

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

June 8, 2015 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2015-16

Submitted by: _____
Kimberly A. Kiefer
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. Proclamation - Pride Month

IV. APPROVAL OF MINUTES

- A. May 18, 2015 Regular Assembly Meeting No. 2015-14
- B. May 19, 2015 Special Assembly Meeting No. 2015-15
- C. April 20, 2015 Special Assembly Meeting No. 2015-11 - Amendment

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 2015-03 An Ordinance Amending the Land Use Code Relating to Subdivisions.**

The proposed ordinance would amend portions of Title 49, the Land Use Code, primarily regarding the requirements and improvements related to the subdivision of land.

The most significant proposed changes include increasing the number of lots in a minor subdivision, streamlining the process for major subdivision review, revising remote subdivision requirements, and revising street improvement standards to provide more options for street construction - including the option for developers to construct privately maintained access roads. There are a number of minor changes as well.

The Planning Commission reviewed the proposed ordinance at its May 26, 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.

- b. **Ordinance 2014-24(AT) An Ordinance Appropriating to the Manager the Sum of \$32,238 as Additional Funding for the 2013 State Homeland Security Program; Grant Funding Provided by the State of Alaska, Department of Military and Veterans Affairs.**

This ordinance would appropriate \$32,237.76 as additional funding for the 2013 State Homeland Security Programs (SHSP) Grant from the Alaska Department of Military and Veterans Affairs for the City and Borough of Juneau. The State Grant Number is 13SHSP-GR34078.

These funds are an additional award to support the goals and activities of the Emergency Management Division. These funds would be used towards the 12SHSP Mobile Data Terminal Project, upgrading communications capabilities in emergency response vehicles.

This increases the total award to \$177,275.48.

There is no dollar match requirement for this grant.

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

2. Resolutions

- a. **Resolution 2725 A Resolution Authorizing the Manager to Convey a Driveway and Utility Easement across a Fraction of Lot 1, U.S. Survey 3559, Located at the North End of Douglas Island.**

This resolution would authorize the Manager to grant an access and utility easement to the owner of a lot located at the north end of Douglas Island. The owner wishes to subdivide but the lot is currently landlocked, accessible solely by navigable water. A new easement would allow the property owners to develop an alternative access route. The easement will be approximately 35 feet wide. The appraised value for the easement, as of May 7, 2015, is \$13,355.

The property owners (the Machamers) requested an identical easement in 2005, which was granted by the Assembly via Resolution 2325. The 2005 easement was never finalized however, due to the owners' failure to meet required prerequisites to improve the easement area. The owners would need to meet similar prerequisites prior to the easement authorized by this resolution being finalized.

The Planning Commission considered this request at its meeting on February 10, 2015, and recommended forwarding it to the Assembly for approval. The Lands Committee reviewed the request at its March 23, 2015, and also recommended its approval.

The Manager recommends this resolution be adopted.

b. **Resolution 2727 A Resolution Authorizing the Manager to Enter into an Amendment to the City and Borough PERS Participation Agreement.**

Bartlett Regional Hospital is anticipating the addition of certified medical staff to its workforce. Specifically, hospital management is laying the ground work to create a Hospitalist program to cover patients admitted to the hospital who do not have a local physician. As part of that program, management intends to supplement the existing general surgery program with the addition of a physician's assistant. General Surgeons are already excluded from PERS, and BRH management believes it is appropriate that the newly hired medical personnel also be excluded.

The proposed resolution modifies the City and Borough's agreement with PERS to reflect the addition of these two classifications of employees to the list of excluded positions. Staff working at the Division of Retirement and Benefits have reviewed and approved the draft amendment. The Hospital Board was informed of this amendment at its meeting on May 26, 2015, and recommended forwarding it to the full Assembly for approval.

The Manager recommends this resolution be adopted.

3. **Liquor License**

a. **Liquor License Late Renewal - Little Tokyo Restaurant/Eating Place License #4493**

The following liquor license application is for a late filed renewal and is before the Assembly to either protest or waive its right to protest the renewal.

Restaurant/Eating Place License #4493

Kwang LLC d/b/a Little Tokyo, Location: 140 Seward Street

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Engineering and Public Works, and Community Development Departments have reviewed the above businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest the renewal of one or more of these licenses, CBJ Code 20.25 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 their right to an informal hearing before the Assembly.

The Manager recommends the Assembly waive its right to protest the Kwang LLC d/b/a Little Tokyo liquor license renewal.

b.

Liquor License Transfer of Beverage Dispensary -Tourism License #175
FROM: Q Enterprise Inc. d/b/a Breakwater Inn Restaurant & Lounge
TO: CNH Holding LLC, d/b/a Bay View Inn Restaurant and Lounge

The following liquor license transfer of ownership, name change and application for a Restaurant Designation Permit (RDP) is before the Assembly to either protest or waive its right to protest and approve or deny the RDP.

