdivision.**

Ordinance 87-28 authorized the CBJ to convey property to JAMHI Health and Wellness, Inc. so it could provide housing for people receiving mental health services. Ordinance 87-28 included a reversion clause that required title to revert back to the CBJ if JAMHI ceased to use the property.

JAMHI requests that the reversion clause be removed because it is considering selling the property and using the sale proceeds to provide better community housing and support services in more suitable locations in town. The CBJ has not identified another public use for this property and due to recent State funding reductions, allowing JAMHI to retain and sell this property would be a simple way for CBJ to provide support to help the program relocate to better locations.

At its August 26, 2019, meeting, the Lands Committee unanimously passed a motion of support to remove the reversion clause.

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

- b. **Ordinance 2019-39 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Lot 1, Glacier Lands Subdivision, Located Near 5611 Montana Creek Road, from D3 to D5.**

The Planning Commission, at its regular meeting held on August 13, 2019, recommended that the Assembly approve a request to rezone approximately 17.34 acres from D3 to D5. The Planning Commission found that the proposed rezone to D5 substantially conforms to the Urban Low Density Residential designation of the land use maps of the Comprehensive Plan and Title 49. Furthermore, the proposed rezone is consistent with the Comprehensive Plan vision, policies and its implementing actions, standard operating procedures, and development guidelines, which support increased residential densities when appropriate infrastructure is in place to serve the development.

The City Manager recommends that this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- c. **Ordinance 2018-11(AQ) An Ordinance Appropriating to the Manager the Sum of \$2,322,800 to Fund the City and Borough of Juneau's Fiscal Year 2019 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.**

This ordinance would appropriate \$2,322,800, which is the State's FY19 5.58% on-behalf PERS benefit rate paid for CBJ. Funding is provided by the Alaska Department of Administration, which was authorized by passage of HB286 during the 2018 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on the CBJ's finances.

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

- d. **Ordinance 2018-11(AR) An Ordinance Appropriating to the Manager the Sum of \$2,176,791 to Fund Bartlett Regional Hospital's Fiscal Year 2019 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.**

This ordinance would appropriate \$2,176,791, which is the State's FY19 5.58% on-behalf PERS benefit rate paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration, which was authorized by passage of House Bill 286 during the 2018 legislative session.

This is a housekeeping ordinance to properly account for this on-behalf payment and has no impact on BRH's finances.

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

- e. **Ordinance 2018-11(AT) An Ordinance Appropriating to the Manager the Sum of \$2,200,000, as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2019 Operating Budget; Funding Provided by Hospital Revenues, and Hospital Fund's Fund Balance.**

This ordinance will appropriate an additional \$2,200,000 to Bartlett Regional Hospital for FY19 operations. BRH experienced increased patient activity that required both additional staff and supplies. This appropriation is being funded from FY19 hospital revenues in excess of the budget of \$1,700,000 and Hospital Fund's fund balance of \$500,000.

The Bartlett Finance Committee was informed of the year-end operating expense authorization shortfall, and the need to obtain Assembly budget authorization, at its September 30, 2019, meeting.

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

- f. **Ordinance 2019-06(D) An Ordinance Transferring \$147,000 from the Juneau Renewable Energy Strategy (JRES) Implementation Capital Improvement Project, to the Manager for the Purpose of Providing a Grant to Heat\$mart.**

This ordinance would transfer \$147,000 of Areawide Street Sales Tax funding from the JRES Implementation CIP D12-083 to the Mayor &

Assembly's budget, providing a grant to Heat\$mart, a newly organized non-profit established to assist Juneau households reduce energy costs. The program would provide critical data and experience needed to successfully accelerate heat pump usage in Juneau.

The Assembly Committee of the Whole approved this action, and forwarded it to the Assembly for action at its August 26, 2019, meeting,

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

- g. **Ordinance 2019-06(E) An Ordinance Appropriating to the Manager the Sum of \$25,402,903 as Funding for the Juneau International Airport Taxiways A, E, & D-1 Capital Improvement Project; Funding Provided by the Federal Aviation Administration Airport Improvement Program Grant.**

This funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant and covers 93.75% of the project. Matching funds in the amount of \$1,693,277 (6.25%) will be provided by Passenger Facility Charge (PFC) collections; \$1,281,000 was appropriated at the August 13, 2018 meeting, and the remaining \$412,277 will be temporarily funded with a transfer of airport revolving funds at the next meeting and reimbursed later from an amendment to PFC9 collections.

The project will rehabilitate Taxiway A pavement, realign Taxiway E, and relocate Taxiway D-1, replace the remaining section of the Jordan Creek culvert as required by the EIS Record of Decision, as well as improve drainage and replace lighting.

The Public Works and Facilities Committee (PWFC) reviewed this action at its April 8, 2019 and September 23, 2019, meetings.

