

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

September 26, 2016 7:00 PM

City Hall Assembly Chambers  
Regular Meeting 2016-33

Submitted By:

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Duncan Rorie Watt  
City and Borough Manager

**I. FLAG SALUTE**

**II. ROLL CALL**

**III. SPECIAL ORDER OF BUSINESS**

**A. Educator Recognition**

**IV. APPROVAL OF MINUTES**

**A. August 31, 2016 Special Meeting No. 2016-30**

**B. September 8, 2016 Special Meeting No. 2016-31**

**C. September 12, 2016 Regular Meeting No. 2016-32**

**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 2016-35 An Ordinance Authorizing the Manager to Convey Lot 3 of the Renninger Subdivision to the Juneau Housing Trust.**

Staff recently solicited letters of interest for the disposal of six residential lots in the Renninger Subdivision. The Lands Committee reviewed four letters of interest at its April 24, 2016, meeting, and at its May 16, 2016, meeting recommended authorizing the City Manager to negotiate with the Juneau Housing Trust for the sale of Lot 3.

In accordance with CBJ 53.09.270, this sale is for less than fair market value as the Trust's proposal is to work with the University of Alaska Southeast and the Juneau School District to build affordable single family homes while teaching students in the Educational Home Build Program. Homes built by the program will be held in a 99 year land lease and will service the 80 - 120% median income range. This lot will service the program for between six and eight years.

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

**b. Ordinance 2016-36 An Ordinance Amending the Animal Control and Protection Code Relating to Potentially Dangerous and Dangerous Domestic Animals.**

The Animal Hearing Board and Gastineau Humane Society request several amendments of CBJ Chapter 8.30 relating to potentially dangerous and dangerous domestic animals. The changes clarify some of the requirements that go with owning a potentially dangerous and dangerous domestic animal, and add an additional requirement to have potentially dangerous and dangerous animals microchipped.

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

**c. Ordinance 2016-37 An Ordinance Amending the Uniform Sales Tax Code Relating to the Appeal Process for the Senior Citizen Sales Tax Exemption Hardship Rebate.**

CBJ 69.05.046(d) allows Senior Citizen Sales Tax Hardship Rebate applicants to appeal a denial of their application directly to the Assembly.

Finance staff requests that CBJ 69.05.046(d) be amended so that rebate appeals are governed by CBJ 69.05.180. CBJ 69.05.180, the general appeal section under the Sales Tax Code, provides for an initial informal appeal before the Treasurer. The Treasurer's decision is then appealable to the Sales Tax Board of Appeals, and ultimately to the CBJ Assembly.

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

**d. Ordinance 2016-09(L) An Ordinance Transferring \$155,892 of Unexpended FY16 Marine Passenger Fees from the General Fund to the Open Space Waterfront Land Acquisition Capital Improvement Project.**

This ordinance would transfer \$155,892 of unexpended Marine Passenger Fees (MPF) revenues, budgeted for specific purposes in FY16 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 FY16 budget but were not fully expended by the end of FY16.

|                |                   |
|----------------|-------------------|
| Franklin Dock  | \$ 28,824         |
| AJ Juneau Dock | 39,151            |
| Goldbelt       | 9,837             |
| Tug Assists    | 30,000            |
| Streets        | 523               |
| CCFR           | 47,557            |
| <b>Total</b>   | <b>\$ 155,892</b> |

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.**

- e. **Ordinance 2016-09(M) An Ordinance Appropriating to the Manager the Sum of \$18,139 as Funding for the Local Emergency Planning Committee; Grant Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.**

This ordinance provides funding from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management under the 2017 Local Emergency Planning Committee grant awarded to the City and Borough of Juneau.

These funds are provided to reimburse the CBJ for payroll benefits and LEPC program implementation costs incurred in direct support of the goals and activities of the 2017 Local Emergency Planning Committee grant for the Juneau LEPC.

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.**

## 2. Resolutions

- a. **Resolution 2761 A Resolution Reestablishing the Youth Activities Board, and Repealing Resolution 2410.**

This resolution makes changes to the Youth Activities Board's governing legislation, as requested by the Board. Specifically, the Board requested removal of some of the 'whereas' clauses and changes to the criteria the Board must use in considering the allocation of funds to youth activity programs.

The original changes requested by the Board were shown by underlining new language and striking-through deleted language. Changes requested by the Assembly Human Resources Committee after it reviewed the resolution at its June 13, 2016, meeting are shown by italicized text.

The Youth Activities Board reviewed the amended resolution at its August 9, 2016, meeting and requested one final change: to strike through **“in order of importance”** from Section 4, subsection (e).

At its September 12, 2016, meeting, after discussion, the HRC decided to reject the final requested change, and approved moving the resolution forward for Assembly approval.

