

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

August 10, 2015 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2015-22

Submitted by: _____

Kimberly A. Kiefer
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Purple Heart City Proclamation

IV. APPROVAL OF MINUTES

A. July 20, 2015 Regular Assembly Meeting No. 2015-21

V. MANAGER'S REQUEST FOR AGENDA CHANGES

A. Ordinance 2015-37 An Ordinance Authorizing the Issuance of General Obligation Bonds in the Principal Amount of Not to Exceed \$1,300,000 to Finance the cost of Educational Capital Improvements and Districtwide Major Maintenance Projects, and Submitting a Proposition to the Voters at the Election to Be Held Therein on October 6, 2015.

The Assembly Finance Committee, at its July 30, 2015 meeting, discussed other methods of funding school maintenance and voted to remove from the Public Hearing section of the August 10, 2015 Assembly agenda Ordinance 2015-37.

The Manager has removed this ordinance per the Assembly Finance Committee's directive.

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 2015-20(F) An Ordinance Appropriating to the Manager the Sum of \$72,500 as a Transfer to the Parks and Recreation Department, Recreation Division in the Roaded Service Area as Partial Funding for the After School Program and Young Parents Healthy Teen Program;

Funding Provided by a Portion of the Social Services Advisory Board and Mayor and Assembly Grants in the General Fund.

This ordinance would appropriate \$72,500 as a transfer from the General Fund composed of \$47,500 Assembly grant for the Juneau After School Coalition and a \$25,000 portion of the Social Services Advisory Board grant for the Young Parents Healthy Teen program.

Parks and Recreation has been offered the opportunity to take over management of the Body and Mind (BAM) After School Program, and the Young Parent Healthy Teen Center (YPHTC). Both of these programs had been previously managed by Catholic Community Services. The senior management team of Park and Recreation believes this is an excellent fit with the Zach Gordon Youth Center (ZGYC).

BAM operates in both middle schools and the YPHTC operates out of the ZGYC. Both programs will be managed by the ZGYC manager and will allow for Parks and Recreation to be at the forefront of youth offerings in our community. These programs will rely heavily on partnership and collaboration, as to remain financially viable and offer the highest possible service to our community's youth.

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

- b. **Ordinance 2015-20(I) An Ordinance Appropriating to the Manager the Sum of \$669,055 as Funding for the Juneau International Airport Aircraft Rescue & Fire Fighting (ARFF) Truck Capital Improvement Project; Funding Provided by the Federal Aviation Administration and Alaska Department of Transportation.**

This ordinance would appropriate \$669,055 to the Juneau International Airport for the purchase of an Aircraft Rescue & Fire Fighting (ARFF) Truck and bid documents. Funding is provided as follows:

Federal Aviation Administration grant:	\$647,473
Alaska Department of Transportation grant:	\$ 21,582

The FAA funds 93.75% of the project with the remainder being split between Alaska Department of Transportation, and Juneau International Airport (Res 2713d Area Wide Sales Tax).

The Airport Board approved this action at its July 18, 2015 meeting, and recommended forwarding it to the full Assembly for approval.

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

- c. **Ordinance 2015-20(J) An Ordinance Appropriating to the Manager the Sum of \$413,333 as Funding for the Juneau International Airport Aircraft Rescue & Fire Fighting (ARFF) Building Modification Design & Environmental Capital Improvement Project; Funding Provided by the Federal Aviation Administration and Alaska Department of Transportation.**

This ordinance would appropriate \$413,333 to the Aircraft Rescue & Fire Fighting (ARFF) Building Modification Design & Environmental Capital Improvement Project, to design the modification of the ARFF station to accommodate a new larger truck, and satisfy environmental requirements. Funding is provided as follows:

Federal Aviation Administration grant:	\$400,000
Alaska Department of Transportation	\$13,333

The FAA funds 93.75% of the project with the remainder being split between Alaska Department of Transportation, and Juneau International Airport (Res 2713d Area Wide Sales Tax).

The Airport Board approved this action at its July 18, 2015 meeting, and recommended forwarding it to the full Assembly for approval.

