

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

May 19, 2014 7:00 PM

Assembly Chambers - Municipal Building
Regular Meeting No. 2014 - 15

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

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. John Kern, Capital Transit Superintendent
- B. Bonnie Chaney, Budget Analyst
- C. Chuck Bill, New Bartlett Regional Hospital CEO

IV. APPROVAL OF MINUTES

- A. April 21, 2014 - Special Assembly Meeting 2014-12
- B. April 23, 2014 - Special Assembly Meeting 2014-13
- C. April 28, 2014 Regular Assembly Meeting 2014-14

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 2014-14 An Ordinance Amending the Land Use Code Relating to Rezoning Procedures.

This ordinance would address two issues related to the CBJ's rezoning process. First, it would reconcile an inconsistency between CBJ 49.75.130 and CBJ 49.10.170. While the latter provides that the Planning Commission's role with respect to rezoning is only to "make recommendations to the Assembly on all proposed . . . zonings and rezonings," 49.75.130 authorizes the Planning Commission to make "final" decisions on rezonings that are then only reviewable by the Assembly on appeal.

Second, it would eliminate the reference to “appealing” the denial of a rezoning request to the Assembly. Small scale rezoning decisions are legislative acts, not quasi-judicial, and are not subject to appeal as provided by CBJ 01.50. (*See, Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001)). While rezoning decisions are subject to direct judicial review and can be invalidated when they are the result of prejudice, arbitrary decision-making or improper motive or when they violate due process, they are not subject to direct appeal. (“[T]he decision of a legislative body is subject to review by appeal only where the decision is a quasi-judicial one.” *Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001). *See also* “As a general rule, an applicant whose rezoning petition is denied cannot seek a direct review of that denial...” 3 Rathkopf's *The Law of Zoning and Planning* § 40:4 (4th ed.)).

The Planning Commission reviewed this ordinance at its April 22, 2014 meeting and recommended forwarding 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 2014-29 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 3873 and a Portion of USS 3406 FR, Located South of Auke Lake in the Pederson Hill Area, From D-1(T)D-5 to a Mix of D-10 and D-10SF.

In 2010, a study was done evaluating the potential development areas, potential development densities, and transportation access of the Pederson Hill area. That same year, sewer installation was completed. The area is currently classified as a transition zone, D-1(T)D-5.

This rezone was initiated in 2013 by the Planning Commission. On August 20, 2013, a neighborhood meeting to discuss the proposal was held at the Mendenhall Public Library. The meeting was attended by more than 20 people after invitations were sent to property owners within 500 feet and an ad was placed in the Juneau Empire.

The requested zoning aligns with the MDR Comprehensive Plan designation, which calls for densities of 5-20 units per acre. The proposed D-10 and D-10SF both allow for a density of ten units per acre which is a higher density than the D-5 transition zone. This proposed density better implements the identified CBJ goals of providing low and moderate income housing.

The proposed rezone conforms to the Land Use Code requirements related to rezonings as follows:

1. The request is for more than 2 acres, and if approved will, in part, expand an existing D-10 zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the land use maps of the 2013 Comprehensive Plan.

The Planning Commission recommends that the Assembly approve the rezone of the described land from D-1(T)D-5 to a mix of D-10 and D-10SF.

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

- c. Ordinance 2014-30 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 381 FR, Located at the Corner of Atlin Drive and Mendenhall Loop Road, from D-10 to Light Commercial.

This proposed ordinance is a result of the Harris v. CBJ Planning Commission appeal heard by the Assembly on March 17, 2014. In that case, Mr. Harris sought a rezoning of his property, located at 9050 Atlin Drive, from D-10 to Light Commercial.

After considering the parties' briefs and hearing oral argument, the Assembly granted Mr. Harris's appeal, directing that an ordinance providing for the requested rezone be drafted and forwarded to the Assembly for introduction.

This ordinance would amend the Official Zoning Map of the City and Borough to change the zoning of Mr. Harris's property at 9050 Atlin Drive from D-10 to Light Commercial, consistent with the Assembly's March 17, 2014 decision.

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

- d. Ordinance 2014-31 An Ordinance Providing for a Penalty Relating to Motorized Uses on Auke Lake.

On April 7, 2014, the Assembly adopted Ordinance 2014-20, which amended code section 67.01.095 related to motorized uses on Auke Lake. Ordinance 2014-20 eliminated the prohibition against certain sized vessels and added a prohibition against the rinsing or flushing of boat engines in the lake, along the wayside, or within 50 feet of the lake shoreline.

This ordinance would amend the fine schedule by eliminating the penalty related to vessel length, and by providing for a \$250 penalty for the illegal rinsing or flushing of boat engines, as prohibited by CBJ 67.01.095(e).

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

- e. Ordinance 2013-11(AS) An Ordinance Appropriating to the Manager the Sum of \$2,890 as Partial Funding for the Purchase of Bullet Proof Vests; Grant Funding Provided by the United States Department of Justice and Local Funding Provided by the Juneau Police Department.

This ordinance would appropriate \$2,890 in grant funds from the U.S. Department of Justice, Office of Justice Programs for the purchase of bullet proof vests. The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. The grant funds are anticipated to pay fifty percent of the total costs for thirteen vests with the remaining 50% (the grant match) from JPD's operating budget.

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

2. Resolutions

- a. Resolution 2691 A Resolution Authorizing the Manager to Donate a 1995 E-One Chevrolet Ambulance to the City of Angoon.

Approximately seven years ago, the Juneau Police Department received a 1995 E-One Chevrolet Ambulance from Capital City Fire Rescue, which JPD has since used for its Explosive Ordnance Disposal Unit. A recent bluebook quote for the vehicle was listed at \$3300. JPD recently received a replacement ambulance from CCFR for the EOD unit and does not need both vehicles for police operations.

CBJ 53.50.220 provides that upon a determination that the best interests of the public would be served, surplus property with an estimated value of over \$3,000 may be transferred to another governmental unit after approval by the assembly by resolution.

JPD received a letter from Angoon Mayor Matthew Kookesh informing us that his community was in need of an ambulance and fire engine. Mayor Kookesh said Angoon only has one older ambulance, which is not equipped to allow for the provision of medical care; it is only capable of transporting.

Based on Mayor Kookesh's request, I am requesting that the City and Borough of Juneau donate the ambulance to the City of Angoon.

The Manager recommends this resolution be adopted.

3. Bid Award

- a. Bid Results - Bid 15-009 - Term Contract for CBJ Roadway Painting

The City requested bids for roadway painting of various streets throughout the Borough. It is the responsibility of the vendor to provide all paint, materials, equipment, labor, insurance and required traffic control to complete the project.

Bids were opened on Thursday, May 8, 2014, the bid protest period expired at 4:30pm on Tuesday, May 13, 2014. Results of the bid opening were as follows:

BIDDERS	TOTAL PRICE
Apply-A-Line	\$137,626.08
Specialized Pavement Marking	\$155,377.60

The Manager recommends approval of this bid award to Apply-A-Line, for the total bid amount of \$137,626.08.

4. Liquor License

- a. Liquor License Location Transfer of Beverage Dispensary License #3695 South of the Bridge, LLC d/b/a Louie's Douglas Inn

The following liquor license application is before the Assembly to either protest or waive its right to protest this location transfer.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community

Development Departments have reviewed the below business and found it 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.

Beverage Dispensary License #3695 - Location Transfer
South of the Bridge, LLC d/b/a Louie's Douglas Inn
Transfer from: No Premises
Transfer to: 915 3rd Street, Douglas, AK 99824

The Manager recommends the Assembly waive its right to protest the above liquor license transfer.

- b. Liquor License Transfer of Beverage Dispensary License #447 FROM Alaska Promotions LLC d/b/a Brandi's Airport Bar TO Suite 907, LLC d/b/a Suite 907

The following liquor license application is before the Assembly to either protest or waive its right to protest this transfer of ownership, location, and name change.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the below business and found it 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.

Beverage Dispensary License #447 - Transfer of Ownership, Location, & Name Change

Transfer From: Alaska Promotions, LLC d/b/a Brandi's Airport Bar located at 1873 Shell Simmons Drive, Juneau

Transfer To: Suite 907, LLC d/b/a Suite 907 located at 9121 Glacier Hwy., Juneau

The Manager recommends the Assembly waive its right to protest the above liquor license transfer.

VIII. PUBLIC HEARING

- A. Ordinance 2014-13 An Ordinance Amending the Purchasing of Supplies and Services Code Related to the Disposal of Surplus Property.

This ordinance would streamline and modernize how the City and Borough deals with surplus property. It would remove from the Purchasing Code most of the administrative process requirements, while authorizing the City Manager to establish an administrative policy to administer and control the program.

This amendment also changes the section specifying when the Assembly must approve, by

resolution, a transfer of surplus property to a another governmental or non-profit organization by increasing the threshold property value from \$3,000 to \$50,000.

Finance Department staff developed an administrative policy for surplus property with an emphasis on utilizing web-based technology to communicate and facilitate the disposal process. The policy clarifies the departments' roles and responsibilities for disposal, and outlines procedures for how to manage the property until its final disposal. The policy incorporates the Code's original intent to dispose of surplus property by selling it to the highest bidder.

The Committee of the Whole reviewed the revised Code and administrative policy at its April 14, 2014 regular meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

- B. Ordinance 2014-18(b) An Ordinance Amending the Personnel Management Code Relating to the Applicability of the City and Borough Personnel Rules to Bartlett Regional Hospital.

This ordinance would eliminate an inconsistency currently existing in the City and Borough Code relating to the applicability of Title 44.05, Personnel Plan, to the employees of Bartlett Regional Hospital. While the more specific Hospital Code at Title 40 provides that the personnel ordinances apply to hospital employees except to the extent modified by regulations issued by the hospital administrator pursuant to CBJ 01.60 and upon approval by the City Manager, CBJ 44.05.010, specifying the scope of the personnel code, exempts Bartlett Regional Hospital.

This ordinance also clarifies that partially exempt employees are not subject to the reduction in force personnel rule regulations.

Finally, version (b) of the ordinance, included in your packet, additionally makes clear that BRH's Chief Executive Officer and Chief Financial Officer are exempt for purposes of the pay plan, similar to the City Manager and City Attorney.

The proposed ordinance was presented as an informational item to the BRH Board's Executive Committee on April 7, 2014, and to the full BRH Board at its meeting on April 29, 2014.

The Manager recommends this ordinance be adopted.

- C. Ordinance 2014-22(b) An Ordinance Amending the City and Borough of Juneau Code Relating to Street and Sidewalk Vending.

This ordinance would amend the City and Borough Code relating to sidewalk and street vending. With respect to sidewalk vending, the ordinance would amend CBJ 42.20.210 to clarify that persons with sidewalk vending permits are exempt from the off-street solicitation provision. With respect to street vending, the ordinance would allow the use of both carts and vehicles, and would eliminate the prohibition against vending from parking spaces in certain areas.

As to both street and sidewalk vending permits, the ordinance would:

1. increase the monthly permit fee from \$100 to \$150 for sidewalk vending permits and from \$150 to \$200 for street vending permits;

2. allow a 25% increase in allowable vendor space size from 15 to 20 square feet;
3. require vendors to provide proof of “open flame” permits when appropriate; and
4. specify that goods handcrafted or characteristic of the heritage or culture of Southeast Alaskan Natives sold directly by the artist are one type of goods allowed to be sold with a permit.

The primary difference between version (b) of the ordinance, included in your packet, and the ordinance originally introduced is that the elimination of the street vending permit provisions, as was originally proposed, has been reversed. This version leaves the street vending permit provisions of the code intact, save for the changes identified above, as requested by the Committee of the Whole at its April 14, 2014 meeting.

