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

September 18, 2017 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2017-18

Submitted By:

_____
Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **Juneau Alaska Music Matters (JAMM) Performance**

IV. APPROVAL OF MINUTES

A. **August 21, 2017 Regular Assembly Meeting 2017-17**

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 2017-19 An Ordinance Amending the Uniform Sales Tax Code to Expand the Senior Citizen Sales Tax Exemption.**

This ordinance would expand the definition of an essential purchase as it relates to the senior citizen sales tax exemption, making the purchase of prepared foods, household supplies, and personal care items tax exempt. As a result of exempting these additional purchases, the rebate paid to seniors below a certain income level would be reduced to $300 from

$325. The estimated annual loss of revenue is in the range of $36,000 - $90,000.
This issue and the draft ordinance were reviewed by the Assembly Finance Committee at its May 10 and August 9, 2017, meetings. The Finance Committee recommended the ordinance, with some amendments, be brought to the full Assembly for its consideration.

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

b. **Ordinance 2017-26 An Ordinance Authorizing the Manager to Dispose of Lots 4 and 5 of the Renninger Subdivision.**

This ordinance would authorize the sale of two of the Renninger Subdivision lots through either a sealed competitive bid process, or, if that process proves unsuccessful, an over-the-counter sale.
The Lands Committee heard this issue at its May 1, 2017, meeting, passing a motion of support for the sale. The Planning Commission considered the proposal at its meeting on July 25, 2017, also recommending approval.
This sale would create opportunities for additional multi-family development.

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

c. **Ordinance 2017-27 An Ordinance Authorizing the Manager to Convey Lot 2 of the Renninger Subdivision to the Alaska Housing Development Corporation.**

This ordinance would authorize the City Manager to sell Lot 2 of the Renninger Subdivision to the Alaska Housing Development Corporation. On May 15, 2017, the Assembly authorized the City Manager to directly negotiate the terms of sale with AHDC.

This ordinance would authorize the sale of the lot for fair market value with 5% down, and the balance to be paid over a 10 year term at 10% interest.

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

d. **Ordinance 2016-09(AS) An Ordinance Appropriating to the Manager the Sum of $3,206,100 as Partial Funding for Various Departments' Fiscal Year 2017 Operating Budgets; Funding Provided by the General Fund's Fund Balance and Other Funds' Fund Balances.**

This ordinance would appropriate $3,206,100 for increases in FY17 operations among several CBJ departments.

Bartlett Regional Hospital (BRH)

The Hospital anticipates exceeding its FY17 Assembly authorized spending authority by $2.7M. Funding will be provided by FY17 revenues. Hospital utilization for emergency room, cardiology, and overall patient days was above original projections. The increased expenses were offset by increased revenues.

Docks

The supplemental request would increase the Docks Enterprise spending authority in FY17 by $176,400. Funding will be provided by FY17 revenues.

The majority of the increases can be attributed to personnel costs predominantly due to increased FTE, the unbudgeted MEBA negotiated lump sum payout, and pulling (out of convenience) $25,000 for a FEMA Port Security Grant from operating expenses rather than from the Docks Fund Balance.

The Docks & Harbors Board approved the supplemental request at its August 31, 2017 regular Board meeting.

Human Resources

The Human Resource Department is anticipating a $10,100 shortfall in the current fiscal year operating budget. This shortfall is due to the impact of activities not included in the base budget: the lump sum negotiated wage payment & employee parking passes. Also HR staff didn't take leave at the estimated level, which increases payroll costs. It is difficult for the smallest CBJ department to absorb these costs. The anticipated funding for this increase is the General Fund's Fund Balance.

Risk

The Risk Management Department anticipates exceeding its FY17 Assembly authorized spending authority by $319,600. The increase is attributable to higher than budgeted claims experienced for the Workers Compensation, Property, and Health insurance lines. Funding will be provided by FY17 Risk fund revenues.

The Assembly Finance Committee reviewed the increases at its meeting on September 13, 2017 and forwarded them to the full Assembly for

approval.