Beverage Dispensary-Tourism License #175
Transfer FROM: Q Enterprise, Inc. d/b/a Breakwater Inn
Restaurant and Lounge
Transfer TO: CNH Holding, LLC d/b/a Bay View Restaurant
and Lounge
Location: 1711 Glacier Ave., Juneau

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Engineering and Public Works, and Community Development Departments have reviewed the above businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest the transfer of this license, CBJ Code 20.25 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 their right to an informal hearing before the Assembly.

The Manager recommends the Assembly waive its right to protest this liquor license transfer and approve the Restaurant Designation Permit.

VIII. PUBLIC HEARING

A. Ordinance 2015-26 An Ordinance Approving a Land Trade between the City and Borough and Christ Evangelical Lutheran Church.

This ordinance would authorize the Manager to finalize a land exchange between the CBJ and Christ Evangelical Lutheran Church.

In order to develop CBJ property on Pederson Hill to meet housing needs, the CBJ must first secure access routes to the property from Glacier Highway. Christ Evangelical Lutheran Church has demonstrated interest in an equal area land trade that would be mutually beneficial. As a result of the land trade, the CBJ would gain a reliable access point that allows for cost effective development of utilities as well as a four-way intersection off of Glacier Highway that was recommended by Alaska DOT&PF. Christ Evangelical Lutheran Church gains land that could be developed for future expansion, safe direct access to the proposed right-of-way, as well as a driveway and future sewer hook-up. This land trade would facilitate the next phase of planning and development of the Pederson Hill residential subdivision and provide access for future projects higher up on Pederson Hill.

On April 14, 2015, the Planning Commission reviewed and recommended approval of this land trade. The Lands Committee expressed its support for the land trade at its meeting on May 4, 2015.

The Manager recommends this ordinance be adopted.

B. Ordinance 2015-28 An Ordinance Creating Local Improvement District No. 62 to Improve the Roadway within the McGinnis Subdivision and Appropriating the Sum of \$3,000,000.

This ordinance would create Local Improvement District (LID) No. 62 for the purpose of paving streets within the McGinnis Subdivision. The streets to be paved are: Steelhead Street, Silver Street, Hummingbird Lane, Heron Way, and Wren Drive. The total project cost is \$3,000,000. The total of all proposed assessments for this LID is \$472,000.

An informal poll of the property owners was conducted. The informal ballots were due on April 8, 2015. Eighty-three responses were received from a total of one hundred and twenty-five properties. Of those responses received, fifty-eight were in favor of the LID, and twenty-five opposed it.

LID 62 was reviewed by the Public Works and Facilities Committee at its April 13, 2015, meeting and forwarded to the full Assembly for approval.

Notice of the June 8, 2015, public hearing was mailed to the residents in the LID area and published in the newspaper as required by CBJ 15.10.040. At the public hearing, affected property owners will have an opportunity to object to the formation of the district.

The Manager recommends this ordinance be adopted.

C. Ordinance 2015-29 An Ordinance Amending the Signs Code and Providing for a Penalty.

This ordinance would amend CBJ Chapter 49.45, the Signs Code, by changing violations of the code from criminal infractions to a civil violations, and by amending the currently imposed staggered penalty (\$25, \$50, and \$100) to a \$500 per day, per offense penalty with a 15-day grace period. After noticing the decline in sign compliance and the inherent disincentive for compliance in the existing Code (\$25 to put up a sign without a permit vs. \$50 to apply for a permit), the Historic Resources Advisory Committee (HRAC) initiated this amendment.

The HRAC unanimously voted in support of the amendment at its December 9, 2014, meeting. The Title 49 subcommittee also unanimously supported the change at its January 27, 2015, meeting. At its meeting on April 14, 2015, the Planning Commission voted to recommend approval of the amendment to the full Assembly.

The Manager recommends this ordinance be adopted.

D. Ordinance 2015-30 An Ordinance Authorizing the Manager to Lease Approximately 1.31 Acres, Located between the Juneau Arts and Culture Center and Centennial Hall, to the State of Alaska for Employee Parking.

In 2009, Resolution Serial No. 2535 authorized the Manager to enter into a license agreement with the State for the area between the JACC and Centennial Hall for employee parking for one year with four one-year renewals. The last renewal is set to expire on June 30, 2015. The State of Alaska is requesting a new lease for one year, with four one-year renewals. The current fair market rent of the site is \$122,760, which is based on 155 parking spaces. The State manages and provides winter maintenance of the leased area.

The Manager recommends this ordinance be adopted.

E. Ordinance 2015-31 An Ordinance Authorizing a Capital Improvement by Agreement for the Paving of a Portion of Eagle Street.

