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

April 11, 2016 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2016-17

Submitted By:

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Kimberly A. Kiefer
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **Proclamation - Juneau Clean Sweep**

B. **Introduction of Scott Ciambor**

C. **Special Recognition - Kim Kiefer**

IV. APPROVAL OF MINUTES

A. **February 8, 2016 Regular Assembly Meeting 2016-08**
B. **February 9, 2016 Special Assembly Meeting 2016-09**
C. **February 10, 2016 Special Assembly Meeting 2016-10**
D. **February 22, 2016 Special Assembly Meeting 2016-11**
E. **February 29, 2016 Regular Assembly Meeting 2016-12**
F. **March 7, 2016 Special Assembly Meeting 2016-13**
G. **March 14, 2016 Special Assembly Meeting 2016-14**
H. **March 21, 2016 Regular Assembly Meeting 2016-15**
I. **April 4, 2016 Special Assembly Meeting 2016-16**

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 2016-11(b) An Ordinance Amending Title 11 of the City and Borough of Juneau Code of Ordinances Relating to the Filling of Vacancies on the Assembly.**

Upon the succession of the deputy mayor to the office of mayor in November 2015, it became apparent that an amendment to Title 11, establishing a process for mayoral succession and making other clarifying changes, would be appropriate. This ordinance amends Title 11 with respect to the filling of vacancies on the assembly as follows:

1. It provides that in the event of a vacancy in the office of mayor, the deputy mayor would succeed to the mayoral office.
2. It specifies that if a vacancy in the office of mayor occurs with more than eight months before the next regular election, that a special election would be called.
3. It would require that upon the succession of deputy mayor to the office of mayor, the Assembly fill the vacancy left by the deputy mayor's succession by majority vote.
4. It provides that the deputy mayor may return to his or her seat once a new mayor is elected.
5. It amends current code to delete the provision allowing the assembly to call a special election to fill a vacancy other than a mayoral vacancy.

At the March 14, 2016 Committee of the Whole meeting, the Assembly considered Ordinance 2016-11, suggesting a number of changes to the ordinance. Those changes were made and are reflected in version (b) of the ordinance. Included in your packet is a memorandum from the City Attorney dated April 5, 2016, with a marked-up copy of version (b) showing the changes made by the C.O.W. in italics. The ordinance for introduction is a "clean copy" of version (b).

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

b. **Ordinance 2016-12 An Ordinance Authorizing the Manager to Lease Office Space in the Juneau Medical Center Building at 3268 Hospital Drive to the Bartlett Regional Hospital Foundation.**

At its joint meeting on March 14, 2015, the BRH Board recommended to the Assembly that the Assembly support a proposed lease agreement between the CBJ and the Bartlett Regional Hospital Foundation for the lease of administrative space in the Juneau Medical Center building for less than fair market value. The Board proposed a $1.00 per year lease payment, in accordance with CBJ 53.02.270(b) given the Foundation's role in providing resources to enhance and support quality health care for the community. This ordinance would authorize the negotiation and execution of a lease to the Foundation consistent with the Board's recommendation.

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

c. **Ordinance 2016-13 An Ordinance Authorizing the Manager to Negotiate and Execute a Lease with the Juneau Arts and Humanities Council for the Use of the Juneau Arts and Culture Center Building.**

CBJ 59.09.270 authorizes the lease of City and Borough land for less than fair market value when the property is to be used for the purpose of providing a service to the public which could or should reasonably be provided by the state or the City and Borough. The CBJ first leased the former National Guard Armory (renamed the Juneau Arts and Cultural Center or JACC) to the Juneau Arts and Humanities Council (the JAHC) in 2007. The stated purpose was to alleviate a "chronic need for performance and exhibit space" and to allow the JAHC to manage the facility as a community arts facility. The JAHC has provided that service to the CBJ ever since.

