

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

January 23, 2017 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2017-03

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES

A. January 9, 2017 Regular Assembly Meeting 2017-01

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 2016-10(A) An Ordinance Appropriating Funds for FY17 School District Operations.

This ordinance would make the following FY17 School District budget changes:

General Operations	\$ 2,034,200
Contributions to Fund Balance	786,000
Total Budget Changes	\$2,820,200

Funding for the changes is provided from the following:

State Foundation Funding	\$ 2,820,200
Total Funding Source Changes	\$2,820,200

These adjustments are requested by the School District due to student enrollment increasing above projections, which increases the State Foundation Funding support to education.

The Assembly Finance Committee (AFC) forwarded this request to the Assembly at its January 11, 2017, regular meeting.

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

- b. **Ordinance 2016-09(AC) An Ordinance Appropriating to the Manager the Sum of \$700,000 as Partial Funding for the Construction of Aurora Harbor Phase II; Funding Provided by the Harbors Enterprise Fund's Fund Balance.**

CBJ Docks and Harbors requests approval of an appropriation ordinance that would transfer funds from the Harbors Fund to the Aurora Harbor Re-Build CIP account for the Phase II project.

The request is to move \$700,000 to the existing Aurora Harbor Re-Build CIP for planned improvements of Aurora Harbor Re-Build-Phase II, specifically the removal and reconstruction of a portion of the Headwalk; Mainwalks E, F, and G; electrical and lighting; domestic water lines; and fire suppression system. The project includes moving the existing boat shelters to access the work and returning the boat shelters to the new facility upon completion. The funds would come from the Harbor Fund which has a current balance of \$3,874,900.

The Public Works and Facilities Committee is scheduled to review this ordinance at its January 30, 2017, meeting.

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

- c. **Ordinance 2016-09(AD) An Ordinance Appropriating to the Manager the Sum of \$250,000 as Funding for the Juneau School District Deferred Maintenance and Minor Improvements Capital Improvement Project; Funding Provided by the General Government Fund's Fund Balance.**

This ordinance would appropriate \$250,000 to the Juneau School District for JSD Deferred Maintenance and Minor Improvements including carpet replacement, water heaters, etc.

Funding is provided from the General Government Fund's Fund Balance.

The Assembly Finance Committee approved this action at its January 11, 2017, meeting.

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

2. Resolutions

- a. **Resolution 2786 A Resolution Ratifying the Labor Agreement between the Bartlett Regional Hospital and the International Longshore and Warehouse Union, Healthcare Unit 2201**

This resolution would provide Assembly ratification of the terms of the tentative agreement negotiated between Bartlett Regional Hospital and the International Longshore and Warehouse Union, Healthcare Unit 2201, for a collective bargaining agreement that will expire on December 31, 2017.

The tentative agreement includes a conversion to a new pay schedule on November 29, 2015, with the implementation of a new classification and compensation system. Wage rates were determined through a study that considered market wage data. Although each employee is impacted differently by the conversion to the new pay schedule, the cumulative impact of the conversion is approximately equivalent to a 2.3% increase in wages. Additionally, the tentative agreement includes a 1% increase to the pay schedule, effective the first pay day in July 2017. The total cost of these provisions over the life of the contract for both union and non-represented employees is projected to be approximately \$3,062,000.

In addition, there are other non-economic language changes to the collective bargaining agreement.

This tentative agreement has been ratified by the union membership and was passed unanimously by the Bartlett Regional Hospital Board of Directors.

The City Manager recommends this resolution be adopted.

b. Resolution 2785 A Resolution Approving the Bartlett Regional Hospital Personnel Rules.

This resolution would provide Assembly adoption of the Bartlett Regional Hospital (BRH) Personnel Rules.

Title 40.10.020(5) provides that "...the hospital administrator may issue personnel rules as required to adapt the personnel plan to allow for continuous operation of the hospital; all personnel rules issued by the hospital administrator are subject to the approval of the hospital board of directors and adoption by the assembly by resolution;..." The Bartlett Regional Hospital Board of Directors approved the BRH Personnel Rules on September 29, 2016. The BRH Personnel Rules were reviewed by the Human Resources Committee on December 19, 2016. The Human Resources Committee recommended that the BRH Personnel Rules be forwarded to the Assembly for approval.

The City Manager recommends this resolution be adopted.

c. Resolution 2781 A Resolution Reestablishing the Assembly Rules of Procedure, and Repealing Resolution No. 2550.

This resolution would amend the current Assembly Rules of Procedure. The amendments in this resolution include requests made by the Assembly at its retreat on December 3, 2016. The text being added is underlined and the text being deleted is shown by strikeout. The specific provisions being amended are at Rule 5(C)(2)(b) and (f), Rule 6(A), and Rule 17.

The City Manager recommends this resolution be adopted.

- d. **Resolution 2784 A Resolution Affirming the City and Borough of Juneau's Continuing Support of the Juneau Access Project.**

The Mayor has provided this Resolution for the Assembly's consideration.

As this is a policy decision for the Assembly, the City Manager has no recommendation on this matter.

- e. **Resolution 2787 A Resolution Expressing Continued Assembly Support for the Use of Municipal Property for the Proposed Willoughby Arts Complex.**

The purpose of this resolution is to affirm the Assembly's continued support for the use of CBJ property between Centennial Hall and the Juneau Arts and Culture Center for the proposed Willoughby Arts Complex. This resolution would extend the date the Juneau Arts and Humanities Council may rely on the CBJ's stated intent to commit municipal property to the project for an additional five years.

