ASSEMBLY REORGANIZATION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA

October 15, 2018 7:00 PM

Assembly Chambers - Municipal Building
Regular Meeting 2018-30

Submitted By:

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Duncan Rorie Watt
City and Borough Manager

I. SPECIAL ORDER OF BUSINESS ASSEMBLY REORGANIZATION

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Proclamation: Commemorating the Princess Sophia Shipwreck
B. Proclamation: Domestic Violence Awareness Month

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 2018-46 An Ordinance Extending the Sunset Date Relating to Licenses to Use Certain Rights-of-Way for the Selling of Food and Beverages and Related Uses.

This ordinance would extend the sunset date three more years for two CBJ codes. Ordinance 2017-02 authorized the Manager to issue

licenses for food and beverage vendors to operate on pedestrian rights-of-way. Section 5 of Ordinance 2017-02 imposed a sunset clause that will automatically repeal that ordinance on December 31, 2018. Ordinance 2017-02 appears to be providing benefits for the community, and it should be extended three more years. This ordinance would allow the Manager to continue issuing licenses for food and beverage vendors until December 31, 2021.

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

b. Ordinance 2018-41 An Ordinance Amending the Land Use Code Relating to Alternative Residential Subdivisions.

This ordinance would amend the land use code to allow for a new housing option. Existing code generally limits housing options to multifamily or single-family developments on a traditional-sized lot. This ordinance creates reasonable minimum standards and procedures for small-lot residential communities in which all or some of the lots do not substantially conform to the minimum requirements for a traditional subdivided lot. This ordinance also permits flexibility in the use of land desired by the community; encourages small-lot residential developments that are designed and developed to function as a small community; encourages a different type of housing option; encourages development of quality affordable housing; facilitates the adequate and economical provisions of access and utilities; and encourages developments that are in harmony with the surrounding area
Other communities, like Anchorage, have recently authorized this type of housing option. This new housing option would also allow prospective buyers to obtain traditional financing instead of condominium style financing and it helps bridge the gap between traditional condominiums and single-family housing options.
The Title 49 Committee and the Planning Commission held multiple hearings on this ordinance. On September 25, 2018, the Planning Commission recommended the Assembly adopt this ordinance.

The City Manager recommends this ordinance be introduced and referred to the Committee of the Whole.

2. Resolutions

a. Resolution 2836 A Resolution Authorizing the City and Borough of Juneau to Apply for a Community Development Block Grant with St. Vincent de Paul from the Alaska Department of Commerce, Community and Economic Development To Be Used For

Renovations to House a Transitional Services Center.

Project ideas were solicited from the community for a grant from the federal Community Development Block Grant (CDBG) program administered in Alaska by the State Department of Commerce, Community and Economic Development (DCCED). Grant proposals must be sponsored by a local government and sent to DCCED by December 7, 2018, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. CBJ has successfully used this method in the past. This year we received three proposals: a proposal from Bartlett Regional Hospital, from the Juneau Housing First Collaborative, and from St. Vincent de Paul. Staff's recommendation is to apply on behalf of St. Vincent de Paul.

The Assembly Human Resources Committee reviewed the proposal at its meeting on September 17, 2018, and made a recommendation to the Assembly to support the St. Vincent De Paul application and submit a CDBG application.

St. Vincent de Paul proposes to use CDBG funds to renovate an existing building into a transitional support services center which will house services for low to moderate income individuals, especially those experiencing homelessness or extreme disability.

Printed grant applications, with original signatures must be received in Fairbanks by 5 p.m. December 7, 2018.

The City Manager recommends the Assembly adopt the attached resolution supporting St. Vincent de Paul's application for a CDBG grant.

b. Resolution 2837 A Resolution in Recognition of National Community Planning Month.

The month of October is designated as National Community Planning Month throughout the United States of America and its territories. Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places. Community planning and plans can help manage this change in a way that provides better choices for how people work and live. Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of our

community.

The City Manager recommends that this resolution be adopted.

