THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - November 6, 2017

MEETING NO. 2017-20: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Deputy Mayor Jerry Nankervis.

I. FLAG SALUTE

II. ROLL CALL

Assembly Present: Mary Becker, Rob Edwardson, Maria Gladziszewski, Norton Gregory (arrived 7:20 p.m.), Loren Jones, Jesse Kiehl, Ken Koelsch (telephonic), Jerry Nankervis, and Beth Weldon.

Assembly Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Ed Mercer, Police Chief; David Campbell, Deputy Police Chief; Bob Bartholomew, Finance Director; Roger Healy, Engineering/Public Works Director; Rob Steedle, Community Development Director; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Jill Maclean, Senior Planner; Nate Watts, Code Compliance Officer; Scott Ciambor, Chief Housing Officer; Travis Wolfe, Firefighter.

III. SPECIAL ORDER OF BUSINESS

A. Moment of Silence for US Army Chief Warrant Officer 2 Jacob Sims

Deputy Mayor Nankervis requested a moment of silence on behalf of the victims of the church shooting in Sutherland Springs, Texas, and on behalf of U.S. Army Chief Warrant Officer Jacob M. Sims, who grew up and graduated from Skagway High School and became a UH-60 Blackhawk helicopter pilot, and who recently died in Logar Province, Afghanistan, when his helicopter crashed. Officer Sims was a decorated veteran of numerous overseas operations in Kosovo, Iraq, and Afghanistan and was awarded an Air Medal and a Joint Service Commendation Medal. The people present honored his passing.

IV. APPROVAL OF MINUTES

A. October 16, 2017 Regular Meeting 2017-19

MOTION, by Kiehl, to adopt the minutes of the October 16, 2017 Regular Assembly Meeting 2017-19.

MOTION, by Kiehl, to amend the minutes on page 24, to reflect that Mr. Kiehl asked *the total project cost and Ms. Wahto said the design and first intersection were approximately $15 million and she noted there would be additional intersections not included in that estimate*. Hearing no objection, the amendment passed.

Ms. Becker and Mr. Nankervis said they provided grammatical corrections to the Clerk.

Hearing no further amendments, the minutes were approve as corrected and amended.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested the removal of Resolution 2810 which conveys easements from CBJ to the Alaska Department of Transportation along Egan Drive from 10th Street to Main Street from the agenda and for placement on the November 27, 2017 Assembly regular meeting agenda. Hearing no objection, it was so ordered.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Shannon Fisher spoke about Family Promise. She is the executive director and was present with Board Member Pat McClear to acknowledge the six-month anniversary of the beginning of the program. They serve families that don't have housing in Juneau. There are 70 gradeschool children in Juneau that don't have housing and 165 students total in the school district without housing. They serve six families including 23 individuals providing 879 bed nights, 2631 meals and over 5000 hours of volunteer service. They are thankful for the community of Juneau and its desire to participate.

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION, by Becker, to adopt the consent agenda, as amended to remove Resolution 2810. Hearing no objections, the consent agenda was adopted as amended.

1. Ordinances for Introduction

   a. Ordinance 2017-06(S) An Ordinance Appropriating to the Manager the Sum of $1,513,730 as Funding for the Replacement of Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, and by the Equipment Replacement Reserve's Fund Balance.

This ordinance would appropriate $1,513,730 for the replacement of three buses and four Care-a-Van vehicles for Capital Transit. Grant funding in the amount of $1,210,985 is provided by federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of $302,745 funded from Equipment Replacement Reserve Fund Balance. This funding will replace three 35' New Flyer Buses (model year 2003) purchased in FY03, which have each provided over 13 years of service and over ½ million miles. The funds are from the Federal Transit Administration and come through the State of Alaska Department of Transportation and Public Facilities. The replacement of these buses is in the Capital Transit 2014 Transit Development Plan and adopted by the Statewide Transportation Improvement Plan (STIP). It is planned to replace these three buses from our current contract with GILLIG, LLC.
The Public Works and Facilities Committee will review this appropriation ordinance at its November 20, 2017, meeting.

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

b. Ordinance 2017-06(T) An Ordinance Appropriating to the Manager the Sum of $2,148,195 as Funding for the Replacement of Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, and by the Equipment Replacement Reserve's Fund Balance.

This ordinance would appropriate $2,148,195 for the replacement of three buses, four Care-a-Van vehicles and three electric support vehicles for Capital Transit. Grant funding in the amount of $1,718,556 is provided by federal funds through the Alaska Department of Transportation and Public Facilities and the local match requirement of $429,639 funded from Equipment Replacement Reserve Fund Balance. This funding will replace three 35' New Flyer Buses (model year 2006) purchased in FY06, which have each provided their useful service life of 12 years of service and ½ million miles. The funds are from the Federal Transit Administration and come through the State of Alaska Department of Transportation and Public Facilities. The replacement of these buses is in the Capital Transit 2014 Transit Development Plan and adopted by the Statewide Transportation Improvement Plan (STIP) under the FTA Section 5339 monies available for capital expenses. It is planned to replace these three buses from our current contract with GILLIG, LLC.