The City Manager recommends this resolution be adopted.

3. Liquor License

- a. **Liquor License Renewals for 2017**

The following are the 2017/2018 Liquor License Renewals received and reviewed so far:

Beverage Dispensary Licenses:

License # 1081 Shayz, LLC d/b/a Squirez, 11806 Glacier Hwy.

License # 447 Alaska Promotions, LLC, No dba, No premises (this is the former Suite 907, LLC license that was involuntarily transferred back to Ethan Billings in Oct. 2016)

Beverage Dispensary Tourism Licenses:

License # 674 MSE, LLC d/b/a Lucky Lady, 192 S. Franklin Street

Package Store Licenses:

License # 300 DeHart's LLC d/b/a DeHart's Grocery, 11735 Glacier Hwy.

Recreational Site License:

License #5095 Taku Lanes, LLC d/b/a Taku Lanes, 608 W. Willoughby Ave.

Restaurant/Eating Place Licenses:

License #4731 DJ, LLC d/b/a Asiana Gardens, 9116 Mendenhall Mall Road

License #188 Bullwinkle's Inc. d/b/a Bullwinkle's Pizza, 318 Willoughby Ave.

License #1690 Bullwinkle's Inc. d/b/a Bullwinkle's Pizza, 9108 Mendenhall Mall Road

Staff from the Finance, Fire, Public Works/Utilities, Police, and Community Development departments have reviewed the above list of renewals and recommend the Assembly waive its right to protest these renewals.

Additional licenses will be forwarded for Assembly action as soon as notice is received from the Alcohol Marijuana Control Office and CBJ staff has had an opportunity to review each license up for renewal.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals for the 2017/2018 renewal period.

4. Other Items for consent

a. **Standard Marijuana Cultivation Facility - Green Elephant LLC, License No. 10315**

On January 3, 2017, CBJ received notice of State of Alaska Standard Marijuana Cultivation Facility License #10315 for Green Elephant, LLC to be located at 101 Mill St., Ste. A, 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 the Assembly waive its right to protest the issuance of this license.

Due to the large quantity of documents associated with each marijuana license, the full set of documents will be available electronically by using the NOVUS BoardView portal in your online packets, while your paper packets will only contain the following documents:

- State of Alaska Alcohol & Marijuana Control Office – Initiating License Application #10315 online form
- Form MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram
- Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental
- CBJ Planning Commission Conditional Use Permit USE2016-0027 Notice of Decision

Original paper copies of all the documents relating to this license are available for public review in the office of the Municipal Clerk during regular business hours.

VIII. PUBLIC HEARING

A. **Ordinance 2016-44 An Ordinance Amending the City and Borough Code Relating to Camping in the Downtown Juneau Area.**

This ordinance would amend the CBJ's existing camping ordinance by adding a provision designed to prohibit camping on private property in a narrowly defined geographic area in downtown Juneau. The purpose of this amendment is to partially address the issue raised by business owners in the downtown area who are experiencing a noticeable increase of unauthorized people camping on their property, resulting in a significant increase in

refuse, litter, waste and harm to private businesses. This ordinance is not an outright bar as it allows private property owners to grant permission to campers to use their property.

I recommend that you consider this ordinance in the context of other services and management measures that are already being provided or are being considered for our homeless population. This ordinance is one small piece of a larger puzzle; to be effective it must be accompanied by other measures. Absent other measures, this ordinance would likely only serve to move the problem camping to different areas. Measures that should be considered include the provision of a year round campground and a heated sheltering opportunity that is available during specified weather conditions.

The Committee of the Whole considered this ordinance at its January 9, 2016, meeting and approved moving the ordinance forward to public hearing without a final recommendation by the Committee.

I recommend that you approve this ordinance with an effective date of April 15, which is the date that the Thane Campground opens for the summer. I have explored the possibility of opening a year-round campground that is near downtown and not at risk of avalanche hazard, but do not believe it is feasible to permit and open such a campground much faster than the regular opening of the Thane Campground.

The City Manager recommends this ordinance be adopted.

B. Ordinance 2016-47 An Ordinance Amending the State Permits and Licenses Chapter, CBJ 01.65, to Provide for the Review of State Marijuana Licenses.

This is a housekeeping ordinance that would amend Chapter 01.65 to provide for Assembly review of State marijuana license applications in the same manner as the code provides for the review of State liquor license applications.

The City Manager recommends this ordinance be adopted.

C. Ordinance 2016-09(AA) An Ordinance Appropriating to the Manager the Sum of \$2,075 as Funding for the Sister Cities Program; Funding Provided through a Donation from the Filipino Community, Inc.

On November 14, 2016, the Juneau Sister City Committee (JSCC) approved accepting funds, which were raised by the Filipino Community and the Sister City Committee on behalf of Kalibo, Aklan, Philippines. JSCC's plan for the money is to pay for a resident of Kalibo to come to Juneau for the JEDC Innovation Summit in February, 2017. If this cannot be arranged on short notice the funds will be used for another benefit for Kalibo in the future.

The City Manager recommends this ordinance be adopted.

D. Ordinance 2016-09(AB) An Ordinance Appropriating to the Manager the Sum of \$30,000, as Funding for Leasing the Juneau Subport Parking; Funding Provided by the Downtown Parking Fund's Fund Balance.

At its meeting on December 12, 2016, the Lands Committee made a motion of support for staff to draft an ordinance that appropriates \$30,000 from the Downtown Parking Fund to be used for leasing the Juneau subport parking property.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

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

XVI. ADJOURNMENT

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