3. Liquor License

   a. Liquor Licenses: Transfers (Various) and New (One Recreational Site)

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

   Transfer for Beverage Dispensary Liquor License
   Beverage Dispensary License #447
   Transferor: Alaska Promotions, LLC., d/b/a NONE (Ethan Billings Licensee-former Suite 907 License)
   Transferee: d/b/a NONE (David McGivney Licensee)
   This license is a transfer of owner and location; however, no location or Doing Business As has been identified.

   Transfer for Package Store Liquor License
   Package Store License #4742
   Transferor: Glacier Hwy LLC. d/b/a Glacier Hwy LLC
   Location: 6525 Glacier Hwy, Juneau
   Transferee: Thibodeau's Market Inc., d/b/a Thibodeau's Liquor
   Location: No Premises Currently
   This license is a transfer of owner and location; however, no location has been identified.

   Transfer for Restaurant/Eating Place Liquor License
   Restaurant/Eating Place License #5231
   Transferor: Suwanna Café LLC, d/b/a Suwanna Café
   Location: 8800 Glacier Hwy Suite 100, Juneau
   Transferee: Capitol Ventures LLC., d/b/a Neptune
   Location: No Premises Currently
   This license is a transfer of owner and location; however, no location has been identified.

   Location Transfer for Brewery Liquor License
   Brewing License #5524 Barnaby Brewing Company LLC., d/b/a Barnaby Brewing Company
   Location Transfer From: 2016-1 N Franklin Street, Juneau
   Location Transfer To: 165 Shattuck Way, Juneau

New License& Application for a Recreational Site Liquor License

Recreational Site License #5711
South of the Bridge, LLC., d/b/a The Old Tower @ Eaglecrest
Location: 3000 Fish Creek Road, 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 these applications. Copies of the documents associated with each license 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 applications.

VIIIPUBLIC HEARING

A. Ordinance 2017-06(AZ) An Ordinance Appropriating to the Manager the Sum of $1,248,099 to Fund the City and Borough of Juneau's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate $1,248,099 which is the State's FY18 3.01% on-behalf PERS benefit paid for CBJ. Funding is provided by the Alaska Department of Administration which was authorized by passage of HB57 during the 2017 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 adopted.

B. Ordinance 2017-06(BA) An Ordinance Appropriating to the Manager the Sum of $1,201,249 to Fund Bartlett Regional Hospital's Fiscal Year 2018 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate $1,201,249 which is the State's FY18 on-behalf rate of 3.01% for each FY18 employer payroll and 25.01% on-behalf PERS benefit paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration which was authorized by passage of House Bill 57 (HB57) during the 2017 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 adopted.

C. Ordinance 2017-06(BB) An Ordinance Appropriating to the Manager the Sum of $659,700 as Partial Funding for Various Departments' Fiscal Year 2018 Operating Budgets; Funding Provided by Sales Tax Revenue, and Docks' Revenue.

The attached ordinance would appropriate $659,700 for increases in FY18 operations among several CBJ departments. Funding is provided by the sales tax revenues exceeding budget, and Docks' revenues exceeding budget.

Parks & Recreation

Parks & Recreation anticipates exceeding its FY18 Assembly authorized spending authority by $195,000. The need is due to a shortfall in revenue collected from the Pools & Centennial Hall and Parks/Landscape Maintenance exceeding expenditure authority. Funding will be provided by FY18 sales tax revenues exceeding budget.

Docks

The supplemental request would increase the Docks Enterprise spending authority in FY18 by $35,000. Funding will be provided by FY18 revenues exceeding budget.

The Docks & Harbors Board approved the supplemental request at its August 30, 2018, regular board meeting.

Engineering

The Engineering Department is anticipating a $15,300 shortfall due to allocating fewer costs to CIPs than projected in the FY18 operating budget. The anticipated funding for this increase is from sales tax revenues exceeding budget.

Community Development

CDD is anticipated to exceed its bottom line budget by $30,200 in the current fiscal year. This shortfall is due to the $80,000 less revenues coming in less than was anticipated, and expenditures were more than $50,000 under the expenditure budget. The anticipated funding for this increase is sales tax revenues exceeding budget.