The Public Works and Facilities Committee will review this appropriation ordinance at its November 20, 2017, meeting.

The City Manager recommends this ordinance be introduced and set

for public hearing at the next regular Assembly meeting.

c. Ordinance 2017-06(U) An Ordinance Transferring $55,449 of Unexpended FY17 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer $55,449 of unexpended Marine Passenger Fee revenues, budgeted for specific purposes in FY17 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 FY17 budget but were not fully expended by the end of FY17.

Franklin Dock Enterprises	$ 20,285
Downtown Business Association	1,738
Capital City Fire Rescue	33,426
Total	**$55,449**

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 introduced and set for public hearing at the next regular Assembly meeting.

d. Ordinance 2017-06(V) An Ordinance Appropriating to the Manager the Sum of $1,334,074 to begin Reconstruction of the Project Playground Rebuild Capital Improvement Project; Funding Provided by a Partial Insurance Settlement from Lexington Insurance Company.

This appropriation will create a new CIP to design and construct a new playground. This is the initial property insurance reimbursement and represents the total loss value of our insurance claim from the April fire. There are no requirements by the insurance company for how these funds may be spent.

Since our property insurance policy covers replacement costs, CBJ is also eligible for additional insurance funds, if needed as the project progresses. Additional funds may be reimbursed by our insurance company for reconstruction of "like kind and quality" to the original playground facility. CBJ Risk Management is working closely with Engineering and Parks and Recreation staff to ensure that we make the most of our available insurance coverage.

The Assembly Public Works and Facilities Committee forwarded this request to the full Assembly at its October 23, 2017, meeting.

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

e. Ordinance 2017-06(W) An Ordinance Appropriating to the Manager the Sum of $15,500 as Funding for the Local Emergency Planning Committee; Grant Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.

This ordinance appropriates $15,500 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management under the FY2018 Local Emergency Planning Committee grant (LEPC), awarded to CBJ.
These funds are provided to reimburse the City and Borough of Juneau for Juneau LEPC program implementation expenses incurred in direct support of the goals and activities of this grant. Funding supports payroll, benefits, increasing community awareness, involvement, and planning for chemical, and all-hazards events through outreach supplies, media campaigns, training, and event room rentals to help our community prepare for and mitigate through planning and preparedness for potential events. There is no match requirement for this grant.

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

f. Ordinance 2017-32 An Ordinance Authorizing the Manager to Convey a Fraction of Lot 3, USS 3566, Located across Egan Drive from Centennial Hall, to the Alaska Department of Transportation and Public Facilities.

The Alaska Department of Transportation & Pubic Facilities has applied for a direct, negotiated sale of 507 square feet (a fraction of Lot 3, USS 3566) across Egan Drive from Centennial Hall in order to facilitate the State's reconstruction of Egan Drive between Tenth Street and Main Street. The project is intended to widen the sidewalks to ADA standards, add bike lanes as appropriate and update intersections and pedestrian facilities.

The Assembly approved the negotiation of this disposal pursuant to CBJ 53.09.260 at its July 31, 2017, meeting. The Lands Committee confirmed its support of the project at its meeting on August 7, 2017. The Planning Commission provided a recommendation to the Assembly for the sale of this lot at its August 8, 2017, meeting.

If this ordinance is approved the City will dispose of this property to the

DOT for $15,210, fair market value as determined by appraisal.

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

2. Resolutions

a. Resolution 2810 A Resolution Authorizing the Manager to Convey Easements to the Alaska Department of Transportation and Public Facilities along Egan Drive from 10th Street to Main Street.

The Alaska Department of Transportation & Public Facilities has requested a series of easements (both permanent and temporary construction easements) across CBJ property to facilitate its reconstruction of Egan Drive between Tenth Street and Main Street. The project will include the widening of sidewalks to ADA standards, adding bike lanes when appropriate and updating intersections and pedestrian facilities.

The Lands Committee reviewed this request and approved a motion of support in favor of granting the easements at its August 7, 2017, meeting. The Planning Commission provided a recommendation to the Assembly for granting these easements at its August 8, 2017, meeting.

If this resolution is approved, the City will convey eight permanent easements and ten temporary easements on City property to the DOT in return for $38,190, fair market value as determined by appraisal.

The City Manager recommends this resolution be adopted.

b. Resolution 2811 A Resolution Expressing Support for the Juneau Coordinated Transportation Coalition's Prioritization of Projects for Grant Funding by the Alaska Department of Transportation & Public Facilities.

The Alaska Department of Transportation and Public Facilities makes an annual mobility grant available. In order to be eligible for funding, communities must submit to DOT&PF a list of prioritized mobility projects endorsed by the governing body.