The Manager recommends this ordinance be adopted.

D. Ordinance 2014-27 An Ordinance Amending the Penal Code Relating to Harassment.

This ordinance would amend the City and Borough code related to criminal harassment, by expanding the types of harassment prohibited to include harassment by electronic means. Currently, harassing another person by electronic means, such as texting, is only prohibited by State law. This amendment would bring the City and Borough code in line with the State statute. Additionally, this amendment would make it unlawful to threaten another with sexual contact, in addition to threatening physical injury, which is already prohibited.

The Human Resources Committee heard this ordinance at its April 7, 2014 meeting and recommended forwarding it to the full Assembly for approval.

The Manager recommends this ordinance be adopted.

E. Ordinance 2014-28(b) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Douglas Townsite, Block 46, Lots 1 and 1A, Located at Dock Street and 1st Street in Downtown Douglas, from Waterfront Industrial (WI) to D-18.

In January 2014, CDD received an application to rezone Lots 1 and 1A of Douglas Townsite Block 46, located at the Northeast corner of Dock Street and 1st Street, from WI (Waterfront Industrial) to D-18. On February 26, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area.

The size of the lots and the development proposed is similar to the surrounding area as there are currently multi-family and single-family developments in the surrounding D-18 neighborhood. Southeast across Dock Street is zoned WI. Southwest is zoned LC (Light Commercial).

The requested rezone conforms to CBJ Land Use Code requirements as follows:

1. The request is for less than 2 acres, and if approved will expand an existing D-18 zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the Land Use Maps of the 2013 Comprehensive Plan.

The Planning Commission heard this request at its March 25, 2014 meeting, and

recommended forwarding to the full Assembly for approval.

The version (b) included in your packet (which shows the tracked changes) revises the ordinance to address some redundancy in the "whereas" clauses and by simplifying some of the text.

The Manager recommends this ordinance be adopted.

- F. Ordinance 2013-11(AQ) An Ordinance Appropriating to the Manager the Sum of \$85,128 as Additional Funding for the 2012 State Homeland Security Programs; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

This ordinance would appropriate an additional \$85,128 for the 2012 State Homeland Security Programs (SHSP) Grant per Amendment 4 from the Alaska Department of Military and Veterans Affairs. Amendment 4 increases the grant budget from \$138,500 to \$223,628. This grant was originally adopted in FY13 with ordinance number 2012-12(X).

These funds would be used to support the goals and activities of the Emergency Management through funding of training, exercises and equipment purchases.

These items include:

Microwave Data Links for JPD/CCFR and 911 System (increase) = \$74,289.94

CCFR Mobile Data Terminals (new) = \$10,837.24

The term of this grant is October 1, 2012 through June 30, 2014.

There is no match requirement for this grant.

The Manager recommends this ordinance be adopted.

- G. Ordinance 2013-11(AR) An Ordinance Transferring \$37,692 of Unexpended FY13 Marine Passenger Fees from the General and Visitors Services Funds to the Open Space Waterfront Land Acquisition Capital Improvement Project.

This ordinance would transfer \$37,692 of unexpended Marine Passenger Fees (MPF) revenues budgeted for specific purposes in FY13 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 FY13 budget but were not fully expended by the end of FY13.

Downtown Business Association - Downtown Security Program	\$5,273
Seasonal BLS-EMS Transport Program	\$27,829
Juneau Convention & Visitors Bureau - Crossing Guard Program	\$4,591
Total:	\$37,692

For accounting purposes, the funds would first be refunded to the Marine Passenger Fee Fund and then transferred to the Open Space Waterfront Land Acquisition CIP.

The Manager recommends this ordinance be adopted.

H. Ordinance 2014-24(b) An Ordinance Appropriating Funds from the Treasury for FY15 City and Borough Operations

This ordinance would appropriate \$308,849,500 for the City and Borough of Juneau's FY15 operating budget, excluding the School District. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditure within the funds themselves. These transfers account for \$82,539,800 of the FY15 operating budget. Excluding the transfers and School District, the CBJ FY15 operating budget, debt service and capital projects is \$266,309,700.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

The Charter requires adoption by June 15, 2014.

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

I. Ordinance 2014-25(b) An Ordinance Appropriating Funds from the Treasury for FY15 School District Operations

This ordinance would appropriate to the School District an FY15 operating budget of \$158,373,800. The FY15 school budget is supported with a combination of funding sources that includes local funding of \$24,904,400. This consists of \$24,526,900 for general operations, \$172,500 for student activities, \$70,000 for pupil transportation, and \$135,000 for Community Schools. The \$24,526,900 in general operating support is an increase in funding of \$392,500 over FY14. This amount is directly offset in a reduction in funding to student activities outside of the CAP.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

J. Ordinance 2014-26(b) An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2014 for the Budget for Fiscal Year 2015

This ordinance establishes the mill rates for property taxes for 2014, which funds the City and Borough of Juneau's FY15 operating budget. The Charter requires the assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY15 Budget that has been reviewed by the Assembly Finance Committee. The Assembly Finance Committee approved a motion on May 7, 2014 to move these proposed mill rates on to the Assembly for action on May 19, 2014.

This ordinance would adopt a total mill levy of 10.76, 9.26 mills for operations and 1.50 mills for debt service, This is a reduction of 0.44 mills from the originally introduced ordinance; the components of which are:

Area

Introduced Millage

Amended Millage

Roaded Service Area	2.25	2.20
Fire Service Area	0.47	0.42
Areawide -		
Operational	6.98	6.64
Debt Service	<u>1.50</u>	<u>1.50</u>
Total	11.20	10.76

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

- K. Resolution 2682(b) - A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2015 Through 2020, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2015.

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2015 through 2020, as required by Charter Section 9.4, and lists the capital projects that will be undertaken in FY 2015.

The Public Works and Facilities Committee (PWFC) reviewed the CIP at its meetings on February 6 and March 17, 2014, and forwarded the plan to the Finance Committee. The Planning Commission reviewed the CIP at its April 8, 2014 meeting, and submitted comments to the Assembly.

The Finance Committee reviewed the CIP Resolution 2682 at its April 9, 2014 meeting and revised Resolution 2682 on May 7th and recommended forwarding it to the full Assembly for approval.

Version “b” includes the following revisions:

Reduce Eaglecrest Lift/Mountain Operations Improvements by \$50,000 leaving a total of \$250,000; Reduce Public Works Streets Sidewalk and Stairway Repairs funding by \$50,000 leaving a total of \$100,000. Postpone Parks and Recreation Treadwell Arena Entrance Paving for \$100,000, Public Works- Water Cope Park Water Main Improvements for \$350,000, and Public Works Streets/Water/Sewer Front Street Douglas for \$500,000. Total reductions total \$1,050,000.

The Manager recommends this resolution be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

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

- A. Confidential Employee Matter
- B. Continuation of City Manager Evaluation

XVI. ADJOURNMENT

Note: Agenda packets are available for review online at www.juneau.org.

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@ci.juneau.ak.us

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 21 2014

MEETING NO. 2014-12: The Special Meeting of the City and Borough of Juneau Assembly, held in City Hall Conference Room 224 of the Municipal Building, was called to order at 5:30 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Karen Crane, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Carlton Smith, Kate Troll and Randy Wanamaker.

Assembly Absent: Mary Becker.

Staff Present: Kim Kiefer, City Manager

II. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

III. ASSEMBLY COMMENTS AND QUESTIONS

None.

IV. EXECUTIVE SESSION

A. City Manager Evaluation

Hearing no objection, the Assembly entered into executive session to conduct a performance evaluation for City Manager Kim Kiefer at 5:40 p.m. and returned to regular session at 6:44 p.m.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 6:45 p.m.

Signed:_____

Laurie Sica, Municipal Clerk

Signed:_____

Merrill Sanford, Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 23 2014

MEETING NO. 2014-13: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:30 p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mary Becker, Karen Crane, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Carlton Smith, Kate Troll and Randy Wanamaker.

Assembly Absent: None.

Staff Present: Kim Kiefer, City Manager; Amy Mead, Municipal Attorney; Rob Steedle, Deputy Manager; Bob Bartholomew, Finance Director; Bonnie Chaney, Budget Analyst.

II. SPECIAL ORDER OF BUSINESS

A. Determination of Amount to be made available from Local Sources for School Purposes.

Mayor Sanford asked if the amount of funding at \$24,134,400 was the minimum number. Ms. Kiefer said yes, this was the minimum the school district was funded last year.

Mayor Sanford asked if there was further information from the legislature, that would be provided to the Assembly in order to make any adjustments. Ms. Kiefer said that was correct.

Mr. Wanamaker asked for clarification of what the minimum amount that CBJ was legally required to fund the school district this year. Ms. Kiefer said the minimum required to be funded was \$12,964,800. The ordinance introduced was to fund the school district at the same amount as last year's funding.

Mr. Wanamaker said the ordinance that had been introduced had only been introduced and that number was not binding and did not set a binding number for funding. Ms. Kiefer said that was correct. Not knowing what would happen in the legislature, the recommended number was based on the funding amount provided the previous year.

Mr. Kiehl said the Assembly action at this meeting was to "provide a statement." Ms. Kiefer said that was correct. He asked what level of detail that statement needed to contain. Ms. Kiefer said that the Assembly needed to provide a number. Mr. Bartholomew said that the Assembly should identify what was the required amount and what might be outside of the cap. Ms. Kiefer said the amount recommended is to the cap last year and did not include the funding outside of the cap. Ordinance 2014-25 recommended \$24,134,400, which she recommended as the statement, and the funding outside of the cap was \$770,000.

Mr. Nankervis said the funding statement proposed was to the cap, not the minimum amount. Mr. Bartholomew said the cap had changed since last year. Last year, funding to the cap was \$24,134,400. The cap this year was slightly higher and it could change again due to action by the legislature. The policy for this 30-day period has been to set the minimum that the Assembly would provide for education for the foundation formula for this year, and if the Assembly wanted to increase that amount, subsequent to this action, the Assembly could do that. That had been the

policy and that was confirmed by the state, that the 30-day requirement was to give the School District some guidance on what their funding would be. That was why this was setting the floor of what would be provided this year. The floor for funding for this year was determined by taking the total amount provided last year. The \$24,134,400 was slightly less than this year's funding to the cap, that was \$24,327,600. Mr. Bartholomew said the only number the Assembly could not go below was \$12,964,800.

Ms. Troll said this did not prohibit the ability of the Assembly to fund more "to the cap" - the additional \$193,000 that the school district requested. Ms. Crane said that was correct, but the legislature had not decided Senate's proposal that raised the minimum mill rate that the city would have to put in. That could be an additional \$750,000 per year. Until the Assembly knew the outcome, it needed to be cautious.

Mr. Kiehl said it was worthwhile to move forward to set the cap amount as it was currently calculated. If we reduced, we would reduce the amount outside of the cap. To prevent the cuts in teachers, there was value to be a community that funded to the cap.

Mr. Wanamaker said he was not willing to support \$24,134,400. The city had a \$13 million budget shortfall and had not tackled where the funds would come from. Knowing that the legislature would set a new funding formula and knowing that CBJ would probably have to increase the required contribution, he thought it was prudent to fund less than the cap last year. He proposed \$1 million below that knowing that the legislature would make changes and there were other commitments to the community. He said the school's budget had a lot of stuff in it and needed to focus on students. It was not what the budget task force worked on and recommended as community members.

Ms. Becker said she thought the manager's proposal included a \$200,000 reduction. Ms. Kiefer said that was the difference of last year's budget and this year's proposed budget. She rounded from \$193,200 to \$200,000. She did not state that it was inside or outside of the cap. If the Assembly went forward with the number provided by the manager, it did not include the extra \$200,000. It was \$200,000 less than what the district requested this year.