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

e. **Ordinance 2016-09(AT) An Ordinance Appropriating to the Manager the Sum of $1,707,389 to Fund the City and Borough of Juneau's Fiscal Year 2017 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.**

This ordinance would appropriate $1,707,389 which is the State's FY17 4.14% on-behalf PERS benefit paid for CBJ. Funding is provided by the Alaska Department of Administration and was authorized by passage of House Bill 256 during the 2016 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.

f. **Ordinance 2016-09(AU) An Ordinance Appropriating to the Manager the Sum of $1,525,643, to Fund Bartlett Regional Hospital's Fiscal Year 2017 Public Employee Retirement System Contribution; Funding Provided by the Alaska Department of Administration.**

This ordinance would appropriate $1,525,643, which is the State's FY17 on-behalf rate of 4.14% for each FY17 employer payroll and 26.14% on-behalf PERS benefit paid for Bartlett Regional Hospital. Funding is provided by the Alaska Department of Administration and was authorized by passage of House Bill 256 during the 2016 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.

g. **Ordinance 2016-09(AV) An Ordinance De-appropriating the Sum of $180,000 of the Parks and Recreation Program's Fiscal Year 2017 Operating Budget; Such Funds to be Returned to the General Fund's Fund Balance.**

On June 5, 2017, the Assembly adopted Ordinance 2016-09(AP) appropriating $180,000 in supplemental funding for Parks and Recreation's FY17 operating budget. At the time we weren't certain that a supplemental would be needed, but submitted it as a precaution.

Parks and Recreation's Year End Balance for Fiscal Year 2017, as of September 6, 2017 is $5,940. Two divisions had negative balances, which were offset by all other divisions' positive ending balances. As a result

the Supplemental Appropriation of $180,000 is not needed, as Parks and Rec was able to balance the budget without the supplemental funding.

Staff recommends de-appropriating Ordinance 2016-09(AP), via Ordinance 2016-09(AV). This will provide for more accurate trend analysis and management reporting.

The Assembly Finance Committee reviewed this at its meeting on September 13, 2017 and forwarded it to the full Assembly for approval. **The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.**

h. **Ordinance 2017-06(F) An Ordinance Appropriating to the Manager the Sum of $6,600 as Funding for the Juneau Public Libraries; Grant Funding Provided by the Alaska State Library.**

This ordinance appropriates $6,600 in grant funding to the Juneau Public Libraries, for the purpose of implementing the *NASA@ My Library* STEM education initiative. *NASA@ My Library* is offered by the National Center for Interactive Learning at the Space Science Institute in partnership with the American Library Association Public Programs Office, the Pacific Science Center, Cornerstones of Science, and the Education Development Center.

Grant funding is provided by the Alaska State Library. This grant has a dollar for dollar matching requirement and is matched by staff time and expenditures on books and e-books that are already part of the library's FY18 budget.

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

i. **Ordinance 2017-06(G) An Ordinance Appropriating to the Manager the Sum of $7,842 as Funding for the Planning and Design of Historical Interpretive Sign Panels at the Treadwell Mine Historic Park; Grant Funding Provided by the Alaska Department of Natural Resources, Office of History and Archeology.**

The proposed project is to plan and design historical interpretive signs to be located on the interior wall of the Treadwell Office Building at the Treadwell Mine Historic Park. This grant would support Phase I of the project. Phase II of the project would manufacture the sign panels and install them on the interior wall of the building.

The work of the project would be performed through the combined efforts of a graphic designer and representatives of the Treadwell Historic Preservation and Restoration Society (Treadwell Society). The Juneau

Historic Resources Advisory Committee would review the draft and final products. The total project budget is $13,070. Sixty percent of the cost, or $7,842, would be funded from a federal Historic Preservation Fund Grant administered by the Alaska Office of History and Archaeology. The required 40 % match for the project, or $5,228, would be provided through in-kind services of volunteers of the Treadwell Society.

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

j. **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 the Federal Aviation Administration.**

The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport and a previously awarded ADOT grant.