On October 16, 2017, the Juneau Coordinated Transportation Coalition voted to forward the following prioritized projects to the Assembly for FY19 DOT&PF mobility grant funding:

1. Taxi Voucher Program
2. 4x4 Capable lift-equipped bus
3. Paratransit/Senior services lift-equipped bus
4. Lift-equipped taxi

At its October 23, 2017, meeting, the Public Works and Facilities Committee voted to forward the prioritized list to the full Assembly for approval.

The City Manager recommends this resolution be adopted.

c. Resolution 2812 A Resolution Authorizing the Manager to Apply for a Community Development Block Grant from the Alaska Department of Commerce, Community, and Economic Development, with AWARE, Inc., to Be Used for Accessibility Upgrades to AWARE's Existing Shelter.

The Alaska Department of Commerce, Community, and Economic Development annually makes available a community development block grant to qualifying entities. Local governments can participate by generating their own project ideas or by soliciting ideas from the general public. The CBJ has done the latter in the past.

This year, the CBJ received two proposals: a proposal from REACH and a proposal from AWARE. AWARE proposes to use CDBG funds for an accessibility upgrade project at its emergency shelter. The upgrades will allow AWARE to better support clients in need who have disabilities. Staff's recommendation was to apply on behalf of AWARE.

The Assembly Committee of the Whole reviewed the proposal at its meeting on October 23, 2017, and made a recommendation to the Assembly to support the AWARE application.

Printed grant applications, with original signatures must be received in Fairbanks by 5 p.m. December 1, 2017, in order to be eligible to compete.

3. Liquor License

a. Liquor License Transfers of Controlling Interest - Breeze-In Package Stores AMCO Licenses 176, 662, and 4543

The following transfers of controlling interest in the below liquor licenses are before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, Community Development and Engineering/Public Works departments have reviewed the below businesses and found them to be in compliance with CBJ Code.

Package Store License #176
Breeze-In Corporation d/b/a Breeze-In Liquor
Location: 8 Mile Glacier Highway, Juneau

Package Store License #662
Breeze-In Corporation d/b/a Douglas Island Breeze-In
Location: 3370 Douglas Highway, Juneau

Package Store License #4543
Breeze-In Corporation d/b/a Breeze-In
Location: 5711 Concrete Way, Juneau

In the event the Assembly does protest the transfers of these licenses, CBJ Code 20.25 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 their right to an informal hearing before the Assembly. The sixty-day comment period for local governing body action on these licenses will expire as of Tuesday, November 21, 2017.

The City Manager recommends the Assembly waive its right to protest the above liquor license transfers.

4. Transfers

a. Transfer T-993 Transfer of $25,000 from the Eagles Edge Utility CIP to the Dunn Street CIP.

The work on Dunn Street has encountered some unforeseen work items during the reconstruction and paving project. The major unexpected items have included worse than expected underlying road base requiring additional stabilization and the discovery of unforeseen buried utility conflicts.

The $25,000 will come from the Eagles Edge Utility CIP. The work on the Eagles Edge project is nearly done and the remaining funds after the transfer will leave adequate funding to complete the remaining work.

The Public Works & Facilities Committee recommended forwarding this transfer to the full Assembly during its meeting on October 23, 2017.

The City Manager recommends this transfer be approved.

b. Transfer T-994 Transfer of $257,450 from the Whittier Street Improvements CIP to the Downtown Streets Improvements CIP.

Additional work is required on Phase I and Phase II of the Downtown Streets Improvement Project to structurally support sidewalk areas that are over private basements for buildings. The extent of the structural work required was unforeseen and the additional costs are estimated at $175,000. The transfer will also provide funding for lighting upgrades to alleys along the Phase I section including Bulger and Decker Way and replacement of non-functioning or impaired light poles in the Manila Square/roundabout area on Marine Way. The new lighting will be energy efficient LEDs. The cost for the lighting work is estimated to be $85,000.

The Whittier Street project is complete and the transfer of $257,450 will close out the CIP. The Assembly Public Works and Facilities Committee forwarded this request to the Assembly at its October 23, 2017, meeting.

The City Manager recommends this transfer be approved.

VIIIPUBLIC HEARING

A. Ordinance 2017-06(H) An Ordinance Appropriating to the Manager the Sum of $281,020 as Funding for the Juneau International Airport RSA IIB (NW Quad Design & Construction) Capital Improvement Project; Funding Provided by Passenger Facility Charges.

This ordinance would appropriate $281,020 to the RSA IIB (NW Quad Design & Construction) capital improvement project. Funding is provided as follows:

Passenger Facility Charges (Application#8): $281,020

The Airport Board approved this action at its April 27, 2017, meeting.

This ordinance was introduced at the September 23, 2017, Assembly meeting. It was reintroduced at the October 16, 2017, meeting due to a title change to reflect the correct funding source.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2017-06(H). Hearing no objection, it was so ordered.

B. Ordinance 2017-06(K) An Ordinance Appropriating to the Manager the Sum of $816,000 as Funding for the Juneau International Airport Float Pond Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration, and Sales Tax Revenue.