The key terms of the lease being proposed are as follows:

1. The monthly rental amount would be equal to the CBJ's actual expenses for building maintenance services. The JAHC will remain responsible for all utilities, landscaping, snow removal, and any sales or property tax required by law.

2. The lease would require that the premises be used for the public purpose of providing a community arts facility. User fees charged by the JAHC would be agreed upon and pre-approved by the CBJ.

3. The lease would allow the JAHC to enter into sublease arrangements with vendors when the purpose of the sublease is to either provide the community with a service related to the public use of the facility, or where the sublease is designed to increase community awareness of, and visitation to, the facility. Sublease agreements would need to be pre-approved by the CBJ. Sublease rents would be held by the JAHC in trust for the CBJ, and remitted on an annual basis. It is the intent that the CBJ use these funds for deferred maintenance of the facility, subject to appropriation for that purpose.

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

d. **Ordinance 2016-14 An Ordinance Amending the Land Use Code Relating to Senior Housing and Assisted Living Facilities.**

The purpose of this ordinance is to update the Table of Minimum Space and Parking Standards (TMP) in Title 49 in light of recent changes made to the Table of Permissible Uses, and to update the parking requirements such that they more accurately reflect the parking needs presented by senior housing and assisted living facilities:

1. The ordinance establishes parking standards for "assisted living facilities," a use recently added to the Table of Permissible Uses.
2. It defines "senior housing," and establishes parking standards for that use, which, although similar in concept to a multi-family house, has parking requirements that significantly differ.
3. The ordinance would delete "convalescent home" from the table establishing parking standards, as it no longer exists as a use in the Table of Permissible Uses.

On March 8, 2016, the Planning Commission adopted the analysis and findings listed in the Community Development Department's staff report dated February 26, 2016, and recommended that the City and Borough Assembly adopt staff's recommendation for approval.

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

2. Bid Award

a. **BID E16-016 Capital Transit Facility Renovation and Addition**

This project consists of selective interior and exterior renovations at the existing CBJ Capital Transit Facility, demolition of existing bus wash building and equipment, erection of a pre-engineered metal building system for a new bus wash facility and heated bus storage garage and removal of existing underground fuel storage systems, and other miscellaneous work.

Bids were opened on the subject project on April 5, 2016. The bid protest period expired at 4:30 p.m. on April 6, 2016. Results of the bid opening are as follows:

Responsive Bidders	Base Bid	Additive Alternate No. 1	Additive Alternate No. 2	Total Bid
Alaska Commercial Contractors	$3,486,836	$ 7,500	$24,385	$3,518,721
Dawson Construction	$3,724,000	$83,000	$24,000	$3,831,000
North Pacific Erectors	$3,869,373	($ 2,500)	$24,731	$3,891,604

F&W Construction	$3,849,968	$ 23,820	$24,840	$3,898,628
Architect's Estimate	$3,750,000	$65,000	$40,000	$3,855,000

Alternate Bid 1: Radiant floor heat
Alternate Bid 2: High bay LED lights

The Manager recommends award of the base bid and Alternate 1 and Alternate 2 to Alaska Commercial Contractors for the total amount bid of $3,518,721.00.

3. Transfer

a. **Transfer T-976 Transfers $50,228 from High School Mendenhall Valley (S02-083), Glacier Valley Elementary Renovation (S02-088), and Harborview Elementary Renovation (S02-089) to Auke Bay School Renovation (S02-095).**

This transfer request will move Alaska Department of Education and Early Development (DEED) bond funds of $50,228 from the following Capital Improvement Projects (CIPs) into the Auke Bay School Renovation CIP (S02-095). This action will close out the three projects below:

a) High School/Mendenhall Valley CIP (S02-083), approximately $34,306 in bond funds available.

b) Glacier Valley Elementary Renovation CIP (S02-088), approximately $6,871 in bond funds available

c) Harborview Elementary Renovation CIP (S02-089), approximately $9,051 in bond funds available.