This non-code ordinance would authorize the Manager to enter into a capital improvements by agreement contract with two property owners along the unpaved portion of Eagle Street, pursuant to CBJ 15.10.290. Per the agreement, the two Eagle Street property owners would each pay a \$3,800 contribution towards the overall cost of paving and related improvements to a currently unpaved portion of Eagle Street. The total cost of the project is estimated to be \$13,800.

The agreement would allow the owners' contribution to be financed over a period of ten years, at an annual interest rate equivalent to the 15-year mortgage interest rate at the time of the approval of this ordinance.

The CBJ will be repaving Eagle Street through the Pavement Management CIP this summer and would pave the unpaved easterly 100' as part of the project if this ordinance is approved.

The issue was reviewed by the Public Works and Facilities Committee at its April 13, 2015, meeting, which recommended forwarding it to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

F. Ordinance 2014-24(AQ) An Ordinance Appropriating \$83,800 as Partial Funding for a Crisis Intervention Team (CIT); Grant Funding Provided by the Juneau Community Foundation Hope Endowment Fund.

The Crisis Intervention Team (CIT) will enhance community partnership in addressing mental health issues in the community by utilizing designated resources to assist persons with mental health disorders. The core function for the CIT is to provide services to individuals suffering from mental health, and to their families opposed to referring them to the Criminal Justice System.

The allocated funds would be used for six months of the already existing CIT detective's salary, and overtime for five police officers, one community service officer, and two dispatchers to attend CIT training. The remaining funding would be used to provide internal department training. The JPD's existing operating budget will cover the remaining six month salary for the CIT Detective.

The Manager recommends this ordinance be adopted.

G. Ordinance 2014-24(AS)(b) An Ordinance Appropriating to the Manager the Sum of \$673,400 as Partial Funding for Various Departments' Fiscal Year 2015 Operating Budget; Funding Provided by General Fund and Other Fund Balances and Roaded Service Area Fund Balance.

This ordinance would appropriate \$673,400 for increases in FY 15 operational costs among several CBJ departments. Funding is provided by departments' fund balances, the general fund balance, and Roaded Service Area fund balance.

Airport

The Airport anticipates exceeding its FY 15 budgeted spending authority by \$104,800. This is due to construction on Alex Holden Way. The anticipated funding for this is the Current Year Revenues Exceeding Projected Budget.

Eaglecrest

Eaglecrest is anticipating a potential \$50,000 shortfall in the current fiscal year operating budget due to low snowfall. The anticipated funding for this is a draw on its Fund Balance.

Law

The Law Department is anticipating a \$14,600 shortfall in the current fiscal year operating budget due to increased misdemeanor offender man-days in the 3rd Quarter of FY 15 related to Prisoner Care Expenses. The anticipated funding for this is the General Fund's Fund Balance.

Downtown Parking

Downtown Parking anticipates exceeding its FY 15 budgeted spending authority by \$4,000. The increase is due to additional security coverage in both parking garages. The anticipated funding for this is a draw on the Parking Fund Balance.

Juneau School District

This \$500,000 of increased expenditure authority funds the Juneau School District to the FY 15 State spending cap. This increase would be funded with the Road Service Area Fund Balance.

The Assembly Finance Committee reviewed and approved these increases at its meeting on May 6, 2015. Version B reduces the anticipated spending authority for downtown parking. Originally, Parks and Recreation staff recommended installation of timed door closures on the DTC garage doors to help address security issues. They now will be increasing security coverage five days a week, 7 p.m.-3 a.m., for the month of June. If the additional security coverage reduces vandalism, they will continue this coverage next year, which may require increased spending authority for FY 16.

The Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Design Services Contract for Old Douglas Harbor Rebuild

The rebuild of Old Douglas Harbor will be accomplished in three phases. Phase 1 includes demolition of existing infrastructure and has been awarded to Trucano Construction. It is scheduled to begin in August after the Salmon Derby. Phase 2 includes dredging of the south section of the harbor and disposal of dredge materials in Gastineau Channel. The US Army Corps of Engineers will be performing that work beginning in mid-October. Phase 3 includes installation of new floats, electrical, water, and fire suppression systems. The work would begin in March 2016.

PND Engineers is currently under contract for professional engineering services for the Old Douglas Harbor Re-Build project and has completed Phase 1. The subject of this

contract amendment is to complete Phase 3 design and bid documents. The proposed fees for professional services of Phase 3 design and bidding is \$308,940.

The Docks and Harbors Finance Committee reviewed the fee proposal at its regular meeting of May 20, 2015, and recommended the full Board approve the proposal. The Docks and Harbors Board reviewed the fee proposal at its regular meeting on May 21, 2015, and recommended the Assembly approve the fee proposal of \$308,940 for Phase 3 design and bid services by PND Engineering, Inc.

The Manager recommends this amendment be approved.

XI. STAFF REPORTS

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

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