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

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

k. **Ordinance 2017-06(I) An Ordinance Appropriating to the Manager the Sum of $100,000 as Funding for the Housing and Homelessness Services Coordinator; Grant Funding Provided by the Alaska Mental Health Trust Authority.**

The Alaska Mental Health Trust Authority approved a grant request submitted by CBJ staff for $100,000. This funding will allow the City to hire a Housing and Homelessness Service Coordinator who would work at the direction of the Chief Housing Officer in the Manager's Office. This person will work to build a coordinated entry program so that housing and homeless services provided by various Juneau non-profits meet community needs.

Upon demonstrated successful use of the funding, it is anticipated that the Trust will grant an additional two years of funding.

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

l. **Ordinance 2017-06(J) An Ordinance Appropriating to the Manager the Sum of $2,011,000 as Funding for the Juneau International Airport Taxiway A Rehabilitation Design and Taxiways E and D-1 Re-alignment Design Capital Improvement Project; Funding Provided by the Federal Aviation Administration and the Juneau International Airport.**

This ordinance would appropriate $2,011,000 to the Design Taxiway A Rehabilitation and Re-alignment of Taxiway E and D-1 capital improvement project. Funding is provided as follows:

Federal Aviation Administration AIP Grant	$1,979,062
Airport Fund Balance Match	$ 31,938

The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport. At the August 21, 2017, Assembly meeting, a transfer (T-990) of $100,000 from RSA IIb CIP to Taxiway Design CIP was approved. Funding source for local match is Airport Fund Balance. Total local match is $131,938.

The Airport Board approved this action at its September 12, 2017, meeting.

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

2. Resolutions

a. **Resolution 2806 A Resolution Ratifying the Labor Agreement Between the City and Borough of Juneau and the International Association of Fire Fighters.**

This resolution would provide Assembly ratification of the terms of the tentative agreement negotiated between the City and Borough of Juneau and the International Association of Fire Fighters (IAFF) for a collective bargaining agreement that would be in effect from July 1, 2016, and expire on June 30, 2019. (Though the effective date is July 1, 2016, the terms are not to be applied retroactively.)

The tentative agreement includes economic modifications of a lump sum payment in fiscal year 2018, additions and deletions of professional pay types, and modifications to pay step placement upon promotion and merit anniversary dates. There are no economic modifications for fiscal year 2017. The total cost of these provisions over the life of the contract is projected to be approximately $104,820.

In addition, there are minor housekeeping language changes and other changes to terms and conditions of employment in the tentative agreement.

This tentative agreement has been ratified by the IAFF membership and the economic terms are in keeping with Assembly direction.

The City Manager recommends this resolution be adopted.

b. **Resolution 2807 A Resolution of the City and Borough of Juneau in Support of the Enforcement of the Boundary Waters Treaty in the Southeast Alaska/Northwest British Columbia Transboundary Region.**

By means of this resolution, the Assembly requests that the government of the United States work with the government of Canada and refer issues that may arise from transboundary development in British Columbia to the International Joint Commission. The Commission would be charged with using all powers under the Boundary Waters Treaty to ensure that Southeastern Alaska resources are not harmed by upstream development. The Assembly previously adopted this same resolution in 2015; tonight's adoption would continue the CBJ's support.

The City Manager recommends this resolution be adopted.

c. **Resolution 2809 A Resolution Establishing the Fees for Animal Control and Protection Services, and Repealing Resolution No. 2767.**

Gastineau Human Society (GHS) has reviewed the current fee schedule for animal control and sheltering services and is recommending changes to the impound and impound boarding fees. The changes will allow for a slightly higher revenue base to support operations and the fee changes requested are in line with other Alaskan communities.

Impound Fees: GHS recommends an increase in Impound Fees to more closely mirror impound fees charged in other Alaskan communities. The current fees are $30 first time, $50 second time, $75 third time and $100 fourth time. The requested fees are $50 first time, $60 second time, $75 third time, and $100 fourth and subsequent times. Impound fees were last increased March 19, 2001 by Resolution No. 2081. GHS projects an approximate $4,250 in annual revenue.