This ordinance would appropriate $816,000 to the Float Pond Improvements capital improvement project. Funding is provided as follows:

Federal Aviation Administration (FAA) grant:	$765,000
Sales Tax Revenue:	$ 51,000

The FAA funds 93.75% of the project with the remainder being provided by sales tax revenue.

The Airport Board approved this action at its October 10, 2017, meeting. The Public Works and Facilities Committee considered this ordinance at its October 23, 2017, meeting and forwarded it to the Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Edwardson, to adopt Ordinance 2017-06(K). Hearing no objection, it was so ordered.

C. Ordinance 2017-06(M) An Ordinance Appropriating to the Manager the Sum of $11,200,000 as Funding for the Juneau International Airport RSA 2C—NE/NW Quad Apron Construction Capital Improvement Project; Funding Provided by the Federal Aviation Administration and Sales Tax Revenue.

This ordinance would appropriate $11,200,000 to the Airport RSA 2C—NE/NW Quad Apron Construction capital improvement project. Funding is provided as follows:

Federal Aviation Administration (FAA) grant:	$10,125,000
Sales Tax Revenue:	$ 1,075,000

The FAA funds 93.75% of the project with the remainder being provided by sales tax revenue.

The Airport Board approved this action at its October 10, 2017, meeting. The Public Works and Facilities Committee considered this ordinance at its October 23, 2017, meeting and forwarded it to the Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to adopt Ordinance 2017-06(M). Hearing no objection, it was so ordered.

D. Ordinance 2017-06(N) An Ordinance Appropriating to the Manager the Sum of $5,145,121 as Funding for the Juneau International Airport Snow Removal Equipment Capital Improvement Project; Funding Provided by the Federal Aviation Administration, and Sales Tax Revenue.

This ordinance would appropriate $5,145,121 to the Airport Snow Removal Equipment capital improvement project. Funding is provided as follows:

Federal Aviation Administration (FAA) grant:	$4,823,551
Sales Tax Revenue:	$ 321,570

The Airport will purchase snow removal equipment to replace aging, maintenance-intensive units.

The FAA funds 93.75% of the project with the remainder being provided by sales tax revenue.

The Airport Board approved this action at its October 10, 2017, meeting. The Public Works and Facilities Committee considered this ordinance at its meeting on October 23, 2017, and forwarded it to the Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to adopt Ordinance 2017-06(N). Hearing no objection, it was so ordered.

E. Ordinance 2017-06(O) An Ordinance Appropriating to the Manager the Sum of $256,000 as Funding for the Juneau International Airport Ramp LED Lighting Capital Improvement Project; Funding Provided by the Federal Aviation Administration, and Sales Tax Revenue.

This ordinance would appropriate $256,000 to the Airport Ramp LED Lighting capital improvement project. Funding is provided as follows:

Federal Aviation Administration (FAA) grant:	$240,000
Sales Tax Revenue:	$ 16,000

The FAA funds 93.75% of the project with the remainder being provided by sales tax revenue.

The Airport Board approved this action at its October 10, 2017, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Jones, to adopt Ordinance 2017-06(O). Hearing no objection, it was so ordered.

F. Ordinance 2017-06(L) An Ordinance Appropriating to the Manager the Sum of $75,000 as Funding to Work With Existing Emergency Shelter Providers to Establish a Warming Center to be Operated When the Temperature Drops Below 32 Degrees During the Winter; Funding Provided by the Tobacco Tax Fund's Fund Balance.

This ordinance would appropriate $75,000 to work with existing emergency shelter providers to establish a warming center to be operated when the temperature drops below 32 degrees during the winter (November 2017 - April 2018). Funding in the amount of $75,000 is provided from the Tobacco Tax Fund's Fund Balance.

The Committee of the Whole discussed this issue at its October 23, 2017, meeting and forwarded it to the Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2017-06(L). Hearing no objection, it was so ordered.

G. Ordinance 2017-06(P) An Ordinance Appropriating to the Manager the Sum of $226,300 as Funding for the Juneau Police Department's Comprehensive Traffic Safety Plan; Grant Funding Provided by the State of Alaska, Department of Transportation and Public Facilities, Alaska Highway Safety Office.

The Juneau Police Department has received $226,300 in grant funding from the State of Alaska, Department of Transportation and Public Facilities, Alaska Highway Safety Office to help fund part of JPD's Comprehensive Traffic Safety Plan activities. This includes $183,700 for a 3D scanner, supporting equipment, software and training. In addition, the remaining $42,600 of grant funds will be used to purchase LIDAR guns for speed enforcement and speed boards that tell drivers when they're driving at unsafe speeds.

There is a match requirement for this grant of $23,600. JPD plans to find funds within its operating budget to cover the costs of $16,300 in training and $7,300 for radars.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Becker, to adopt Ordinance 2017-06(P). Hearing no objection, it was so ordered.