Mr. Nankervis preferred to obligate only to the \$12 million, but that was likely not realistic. He did not want to paint the Assembly into a corner. The Assembly had looked at a 5% cut to all other departments. We could do the same here and revisit it in the future.

Mr. Kiehl said the foundation formula was very complicated and it needed to be clear that if the proposal before the legislature to increase the required effort passed, that would not necessarily require the Assembly to "write a bigger check" if we set our funding level at the level last year or at the new cap. The school district had for the last three years taken fixed costs out of its budget in a way the CBJ general fund has not. Their health care cost increases have come from a flat dollar amount and the cuts have been deep and real already. The JSD has had a three year austerity program already.

Mr. Wanamaker asked what the number would be if the cap from last year was reduced with a 5% reduction. Mr. Bartholomew said it would be \$22,927,680. Mr. Wanamaker said a 5% across the board reduction had been asked of city departments. The school district needed to share in the overall cost cutting.

Ms. Troll said the school district had been making major cuts while the city services had been holding the line and the district had done its part to have a fiscally prudent administration. The

Assembly should thank the Board for their work. She wanted to maintain the level recommended by the manager, and wanted to find ways to fund to the new cap.

Mayor Sanford said general government had layed off many positions and cut the budget as well, and comparisons did not need to be made. Ms. Kiefer said that CBJ cut a quarter million from the budget and had 16 FTE's that were removed from the budget for the last two years and additional position eliminations were recommended this year.

Ms. Becker said CBJ had not cut real people, just had not filled vacant positions, but the school district had cut real people and the students were in higher class sizes and that was with funding outside of the cap. It was impossible for the school district to keep up with the cost of living without having additional money from the state. If CBJ cut another million it would be very difficult and this is a community that supported education.

Mayor Sanford reiterated that the statement to the school was a minimum that could be worked up from.

MOTION, by Smith, to accept the manager's recommendation to set the amount of local funding to be provided to the school district at \$24,134,400.

Mr. Wanamaker objected for the reasons he previously stated.

MOTION, to amend, to reduce the amount by \$1 million, to \$23,134,400.

There were several objections voiced.

Roll call on the amendment:

Aye: Nankervis, Wanamaker

Nay: Becker, Jones, Troll, Smith, Crane, Kiehl, Sanford

Motion failed, 2 ayes, 7 nays.

Mr. Wanamaker maintained his objection on the main motion.

Roll call on the main motion:

Aye: Becker, Crane, Troll, Kiehl, Jones, Smith, Sanford

Nay: Nankervis, Wanamaker

Motion passed, 7 ayes, 2 nays.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

IV. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Nankervis said the Law Department would provide a second draft version of the Wireless Communication Facility ordinance to CDD and on Thursday, May 8, the Planning Commission would hold a special meeting and following that it would be submitted to the Assembly.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 6:03 p.m.

Signed:_____

Laurie Sica, Municipal Clerk

Signed:_____

Merrill Sanford, Mayor

CBJ Special Assembly Meeting

April 23, 2014

CBJ Funding for Education

Prior to any changes from the State Legislature

	<u>Ordinance 2014-25</u>	<u>March 28, 2014 SD Request</u>	<u>Difference</u>
State law required minimum local contribution	\$ 12,964,800	\$ 12,964,800	
Additional CBJ funding per the State Foundation Funding Formula	<u>11,169,600</u>	<u>11,362,800</u>	<u>193,200</u>
Subtotals *	24,134,400	24,327,600	193,200
CBJ Funding outside the CAP	<u>770,000</u>	<u>770,000</u>	<u>-</u>
Totals	<u><u>\$ 24,904,400</u></u>	<u><u>\$ 25,097,600</u></u>	<u><u>193,200</u></u>

* Ordinance 2014-25 provides FY15 funding at the same level as FY14. This amount is \$193,200 below statutorily allowed funding CAP.

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 28 2014

MEETING NO. 2014-14: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00p.m. by Mayor Merrill Sanford.

I. ROLL CALL

Assembly Present: Mayor Merrill Sanford, Deputy Mayor Mary Becker, Randy Wanamaker, Karen Crane, Jesse Kiehl, Jerry Nankervis, Carlton Smith, Kate Troll, and Loren Jones.

Assembly Absent: None.

Staff Present: Amy Mead, City Attorney; Kim Kiefer, City Manager; Rob Steedle, Deputy City Manager; Beth McEwen, Acting Clerk; Bob Bartholomew, Finance Director; Rorie Watt, Engineering Director; Patty delaBruere, Airport Manager; Carl Uchytel, Port Director; Brent Fischer, Parks and Recreation Director; Myiia Wahto, Recreation Superintendent; Kathrin Millhorn, Aquatics Manager

II. SPECIAL ORDER OF BUSINESS

Mayor's Agenda Change: Mayor Sanford requested the Assembly to approve the following change to the agenda/rules of procedures. He explained that since there were 30 people signed up to testify on one or more of the three budget related ordinances, he would ask the Clerk to read the title of all three ordinances 2014-24, 2014-25, and 2014-26, have the City Manager give the manager's report for all three, and then open public testimony for all three ordinances concurrently. *There being no objection, the Mayor's agenda change was approved.*

A. Delta Air Lines Representative - Mike Medeiros, Vice President, SEA Delta

Mr. Medeiros said Delta and the Juneau Community had a special relationship when Delta was here previously. They are excited to start their summer service on May 29 with two 757 planes a day; one arriving in the evening and one in the morning. They see this as helping connect Juneau to the rest of the world with one stop in Seattle with connecting flights to Europe, Asia, Latin America, or anywhere around the globe. He thanked CBJ for its hospitality, especially the Airport staff. He said, after speaking with members of the community in the audience, Delta would like to offer CBJ a \$10,000 donation to help keep the Augustus Brown Swimming Pool open and operating.

Assemblymembers thanked Mr. Medeiros and said they would take Delta up on the \$10,000 donation.

III. APPROVAL OF MINUTES

A. April 7, 2014 Regular Assembly Meeting 2014-11

Ms. Becker noted a correction on page 16. *Hearing no objection, the minutes of the April 7, 2014 regular Assembly meeting 2014-11 were approved with correction.*

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VI. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION by Ms. Becker to adopt the consent agenda. *Hearing no objection, it was so ordered.*

1. Ordinances for Introduction

- a. Ordinance 2013-11(AQ) An Ordinance Appropriating to the Manager the Sum of \$85,128 as additional Funding for the 2012 State Homeland Security Programs; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

This ordinance would appropriate an additional \$85,128 for the 2012 State Homeland Security Programs (SHSP) Grant per Amendment 4 from the Alaska Department of Military and Veterans Affairs. Amendment 4 increases the grant budget from \$138,500 to \$223,628. This grant was originally adopted in FY13 with ordinance number 2012-12(X).

These funds would be used to support the goals and activities of the Emergency Management through funding of training, exercises and equipment purchases.

These items include:

Microwave Data Links for JPD/CCFR and the 911 System (increase) = \$74,289.94

CCFR Mobile Data Terminals (new) = \$10,837.24

The term of this grant is October 1, 2012 through June 30, 2014.

There is no match requirement for this grant.

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

- b. Ordinance 2013-11(AR) An Ordinance Transferring \$37,692 to the Open Space Waterfront Land Acquisition Capital Improvement Project, the funding source is unexpended FY13 Marine Passenger Fees from the General and Visitor Services Funds

This ordinance would transfer \$37,692 of unexpended Marine Passenger Fees (MPF) revenues budgeted for specific purposes in FY13 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 FY13 budget but were not fully expended by the end of FY13.

Downtown Business Association - Downtown Security Program	\$5,273
Seasonal BLS-EMS Transport Program	\$27,829
Juneau Convention & Visitors Bureau - Crossing Guard Program	\$4,591
Total:	\$37,692

For accounting purposes, the funds would first be refunded to the Marine Passenger Fee Fund and then transferred to the Open Space Waterfront Land Acquisition CIP.

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

- c. Ordinance 2014-13 An Ordinance Amending the Purchasing of Supplies and Services Code Related to the Disposal of Surplus Property.

This ordinance would streamline and modernize how the City and Borough deals with surplus property. It would remove from the Purchasing Code most of the administrative process requirements while authorizing the City Manager to establish an administrative policy to administer and control the program. This amendment also changes the section specifying when the Assembly must approve, by resolution, a transfer of surplus property to a another governmental or non-profit organization, by increasing the threshold property value from \$3,000 to \$50,000.

Finance Department staff developed an administrative policy for surplus property with an emphasis on utilizing web-based technology to communicate and facilitate the disposal process, while maintaining property control throughout the process. The policy clarifies operating departments' roles and responsibilities for disposal, and outlines procedures for how to manage the property until its final disposal. The policy incorporates the Code's original intent to dispose of surplus property by selling it to the highest bidder.

The Committee of the Whole reviewed the revised Code and administrative policy at its April 14, 2014 regular meeting, and recommended forwarding 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 2014-18 An Ordinance Amending the Personnel Management Code Relating to the Applicability of the City and Borough Personnel Rules to Bartlett Regional Hospital.

This ordinance would eliminate an inconsistency currently existing in the City and Borough Code relating to the applicability of Title 44.05, Personnel Plan, to the employees of Bartlett Regional Hospital.

While the more specific Hospital Code at Title 40 provides that the personnel ordinances apply to hospital employees except to the extent modified by regulations issued by the hospital administrator pursuant to CBJ 01.60 and upon approval by the City Manager, CBJ 44.05.010, specifying the scope of the personnel code, exempts Bartlett Regional Hospital.

In addition, this ordinance clarifies that partially exempt employees are not subject to the reduction in force personnel rule regulations.

The proposed ordinance changes have been reviewed with the Bartlett Regional Hospital Board of Directors.

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

- e. Ordinance 2014-27 An Ordinance Amending the Penal Code Relating to Harassment.

This ordinance would amend the City and Borough code related to criminal harassment, by expanding the types of harassment prohibited to include harassment by electronic means. Currently, harassing another person by electronic means, such as texting, is only prohibited by State law. This amendment would bring the City and Borough code in line with State law. Additionally, this amendment would make it unlawful to threaten another with sexual contact, in addition to threatening physical injury, which is already prohibited.

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

- f. Ordinance 2014-28 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Douglas Townsite, Block 46, Lots 1 and 1A, Located at Dock Street and 1st Street in Downtown Douglas, from Waterfront Industrial (WI) to D-18.

In January 2014, an applicant applied to have Lots 1 and 1A, Douglas Townsite Block 46, located at the Northeast corner of Dock Street and 1st Street, rezoned from WI (Waterfront Industrial) to D-18. On February 26, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area.

The size of the lots and the development is similar to the surrounding areas, both as currently zoned and as proposed. The area surrounding the lots at issue are either zoned D-18 or WI. There are multi-family and single-family developments in the D-18 neighborhood and the proposed rezone would be consistent with the neighborhood and the rest of the block zoned D-18. Southeast across Dock Street is zoned WI. Southwest is zoned LC (Light Commercial).

The requested rezone conforms to CBJ Land Use Code requirements as follows:

1. The request is for less than 2 acres, but if approved will expand an existing D-18 zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the Land Use Maps of the 2013 Comprehensive Plan.

The Planning Commission heard this request at its March 25, 2014 meeting, and recommended forwarding 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 2681 A Resolution De-appropriating the Sum of \$139,900 General Fund Funding Appropriated to the School District for Fiscal Year 2014 Operating Budget.

This resolution would de-appropriate \$139,900 in local funding for School District FY14 general operations. The School District has determined that the amount of general operating funds provided by the CBJ for FY14, \$24,134,400, exceeds the maximum amount allowed under the State funding formula due to lower than anticipated student enrollment. The School District is requesting that the City reduce the District's FY14 funding support by the \$139,900.