Impound Boarding Fees: The existing resolution establishes impound fees at $10.00 per day until the owner is contacted and then $15.00 per day thereafter. The fees currently being charged by GHS are in excess of that amount. GHS is not seeking an increase to the current fees being charged. Impound Boarding fees were last increased March 19, 2001 by Resolution No. 2081. Should fees not be adjusted in keeping with current charges, GHS projects a loss of $6,500 in annual revenue.

While there are no recommended changes to licensing fees which were adjusted in 2016, GHS does recommend eliminating the $2.50 license transfer fee for regular dog licenses as the fee is an administrative burden

and discourages people from transferring dog licenses.

The proposed changes were discussed at the September 13, 2017, Assembly Finance Committee meeting. The AFC recommended that the draft resolution be forwarded to the Assembly for action at the next regularly scheduled Assembly meeting.

The City Manager recommends that this resolution be adopted.

3. Bid Award

   a. **Douglas Highway Water Main Replacement**

   This project entails replacement of the ductile and cast iron water mains and associated services along Douglas Highway from Sitka Street to David Street.

   Bids were opened on this project on July 26, 2017. The bid protest period expired on July 28, 2017. Results of the bid opening were as follows:

Responsive Bidders	Total Bid
Miller Construction Company	$1,694,125
Glacier State Contractors	$2,154,512
Admiralty Construction Inc.	$2,254,395
Arete Construction Corp.	$2,579,340
Engineer's Estimate	$2,416,260

   The City Manager recommends award of this project to Miller Construction Company for the total amount bid of $1,694,125.

4. Other Items for consent

   a. **Renewal of Marijuana License 10266 - Standard Marijuana Cultivation Facility, Licensee: The Fireweed Factory, LLC, 8415 Airport Blvd., Space B, Juneau**

   The above marijuana license renewal is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed this renewal and found the business to be in compliance with CBJ Code. Your packet contains the renewal application along with the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's office upon request.

   In the event the Assembly does protest this renewal, 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 sixty-day comment period for local governing body action will expire as of Tuesday, September 26, 2017.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana license #10266.

b. **Renewal of Marijuana License 10800 - Retail Marijuana Store, Licensee: The Fireweed Factory, LLC, 237 Front St., Juneau**

The above marijuana license renewal is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed this renewal and found the business to be in compliance with CBJ Code. Your packet contains the renewal application along with the AMCO notice to the local governing body. Additional license application documents are available through the Clerk's office upon request.

In the event the Assembly does protest this renewal, 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 sixty-day comment period for local governing body action will expire as of Tuesday, September 26, 2017.

The City Manager recommends the Assembly waive its right to protest the renewal of AMCO marijuana license #10800.

c. **New Standard Marijuana Cultivation Facility License #12311 ISG, Inc. d/b/a Juneau's Green Garden, 5011 Short Street, Suite 1, Juneau**

The Alcohol Marijuana Control Office (AMCO) sends local governing bodies notice of marijuana license applications which allows local governing bodies the opportunity to protest or waive its right to protest the issuance or renewal of these licenses.

CBJ received notice of the following marijuana license application:

Standard Marijuana Cultivation Facility License #12311
ISG, Inc., d/b/a Juneau's Green Garden
Location: 5011 Short Street, Suite 1, Juneau, AK 99801

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed this application for compliance with CBJ laws and regulations and recommends that the Assembly waive its right to protest the issuance of this license.

As to CDD's recommendation, although ISG, Inc. d/b/a Juneau's Green Garden does not yet have a local license and does not yet have a Conditional Use Permit (C.U.P.), CDD recommends allowing the applicant to move forward to obtain their state license. However, they will not be allowed to operate in the borough until the C.U.P. is approved and a city license is issued.

Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)
- Form MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram
- Form MJ-08: Local Government Notice Affidavit

Copies of all the documents relating to these licenses are available upon request from the office of the Municipal Clerk during regular business hours.