H. Ordinance 2017-06(Q) An Ordinance Appropriating to the Manager the Sum of $59,667 as Funding for the 2017 State Homeland Security Program / SHSP; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

These funds are provided to reimburse the City and Borough of Juneau for expenses incurred in direct support of the goals and activities of the SHSP program. Funding from this program is provided to support, build, and sustain the ability of states, territories, and urban areas to prevent, protect against, mitigate, respond to, and recover from terrorist attacks and other all-hazard events through planning, training, exercise, and equipment procurement within the grant performance period from September 1, 2017 to September 30, 2019.

Projects funded:

1. Purchase and installation of security fencing at the Emergency Operations Center (EOC) and Police Department. This fencing will better protect the buildings from breaches and lower their vulnerabilities. $40,000

2. Fund overtime and backfill for Police and Fire to support the Coast Guard D17 Area Maritime Security Exercise. The primary purpose of funding this exercise is to allow Juneau to conduct a full scale Mass Casualty Incident (MCI) exercise using Alternate Care Facilities. $10,037
3. Travel funds for representatives to attend the planning meetings for the 2019 Alaska Shield Exercise. $9,630

There is no match requirement for this grant.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gregory, to adopt Ordinance 2017-06(Q). Hearing no objection, it was so ordered.

I. Ordinance 2017-06(R) An Ordinance Appropriating to the Manager the Sum of $160,000 as Funding for the Emergency Management Performance Grant; Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.

This ordinance appropriates $160,000 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management under the 2017 Emergency Management Performance Grant, awarded to the CBJ.

These funds are provided to reimburse the City and Borough of Juneau for payroll and benefit costs incurred in direct support of the goals and activities of the Emergency Management Performance Grant for CBJ Emergency Programs, Police, and Fire staff in the performance of Emergency Management functions in planning, training, exercise, and equipment procurement within the grant performance period. Required dollar-for-dollar, in-kind match is provided through staff personnel services in CBJ Emergency Management, Police, and Fire budgets.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Edwardson, to adopt Ordinance 2017-06(R). Hearing no objection, it was so ordered.

J. Ordinance 2017-25 An Ordinance Amending the Land Use Code Relating to

Panhandle Subdivisions.

This ordinance would amend the panhandle subdivision requirements of CBJ Title 49 to encourage development.

The ordinance would reduce the minimum lot sizes for panhandle subdivisions and reduce the width of the stem. The amendment provides the opportunity for each lot to have a driveway (as opposed to requiring the lots to share one driveway), amends the driveway grade to be consistent with other sections of Title 49, clarifies the parking requirements, and provides an illustration to clarify the setbacks for both front and rear lots. Under this amendment, panhandle lots would still be required to have frontage on a public right-of-way.

The Planning Commission reviewed the ordinance on August 8, 2017, and September 12, 2017, and recommended forwarding it to the full Assembly for adoption.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to adopt Ordinance 2017-25. Hearing no objection, it was so ordered.

K. Ordinance 2017-31 An Ordinance Amending the Comprehensive Plan Land Use Maps of the City and Borough of Juneau to Change the Land Use Designation of Block 25, Juneau Townsite, Entirely Bounded by Fifth and Sixth Streets and Gold and Harris Streets in Downtown Juneau, from Medium Density Residential to Traditional Town Center.

This ordinance would amend the land use maps of the Comprehensive Plan to correct a discrepancy that was discovered during the analysis of a rezone request.

On July 11, 2017, the Planning Commission reviewed a rezone requested by the Corporation of the Catholic Bishop of Juneau for property in downtown Juneau. Although the Planning Commission recommended the rezone from D-18 to Mixed Use under the Medium Density Residential Comprehensive Plan designation, the Commission also discussed whether a Comprehensive Plan amendment was necessary.

On September 12, 2017, the Commission unanimously recommended that the Assembly consider and approve adoption of this ordinance to amend the Comprehensive Plan maps for the entirety of Block 25, Juneau Townsite, from Medium Density Residential (MDR) to Traditional Town Center (TTC).

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to adopt Ordinance 2017-31.

Mr. Kiehl said that when the broader issue of this and the next ordinance were before the Planning Commission, his spouse made public comment and his home was close to this location. He checked with the City Attorney for any potential conflict and determined none exists, however, he wanted to alert the Assembly.

Hearing no objection, it was so ordered.

L. Ordinance 2017-28 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Block 25, Juneau Townsite, Entirely Bounded by Fifth and Sixth Streets and Gold and Harris Streets in Downtown Juneau, from D-18 to MU.

In January 2017, the applicant filed to have the entirety of Block 25 of the Juneau Townsite rezoned from D-18 to MU. The Planning Commission adopted staff's findings and analysis after hearing the matter at its meeting on July 11, 2017, finding that the proposed rezone substantially conformed to the current land use designation of MDR as identified in the land use maps of the Comprehensive Plan. The Commission recommended an ordinance be forwarded to the Assembly for its consideration. The staff report considered by the Commission is included in your packet.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Jones, to adopt Ordinance 2017-28. Hearing no objection, it was so ordered.