The Manager recommends adoption of this resolution.

- b. Resolution 2687 A Resolution De-Appropriating \$185,063 From the Auke Bay Loading Facility, Phase II, Capital Improvement Project.

This resolution would de-appropriate \$185,063 in Transportation Investments Generating Economic Recovery (TIGER) Discretionary grant funds previously budgeted to the Auke Bay Loading Facility, Phase II Capital Improvements Project (CIP).

Ordinance 2009-08(AK) appropriated a \$3,640,000 grant from the TIGER grant program as funding for the Auke Bay Loading Facility, Phase II CIP.

The Auke Bay Loading Facility TIGER Grant is now closed. This resolution will close the project.

The Docks and Harbors Board reviewed this resolution at its April 24, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends adoption of this resolution.

3. Bid Award

- a. Bid Results E14-051 Mendenhall Valley Public Library

This project consists of construction of the Mendenhall Valley Public Library, an approximately 20,600 square foot facility on an unimproved site at Dimond Park. Site construction work includes: earthwork, site improvements, utilities, lighting, landscaping, paving, geothermal loop field, signage, and construction of building.

Additive alternate no. 2 includes all work associated with furnishing and installing a metal roof in lieu of PVC membrane roof. Additive alternate no. 3 includes all work associated with furnishing and installing spandrel glazing in lieu of metal wall system.

The bidders were as follows:

<u>Bidders</u>	<u>Total Bid</u>
Dawson Construction, Inc.	\$11,047,000
Cornerstone General Contractors, Inc.	\$11,664,992
ASRC McGraw Constructors, LLC	\$12, 284,000

Architect's Estimate: \$10,300,000

The Manager recommends award of the base bid and additive alternate no. 2 and 3 to Dawson Construction, Inc. for a total award amount of \$11,031,000.

b. Bid Results E14-188 Centennial Hall Roof Replacement

This project would include removal of the existing roof system down to the structural roof deck; installation of a sloping insulated fully-adhered single-ply roof membrane system over the existing structural roof deck; associated sheet metal flashings and trim; extending plumbing vents through roofs; roof drainage work; removal and reinstallation of mechanical roof caps and exhaust fan on insulated curbs; and related work required for a complete installation.

Bids were as follows:

<u>Bidders</u>	<u>Total Bid</u>
North Pacific Erectors, Inc.	\$1,440,000
DayNight Construction, Inc.	\$1,450,069
Coogan Construction Co.	\$1,495,000
Earhart Roofing Company, Inc.	\$1,512,000
EP Roofing, Inc.	\$1,623,426
Silver Bow Construction	\$1,692,000
Wolverine Supply, Inc.	\$1,694,000

Architect's Estimate \$1,102,399

The Manager recommends award of this project to North Pacific Erectors, Inc. for the total bid amount of \$1,440,000.

4. Transfers

- a. T-953 Transfer of \$20,984 in DEC grant funds from West Juneau Sewer to Lawson Creek Lift Station Replacement Capital Improvement Project.

T-953 transfers \$20,984 of Alaska Department of Environmental Conservation (ADEC) Grant funding from the completed West Juneau Sewer Capital Improvement Project (CIP) to the existing Lawson Creek Lift Station Replacement CIP.

The West Juneau Sewer CIP is completed and this transfer would move the remaining ADEC Grant funding to the Lawson Creek Lift Station CIP so it can be fully expended and the ADEC Grant can be closed.

The CBJ has received ADEC approval to apply this remaining Grant funding to the Lawson Creek Pump Station replacement project.

Transfer From

U76-005	West Juneau Sewer	\$20,984
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Transfer To

U76-003	Lawson Creek Lift Station Replacement	\$20,984
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The Public Works and Facilities Committee reviewed this request at its April 14, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends approval of this transfer.

VII. PUBLIC HEARING

- A. Ordinance 2013-11(AP) An Ordinance Appropriating to the Manager the Sum of \$50,000 as Funding for the State of Alaska's Brotherhood Bridge Project; Funding Provided by Alaska Department of Transportation.

This ordinance would appropriate \$50,000 from the Alaska Department of Transportation (DOT) for the inspection of the waterline replacement necessary due to the State of Alaska's Brotherhood Bridge replacement project.

DOT has requested that CBJ inspect the water line replacement that is part of the Brotherhood Bridge Replacement Project. DOT will pay CBJ for staff time and an inspection consultant to ensure the work is completed to CBJ specifications. If the work requires more inspection than the \$50,000 initially provided, DOT will provide additional funds to cover the expense.

The Public Works and Facilities Committee reviewed and approved this request at its March 24, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends adoption of this ordinance.

Public Comment: None

*ASSEMBLY ACTION: **MOTION** by Ms. Crane to adopt Ordinance 2013-11(AP). Hearing no objection, it was so ordered.*

- B. Ordinance 2014-16 An Ordinance Amending the Land Use Code Relating to Lands Available for Leasing.

This ordinance would clear up an ambiguity in the CBJ Code related to the leasing procedure used for CBJ property.

CBJ 53.20.020 provides that no CBJ property may be leased unless the Assembly has declared the property to be available for leasing either by resolution or by identifying it in the land management plan, unless the lease is specifically authorized by ordinance.

CBJ 53.09.260 allows for an exception to the general leasing procedure upon application by an interested person or business, and final approval by the Assembly by ordinance.

This ordinance clarifies that CBJ 53.09.260 is an exception to the general

leasing procedure codified in CBJ 53.20.

The Lands Committee unanimously adopted a motion supporting this Code change at its March 24, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The Manager recommends adoption of this ordinance.

Public Comment: None

ASSEMBLY ACTION: MOTION by Mr. Smith to adopt Ordinance 2014-16. *Hearing no objection, it was so ordered.*

- C. Ordinance 2014-23 An Ordinance Approving the Creation of Local Improvement District No. 60 to Improve the Roadways Within Tanner Terrace Subdivision.

This ordinance would create Local Improvement District No. 60, for the purpose of improving the roadway in Tanner Terrace Subdivision by replacing the gravel roadway with asphalt pavement; installing sidewalks, gutters and curbs; and improving the water, sewer and underground storm drainage systems. Tanner Terrace Subdivision is located in Auke Bay, and consists of Bayview, Seaview and Cross Streets. The total cost of the project is estimated to be \$1,000,000. \$933,400 was appropriated with FY14 CIP – R72-065 Tanners Terrace LID. The remaining \$66,600 would come from assessments against the properties to be benefitted. The proposed assessment per lot is \$3,700.

An informal poll was conducted of the property owners in this proposed LID area. Out of a total of fifteen, six responses were received. Six responded in favor, with none opposed.

Notices were published in the newspaper and sent to residents in the LID area so they would be aware that this ordinance would be introduced on April 7, 2014, and the public hearing held on April 28, 2014. The notices informed property owners that they would have this opportunity to make their views known to the Assembly.

At the public hearing the Assembly shall hear objections from any owner affected by the formation of the district and may make changes in the proposed boundaries or in the plans for the proposed improvements. The Assembly may not change the boundaries of the district to include property not previously included without first giving new notice to owners in the manner and form and within the time provided for the original notice.

The Manager recommends adoption of this ordinance.

Public Comment:

A woman living on Harbor Way said she often drove around wondering how the city determined where the improvements were to be made.

Ms. Kiefer gave an overview of the review and analysis process done by the CBJ Streets Division and the CIP process that is reviewed and approved by the Assembly.

Mayor Sanford encouraged the speaker to connect with the City Manager's office for additional information if she is interested the process.

ASSEMBLY ACTION: MOTION by Mr. Wanamaker to adopt Ordinance 2014-23.

Mr. Kiehl asked why one of the assessments was four times the amount as the other units. Mr. Watt came forward and explained that there is one property that consists of four legal lots which has multi-unit apartments on it but for purposes of taxation, the assessor assigns it fewer parcel code numbers. They gave it the same assessment as all the other lots but it looks different because the taxation numbering system is not the same as the legal lot numbering.

Hearing no objection, the motion carried.

D. Ordinance 2014-24 An Ordinance Appropriating Funds from the Treasury for FY15 City and Borough Operations.

This ordinance would appropriate \$307,406,400 for the City and Borough of Juneau's FY15 operating budget, excluding the School District. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditure within the funds themselves. These transfers account for \$81,927,900 of the FY15 operating budget. Excluding the transfers and School District, the CBJ FY15 operating budget, debt service and capital projects is \$225,478,500.

The Charter requires that a public hearing be held on the FY15 operating budget by May 1, 2014, and adoption by June 15, 2014.

The Manager recommends holding the charter required public hearing for this ordinance, followed by referral to the Assembly Finance Committee for further review.

As noted under Special Order of Business, Mayor Sanford changed the order of business for Ordinances 2014-24, 2014-25, and 2014-26 such that the Clerk read all three titles, the City Manager gave her manager's report for all three ordinances, then public testimony for all three ordinances was taken up concurrently.

Public Comment:

Steve Brockman: Glacier Swim Club (GSC) President, Mr. Brockman spoke on behalf of the 250+ member Glacier Swim Club ranging in age from 5 years to 50+ years old. Mr. Brockman suggested the strongest strategy for keeping both pools open may be to create an empowered board to run both pools and with a clear charter identifying areas for increased efficiencies. He asked GSC member Andyn Mulgrew Truitt to hand in a petition to the Assembly on which they collected approximately 860 signatures in support of keeping the Augustus Brown (AGB) swimming pool open.

Bill Leighty: Mr. Leighty spoke in support of keeping the AGB pool open and suggested he would like to see higher fees charged and that the Assembly rescind the \$3 million employee pay increase and institute a holiday from the Senior Sales Tax Exemption. Mr. Leighty distributed a pie chart to the Assembly members regarding the expenses of the pools.

Mark Halsted: Mr. Halsted spoke in support of keeping the AGB pool open and suggested the Assembly look elsewhere in its budget for gross overspending such as the Park Ranger position and the emptying of dumpsters at 5am at the Douglas Harbor every day.

Wilma Kirkpatrick: Ms. Kirkpatrick spoke in support of keeping the AGB pool open as the only public exercise facility for seniors in the downtown area and a must for children who need to

learn how to swim.

Daniel Cornwall: Mr. Cornwall spoke in support of the mil levy increases proposed in Ordinance 2014-26. He said his personal priorities included support of the pools, libraries, museum and ideally a better bus service. He said he understands that services have to be paid for and was grateful to the City Manager for proposing the mil levy increase and he suggested that be the floor amount and to possibly consider the cuts in the budget to be supplemented by an additional mil levy increase.

Lorene Palmer: Ms. Palmer spoke on behalf of the Juneau Chamber of Commerce (JCC) and its Government Affairs Committee. Ms. Palmer stated that the JCC has approximately 400 members and on Friday they conducted a quick survey relating to the CBJ budget and received 100 survey responses within 24 hours. The survey results were 2:1 against tax increases. Ms. Palmer referred Assemblymembers to the JCC letter of March 26 and reiterated that the Chamber is opposed to supporting the level of funding in the proposed budget and suggests CBJ reorganize its operations to keep from having to increase taxes.

Lance Stevens: Mr. Stevens is the JCC President-Elect and spoke on behalf of the Chamber. He said that JCC believes CBJ is on an unsustainable financial path and serious reconsideration of what and how CBJ provides essential services in the community is required before raising taxes. Mr. Stevens encouraged the city to look at the totality of rate increases including the mil levy increase, the recent increase in property valuation, the proposed utility rate increases and understand how all those rate increases will have an adverse effect on residents and businesses. He said Kensington and Greens Creek Mines will see increases well above \$30,000, not to mention that 5 out of 10 of the top property tax payers are grocery stores and those increased taxes will result in those increases being passed along to the residents.