The Airport Board approved this action at its September 10, 2019, meeting,

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

2. Resolutions

- a. **Resolution 2865 A Resolution Authorizing the Manager to Provide Temporary Law Enforcement Aid to the City of Craig at No Cost to the City & Borough of Juneau.**

The City of Craig, Alaska has a temporary need for an additional police officer and the City & Borough of Juneau has the capability of providing a

police officer temporarily to Craig. The provision of a Juneau police officer, at no cost to Juneau, fills a critical need for a neighboring community, provides a training opportunity for the Juneau Police Department, and establishes a means of reciprocity if Juneau develops a temporary need for police officers. Craig has requested one police officer to assist with police coverage, in Craig from October 7, 2019 through October 20, 2019. The Juneau Police Department has an officer that is ready, willing, and able to volunteer for this task.
The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

a. **Liquor License Transfer for License 1384**

This liquor license action is before the Assembly to either protest or waive its right to protest the license action.

Liquor License Transfer

License Type: Restaurant/Eating Place, License #1384

TRANSFER FROM: Alfonso Soriano d/b/a Jovany's Italian Restaurant

TRANSFER TO: Haienadangle LLC d/b/a Bowl of Pho

Location: 9121 Glacier Hwy Suite 107, Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above license and recommend the Assembly waive its right to protest the application. Copies of the documents associated with this license are in the Assembly's e-packet or available in hard copy upon request to the Clerk's office.

The City Manager recommends the Assembly waive its right to protest the transfer of liquor license 1384.

4. Other Items for consent

a. **Marijuana License Renewals for the following licenses: #13279, #10844, #10315 and #11605**

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

MARIJUANA LICENSE RENEWALS

Retail Marijuana Store, License #13279, The Mason Jar LLC, d/b/a THE MASON JAR LLC located at: 2771 Sherwood Lane Unit E, Juneau

(60-day comment period ends Sunday, September 22, 2019)

Retail Marijuana Store, License #10844, Green Elephant LLC, d/b/a GREEN ELEPHANT, LLC located at: 101 Mill St. Suite B, Juneau
(60-day comment period ends Sunday, September 22, 2019)

Standard Marijuana Cultivation Facility, License #10315, Green Elephant, LLC, d/b/a GREEN ELEPHANT LLC located at: 101 Mill St. Suite A, Juneau
(60-day comment period ends Sunday, September 22, 2019)

Standard Marijuana Cultivation Facility, License #11605, Always Redeye LLC, d/b/a Stoned Salmon Farms located at: 2005 Anka Street, Juneau
(60-day comment period ends Friday, October 11, 2019)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses. In the event the Assembly does protest the issuance of a license, 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 renewal of the following AMCO marijuana licenses: License #13279, License #10844, License #10315 and License #11605.

VIIIPUBLIC HEARING

A. Transfer T-2024 A Transfer of \$200,000 from CIP H51-116 Marine Park to Taku Upland Improvement/Archipelago to CIP H51-122 Docks Security Stations

This request is to transfer \$200,000 in additional funds for the construction award, contingency, construction administration and inspection for security check points at the approach docks to the Alaska Steamship and Cruise Ship Terminal facilities.

With evolving Coast Guard security requirements and the need to better manage passenger embarkation to cruise ships, Docks & Harbors commenced design efforts to create security check points. Currently there is \$450K in Marine Passenger Fees available for the project. Due in part to uncertainty with steel tariffs, the most recent construction estimate places the construction award at \$550K.

The Docks & Harbors Board reviewed and recommended approval of this grant

funding at its August 29, 2019 meeting.

The City Manager recommends approval of this transfer.

B. Bid Award: Cruise Ship Security Checkpoint (DH19-050)

With evolving Coast Guard security requirements and the need to better manage passenger embarkation to cruise ships, there is a need to create security check points at the approach docks to the Alaska Steamship and Cruise Ship Terminal facilities. The project consists of all activities necessary to construct two Downtown Cruise Ship Security facilities as shown in the contract documents. The work generally includes manufacturing and erection of steel framing, installation of glass paneling, roofing, lighting and other associated improvements.

Bids were opened on this project on September 10, 2019. The Docks & Harbors Board recommended award of this project at a special board meeting on September 11, 2019.

The bidders and their total bids are as follows:

Bidders	Total Bid
Southeast Earth Movers	\$596,600.00
Island Contractors, Inc.	\$647,674.00
Alaska Commercial Contractors, Inc.	\$779,395.00
<i>Engineer's Estimate</i>	\$550,000.00

The City Manager recommends award of this project to Southeast Earth Movers in the total amount bid of \$596,600.00.

C. Ordinance 2019-32 An Ordinance Authorizing the Sale of City and Borough Land Located at Pederson Hill and Establishing the Terms and Conditions Related to the Sale.

The 86 lot Pederson Hill Subdivision will be constructed in three stages. The first stage consists of 17 lots and is anticipated to be completed late this summer. The Planning Commission approved the final plat on July 9, 2019. The Lands Division desires to offer the lots for sale in advance of next year's building season. Minimum lot prices will be established by appraisal. City financing is available for all lots sold.

Three disposal methods are proposed for this land sale:

- Sealed Competitive Bid – 5 Lots
- Block Sale – One Unit Composed of 6 Lots
- Fixed Price Lottery – 6 Lots

Any remaining lots that do not sell through the initial process would be made

available through over the counter sales on a first come first served basis. The July 8, 2019 Assembly Committee of the Whole reviewed this disposal proposal and recommended approval.