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

- d. **Ordinance 2015-20(K) An Ordinance Appropriating to the Manager the Sum of \$868,025 as Funding for the Juneau International Airport Runway Safety Area (RSA) Phase IIB Design Northeast (NE)/Northwest (NW) Apron and Continued Perimeter Fencing Capital Improvement Project; Funding Provided by the Federal Aviation Administration, Alaska Department of Transportation, and Juneau International Airport Fund's Fund Balance.**

This ordinance would appropriate \$868,025 to the Juneau International Airport Runway Safety Area (RSA) Phase IIB Design Northeast (NE)/Northwest (NW) Apron and Continued Perimeter Fencing capital improvement project. Funding is provided as follows:

Federal Aviation Administration grant:	\$824,624
Alaska Department of Transportation:	\$ 21,700
Juneau International Airport (Airport Fund Balance):	\$ 21,701

The FAA 2015 Reauthorization Bill allows federal financial participation on this project at 95%, the remainder being split between Alaska Department of Transportation and Juneau International Airport.

The Airport Board approved this action at its July 18, 2015 meeting, and recommended forwarding it to the full Assembly for approval.

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

2. Resolutions

- a. **Resolution 2729 A Resolution De-Appropriating \$108,294.98 from the Jordan Creek/East Valley Reservoir Restoration Capital Improvement Project, Grant Funding from the Alaska Department of Environmental Conservation.**

This resolution would de-appropriate \$108,294.98 in grant budget from the Jordan Creek/East Valley Reservoir Restoration Capital Improvement Project, which is complete.

The grant funding comes from the Alaska Department of Environmental Conservation. The grant lapsed, was not fully expensed, and is now closed. The grant amount was \$498,018, leaving \$378,623.02 expended and the remaining amount of \$108,294.98 to be de-obligated with this resolution.

The Manager recommends the resolution be adopted.

3. Bid Award

a. **Bid Recommendation for Bid No. 16-027 - Purchase & Delivery of Aircraft Rescue & Fire Fighting Truck**

Bids were opened on the subject project on August 5, 2015. The bid protest period expired 4:30 p.m. on August 6, 2015. Two bidders responded and results of the bid opening are as follows:

<u>Bidder</u>	<u>Total Base Vehicle Bid</u>
Rosenbauer America, Inc.	\$654,638.00
Oshkosh Airport Products, Inc.	\$672,855.00
<i>Engineer's Estimate:</i>	<i>\$720,000.00</i>

Funding Source will be Federal Aviation Administration Airport Improvement Program grant, with State of Alaska and local City & Borough of Juneau match funds. Local match funds are provided in the FY16 sales tax CIP.

The final grant application documents have been submitted to FAA for grant award approval.

The Manager recommends a Notice of Intent to Award be issued to Rosenbauer America, Inc., for the total bid amount of \$654,638.

VIII. PUBLIC HEARING

A. **Ordinance 2014-24(AV) An Ordinance Appropriating to the Manager the Sum of \$7,830 as Funding to Provide for Commercial Motor Vehicle Inspections; Grant Funding Provided by the Alaska Department of Transportation and Public Facilities.**

This ordinance would appropriate a \$7,830 grant from the Alaska Department of Transportation and Public Facilities to provide commercial motor vehicle inspections.

The inspections are intended to determine the appropriateness of driver credentials as well as road worthiness of commercial vehicles with the ultimate goal of improving commercial vehicle safety in Juneau.

There is no match requirement for this grant.

The Manager recommends this ordinance be adopted.

B. Ordinance 2015-20(E) An Ordinance Appropriating to the Manager the Sum of \$642,300 as a Transfer to the General Fund as Partial Funding for the Housing First Grant, Funding Provided by the Sales Tax Funds in the Housing Land Development Capital Improvement Project (CIP) D14-095.

This ordinance would appropriate \$642,300 as a transfer from the Housing Land Development capital improvement project (D14-095) to fund the Housing First Grant. The funding source is sales tax.