M. Ordinance 2017-30 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Millsite Addition to Douglas Townsite, Block 32, Tract A, Located at 824 Front Street, from WI to LC.

This ordinance would rezone a lot near the Douglas Harbor.

On September 12, 2017, the Planning Commission adopted the analysis and findings in the Community Development Department's staff report and recommended the Assembly rezone 824 Front Street in Douglas from Waterfront Industrial to Light Commercial. This rezone, which would expand an existing Light Commercial district, conforms to the maps of the CBJ Comprehensive Plan.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2017-30. Hearing no objection, it was so ordered.

IX. UNFINISHED BUSINESS

A. 2nd and Franklin Project

Mr. Watt said that the Lands Committee discussed this project and had follow-up questions. Eagle Rock Ventures (ERV) is pursuing financing through the Alaska Housing Finance Corporation (AHFC) Low-Income Housing Tax Credit (LIHTC) program for its proposed workforce housing project at 2nd and Franklin St. One requirement of the program is to have site control through the competitive funding period. ERV requests an extension of the Purchase and Sales Agreement (PSA) from March 31, 2018 to May 17, 2018 in order to meet this requirement. Current plan targets are 34 studios and 6 one-bedroom apartments for a total of 40 units. 38 of the units are targeted at income and rental limits at 60% Area Median Income (AMI), 2 studio units would be targeted at income and rental limits of 30% AMI. Mr. Ciambor provided follow-up information and was present to answer any questions. Tracy Ricker was present representing ERV. Requested action of the Assembly was to grant the PSA extension and to authorize the manager to sign a letter of support to AHFC on behalf of Eagle Rock Venture's proposal.

Ms. Weldon asked how many of the seven ERV facilities in Seattle were less than 60% AMI buildings. Mr. Ciambor said he was not familiar with their total portfolio but their specialty is workforce housing, using fair market designs to keep costs in check.

Mr. Nankervis said he thought the original proposal from ERV was for 100 plus units. Mr. Ciambor said "workforce housing" is a new, fairly broad term, with ranges from 50% to 120% AMI. To get market rental rates for this segment of the population, there are different ways, including design, number of units, development costs to get to a margin that allows charging a certain level of fair market rent and be profitable and also help the community, or the LIHTC program can be used which targets 60% AMI. A financing tool has changed which has changed the scope and design.

Ms. Weldon said they are targeting at 60% AMI, and asked if there is any discriminatory housing. Mr. Ciambor said other programs target lower income levels, such as 30% AMI. Those programs also tie to the amount the tenant can afford to pay. The LIHTC program focuses on affordability and only has an income level cap. One of the criticisms of this program is that it has not allowed enough low income residents in. He pointed to the occupations with hourly wage rates below 60% AMI. ERV is going to run this similar to tax programs already in the community and focus on 50-60% AMI. On the application, when people apply for housing, the most that they can charge for the rent is 60% - the applicant gets asked the question what is your income. It will be run similar to any other rental and that is all they can ask.

Mr. Kiehl asked how long does income restriction run. Mr. Ciambor said the low income tax credit is guaranteed for 15 years. There is an opt out at that time that the owner doesn't have to take the subsidy but it can go for a total of 30 years.

Mr. Kiehl asked if the development is entirely residential at this point. Mr. Ciambor said both proposals he has seen are totally housing.

Ms. Gladziszewski asked how the tenant selection was done and also expressed concern about the cost of the rentals. Mr. Ciambor said the goal is to fill the housing space and the applications are taken in a case by case basis. Mr. Ciambor said the maximum rent for studios is $1066 and $1142 for the one-bedroom apartments.

Ms. Weldon asked about future sale of the building. Mr. Ciambor said they can sell at the 15 year mark but the majority stay on to 30 years as this type of housing is desired by communities. ERV has said they want to be long-term holders of this building.

Ms. Weldon asked about property tax on this facility. Mr. Bartholomew said that the revenue and expense quotient downtown appears to make this property look like this will be a 50% tax break but this is an estimate. There are many similar properties in CBJ. The LIHTC program provides that the more profitable a property, the amount of the tax break goes down. There are many similar properties in CBJ. The current properties submit a form annually and the assessor determines the eligibility level for a tax credit.

Mayor Koelsch asked if there is any parking provided in the proposal. Mr. Ciambor said the design is not final. Mayor Koelsch said that the Assembly purchased this lot for parking and now we are supporting a project that doesn't have any parking which doesn't make sense.

Mr. Nankervis asked Mr. Watt for the next step and he said ERV wants to extend the closing date and the terms say it may be unreasonable of CBJ to not extend if the developer has made good faith efforts to develop this property. Mr. Watt said that this is a difficult project to put together and the developer has made diligent efforts and a six week extension is not a long period of time. They have to obtain a conditional use permit and the details will be in that application. The extension will show AHFC that they have site control.

MOTION, by Jones, to approve the extension of the Purchase and Sale Agreement from March 31, 2018 to May 17, 2018.