Mayor Sanford asked Mr. Stevens to provide copies of the survey and comments to the Assembly.

Ms. Troll said they are working on trying to come up with a variety of ways to balance the budget and asked if Mr. Stevens thought the Chamber would be willing to consider some tax increases if some of the other cuts/revenue increases were balanced out with them. Mr. Stevens said he would have to see the proposals before commenting.

Denny DeWitt: Mr. DeWitt is the Executive Director of First Things First and said they encourage the Assembly to look at CBJ staffing issues and look at consolidating departments and functions and make meaningful cost cuts. He stated that the recent negotiated labor contracts are what put the city in this situation and he recommend the Assembly combine the two pools and Treadwell arena under an empowered board and to cease all new construction and redirect the priorities to basic building maintenance.

Robert Storer and Rosemary Hagevig: Mr. Storer and Ms. Hagevig spoke together as representatives of the Aquatic Facilities Advisory Board (AFAB) and referred the Assemblymembers to the recent letter sent by the board. At the AFAB's most recent meeting, they had 20 members of the public present speaking in support of keeping the AGB pool open and the board passed two motions at that meeting: 1) To recommend the Assembly work with the Law Department to create an empowered board overseeing the pools; and 2) To request that when the Assembly is entertaining cuts to the pools that they have the lowest impact on patrons and also asked the Assembly to allow the AFAB to give their input before finalizing any such cuts. Mr. Storer said he will send a copy of the draft minutes from that board meeting to the Assembly

so they can see all of the information.

Jim Carroll: Mr. Carroll, a 48-year Juneau resident, said he raised five children in Juneau and they all learned to swim at the AGB pool. Speaking only for himself, he said that he would be willing to pay more to keep the pool open but how much more, may be another issue. He said he hopes the Assembly finds a way to keep the pool open as it is open more days in the year than City Hall.

Jennifer Ward: Ms. Ward spoke in support of keeping the AGB pool open. She has a 7 year old daughter and has taken her to the AGB pool since she was an infant where she learned how to swim. It is a necessity for the children of Alaska to learn how to swim and she would be willing to pay more for use of the pool and would support an empowered board.

Karen Lawfer: Ms. Lawfer spoke in favor of keeping the AGB pool open on behalf of Juneau Special Olympians. She explained that the Special Olympic group has to contend for space with all other user groups and they already have a hard time scheduling use of the pools when both pools are in operation.

Vicki Wilcox: Ms. Wilcox said she is a board member of the Glacier Swim Club and that the swim club represents more than just the swimmers, it represents the families in Juneau. Ms. Wilcox spoke in support of keeping the AGB pool open and advocated for the creation of an empowered board to manage the pools.

Dan Wayne: Mr. Wayne stated that he felt the pool facilities are ones that government should have to provide for safety of Alaskans who live surrounded by water. Mr. Wayne spoke in favor of looking at additional property taxes as well as reviewing the sales tax exemptions to find the money for the budget.

Greg Fisk: Mr. Fisk spoke as a pool user as well as a member of the Downtown Business Association (DBA). Mr. Fisk referred the Assembly members to a letter he recently sent stating that the current method used for determining “in kind” dollars from the school district gives an incorrect picture of how the expenses and revenues for the two pools are analyzed. He also stated that from the DBA standpoint, there has been much talk about supporting downtown revitalization and the AGB pool is an amenity in the downtown area that helps attract real estate developers and others to live in the downtown area.

Dixie Hood: Ms. Hood spoke in support of education funding to the cap, the new valley library, and the expansion of the Capital Transit plan to include holiday services. She said there is a need for the parks and recreation programs and felt the property tax increase is appropriate and should in fact be larger.

Jim Wykoff: Mr. Wykoff, a local pharmacist, spoke in favor of keeping the AGB pool open for the health benefits it provides to the community.

Jim Ustasiewski: Mr. Ustasiewski said he lives in North Douglas on Horizon Drive and has to drive 17 miles from his home to use the valley pool. He is a swimmer, member of GSC, and he competes in triathlons. He said he tries to swim 4-6 times per week and spoke in support of keeping the AGB pool open.

Mary Graham: Ms. Graham spoke in support of keeping the AGB pool open. Ms. Graham said

she took up swimming regularly at AGB in the last three years and if she were to do that same amount of swimming at the valley pool, it would cost her an additional \$100 in gas monthly. She said she would be willing to pay more for a yearly pass at AGB. She also spoke in favor of keeping the AGB open to help support downtown development.

MacLean Tiffany: Mr. Tiffany spoke in support of the pools and swimming as a healthy alternative for young people to counteract the options of drugs and alcohol which in 2010 was reported to have cost the state \$1.2 billion. He suggested additional promotional materials and marketing might help increase pool usage and make a real difference in young people making healthy lifestyle habit choices.

Justina Starzynski: Ms. Starzynski, a North Douglas resident, spoke on behalf of herself, her sister who is on disability, and an elder friend. She explained that the doctor has said that the only thing that can help her sister is exercise and the only exercise she can do is in the pool. Ms. Starzynski said she is a single mother working two full time jobs as well as helping her sister and her elder friend go swimming and she has limited resources for money and time and asked the Assembly to keep the AGB pool open.

Representative Sam Kito III: Mr. Kito said he was testifying in his role as a community member, parent of a GSC swimmer, and a swimmer himself. He uses the downtown pool 2-3 times per week and the valley pool once a week. He encouraged the Assembly to keep the AGB pool open and that if it was closed, he was afraid that it may be looked at for future demolition. He said one of the things that drew him to move to Juneau in 1991 was the quality of life and the pool is one of those services that increase that quality of life.

Marjorie Hamburger: Ms. Hamburger said her family lives, works, and goes to school downtown. Her job at the City Museum is one of the jobs being proposed for elimination. She said that her job serves the tourist industry as well as the students and she hoped the decision to eliminate positions or not could be made by the Department Directors or Division Heads. She also spoke in favor of keeping the AGB pool open as she is concerned that swimming is one of the few choices available for PE classes and is the only choice available for students who are disabled and unable to participate in other PE classes.

Kathleen Jensen: Ms. Jensen spoke in favor of keeping the pool open for use by those persons who are in physical therapy. She said people in braces and needing physical therapy cannot make use of Eaglecrest or skating facilities but swimming is a #1 recommendation by physical therapists.

Chris Krenz: Mr. Krenz spoke in favor of increasing the mil rate and in favor of keeping both pools open. He is a master swimmer and said that prior to the second pool opening, the master swimmer program was only marginal but since both pools were open, they have a chance to train and compete as master swimmers.

Patricia Morgan: Ms. Morgan said she runs the 4th grade Learn to Swim Program for the Juneau School District. She said she spoke with Petersburg, Sitka, and Ketchikan pools and that Petersburg's school district teaches PE classes alternating one week of PE with one week of swimming throughout the school year and that Ketchikan and Sitka do very similar schedules. Ms. Morgan said she watched a young man drown in Haines and it was the worst day of her life. She emphasized the need for children to learn how to swim and the importance of keeping the pools open.

Maureen Longworth, MD: Dr. Longworth said having the pool downtown is priceless for seniors, children, youth, and the disabled. She said that 18 months ago she became disabled and this pool has been her lifeline and if the AGB pool closed, she would have to move away from Juneau. She also spoke in favor of better bus service. She said there are many events she would attend in the evenings if there were better alternative transportation options.

ASSEMBLY ACTION: Mayor Sanford closed public testimony on Ordinances 2014-24, 2014-25, and 2014-26 and asked for Assembly action.

MOTION by Mr. Kiehl to refer Ordinance 2014-24 to the Assembly Finance Committee for additional review. *Hearing no objection, the motion passed.*

- E. Ordinance 2014-25 An Ordinance Appropriating Funds from the Treasury for FY15 School District Operations.

This ordinance would appropriate to the School District an FY15 operating budget of \$95,915,700. The FY15 school budget is supported with a combination of funding sources that includes local funding of \$24,904,400. This consists of \$24,134,400 for general operations, \$565,000 for student activities, \$70,000 for pupil transportation, and \$135,000 for Community Schools. The \$24,134,400 in general operating support is the same level of funding as provided in FY14, and is \$200,000 less than the maximum amount allowed under the State's Education Foundation Funding Formula.

State Statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission.

On April 23rd, the Assembly approved funding the School District under the State Education Foundation Fund Formula at \$24,134,400.

The Manager recommends holding the charter required public hearing for this ordinance, followed by referral to the Assembly Finance Committee for further review.

Public Comment: [See above under Ordinance 2014-24.]

ASSEMBLY ACTION: MOTION by Ms. Becker to refer Ordinance 2014-25 to the Assembly Finance Committee for additional review. *Hearing no objection, the motion passed.*

- F. Ordinance 2014-26 An Ordinance Establishing the Rate of Levy for Property Taxes.

This ordinance would establish the mill rates for property taxes for 2014, which funds the City and Borough of Juneau's FY15 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY15 Proposed Budget that is currently being reviewed by the Assembly Finance Committee. As part of the budget review process, the Assembly Finance Committee will review and recommend, to the Assembly, the final mill levies. The final mill levies must be adopted on or before June 15.

This ordinance proposes a total mill levy of 11.20.

The Manager recommends holding the charter required public hearing for this ordinance, followed by referral to the Assembly Finance Committee for further review.

Public Comment: [See above under Ordinance 2014-24.]

ASSEMBLY ACTION: MOTION by Mr. Wanamaker to refer Ordinance 2014-26 to the Assembly Finance Committee for additional review. Hearing no objection, the motion passed.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. Yankee Appeal of Planning Commission Decision in APL2013 0004

On March 20, 2014, the Planning Commission issued a final decision denying an appeal filed by Bill Yankee in the matter of APL2013 0004, regarding the construction of a fence in a “no-build structure setback.” Mr. Yankee filed a timely Notice of Appeal of this decision with the Municipal Clerk’s Office on April 9, 2014. The appellant, the homeowner whose fence is at the center of the dispute, and the Planning Commission have been advised that this matter is before the Assembly.

The Notice of Appeal and the Notice of Decision are in your packet. The Assembly is the appeal agency for this appeal, and its actions throughout the appeal process are governed by CBJ 01.50, the Appellate Code.

The Code requires that upon receiving an appeal, the Assembly must first decide whether to accept or reject it. The standards applicable to this decision are set out at CBJ01.50.030(e). You must liberally construe the notice of appeal in order to preserve the rights of the appellant. If, after doing so, you find that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If you decide to accept the appeal, you must then decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer.

If you decide to hear the appeal yourselves, you will be sitting in your quasi-judicial capacity and must avoid discussing the case outside of the hearing process. Additionally, you must comply with section 01.50.230 on Impartiality.

CBJ 01.50.230 Impartiality: The functions of hearing officers and those appeal agency members participating in decisions shall be conducted in an impartial manner with due regard for the rights of all parties and the facts and the law, and consistent with the orderly and prompt dispatch of proceedings. Hearing officers and appeal agency members, except to the extent required for the disposition of ex parte matters authorized by law, shall not engage in interviews concerning the appeal with, or receive evidence or argument on the appeal from, a party, directly or indirectly, except upon opportunity for all other parties to be present. Copies of all communications with a hearing officer or appeal agency member concerning the appeal shall be served upon all parties.

A memo from the Law Department on the issue of standing has been included in your packet. Because Mr. Yankee is not an aggrieved person with respect to this

case, he does not have standing to bring this appeal. For this reason, you may properly decline to accept the appeal.

ASSEMBLY ACTION: MOTION by Ms. Crane for the Assembly to decline to accept the appeal. Hearing no objection, the motion passed.