The CIP was never expended because the Assembly had not finalized an order of priority for CBJ's housing development projects. In lieu of placing the funds into the Peterson or Switzer CIPs, the Assembly decided to create a new CIP called "Housing Land Development" to hold the funds until the Assembly made a decision on transferring the funds.

This funding represents a portion of the CBJ's \$1.5 million commitment to the Juneau Housing First Project.

After this appropriation is completed, CIP D14-095 will be closed.

The Finance Committee approved this action at its March 28, 2015, regular meeting, and recommended forwarding it to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

C. Ordinance 2015-20(G) An Ordinance Appropriating to the Manager the Sum of \$100,000 as Funding for the Lemon Creek Gravel Scale Replacement Capital Improvement Project (CIP) D14-020, Funding Provided by the Lands Fund's Fund Balance.

This ordinance would appropriate \$100,000 as a transfer from the Lands Fund's fund balance to the Lemon Creek Gravel Scale Replacement CIP (D14-020).

The existing Lemon Creek truck scale, which serves two CBJ material sources in Lemon Creek, has worn out to the point that it cannot be repaired and a replacement scale is necessary. This appropriation is required to establish a CIP for the purchase and installation of the replacement scale.

The Lands Committee approved this action at its July 13, 2015, regular meeting, and recommended forwarding it to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

D. Ordinance 2015-20(H) An Ordinance Authorizing the Manager to Accept the State of Alaska, Department of Environmental Conservation's Offer of Grant Amendment No. 1 for Partial Funding of the Salmon Creek Secondary Disinfection Capital Improvement Project and Appropriating to the Manager \$3,000,000 in additional Grant Funding Provided by the State of Alaska, Department of Environmental Conservation.

This ordinance would appropriate an additional \$3,000,000 in Municipal Matching grant funding in addition to the \$1,000,000 already on the project, from the Alaska Department of Environmental Conservation (ADEC) Division of Water for the following project:

Water Treatment Improvements - Salmon Creek LT2 Upgrades	\$3,000,000
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This grant has a 40% match requirement which will be provided with the funds already on the CIP.

ADEC Grant 44593 originally appropriated \$1,000,000 with Ordinance 2014-24(Q) and ADEC Grant Amendment No. 1 increases the grant amount by \$3,000,000, which this ordinance 2015-20(H) will put on the project, bringing the total grant to \$4,000,000.

The Public Works and Facilities Committee reviewed this item at its August 3, 2015 regular meeting.

The Manager recommends this ordinance be adopted.

E. Ordinance 2015-32 An Ordinance Amending the Land Use Code Relating to Child and Day Care Facilities.

This ordinance would amend CBJ Title 49 as it relates to child and day care homes and centers in order to address an identified need in the community for child care.

The ordinance would amend the Table of Permissible Uses to expand where child care homes and centers can operate, would add minimum standards for these operations, and would amend the definitions for child care centers and homes.

At its regular public meeting on June 23, 2015, the Planning Commission adopted the analysis and findings in the Community Development Department's staff report and, with some revisions, recommended that the Assembly approve the ordinance.

The Lands Committee considered the ordinance at its July 13, 2015, meeting, and recommended that the Assembly approve the ordinance.

The Manager recommends the ordinance be adopted.

F. Ordinance 2015-33 An Ordinance Amending the Uniform Sales Tax Code Relating to the Single Item Tax Exemption.

This ordinance would exclude jewelry sales from the single item sales tax cap exemption. The Finance Committee addressed this issue at its meetings on April 22, 2015 and July 30, 2015, and recommended forwarding this change to the full Assembly for adoption.

This ordinance would be effective January 1, 2016, to allow for the current summer and holiday retail season to continue uninterrupted, and to allow affected merchants adequate time to prepare.

The Finance Committee considered this ordinance at its July 30, 2015, meeting and recommended forwarding it to the Assembly for adoption.

The Manager recommends this ordinance be adopted.

G. Ordinance 2015-36 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 2386 Lots N, J1 and J2, Located near Glacier Highway at the South End of Auke Lake, from D1(T)D10 to D-3.