Ms. Weldon objected. She had concerns about the change of plans from the initial proposal. She said this is taking some of the most expensive property, eliminating parking, and it would be better to have mixed-income levels including market rate apartments. It seems we are going away from fair market value and if they can't stick with their original plan, we should let someone else use this opportunity.

Roll call:
Aye: Edwardson, Gladziszewski, Gregory, Jones, Kiehl
Nay: Becker, Nankervis, Weldon, Koelsch
Motion passed, 5 ayes, 4 nays.

X. NEW BUSINESS

None.

XI. STAFF REPORTS

None.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch appreciated the moment of silence.

B. Committee and Liaison Reports

Docks and Harbors Board: Liaison Edwardson said Morris Communications, owner of the Archipeligo lot, has given support to the urban design plan for Marine Park to Taku Dock. The Board adopted motions to support the municipal harbor grant fund and new rules regarding derelict and abandoned vessels. He provided an update of harbor construction and development projects. Three TIGER grant applications have been submitted for funding various projects. The next operations planning committee is November 14.

Eaglecrest Board: Liaison Gregory said the lift inspections have been done and look good, season pass sales are the highest in three years, the new snow cat is on site, the ski swap is on November 11 in Centennial Hall, there will be a series of ski movies in town to whet appetites for the season, and proceeds go to the Eaglecrest Foundation. Pregress is being made on the wilderness cabin to be funded by the Juneau Community Foundation and available for rental. Thanks to all the volunteers who support Eaglecrest. The new snow making pump is running. An RFP is out now to solicit a beer/wine operator and this will likely start next year. Eaglecrest would like to host the Free Ride World Tour event eventually and are working towards that end. The Eaglecrest HR committee will meet on November 30 to discuss staff wages. The next board meeting is on December 7.

Assembly Mining Committee: Chair Gregory said the next meeting is set for November 9.

Aquatics Board: Liaison Weldon said the board would be presenting to the COW on November 20. The next meeting is set for November 21.

Planning Commission: Liaison Weldon said the next meeting is set for November 14.

Human Resources Committee: Chair Gladziszewski said the HRC met to review applications and recommended the following appointments, which were approved unanimously:

Juneau Economic Development Council:
Reappointment of Brandon Cullum and Lauren McVey for terms expiring October 31, 2020.

Youth Activities Board:
Appointment of Peter Cristensen to a term expiring August 31, 2020.

HRC heard from the Sister City Committee, and hearing no objection, the Mayor was authorized to send a letter to the RCMP officially inviting them to the festivities surrounding the Princess Sophia memorial on October 25, 2018.

There will be a meeting of the full Assembly sitting as the Human Resources Committee on December 6 to interview Hospital Board and Planning Commission members and applications are due to the Clerk's Office by November 27.

Bartlett Hospital Board: Liaison Gladziszewski said the board met and discussed medical staff reports, credentialing, appointment of a new IT Director Jason Newcomber, and the governing committee is doing a self evaluation. The CEO reported on physician recruitment, and an RFP for in-depth assessment of BRH operations.

Affordable Housing Committee: Liaison Gladziszewski said the next meeting is set for December 7.

Public Works and Facilities Committee: Chair Jones said the next meeting is set for November 20 and will review the future plan for spending the recently approved 1% sales tax.

School Board: Liaison Jones said the board met and approved the CIP projects for this year and have renamed Gastineau Community School to Sayeik Gastineau Community School. They approved combining JDHS and TMHS football programs. The next meeting is set for November 14. He attended the school board retreat at which the budget was reviewed in light of the enrollment drop of 127 fewer students, which is a loss of approximately $854,000 to the budget. They reviewed their five year strategic plan.

Downtown Business Association: Liaison Jones said the next meeting was set for December 7 and the DBA will discuss a proposal to paint a mural on the downtown parking garage, a matter which will go before the PRAC.

Planning Commission: Liaison Jones said the PC COW met to review the FY19 CIP plan. All items on the consent agenda were approved and the Lemon Creek Area Plan was forwarded to the Assembly COW. The next Planning Commission meeting was set for November 28.

Finance Committee: Chair Kiehl said the next meeting was set for November 8.

UAS Campus Council: Liaison Kiehl said UAS has received its quit claim deed for its share of former NOAA Lab. They have the portion closest to the Anderson building and are looking at options. They have closed on the sale of the former bookstore building. UAS is providing Title 9 training on sexual harassment and safety. UAS is recruiting for Deans of the College of Education and College of Arts and Sciences. He noted the upcoming "Power and Privilege Symposium" on campus starting tomorrow.

Alaska Municipal League: Liaison Kiehl noted the annual conference to be held November 13-17.

Lands Committee: Chair Becker said the committee met and heard information about the Eagle Rock Ventures development, Title 49 code regarding privately maintained roads, a report on Indian Point history and the request is to ask the public to read and verify/augment that document.