B. Regulation Airport Rates and Fees

In response to a projected budget deficit for FY15 and beyond, the Airport has adjusted its rates and fees to help offset the shortfall. Rates and fees are established through the Airport's financial model.

Rate increases are proposed for aircraft Fuel Flowage Fees and Airline Fee for Airport Security Screening. The anticipated increase to annual revenues for FY15 is \$126,867. A detailed description of the rates and fees regulation changes is addressed in the fiscal note accompanying the regulation.

The Airport received one (email) comment during the public comment period, open from March 14, 2014, through April 3, 2014. The Airport Board considered the comment at its April 9, 2014 meeting, and approved the proposed Rates and Fees Regulation (as presented) at that meeting. The Airport Rates and Fees Regulation changes are budgeted to take effect June 1, 2014.

ASSEMBLY ACTION: MOTION by Mr. Nankervis calling for Orders of the Day. Hearing no objection, the motion passed.

C. Donation of JPD Ambulance to City of Angoon

ASSEMBLY ACTION: MOTION by Mr. Wanamaker to request the City Manager prepare a resolution for the donation of the ambulance to the City of Angoon to be brought back to the Assembly for action. Hearing no objection, the motion passed.

X. STAFF REPORTS

A. Airport Supplemental for Passenger Loading Bridge

Ms. Kiefer reported that per CBJ Code requirement, she approved a supplemental agreement for the Airport allowing them to put in a passenger loading bridge needed for Delta. CBJ will be working with SECON to be able to do the work since SECON is already a contractor at the Airport. She has reviewed the information that was brought forward and she believes it is in the best interest of the city to move this forward. She reviewed the past contract with SECON as well as the other savings that CBJ would incur by having this supplemental directly with them. The cost associated with this supplemental will be less than the \$250,000 noted in city code.

Mayor Sanford asked if there was any Assembly action needed at this time. Ms. Kiefer said no Assembly action is needed, this is informational only just to let them know that she has approved this to move forward.

Mr. Kiehl asked what the source of the funds for the supplemental work would be. Ms. Kiefer asked Ms. delaBruere to answer that. Airport Manager delaBruere said they plan on forward funding this with a revolving account that will be reimbursed with FAA entitlement funds during Federal FY14. Mr. Kiehl asked what the approval timeline is from the FAA for those entitlement

funds. Ms. delaBruere said they already have a written approval from them but they now need to finish up by filing the grant paperwork and then get reimbursed through the entitlements.

XI. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Sanford reported that he met with one of Whitehorse's Councilmembers last week. He presented a book from their mayor to Mayor Sanford. Mayor Sanford said it was a much needed interchange between the two sister cities and although budgets are tight, he hopes to see if they can do some sister cities work with Whitehorse as he sees there are a lot of opportunities for economic development for both communities. He suggested the Assembly review this issue later on in the summer to see what they can do. Ms. Crane shared that the Whitehorse housing shortage is very similar to ours and would be a good topic of discussion to see if they have found any useful solutions that might benefit Juneau.

Mayor Sanford said he attended a meeting with Sen. Dennis Egan, Mr. Kiehl, and members of the Arctic Council from the federal government. They are looking at potentially bringing a convention to Juneau next year with approximately 250 people in attendance. Mr. Kiehl also commented that the U.S.A. will chair the Arctic Council for the next two years and will host four meetings during that time and Juneau is being considered as one of possible meeting locations. Mr. Kiehl said the Juneau delegation highlighted to the Council representatives that Juneau is the headquarters for the 17th Coast Guard District. He said they also discussed the import roles indigenous people play in the Arctic Council and that their meetings highlight the people and their cultures and he feels that Juneau has a lot to contribute in that area.

Mayor Sanford said he also welcomed 40 people from the Alaska Association of Fire and Arson Investigators who are here at JPD doing classroom and field work and learning how to indentify and investigate explosions and fires.

B. Committee Reports

Committee of the Whole: Ms. Becker reported that the COW met on April 14 and heard from the McDowell Group on the progress of the Economic Plan. They also heard from the housing group about the last building season and how things were working with permitting and suggestions for improvements to various parts of the housing matrix. They also received an update on the FEMA flood maps and that over 60 housing units have been removed from the flood zone and the LIDAR data was approved for use by FEMA. They approved sending letters to the Alaska State House and Senate concerning the governor's recommendation for the \$3 billion dollars being put into the retirement system. Those letters have been sent.

Public Works & Facilities Committee: Mr. Wanamaker reported that the next meeting is scheduled for May 5.

Human Resources Committee: Mr. Kiehl reported that the HRC meeting for April 28 had been cancelled so there has not been any HRC meetings since the last Assembly meeting.

Finance Committee: Ms. Crane reported that there is a Finance Committee meeting on Wednesday, April 30 and the packets were distributed to the members at the Assembly meeting.

Lands Committee: Mr. Smith said there is no report for the Lands Committee at this time.

C. Liaison Reports

Downtown Business Association: Liaison Jones reported that the Downtown Business Association (DBA) annual meeting is scheduled for May 7, 5-6pm. He said employees from all the downtown businesses and going on a walk treasure hunt through the rest of the downtown businesses to help familiarize them with the businesses and make them better ambassadors for Juneau. They will receive swag bags and end up at Tracy's Crab Shack for a meal. He also reported that he provided the DBA with a copy of the Sidewalk and Street Vendor ordinance that was referred back for additional review. He said that DBA has assigned it to one of their committees for additional review and they will send any comments to the City Manager before it comes back to the Assembly for approval.

Docks & Harbors Board: Liaison Jones reported that with respect to Docks and Harbors the following events are scheduled:

May 3 at 10am - Blessing of the Fleet

May 9 at 11am - Ribbon Cutting for the Cruise Ship Staging Area Completion including the Seawalk Expansion

May 10 at 8am - Docks and Harbors Board Strategic Planning Meeting

May 10 at 11am-5pm - Maritime Festival

May 12 - 65% Design Review for the Boat Ramp at Statter Harbor will be done and presented to the Auke Bay Planning Group at UAS that evening.

He said the other thing discussed at the Docks and Harbors Board meeting was a presentation by AEL&P requesting the Docks & Harbors to put a charging station for electric vehicles at the Douglas Harbor. There were a lot of questions about who owns the machines, who would be responsible for paying the electric bill etc... It was also mentioned that an agreement was being worked out with CBJ to have an electric car charger installed in one of the parking garages so Mr. Jones suggested Docks & Harbors staff work with CBJ Admin. staff on that issue.

Mayor Sanford reminded Assemblymembers that in addition to the May 9 Seawalk ribbon cutting at 11am, there is an Arbor Day celebration at Noon at Evergreen Cemetery.

Planning Commission: Liaison Nankervis reported on the Planning Commission meeting of Tuesday, April 22 and he said it was the shortest PC meeting he has ever attended, lasting only 45 minutes. The next PC meeting is scheduled for May 8 at 6pm to hear the draft Wireless Communications Facility ordinance.

Airport Board: Liaison Nankervis reported that the Assembly just took action on the Airport Rates and Fees Regulations. He said he missed their last meeting as he was attending an Assembly Finance Committee but according to the minutes of the last meeting they received one solicitation for the Food and Beverage Concession but no business plan for that solicitation and after repeated unsuccessful attempts to get the business plan, the negotiations were stopped. He said that the Airport, after first getting approvals from Law and Purchasing, has now begun negotiations with another interested party and they are presently going through the permit requirements. They hope to continue the food service as of May 1 and the liquor license service but there is a possibility of interruption of the liquor license service depending on process scheduling. They also heard about the jetway replacement and also about the new baggage screening machine which they hope to have in place in the Airport by May 22.

Mayor Sanford said that Mr. Nankervis' report reminded him that Admin. staff is trying to schedule a joint meeting of the Assembly and Planning Commission for work on the Wireless Communication Facility ordinance. Ms. Kiefer said they may not need that meeting but asked

members to please respond to Diane Cathcart about their availability and that it would be decided after the PC meeting on May 8 and the Assembly COW meeting on May 5 whether or not a joint meeting is needed to be held on May 20.

Juneau Commission on Sustainability: Liaison Troll said she has not been able to attend the JCOS meetings because they conflict with the Finance Committee meetings but she reported that the JCOS met with the McDowell Group and had discussions regarding the Economic Development Plan.

Mayor's Task Force re: NOAA: Liaison Troll reported that the Mayor's Review Task Force on Basing NOAA Fisheries & Oceanographic Functions in Alaska met for the first time with their newest member, Jeep Rice, who is a retired NOAA Biologist and they were also joined by Bob King from Senator Begich's office. She said everyone seemed encouraged about what they are trying to accomplish and they will be drafting a letter of inquiry to NOAA at their next meeting. The task force will also be inviting representatives from the cities of Kodiak, Ketchikan, Anchorage, and Sitka to participate telephonically in the future meetings of the task force.

Juneau Convention & Visitors Bureau: Liaison Smith said that the JCVB hosted a dinner Sat., April 26 for the Arctic Council officials. He said the competition is pretty rigorous for hosting that convention and that the officials who were visiting were pretty tired as they had spent the entire day touring Juneau. He thinks Juneau has a good chance at getting the convention.

Bartlett Regional Hospital Board: Liaison Crane reported that the BRH Board met on Tuesday, April 22 with the majority of the meeting having been spent discussing the budget for FY15. She did report to the City Manager that the BRH Board needs a better understanding on how the Marine Passenger Fees are determined. The request for fees that the hospital submitted and what they were awarded was reduced so there just needs to be some discussion there on how that happens.

Juneau Affordable Housing Commission: Liaison Kiehl reported that the next Affordable Housing Commission meeting is on May 6.

Juneau School District: Liaison Kiehl also reported that the School Board is having a special meeting that evening (April 28) and will have another regular meeting on April 29.

Juneau Economic Development Council: Liaison Wanamaker said JEDC has not met since the last Assembly meeting so there is no report.

Alaska Committee: Liaison Becker reported that the Alaska Committee met on April 4 and did some planning for the State Fairs. The Palmer fair is in late August/early September and the Fairbanks fair is held in mid-August. She said they generally send people from JCVB or the Alaska Committee to help staff those booths. She said they discussed next year's Alaska Committee budget which is schedule for the Assembly Finance Committee meeting. The Alaska Committee will be having a retreat sometime in June, date to be determined.

Ms. Becker said she met earlier that day with BAMB, the advisory committee who does the afterschool program with approximately 290 students from Floyd Dryden and Dzantik'i Heeni. Their budget is approximately \$80,000 and they appreciate the money the Assembly gives them and would like it to continue. They discussed a lot of funding ideas, the activities, and that they would like more parents to take part. They decided they will be starting a BAMB Student advisory committee.

Southeast Conference: Ms. Becker reported that she received additional information about Southeast Conference and the Lemonade Day which is designed to help young people become entrepreneurs and know how to run a small business. Activities are scheduled for that program in both May and June.

Mayor Sanford expressed his thanks to all the Assemblymembers for their work with committee and liaison assignments.

D. Presiding Officer Reports

Zenk, et. al v Planning Commission: Presiding Officer Jones said he ruled on a motion earlier in the day, the record has been submitted and there is a pending motion to supplement the record and they are on schedule as set at the pre-hearing conference.

Vick v Animal Hearing Board: Presiding Officer Kiehl said they have been on schedule and begin with the appellants brief due on June 6 and the hearing set for July 21.