In May 2015, the Community Development Department initiated an application to transition Lots N, J1 and J2 of USS 2386, located near Glacier Highway at the south end of Auke Lake, from D1(T)D10 to D10. These three lots were part of a larger transition area

granted a zoning upgrade by the Planning Commission in November 2012, when it transitioned 49 lots east of the subject lots from D1(T)D10 to D-10. The subject lots were not ready to be transitioned at that time however.

At the June 23, 2015, Planning Commission meeting the Commission heard public testimony on the proposed transition. Based on the public testimony received, the Planning Commission declined to finalize the zoning upgrade and instead approved recommending to the Assembly a rezone of the three lots to D-3.

Two of the subject lots have a Comprehensive Plan land use designation of Medium Density Residential (MDR). The third lot is designated MDR and Urban Low Density Residential (ULDR). The MDR designation calls for between 5 and 20 units per acre. The ULDR designation calls for 1 to 6 units per acre.

Per CBJ 49.75.120, Restrictions on rezones, rezones shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan. In considering rezone requests, Staff makes a threshold determination as to whether the proposed zoning district meets the density limitations specified by the land use designation of the comprehensive plan land use maps.

CBJ 49.25.210(b) provides that D-3 has a density of 3 units per acre, is located primarily outside the urban service boundary where public utilities are not provided, and that the limited amount of D-3 zoned land within the urban service boundary is appropriate where a lower density is deemed appropriate or, in the case of transition zones, where the zoning is intended to be changed to a higher density when sewer and water are provided.

At its meeting on July 13, 2015, the Lands Committee considered the Planning Commission's recommendation of D-3 and recommended forwarding it to the full Assembly for its approval.

The Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Contract with AEL&P for work related to the Statter Harbor Launch Ramp project.

The Statter Harbor Launch Ramp project requires repositioning of an AEL&P power pole and associated realignment of power conductors along Glacier Highway. In such cases AEL&P performs the work but charges the party requiring the changes. AEL&P has been in the engineering phase of the project and recently provided a cost estimate for the work required. Before AEL&P begins the work Docks and Harbors will need to sign a contract for the amount of the work. The work is estimated to cost \$133,488.37.

The Manager recommends approval of this contract.

B. Regulation Docks and Harbors ABLF Facility Fees, Statter Harbor Parking Fees, and Staff Labor Fees

The Docks and Harbors Board, at its July 30, 2015, regular meeting, elected to approve amendments to 05 CBJAC 20 (Small Boat Harbor Fees) and 05 CBJAC 45 (Small Boat Harbor and Port Facilities Use Regulations).

The proposed amendments were also discussed at the Harbor Fee Review Committee meeting as early as January 14, 2015, and were approved by the Docks and Harbors standing committees (Operations-Planning Committee and Finance Committee). The proposed amendments are part of a broad review by the Docks and Harbors Board to update fees and regulations affecting both the Docks Enterprise and Harbor Enterprise.

No public comments were received at the July 30, 2015, Docks and Harbors public hearing, or during the required 21-day public comment period prior to public hearing. CBJ 01.60.260 provides that regulations be presented to the Assembly for review. Taking no action constitutes approval of the regulations, with an effective date of 7 days following adoption. The Assembly may not amend the regulations. If the Assembly disapproves the regulations, it shall return the regulations to the agency and may state the reasons for its disapproval, but shall not establish explicit conditions for subsequent approval or direct particular amendments of the regulation. Alternatively, the Assembly may direct that the matter be prepared as an ordinance or resolution for its consideration.

C. Senior Citizen Exemption Late File - Leach

D. Senior Citizen Exemption Late File - Hancock

XI. STAFF REPORTS

A. Airport Supplemental Agreement #1 - E14-201 JNU Sustainability Master Plan

B. Manager's Follow Up on Assemblymember Nankervis' July 20, 2015 Questions

XII. ASSEMBLY REPORTS

A. Mayor's Report

1. Approval of City Manager's Evaluation

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

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