Capital City Fire & Rescue

The Fire Department is anticipating a shortfall of $384,200 in the FY18 operating budget. This is due to ambulance billing shortfalls. The FY18 budgeted revenue was increased by $330,000 (17%) from FY17 budget while

actual billable activity was flat. The anticipated funding for this increase is sales tax revenues exceeding budget.

The Assembly Finance Committee reviewed this ordinance at its meeting on September 5, 2018.

The City Manager recommends this ordinance be adopted.

D. Ordinance 2018-11(I) An Ordinance Appropriating to the Manager the Sum of $5,000 as Funding for the Larry Carlson Memorial Bench at Overstreet Park; Donation Provided by the Late Larry Carlson's Wife, Shirley Carlson.

This appropriation of $5,000 from Mrs. Shirley Carlson to the Manager provides for the fabrication and installation of the Larry Carlson Memorial Bench at Overstreet Park.

The Public Works and Advisory Committee recommended this funding be approved during its meeting on August 6, 2018.

The City Manager recommends this ordinance be adopted.

E. Ordinance 2018-11(K) An Ordinance Appropriating to the Manager the Sum of $634,735 as Funding for the Juneau International Airport Design/Construct Terminal Reconstruction Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $634,735 to the Design/Construct Terminal Reconstruction Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

Local matching funds, and project elements that are determined to be ineligible for federal funding, will be funded with previously appropriated bond proceeds, sales tax, and Passenger Facility Charges.

This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

The Airport Board approved this action at its September 11, 2018, meeting.

The City Manager recommends this ordinance be adopted.

F. Ordinance 2018-11(L) An Ordinance Appropriating to the Manager the Sum of $529,688 as Funding for the Juneau International Airport Snow Removal Equipment Building Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $529,688 to the Snow Removal Equipment

Building (SREB) Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to design the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Project funding is 93.75% FAA, 6.25% local. Local match is provided by sales tax previously appropriated to this CIP.

The Airport Board approved this action at its July 10, 2018, meeting,

This project was presented at the August 6, 2018, Public Works and Facilities Committee meeting.

The City Manager recommends this ordinance be adopted.

G. Ordinance 2018-11(M) An Ordinance Appropriating to the Manager the Sum of $9,985,312 as Funding for the Juneau International Airport Construct Sand/Chemical Building & Fueling Station Capital Improvement Project; Funding Provided by the Federal Aviation Administration.

This ordinance would appropriate $9,985,312 to the Construct Sand/Chemical Building & Fueling Station Capital Improvement Project (CIP). Funding is provided by a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant.

This funding will be used to construct the second phase of the Snow Removal Equipment Facility, consisting of the sand/chemical storage building and fueling station. Total project funding is 93.75% FAA, 6.25% local. Local match is provided by Passenger Facility Charges (PFC) recently appropriated to this CIP, as well as Airport CIP revolving funds that will be transferred temporarily until a PFC amendment is approved.

This project was approved by the Public Works and Facilities Committee at its August 6, 2018, meeting. The Airport Board approved this action at its August 14, 2018, meeting.

The City Manager recommends this ordinance be adopted.

H. Ordinance 2018-11(N) An Ordinance Appropriating to the Manager the Sum of $140,000 as Partial Funding for the Douglas Harbor Pile Anodes Capital Improvement Project; Grant Funding Provided by the State of Alaska, Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities has agreed to fund a $140,000 FY19 Harbor Facilities Grant.

CBJ Docks & Harbors successfully submitted the grant application for installation of zinc anodes on the pilings in Mike Pusich Douglas Harbor which

will extend the useful life of the facility. The Harbor Facilities Grant is a 50-50 match program and Docks & Harbors will match $140,000 from Harbor Fund Balance to complete the project.

The Docks & Harbors Board recommended approval of this action at its August 30, 2018, meeting.

The City Manager recommends this ordinance be adopted.

I. Ordinance 2018-11(O) An Ordinance Transferring $30,945 of Unexpended FY18 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer $30,945 of unexpended Marine Passenger Fees (MPF) revenues, budgeted for specific purposes in FY18 and not expended by the fiscal year end, to the Open Space Waterfront Land Acquisition CIP. This transfer is consistent with the Assembly's direction on the disposition of unexpended MPF funds.