The School Board recommended these transfers at its September 15 meeting.

The Public Works and Facilities Committee approved these transfers at its September 28 meeting.

DEED approval of these transfers is pending final authorization from the CBJ Bond Counsel. If the approval is not received by the date of this meeting this transfer will be pulled and introduced and adopted at a later date.

The Manager recommends approval of these transfers.

b. **Transfer T-977 Transfers $4,542,042 from Fourteen Capital Improvement Projects to Provide Funding for Seven Ongoing Capital Improvement Projects**

This transfer request will move $4.542 million from 12 completed and 2 nearly completed Capital Improvement Projects to provide funding for 7 ongoing Capital Improvement Projects.

The transferred funds will be distributed to provide necessary funding for on-going Capital Improvement Projects. The transfers are tabulated below:

CIPs to be closed - transfer from:	Transfer Amount	Status
R72-031 Pioneer Avenue Repairs	$ 159,865	Complete - close CIP
R72-063 Bayview Roads Improvement	$ 342,119	Complete - close CIP
R72-065 Tanner's Terrance LID	$ 97,942	Complete - close CIP
R72-100 Northland Reconstruction	$ 135,455	Complete - close CIP
R72-104 Lakewood Subdivision Reconstruction	$ 815,000	* final phase completion end of 2016
R72-105 Riverside Drive DOT/PF Match	$ 111,576	Complete - close CIP
R72-106 Lemon Road Reconstruction	$ 172,856	Complete - close CIP
R72-113 Scott Drive Improvements	$ 450,000	* final phase completion end of 2016
U76-003 Lawson Creek Lift Station Desi	$ 105,261	Complete - close CIP
U76-005 West Juneau Sewer	$ 146,767	Complete - close CIP
U76-006 Auke Lake Sewer	$ 1,678	Complete - close CIP
U76-084 Lwr W. Mend VllySwer LID	$ 444,229	Complete - close CIP
U76-086 N Douglas Sewer Areas D,E & F	$ 1,210,736	Complete - close CIP

U76-091 Lwr W Mend- Pederson Phase	$	348,558	Complete - close CIP
	Total $	**4,542,042**	

* - adequate funding has been left to complete final phase of project

Transfer To	Transfer Amount	Status
D14-051 Peterson Hill Land Srvy & Plan	$ 2,257,228	ongoing
R72-053 Eagles Edge Utility LID	$ 172,856	ongoing
R72-058 2nd Street- Douglas	$ 25,000	final change order / closeout
R72-061 Industrial Boulevard ADOT Match	$ 1,165,428	ongoing
R72-114 Blueberry Hills Road	$ 359,954	ongoing
R72-123 West 8th Street Reconstruction	$ 450,000	ongoing
W75-048Back Loop Rd Auke Bay Waterline- ADOT	$ 111,576	ongoing
Total $	**4,542,042**	

The Public Works and Facilities Committee reviewed this request at its March 14, 2016 meeting.

The Manager recommends approval of this transfer.

VIII. PUBLIC HEARING

A. **Ordinance 2015-20(AJ)(b) An Ordinance Transferring $85,777 of Unexpended FY15 Marine Passenger Fees from the General and Roaded Service Area Funds to the Manager's Office for Tug Assists and to the Open Space Waterfront Land Acquisition Capital Improvement Project.**

This ordinance would transfer $85,777 of unexpended Marine Passenger Fee (MPF) revenues budgeted for specific purposes in FY15 and not expended by the fiscal year end, to the Manager's Office FY16 budget for Tug Assists ($30,000) and the Open Space Waterfront Land Acquisition CIP ($55,777).

The amounts below are the result of monies appropriated from the Marine Passenger Fee Fund for specific purposes in the FY15 budget but were not fully expended by the end of FY15.