XII. ASSEMBLY COMMENTS AND QUESTIONS

Mr. Jones said he failed to mention under liaison reports that the DBA, JCVB and JEDC have developed an online map for anyone using an iphone or ipad to find a Juneau Downtown Interactive Map to look up restaurants, stores, hotels etc... He said on May 20 he will be finishing up AML meetings in Anchorage and catching a plane so would most likely not be available for the joint PC/Assembly meeting if it is held that night. He said he attended the Empty Bowls fundraiser for the Glory Hole and it was a great example of the community coming together. He thanked everyone who came to this meeting and testified during the public hearing section of the agenda as well as those who have sent in their comments in writing.

Mr. Nankervis said he also appreciated everyone who came to talk about the budget at this meeting. He said that on Friday, May 9, there is a Police Memorial Service being held at the Thunder Mountain High School Commons at 5:30p.m. and he invited everyone to attend. He asked staff about the Fisheries Development Committee request to support a roadside fishery on Channel Drive. He said that area is posted No Parking and he hoped that could be addressed if it has something to do with fire truck turn arounds. He encouraged development of that area for roadside fisheries if possible and asked if staff could please look into it.

Mayor Sanford said that also on May 8 there is a Police Memorial Service at Noon at the cemetery.

Ms. Troll said she'd like to publicly acknowledge the contribution of leadership that Governor Parnell provided in securing the \$3 billion payment towards the PERS/TERS. She said she has been known to be critical of the Governor but in this case she really wants to applaud his leadership because she doesn't believe it would have happened without it. She encouraged the Mayor or others to follow-up with a letter thanking the Governor for his outstanding leadership on this bill. She also thanked Representative Kito for his participation in trying to craft together the education funding and that it was heartening to see that the burden was not all shifted onto local government. Ms. Troll said she is a swimmer at the AGB pool and uses the sauna but that she has learned more about the pool in the past couple of weeks than she did in the 15+ years she has been swimming there. She said she really appreciates all the people who came out, and especially the young people, who testified and to see what the pool means to them and she applauded their participation.

Mr. Smith said he too appreciated all the public participation and that it is up to the Assembly to make the hard decisions and he is looking forward to continuing the work on the budget ordinances.

Ms. Crane asked the City Attorney if anything has happened on the Hohman case. Ms. Mead said they have requested a ruling from the court but they still do not have it yet.

Mr. Kiehl said he remembers that the Fisheries Development Committee did discuss the specifics related to the parking for the roadside fisheries and that there are some specific issues related to State DOT for the area along Channel Drive. He said he would be happy to schedule a conversation with the HRC and the FDC for a future meeting to discuss it further. Mayor Sanford said if it also involved CBJ lands to include the Lands Committee in the discussion as well.

Mr. Kiehl said he had the pleasure and privilege of going out to Airlift Northwest on April 23 where the Governor signed a bill to enable them to continue their membership program. Because of an obscure change in Washington state, they suddenly had to be regulated as insurance so Representative Munoz and Senator Stedman introduced a bill that would allow them to continue to operate as a non-profit membership program. That bill is now in effect and is an important part of keeping our community healthy and safe when someone needs care beyond the scope of what BRH offers.

Mr. Keihl said he also had the pleasure of attending the Southeast Regional Resource Center (SERRC) annual partner meeting. He mentioned the recent change to overhaul the GED test for the high school equivalency diploma and said many people were hurrying to try to finish their tests before the change took effect. He said in the last six months prior to the change SERRC awarded as many GEDs during that six month period as they normally do in an entire year. He applauded everyone involved and especially those individuals who completed their GEDs. He went on to say that on May 4, UAS will hold its graduation ceremony.

Mr. Kiehl said it was heartening and facinating to hear from so many members of the community and that it is a wonderful thing when people come out to tell government just what they think government should or should not be doing.

Ms. Becker expressed her appreciation for everyone coming to speak and was impressed that everyone was prepared and gave thoughtful testimony. She said she would also share with the Chair of the Fisheries Development Committee (FDC) that there is interest in pursuing the roadside fisheries location. She mentioned that the FDC also has been looking at an alternative location on North Douglas as well.

Mayor Sanford asked Mr. Kiehl to follow up with the Juneau Affordable Housing Commission regarding the tax deferral that went through the state last year that they were trying to get changed to a tax abatement. Mayor Sanford suggested that the Affordable Housing Group first go through the Lands Committee then to have it brought back through to the Assembly. The Assembly will then take action on whether to forward it to the representative and senators for next year's legislative session.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

Mayor Sanford recessed the meeting for a five minute break.

A. APARC Negotiations Report

MOTION by Mr. Kiehl to recess into Executive Session to discuss matters, the immediate knowledge of which could have a detrimental effect on the finances of the City and Borough of Juneau, specifically negotiations relating to the lawsuit with APARC. *Hearing no objections, the Assembly entered into Executive Session at 9:12p.m.*

Mayor Sanford called the meeting back to order at 9:30p.m.

Mayor Sanford reported that the Assembly discussed the APARC negotiations with staff during Executive Session.

XV. ADJOURNMENT

There being no further business, Mayor Sanford adjourned the meeting at 9:30p.m.

Signed: _____
Elizabeth J. McEwen, Deputy Clerk

Signed: _____
Merrill Sanford, Mayor

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

Ordinance 2014-14 An Ordinance Amending the Land Use Code Relating to Rezoning Procedures.

MANAGER'S REPORT:

This ordinance would address two issues related to the CBJ's rezoning process. First, it would reconcile an inconsistency between CBJ 49.75.130 and CBJ 49.10.170. While the latter provides that the Planning Commission's role with respect to rezoning is only to "make recommendations to the Assembly on all proposed . . . zonings and rezonings," 49.75.130 authorizes the Planning Commission to make "final" decisions on rezonings that are then only reviewable by the Assembly on appeal.

Second, it would eliminate the reference to "appealing" the denial of a rezoning request to the Assembly. Small scale rezoning decisions are legislative acts, not quasi-judicial, and are not subject to appeal as provided by CBJ 01.50. (See, *Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001)). While rezoning decisions are subject to direct judicial review and can be invalidated when they are the result of prejudice, arbitrary decision-making or improper motive or when they violate due process, they are not subject to direct appeal. ("[T]he decision of a legislative body is subject to review by appeal only where the decision is a quasi-judicial one." *Cabana v. Kenai Peninsula Borough*, 21 P.3d 833, 836 (Alaska 2001). See also "As a general rule, an applicant whose rezoning petition is denied cannot seek a direct review of that denial..." 3 Rathkopf's The Law of Zoning and Planning § 40:4 (4th ed.)).

The Planning Commission reviewed this ordinance at its April 22, 2014 meeting and recommended forwarding to the full Assembly for approval.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-14	5/14/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-14

An Ordinance Amending the Land Use Code Relating to Rezoning Procedures

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 49.75.130 Procedure is amended to read:

49.75.130 Procedure.

A rezoning shall follow the procedure for a major development permit except for the following:

- (1) The commission ~~decision for approval shall make a recommendation to the assembly to approve or deny a rezoning request shall constitute only a recommendation to the assembly.~~ shall make a recommendation to the assembly to approve or deny a rezoning request
- (2) As soon as possible after the commission's recommendation, the assembly shall provide public notice and hold a public hearing on the proposed rezoning. After public hearing, the assembly may adopt the commission's recommendation as

1
2
3 submitted or with amendments, or reject the recommendation. A rezoning shall be
4 adopted by ordinance, and any conditions thereon shall be contained in the
5 ordinance. Upon adoption of any such ordinance, the director shall cause the official
6 zoning map to be changed in accordance therewith.

- 7
8 (3) ~~The commission decision for denial shall constitute a final agency decision on the~~
9 ~~matter which will not be presented to the Assembly unless it is appealed to the~~
10 ~~Assembly in accordance with CBJ 49.20.120. All rezonings shall be adopted by~~
11 ordinance, and any conditions thereon shall be contained in the ordinance. Upon
12 adoption of any such ordinance, the director shall cause the official zoning map to
13 be amended in accordance with the adopted ordinance.

14
15 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
16 adoption.

17 Adopted this _____ day of _____, 2014.

18
19
20 _____
Merrill Sanford, Mayor

21 Attest:

22
23 _____
Laurie J. Sica, Municipal Clerk

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

Ordinance 2014-29 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 3873 and a Portion of USS 3406 FR, Located South of Auke Lake in the Pederson Hill Area, From D-1(T)D-5 to a Mix of D-10 and D-10SF.

MANAGER'S REPORT:

In 2010, a study was done evaluating the potential development areas, potential development densities, and transportation access of the Pederson Hill area. That same year, sewer installation was completed. The area is currently classified as a transition zone, D-1(T)D-5.

This rezone was initiated in 2013 by the Planning Commission. On August 20, 2013, a neighborhood meeting to discuss the proposal was held at the Mendenhall Public Library. The meeting was attended by more than 20 people after invitations were sent to property owners within 500 feet and an ad was placed in the Juneau Empire.

The requested zoning aligns with the MDR Comprehensive Plan designation, which calls for densities of 5-20 units per acre. The proposed D-10 and D-10SF both allow for a density of ten units per acre which is a higher density than the D-5 transition zone. This proposed density better implements the identified CBJ goals of providing low and moderate income housing.

The proposed rezone conforms to the Land Use Code requirements related to rezonings as follows:

1. The request is for more than 2 acres, and if approved will, in part, expand an existing D-10 zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the land use maps of the 2013 Comprehensive Plan.

The Planning Commission recommends that the Assembly approve the rezone of the described land from D-1(T)D-5 to a mix of D-10 and D-10SF.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-29	5/15/2014	Ordinance
☐ Exhibit A - Ordinance No. 2014-29	5/14/2014	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-29

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 3873 and a Portion of USS 3406 FR, Located South of Auke Lake in the Pederson Hill Area, From D-1(T)D-5 to a Mix of D-10 and D-10SF.

WHEREAS, the Pederson Hill area under consideration is a large tract of land owned by the CBJ that has been previously identified as an area to be developed for additional housing; and

WHEREAS, the Comprehensive Plan identifies the area of Pederson Hill as Medium Density Residential (MDR); and

WHEREAS, MDR is described in the Land Use Code as urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre, with any commercial development to be of a scale consistent with a residential neighborhood; and

WHEREAS, the proposed rezone would allow for higher densities, still consistent with the MDR designation, than is allowed under the area's current zoning designation; and

WHEREAS, the CBJ Comprehensive Plan supports denser residential zoning adjacent to transit corridors; and

WHEREAS, the CBJ Comprehensive Plan recommends that areas served by newly extended public sewer systems be up-zoned to accommodate higher density development; and

1
2 WHEREAS, the zone change meets the criteria set forth in CBJ 49.75.120, as follows:

- 3 a) The zone change is less than two acres and is an expansion of an existing
4 adjacent zone;
- 5 b) The application is not substantially similar to another rezone considered in
6 the last 12 months; and
- 7 c) The proposed zoning district and the uses allowed therein are in substantial
8 conformance with the Land Use Maps of the Comprehensive Plan.
9

10
11 NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
12 JUNEAU, ALASKA:

13 **Section 1. Classification.** This ordinance is of a general and permanent nature
14 and shall become a part of the City and Borough of Juneau Municipal Code.
15

16 **Section 2. Amendment to the Official Zoning Map.** The Official Zoning Map
17 of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the
18 zoning of the real property described as follows from D1(T)D5 to D-10:

19 Beginning from Corner 14 USS 3406, North 55° 20' 35" East approximately 1,310
20 feet, to Corner 2 USS 3873, Due East 1,809.72 feet to Corner 3 USS 3873, Due
21 South approximately 1,655 feet to an unmonumented point along eastern boundary
22 of USS 3873, Due West approximately 1,680 feet to an unmonumented point, North
23 50° 51' West approximately 600 feet to an unmonumented point along western
24 boundary of USS 3873, South 13° 01' West approximately 640 feet to Corner 1 USS
25 3873, North 50° 51' West 73.13 feet to Corner 13 USS 3406, North 29° 00' West
1,240.14 feet to Return to Corner 14 USS 3406.