The City Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2019-33 An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties.

The State recently adopted a suite of criminal justice reform legislation. The State legislation clarified ambiguous terms, reclassified crimes, and generally lengthened penalties. The CBJ criminal codes generally mirror the applicable State criminal laws to avoid confusion and to enable the CBJ to independently prosecute cases to protect the community.

On July 25, 2019, the Committee of the Whole directed the City Attorney to prepare an ordinance that updates the CBJ criminal justice codes. A memo from the City Attorney summarizes the changes.

The City Manager recommends the Assembly adopt this ordinance.

E. Ordinance 2018-11(AS) An Ordinance Appropriating to the Manager the Sum of \$35,000 as Funding for the Downtown Wayfinding Capital Improvement Project; Funding Provided by the Rasmuson Foundation and the Alaska Humanities Forum.

The CBJ has received, through the Rasmuson Foundation and the Alaska Humanities Forum, grant awards to further the Downtown Wayfinding project. The Rasmuson Foundation awarded CBJ \$25,000 and the Alaska Humanities Forum awarded CBJ \$10,000 to create and install the Community Voices Audio Wayfinding project as part of the Downtown Wayfinding project. The installations will be linked to the wayfinding and interpretive system to be installed throughout downtown in spring of 2020. This project will illuminate the lesser-known histories of Juneau: its original and ongoing Tlingit community, gold rush era, fisheries, political histories, and geographical features, awakening Juneau residents and visitors to a deeper understanding of place and community.

At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the Committee approved staff to pursue the grants for this aspect of the Downtown Wayfinding project with matching funds identified: \$15,000 from Downtown Streets project CIP R72-116 and \$5,000 from the Downtown Wayfinding project CIP D12-097.

At the July 1, 2019, PWFC, the appropriations and downtown streets fund transfer were recommended to the Assembly for approval.

The City Manager recommends the Assembly adopt this ordinance.

F. T-2025 A Transfer of \$15,000 from CIP R72-116 Downtown Streets to CIP D12-097 Downtown Wayfinding.

This request is to transfer \$15,000 in matching funds for the grant awards to further the Downtown Wayfinding project as described in Appropriating Ordinance 2018-11(AS). There are \$5,000 in additional matching funds already available in the Downtown Wayfinding project. At the Public Works and Facilities Committee (PWFC) meeting on August 6, 2018, the committee approved pursuit of the grants, and identified matching funds as described. At the July 1, 2019, PWFC meeting, the transfer was recommended to the Assembly for approval.

The City Manager recommends approval of this transfer.

G. Ordinance 2019-06(B)(d) An Ordinance Appropriating to the Manager the Sum of \$4,500,000 in Grant Funding for the Juneau Arts and Culture Center, Funding Provided by the Sales Tax Fund Balance.

This ordinance would appropriate \$4,500,000 in grant funding for the JACC. At its June 15, 2019, meeting, the Assembly Committee of the Whole approved funding for the JACC grant. Direction from the Committee was to use funds from the 2017 voter approved 1% sales tax. Since the sales tax funds will be received during the next four years it is necessary to initially use fund balance and then reimburse the fund as revenues come in.

On August 19, 2019, the Assembly amended the grant conditions and then adopted Ord. 2019-34(c)(am), which authorized an advisory ballot proposition for grant funding to the New JACC. Consistent with the amended grant conditions in Ordinance 2019-34, the Assembly requested an amendment so the grant conditions in this ordinance would be consistent with Ordinance 2019-34. Accordingly, the Manager has proposed version 2019-06(B)(d). Because version (c) was introduced and Charter 5.3 does not allow substantive amendments to an ordinance at introduction, the Assembly would need to make the amendments depicted in version (d) and then consider adopting version (d).

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Senior Citizen and Hardship Late File Property Tax Exemptions

XI. STAFF REPORTS

A. Hazard Mapping Update

In July 2018, CBJ received a grant from the Federal Emergency Management Agency to conduct a study and update CBJ's adopted hazard maps from 1987. Tetra Tech, a consulting and engineering firm, has been selected through the CBJ bidding process to conduct the study. The study will provide separate hazard maps for landslide and avalanche areas, supported by a technical engineering report. If grant timelines remain as expected, the first draft of the maps and report will be available

to the public for review and comment in approximately November 2020. In addition, the CBJ Planning Commission will hold public hearings to consider adoption of the maps and the supporting analysis. The study area extends from approximately two miles south of downtown Juneau to three miles north of downtown Juneau. The grant covers all contract expenses, and no CBJ match is required.

The need for a detailed avalanche/landslide hazard analysis is documented in the 2013 Comprehensive Plan and Resolution 2813. In addition, CBJ development of the new area plan for downtown Juneau requires accurate identification of hazards to promote appropriate land use regulations and ensure public safety.

No Assembly action is needed at this time. More information is available at the Community Development Department.

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

XV. ADJOURNMENT

XVISUPPLEMENTAL 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