From: Unexpended Marine Passenger Fees:		
Downtown Sidewalk Cleaning	$	14,613
Seasonal BLS-EMS Transport Program		10,203
Franklin Dock Enterprises		60,961
Total	$	85,777

To: Open Space Waterfront Land Acquisition	$	55,777
Manager's Budget for Tug Assists		30,000
	$	85,777

For accounting purposes, the funds will first be refunded to the Marine Passenger Fee Fund and then be transferred to the Manager's Office to fund Tug Assists and the Open Space Waterfront Land Acquisition CIP.

At its April 6, 2016 meeting, the Assembly Finance Committee approved this action be forwarded to the Assembly for approval.

The Manager recommends this ordinance be adopted.

B. **Ordinance 2015-20(AK) An Ordinance Appropriating to the Manager the Sum of $70,500 as Funding for the Juneau Convention and Visitors Bureau's (JCVB) Upgraded Juneau Travel Website; Funding Provided by the Hotel Tax Fund's Fund Balance.**

Juneau Convention and Visitors Bureau (JCVB) needs $141,000 to supplement its budget for FY16. This amount provides for the cost to develop and implement an upgraded Juneau Travel website. The CBJ agrees to provide one half of the funding, $70,500, from the Hotel Tax Fund's Fund Balance and JCVB would provide its $70,500 funding out of its own Fund Balance.

The Assembly Finance Committee recommended approval of this supplemental request at its regular meeting on February 10, 2016.

The Manager recommends this ordinance be adopted.

C. **Ordinance 2016-05 An Ordinance Authorizing the Port Director to Lease Lot 2, Alaska Tidelands Survey 7 to Channel Construction, Inc.**

Channel Construction currently leases 2.117 acres from Docks & Harbors for its barge landing. The lease expires on April 25, 2016. In accordance with the terms of its current lease, Channel Construction has a preference right for a new 35-year lease and has indicated a desire to exercise this right. An appraisal was conducted which established $0.15/S.F. as the market rate; the proposed annual lease rate would be $13,828.95.

The Docks & Harbors regular board approved the lease at its January 28, 2016, meeting. The Assembly Lands Committee moved to approve and forward this lease to the full Assembly at its February 22, 2016, meeting.

The Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. **Regulation Docks and Harbors Small Boat Harbor Fees and Charges**

The Docks & Harbors Board approved the proposed regulation changes at its regular meeting on March 31, 2016. The proposed changes were initiated through a Harbor Fee Review Committee process, which analyzed all fees associated within the Harbor Enterprise. The proposed changes were also publicly noticed at the Docks & Harbors standing committees and publicly noticed during a 21-day newspaper advertisement. This regulation change would reduce the special annual moorage fee for skiffs from $600 to $300 and would remove a yearly consumer price index (CPI) adjustment. This regulation change would also codify a $1.00 hourly rate for parking lot fees, which was inadvertently removed when the regulation was amended in August 2015. Docks & Harbors received no comments from the public.

In reviewing proposed regulations, CBJ 01.60.260 provides that the Assembly may: approve the regulation; decline to consider the regulation, in which case the regulation is deemed approved; or disapprove the regulation. If the Assembly disapproves the regulation, the Assembly may state its reasons for disapproval, but it may not specify explicit conditions for subsequent approval or direct the requesting department to adopt any particular amendments to the regulation. Alternatively, the Assembly may direct that an ordinance or resolution in lieu of the regulation be prepared for its consideration.

The Manager recommends the regulations be approved.

XI. STAFF REPORTS

A. **Deadlines for the October 4, 2016 Regular Municipal Election**

B. **Special Election Election Workers**

XII. ASSEMBLY REPORTS

A. Mayor's Report

B. Committee Reports

C. Liaison Reports

D. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

A. **Executive Session - Contract Negotiations**

XVI. ADJOURNMENT

XVII. SUPPLEMENTAL MATERIALS

A. **Ordinance 2016-05 - exhibit A - Channel Construction Lease Document**

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