Airport Board: Liaison Becker met with Patty Wahto about airport operations and planning and got a tour.

Juneau Economic Development Council: Liaison Becker said she attended the Marine

Exchange tour. Ms. Becker said that JEDC, Travel Juneau, the Chamber of Commerce and Juneau Arts and Humanities Council are meeting together with City Manager Watt coordinating. She has concerns that the conversation of the group has strayed from the original intent and she will monitor this group.

<u>CBJ/ JSD Joint Facilities Committee</u>: Chair Becker said the next meeting was set for December 13.

<u>Committee of the Whole</u>: Chair Nankervis said the next meeting was rescheduled to November 20.

<u>Public Safety Task Force</u>: Chair Nankervis said the next meeting was set for November 7.

C. Presiding Officer Reports

<u>7th Day Adventist School v CBJ Assessor Appeal</u>: Presiding Officer Jones issued a pre-hearing order with a hearing date was set for January 22. Jane Mores will advise the Assembly.

XIII. ASSEMBLY COMMENTS AND QUESTIONS

<u>MOTION</u>, by Edwardson, that the assembly direct the municipal attorney to draft an ordinance amending the senior sales tax code section so as to affect a repeal of Ordinance 2015-41, which limited the exemption to purchases of essential items, and which will have the effect of returning to all seniors a sales tax exemption for the purchase of all goods, services and rentals, with the exception of sales of alcoholic beverages.

Mr. Jones objected and said the motion was premature. The Assembly will go through many of these issues in the budget work sessions.

Ms. Weldon asked how much money is under consideration.

Mr. Bartholomew said, based on a 2015 evaluation, that $1.6 - 2 Million was the estimate of funds previously lost through the exemption. Staff was updating this number and he said the amount grew at 8% each year as new seniors reached the age threshold.

Ms. Gladziszewski said this issue could be discussed at the retreat.

Mr. Nankervis handed gavel to Ms. Becker and said he agreed with Ms. Gladziszewski.

Mr. Gregory objected and said he has given the issue a lot of thought. 37% of kindergartneners are not ready for school and early childhood programs need funds to improve the local quality of life. Where is the money to come from for such programs. Additionally we have heard from the firefighters about being short staffed and that is a heavy weight. He supports the seniors in the community and they play an integral part but thought that implementing a sunset on this benefit to seniors was a better approach and he would like some serious consideration of that idea.

Roll Call:
Aye: Becker, Edwardson, Koelsch
Nay: Gladziszewski, Gregory, Jones, Kiehl, Nankervis, Weldon
Motion failed 3 aye, 6 nay.

Mr. Gregory congratulated the 2018 Women of Distinction honorees, including June Dengen, Kolleen James, Kulane Make and Lori Morton and spoke about an event for AWARE on March 3.

Ms. Weldon congratulated Family Promise for a good beginning and Sergeant Beck and Lt. Krag Campbell and Deputy Chief Dave Campbell for their promotions at JPD. She said the Firefighters haunted house was great. Gastineau Humane Society had a successful fundraiser recently.

Ms. Gladziszewski asked when the energy strategy would appear on the COW agenda. Mr. Nankervis said it would probably be on the December agenda.

Mr. Jones attended the Downtown Improvement Meeting and heard a discussion about "Alaska Awakening" to gain support for extending the tourism season into April.

Mr. Jones expressed concerns about the Docks and Harbors planning process for the area from Marine Park to Taku Docks and said he would meet with Mr. Uchytil to discuss the matter. He was concerned about the public process.

Mr. Kiehl congratulated JPD officers for their promotions. He said Ms. Cosgrove has attended meetings regarding state childcare assistance grants and while there is work to be done, there is an expectation that there will be continuity in the grant going forward and he thanked Ms. Cosgrove for her attention to the matter.

Mr. Kiehl attended the retirement of Chief Operating Officer Corine Garza and thanked her for her work for the Central Council Indian Tribes of Alaska organization.

Mr. Kiehl noted a free lecture by Professor Steve Langdon on November 8 at the Sealaska Heritage Center at Noon. He spoke about an event for the Immigration and Justice project at the Southeast Regional Resource Center. He noted pending observations for the November 11 Veterans Day.

Mr. Nankervis spoke favorably about the recent JPD promotions, the CCFR Haunted House, Family Promise, the Red Ribbon Day Dance, and Veterans Day observances. He said the Dunn Street paving project is done and the Blueberry Hills project is nearly done.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XV. EXECUTIVE SESSION

A. Litigation Updates

<u>MOTION</u>, by Becker, to enter into executive session to hear a report from the municipal attorney on pending litigation.

Hearing no objection, the Assembly entered into executive session at 9 p.m. and returned to regular session at 9:15 p.m.

Upon return to regular session, Ms. Becker noted the Assembly received information and provided direction to the municipal attorney.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:18 p.m.

Signed:________________________ Signed:__________________________
Laurie Sica, Municipal Clerk Kendell D. Koelsch, Mayor