The amounts below are the result of monies appropriated from the Marine Passenger Fee Fund for specific purposes in the FY18 budget but were not fully expended by the end of FY18.

Franklin Dock Enterprises	$ 8,013
Downtown Business Association	3,000
City Manager	6,120
Capital City Fire Rescue	13,812
Total	**$ 30,945**

For accounting purposes, the funds will first be refunded to the Marine Passenger Fee Fund and then be transferred to the Open Space Waterfront Land Acquisition CIP.

The City Manager recommends this ordinance be adopted.

J. Ordinance 2018-44 An Ordinance Amending the Penal Code General Provisions Relating to Avoidance of Ignition Interlock Device, and Providing for a Penalty.

The CBJ has code provisions that require the use of an ignition interlock device upon a conviction for certain offenses. However, the CBJ does not have a code provision to penalize the failure to use an ignition interlock device when required. This ordinance would amend the penal code by creating a code section relating to avoidance of ignition interlock device, which is consistent

with state law (AS 11.76.140 and AS 12.55.102).
The City Manager recommends this ordinance be adopted.

K. Ordinance 2018-45(b) An Ordinance Amending the Traffic Code Relating to Duties and Responsibilities of Drivers and Others, and Providing for a Penalty.

This ordinance would amend the traffic code by making the code sections relating to duty of an operator to give information and render assistance consistent with State law (AS 28.35.050 and AS 28.35.060), and by making the penalties to be imposed consistent with State law.

After introduction, staff realized a minor amendment would be helpful to clarify the penalty for violating this ordinance would be a class B misdemeanor. The amendment is reflected in the first sentence of 72.10.030(c).

The City Manager recommends the Assembly amend this ordinance consistent with version (b) and then adopt it.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Bid Award JNU Sand/Chemical Building and Fueling Station

This project will construct a new, one-story sand and chemical storage building of approximately 21,700 square feet and a fueling station with canopy in the northwest quadrant of the airport. Bids were opened on this project on August 31, 2018. The bid protest period expired at 4:30 p.m. on September 3, 2018. Results of the bid opening are as follows:

Bidders	Total Bid
Dawson Construction, LLC	$ 9,255,000
F&W Construction Co., Inc.	$10,001,595
Roger Hickell Contracting, Inc.	$10,695,000
Alaska Commercial Contractors, Inc.	$10,924,000
Architect's Estimate	$ 9,365,275

The City Manager recommends award of this project to Dawson Construction, LLC for the total bid amount of $9,255,000.

B. Senior Citizen/Disabled Veteran Late Filed Hardship Exemption Application

The Assessor received the below referenced Senior Citizen/Disabled Veteran Real Property Hardship Exemption application which is being forwarded to the Assembly for consideration. The action required by the Assembly is to determine whether or not the late-filed tax assessment appeal will be heard. Evidence on the assessment itself or the merit of the appeal is not relevant.

The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

2018 Senior Citizen/Disabled Veteran Exemption

1) Applicant: David J. Parish Parcel ID: 5B250151C001
   Physical Address: 4401 Riverside Drive C1, Juneau
   Legal Description: Riverside Condominiums Unit C1

The burden of proof is upon the property owner to show the inability to file a timely appeal. In this context, the word "unable" does not include situations in which a property owner forgot about, or overlooked, the assessment notice, was out of town during the period for filing an appeal, or similar situations. Rather, it covers situations that are beyond the property owner's control and would prevent a property owner from recognizing what is at stake and dealing with it. Examples of this would include physical or mental disability serious enough to prevent a person from dealing rationally with their private affairs. Disagreeing with the amount of the assessment does not constitute inability to submit a timely appeal, nor does a notice of assessment being sent to a wrong address. The property owner is responsible for keeping a current, correct address on file with the assessor's office.

If the Assembly decides to accept one or more late-filed appeals, those assessment appeals will be referred to the Assessor for review and action.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

B. Committee and Liaison Reports

C. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

A. General Litigation Update

XVI. ADJOURNMENT

XVII. 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