In the event the Assembly does protest the issuance of this 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 sixty-day comment period for local governing body action will expire as of Monday, October 9, 2017.

The City Manager recommends the Assembly waive its right to protest the issuance of this marijuana license #12311 to ISG, Inc. d/b/a Juneau's Green Garden.

d. **New Marijuana Product Manufacturing Facility License #12315 ISG, Inc. d/b/a Evergreen Extracts, 5011 Short Street, Suite 2, Juneau**

The Alcohol Marijuana Control Office (AMCO) sends local governing bodies notice of marijuana license applications which allows local governing bodies the opportunity to protest or waive its right to protest the issuance or renewal of these licenses.

CBJ received notice of the following marijuana license application:

Marijuana Product Manufacturing Facility License #12315
ISG, Inc., d/b/a Evergreen Extracts

Location: 5011 Short Street, Suite 2, Juneau, AK 99801

CBJ staff from the Police, Fire, Finance, and Community Development (CDD) departments reviewed this application for compliance with CBJ laws and regulations and recommends that the Assembly waive its right to protest the issuance of this license.

As to CDD's recommendation, although ISG, Inc. d/b/a Evergreen Extracts does not yet have a local license and does not yet have a Conditional Use Permit (C.U.P.), CDD recommends allowing the applicant to move forward to obtain their state license. However, they will not be allowed to operate in the borough until the C.U.P. is approved and a city license is issued.

Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)
- Form MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram
- Form MJ-08: Local Government Notice Affidavit

Copies of all the documents relating to these licenses are available upon request from the office of the Municipal Clerk during regular business hours.

In the event the Assembly does protest the issuance of this 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 sixty-day comment period for local governing body action will expire as of Tuesday, October 10, 2017.

The City Manager recommends the Assembly waive its right to protest the issuance of this marijuana license #12315 to ISG, Inc. d/b/a Evergreen Extracts.

e. **New Retail Marijuana Store, License #12313 ISG, Inc. d/b/a Juneau's Green Market, 263 Marine Way, Juneau**

The Alcohol Marijuana Control Office (AMCO) sends local governing bodies notice of marijuana license applications which allows local governing bodies the opportunity to protest or waive its right to protest the issuance or renewal of these licenses.

CBJ received notice of the following marijuana license application:

Retail Marijuana Store License #12313
ISG, Inc., d/b/a Juneau's Green Market
Location: 263 Marine Way, Juneau, AK 99801

CBJ staff from the Police, Fire, Finance, and Community Development (CDD) Departments reviewed this application for compliance with CBJ laws and regulations and recommends that the Assembly waive its right to protest the issuance of this license.

As to CDD's recommendation, although ISG, Inc. Juneau's Green Market does not yet have a local license and does not yet have a Conditional Use Permit (C.U.P.), CDD recommends allowing the applicant to move forward to obtain their state license. However, they will not be allowed to operate in the borough until the C.U.P. is approved and a city license is issued.
Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)
- Form MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram
- Form MJ-08: Local Government Notice Affidavit

Copies of all the documents relating to these licenses are available upon request from the office of the Municipal Clerk during regular business hours.

In the event the Assembly does protest the issuance of this 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 sixty-day comment period for local governing body action will expire as of Tuesday, October 24, 2017.

The City Manager recommends the Assembly waive its right to protest the issuance of this marijuana license #12313 to ISG, Inc. d/b/a Juneau's Green Market.

VIIIPUBLIC HEARING

A. **Ordinance 2017-06(C) An Ordinance Appropriating to the Manager the Sum of $9,939 as Funding for a New Master Plan for Riverside Rotary Park;**

Donation Provided by The Glacier Valley Rotary Club.

The FY17 CIP provided $250,000 from the voter-approved special 1% sales tax to perform improvements and upgrades to Riverside Rotary Park. The improvements include renovating and improving the playground and creating a new master plan for the entire park space.