**The Manager recommends this resolution be adopted.**

b. **Resolution 2767 A Resolution Establishing the Fees for Animal Control and Protection Services, and Repealing Resolution No. 2081.**

The Gastineau Humane Society and Juneau Police Department request increases to the dog license fees. Dog licenses allow GHS to track dogs within the City and Borough of Juneau, as well as return them to their rightful owner when found. The current license fee for each dog over the age of 6 months is \$35, or \$15 for spayed females and neutered males. The dog license fee has not been increased since 2000. GHS and JPD are requesting the license fee be increased to \$45 for unaltered dogs and \$20 for altered dogs. Any increased revenue could be used to help offset the costs for animal control and protection services in the CBJ.

**The City Manager recommends this resolution be adopted.**

c. **Resolution 2768 - A Resolution Establishing the Senior Citizens Sales Tax Hardship Rebate Appeal Fee.**

Current language in CBJ 01.50 specifies a \$500 filing fee is due when an appeal is filed. Finance staff is requesting that the appeal filing fee be waived with respect to a senior citizen's appeal of a denial of a sales tax hardship rebate.

Per CBJ 01.50.030, it is within the Assembly's discretion to establish separate fees and charges for particular appellate services.

**The Manager recommends this resolution be adopted.**

d. **Resolution 2769 - A Resolution Ratifying the Labor Agreement Between the City and Borough and the Marine Engineers Beneficial Association.**

This resolution would provide Assembly ratification, as required by CBJ 44.10.020, of the terms of the tentative agreement negotiated between the City and Borough of Juneau and the Marine Engineers Beneficial Association (MEBA) for a collective bargaining agreement that will go in effect on July 1, 2016, and expire on June 30, 2019.

The tentative agreement includes economic modifications of a lump sum payment in fiscal year 2017 and the commitment to provide parking to all bargaining unit members during the three years of the collective bargaining agreement. The total cost of these provisions over the life of the contract are projected to be approximately \$332,000.

In addition, there are minor housekeeping language changes to the collective bargaining agreement.

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

**The City Manager recommends this resolution be adopted.**

- e. **Resolution 2770 - A Resolution Approving Economic Terms Between the City and Borough and the City and Borough of Juneau to Non-represented Employees.**

This resolution would provide Assembly approval for certain economic terms of employment in FY17 for non-represented employees. specifically a \$950 lump sum payment and parking provided at no cost to the employee. The estimated total cost of these items is \$326,000.

This resolution is in accordance with previous Assembly direction.

**The City Manager recommends this resolution be adopted.**

3. Bid Award

- a. **BE17-039 West Douglas Pioneer Road**

This project consists of construction of 2.4 miles of 14-ft wide, single-lane-with-turnouts, shot rock surfaced pioneer road, through forested terrain on the west side of Douglas Island and miscellaneous items of work.

Identified as a CBJ Assembly goal since 2011, this project is identified in the Juneau Economic Development Plan under the initiative of Enhancing Essential Infrastructure with the goal of connecting to the West Douglas Future Growth Area, as referenced in the 2013 Juneau Comprehensive Plan Update.

Bids were opened on the project on September 21, 2016. The bid protest period expired at 4:30 p.m. on September 22, 2016. Results of the bid opening are as follows:

|                           |                |
|---------------------------|----------------|
| ENCO Alaska               | \$1,505,064.00 |
| SECON                     | \$1,569,810.00 |
| Glacier State Contractors | \$1,629,002.50 |
| McG Constructors          | \$1,743,324.21 |
| Arete Construction        | \$1,812,581.00 |
| Miller Construction Co.   | \$1,973,495.00 |
| Engineer's Estimate       | \$2,030,843.00 |

**The City Manager recommends award of this project to ENCO Alaska for the total amount bid of \$1,505,064.00.**

4. Other Items for consent

- a. **Contract Amendment for Construction Administration and Inspection Services for Construction of the Cruise Ship Berths Project**

In 2014 CBJ Docks and Harbors issued a Request for Proposals for construction administration and inspection services for the Cruise Ship Berths project. PND Engineers was selected to perform the work.

Due to the scale of the project and the cruise ship season, the project is being constructed in phases with completion of the South Berth in May 2016. The North Berth is scheduled to begin on September 21, 2016 with completion in May 2017. Professional services has also been phased as the project progresses.

The proposed contract amendment will be for construction administration and inspection for completion of the North Berth.

PND Engineers, Inc. proposes a time and materials fee of \$995,496 for construction administration and inspection services related to the North Berth construction. The project, including professional services contracts, is funded with existing project budget.

The Docks and Harbors Board will review this contract amendment at its regular public meeting on September 22, 2016.

**The City Manager recommends approval of a contract amendment with PND Engineers, Inc. in the amount of \$995,496 for construction administration and inspection services related to the North Berth completion.**

## VIII. PUBLIC HEARING

### A. **Ordinance 2016-33 An Ordinance Authorizing the Port Director to Lease Tracts B-1 and B-2, Alaska Tidelands Survey 1328, to Central Council Tlingit and Haida Indian Tribes of Alaska, d/b/a Tlingit & Haida Immersion Park, LLC.**

Docks & Harbors has managed the 1.21 acre property at 4400 Thane Road, formerly known as the Thane Ore House, since 2001. The property became available for lease in 2014 after the former lease was terminated.

In 2015, Docks & Harbors posted a Request For Proposal (RFP) to determine the best qualified to enter into negotiations with CBJ for a long term lease. Based on an appraisal conducted by Horan & Company, the value of the property is \$86,000. Docks & Harbors set the annual lease rent at a minimum of 10% of the appraised value.

Three proposals were received and the Central Council of Tlingit & Haida Indian Tribes of Alaska (CCTHITA) was determined to have submitted the highest scored proposal. CCTHITA proposed creating a Tlingit & Haida Immersion Park and offered the minimum lease rent plus a \$1 per "participant rate" for all customers entering the park.

CCTHITA applied for and received a Conditional Use Permit for the Immersion Park at the June 14, 2016, Planning Commission meeting.

The lease was approved by the Docks & Harbors Board at its August 18, 2016, meeting.

The Assembly Lands Committee reviewed the lease at its August 29, 2016, meeting.

**The City Manager recommends this ordinance be adopted.**

### B. **Ordinance 2016-34 An Ordinance Authorizing the Port Director to Lease Alaska Tidelands Survey 33 to Andrew's Marina, Incorporated.**

On February 8, 2001, the ATS 33 lease (also known as ADL 2480) was transferred to the City and Borough of Juneau. This area has been leased - first by the State and then by the CBJ - since 1961. The proposed lessee, Andrew's Marina, has leased the area since 2015.

An appraisal with effective date of February 24, 2016, was conducted by Horan & Company establishing the fair market rent of \$0.10/SF or \$5,549.50/year for the 55,495

square foot property. Under CBJ 53.20.100, Andrew's Marina has a preferential privilege to re-lease the property and desires to exercise this right.

The Docks & Harbors Board approved this lease at its meeting on July 28, 2016.

**The City Manager recommends this ordinance be adopted.**

**C. Ordinance 2016-09(I) An Ordinance Appropriating to the Manager the Sum of \$2,311,219 as Funding for the Juneau International Airport Design & Construct Geothermal Loop Field for Snow Removal Equipment Facilities Capital Improvement Project; Funding Provided by the Federal Aviation Administration.**

This ordinance would appropriate \$2,311,219 to the Design and Construct Geothermal Loop Field for Snow Removal Equipment Facilities Capital Improvement Project. The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport through a legislative grant that has previously been appropriated.

The Public Works and Facilities Committee reviewed this action at its June 27, 2016, meeting.

The Airport Board approved this action at its September 6, 2016, meeting.

**The City Manager recommends this ordinance be adopted.**

**D. Ordinance 2016-09(J) An Ordinance Appropriating to the Manager the Sum of \$700,000 as Funding for the Juneau International Airport Taxiway A & Runway Incursion Mitigation (RIM) Capital Improvement Project; Funding Provided by the Federal Aviation Administration and the Juneau International Airport Fund's Fund Balance.**

This ordinance would appropriate \$700,000 to the Taxiway A & Runway Incursion Mitigation (RIM) Capital Improvement Project. The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport. The Alaska Department of Transportation (ADOT) will not be providing matching funds on this project.

The Public Works and Facilities Committee reviewed this action at its June 27, 2016, meeting.

The Airport Board approved this action at its September 6, 2016, meeting.

**The City Manager recommends this ordinance be adopted.**

**E. Ordinance 2016-09(K) An Ordinance Appropriating to the Manager the Sum of \$3,746,000 as Funding for the Juneau International Airport Runway Safety Area Phase IIB Capital Improvement Project; Funding Provided by the Federal Aviation Administration and Juneau International Airport Fund's Fund Balance.**

This ordinance would appropriate \$3,746,000 for the Runway Safety Area Phase IIB Capital Improvement Project. The FAA funds 93.75% of the project with the remainder being provided by Juneau International Airport as forward funding for the anticipated State funding to follow. The matching grant from the Alaska Department of Transportation, estimated at \$111,125, is anticipated to follow shortly.

The Public Works and Facilities Committee reviewed this action at its June 27, 2016, meeting.

The Airport Board approved this action at its September 6, 2016, meeting.

**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](mailto:city.clerk@juneau.org)