The Glacier Valley Rotary Club has raised $9,939 as a donation toward the project. These funds will be used to complete a new park master plan as part of these improvements.

The Public Works and Facilities Committee approved this request at its meeting on August 7, 2017.

The City Manager recommends this ordinance be adopted.

B. **Ordinance 2017-06(D) An Ordinance Appropriating to the Manager the Sum of $25,000 as Partial Funding for the Historic Preservation Plan, Phase II; Grant Funding Provided by the State of Alaska Department of Natural Resources.**

The State Historic Preservation Office has awarded the CBJ a $25,000 grant to update Juneau's Historic Preservation Plan. The funds, which will be used to pay a consultant to assist staff in updating the plan, come with a 40 percent match requirement. CBJ will meet this obligation with budgeted staff time.

CBJ's current preservation plan was completed 20 years ago. It remains in draft form, as it was never brought before the Assembly for adoption. CBJ is classified as a Certified Local Government (CLG), which makes it eligible for preservation grants. In order to maintain CLG status, cities are required to have adopted historic preservation plans. CBJ has been using the draft preservation plan for many years, but as funding becomes more competitive, it is prudent to have an adopted plan. Staff anticipates bringing the updated historic preservation plan before the Assembly to consider adoption in September, 2018.

The City Manager recommends this ordinance be adopted.

C. **Ordinance 2017-06(E) An Ordinance Appropriating to the Manager the Sum of $109,800 as Supplemental Funding for the Law Department Fiscal Year 2018 Operating Budget; Funding Provided from the General Fund's Fund Balance.**

The requested appropriation would fund a new attorney position. The position would have a dual focus, working for both the criminal and civil sections. The position would alleviate the strain on the criminal side created by a dramatic increase in criminal cases being prosecuted as a result both of the criminal justice reform bill as well as the impact that bill has had on the local District Attorney's

Office's resources and ability to handle a share of the misdemeanor caseload. The addition of the new position would also allow the civil section to significantly increase the CBJ's collections efforts with respect to unremitted sales tax, as well as civil and criminal fines that have gone unpaid and the recovery of damages through the initiation of civil litigation.

The FY18 funding source is an increased draw on General Fund fund balance of $109,800 over the recently adopted budget. The FY18 adopted Law budget reduced their budget's draw on the general fund due to $100,000 increased cost reimbursement from BRH. Thus this requested increment only draws $13,000 more on the general fund than their FY17 budget. This requested increase was discussed at the July 12 Committee of the Whole meeting. The direction to prepare an ordinance for Assembly introduction passed without objection.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. **Docks & Harbors Regulation Amending Shorepower Access Fees 05 CBJAC 30**

As part of the Docks & Harbors comprehensive fee review process, the Board proposes changes to the daily shorepower access fee. These fees have not been adjusted since 2010 and are imposed on vessels that do not have metered accounts with the local electrical utility. This fee is typically assessed to visiting, transient vessels. The proposed rates were calculated by assuming 80% of the stated amperage load for a 24 hour period. The Board also reviewed the fees for summer monthly and fees for winter monthly, including live aboard electrical fees. The Board is recommending no changes to the monthly fees.

These proposed regulations were advertised consistent with CBJ code and a public hearing at the August 31, 2017 Docks & Harbors Board. There was one email comment received recommending no rate change.

The City Manager recommends the Assembly adopt the regulations pertaining to daily shorepower access fees.

B. **Seventh Day Adventist Christian School vs. CBJ Assessor 2017 - Notice of Appeal**

On August 30, 2017, the Clerk's office received an appeal of the Assessor's decision regarding the tax exemption status of the property owned by Juneau Seventh-day Adventist Christian School.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal

in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly sits in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

As this is a quasi-judicial matter, the City Manager makes no recommendation.

C. **Task Force on Homelessness Report**

XI. STAFF REPORTS

A. **Alaska Marijuana Control Board Regulations Regarding On-Site Consumption**

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. **Gastineau Apartments Litigation**

B. **Update Regarding New Personal Injury Matter**

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