The described rezone is shown on the map attached as Exhibit "A".

Section 3. Amendment to the Official Zoning Map. The Official Zoning Map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of the real property described as follows from D1(T)D5 to D-10SF:

Beginning from Corner 1 USS 3873, North 13° 01' East approximately 640 feet to an unmonumented point along western boundary of USS 3873, South 50° 51' East approximately 600 feet to an unmonumented point, Due East approximately 1,680 feet to an unmonumented point along eastern boundary of USS 3873, Due South approximately 887 feet to Corner 4 of USS 3873, South 63° 28' West 962.28 feet to Corner 5 USS 3873, North 50° 51' West 1,774.21 feet to Return to Corner 1 USS 3873.

The described rezone is shown on the map attached as Exhibit "A".

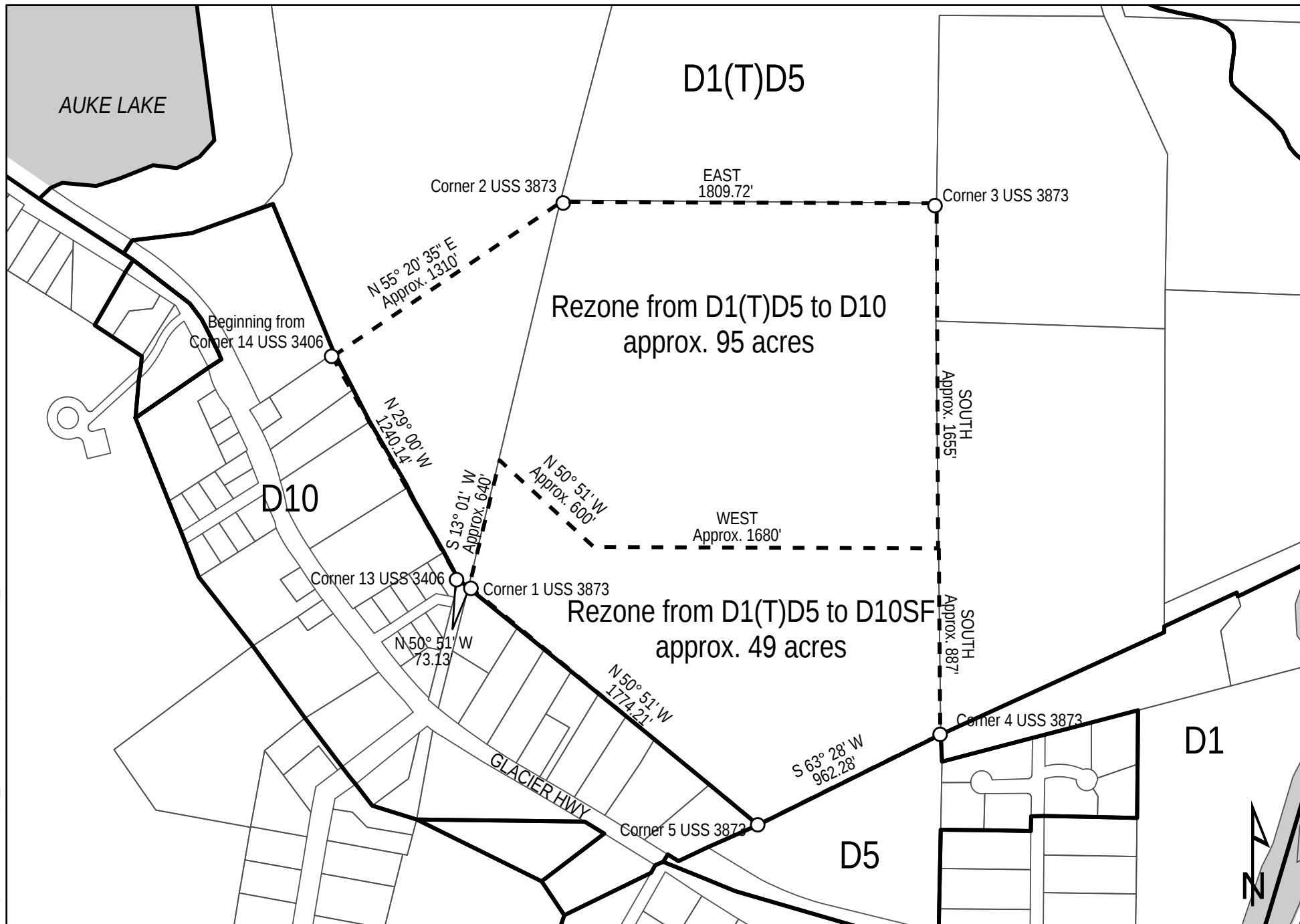
Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk



Map created April 8th, 2014 (revised May 7th, 2014)

Exhibit A - Ord. No. 2014-29

Pederson Hill Rezone

0 500 1,000 Feet

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

Ordinance 2014-30 An Ordinance Amending the Official Zoning Map of the City and Borough to
Change the Zoning of USS 381 FR, Located at the Corner of Atlin Drive and Mendenhall Loop
Road, from D-10 to Light Commercial.

MANAGER'S REPORT:

This proposed ordinance is a result of the Harris v. CBJ Planning Commission appeal heard by the Assembly on March 17, 2014. In that case, Mr. Harris sought a rezoning of his property, located at 9050 Atlin Drive, from D-10 to Light Commercial.

After considering the parties' briefs and hearing oral argument, the Assembly granted Mr. Harris's appeal, directing that an ordinance providing for the requested rezone be drafted and forwarded to the Assembly for introduction.

This ordinance would amend the Official Zoning Map of the City and Borough to change the zoning of Mr. Harris's property at 9050 Atlin Drive from D-10 to Light Commercial, consistent with the Assembly's March 17, 2014 decision.

RECOMMENDATION:

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

ATTACHMENTS:

	Description	Upload Date	Type
☐	Ordinance 2014-30	5/14/2014	Ordinance
☐	Exhibit A - Ordinance 2014-30	5/6/2014	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-30

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of USS 381 FR, Located at the Corner of Atlin Drive and Mendenhall Loop Road, from D-10 to Light Commercial.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to the Official Zoning Map. The Official Zoning Map of the City and Borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of USS 381 FR, located at the corner of Atlin Drive and Mendenhall Loop Road, from D-10 to Light Commercial.

The area of the zone change is shown on the map attached as Exhibit "A."

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

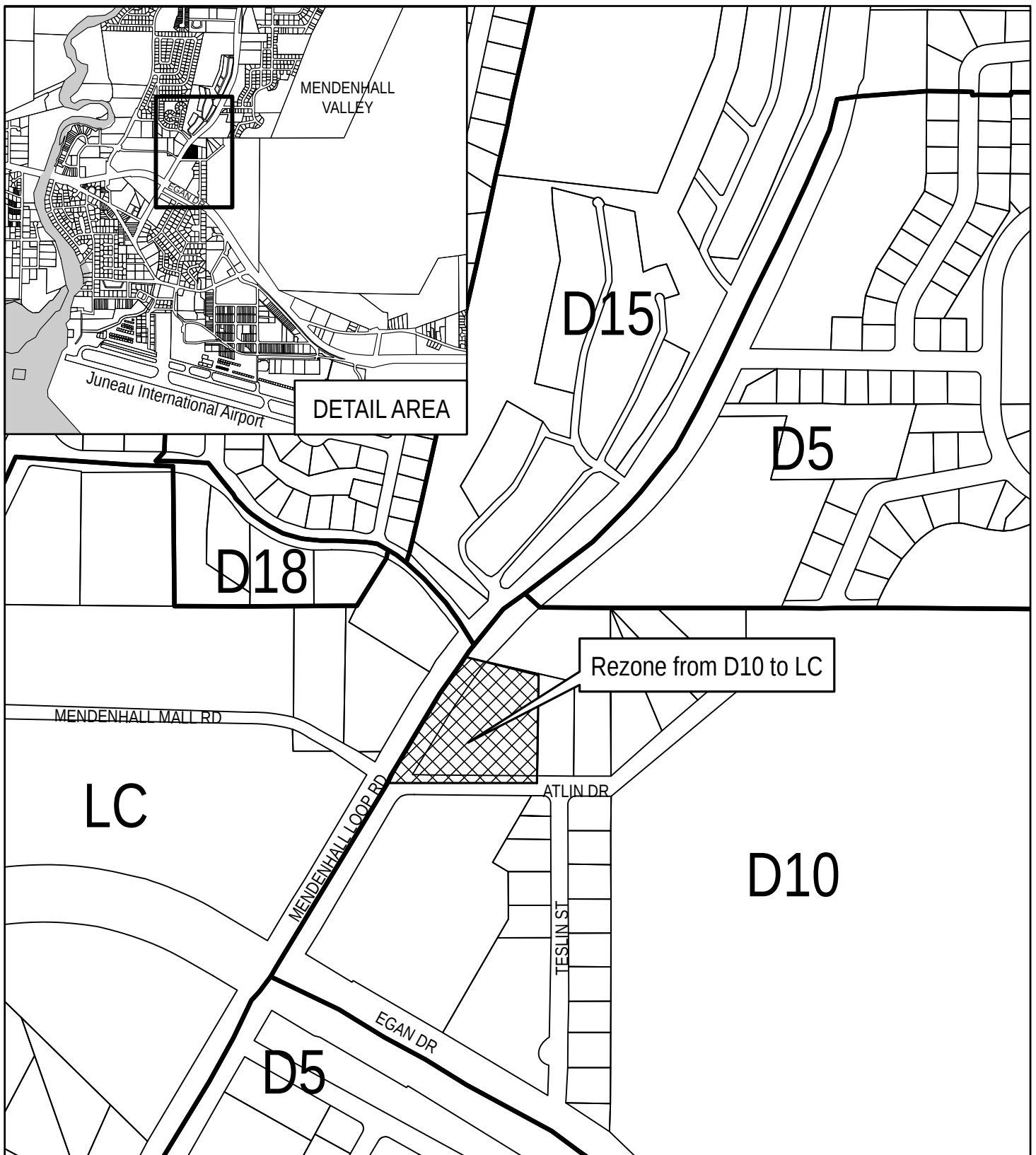


Exhibit A - Ord. 2014-30
Zoning Change for
USS 381 FR from D-10 to LC

0 125 250 500 750
Feet



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

Ordinance 2014-31 An Ordinance Providing for a Penalty Relating to Motorized Uses on Auke Lake.

MANAGER'S REPORT:

On April 7, 2014, the Assembly adopted Ordinance 2014-20, which amended code section 67.01.095 related to motorized uses on Auke Lake. Ordinance 2014-20 eliminated the prohibition against certain sized vessels and added a prohibition against the rinsing or flushing of boat engines in the lake, along the wayside, or within 50 feet of the lake shoreline.

This ordinance would amend the fine schedule by eliminating the penalty related to vessel length, and by providing for a \$250 penalty for the illegal rinsing or flushing of boat engines, as prohibited by CBJ 67.01.095(e).

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-31	5/14/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-31

An Ordinance Providing for a Penalty Relating to Motorized Uses on Auke Lake.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 03.30.056 Parks and recreation fine schedule, is amended to read:

03.30.056 Parks and recreation fine schedule.

Pursuant to sections 03.30.010—03.30.015 of this chapter, the following parks and recreation offenses are amenable to disposition without court appearance and may be disposed of upon payment of the fines listed to the municipal clerk. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed in the following schedule:

PARKS AND RECREATION FINE SCHEDULE

CBJ	Offense	No. of Offenses	Fine
...			
67.01.095(a)	Hours of operation	Any	100.00
67.01.095(b)	Prohibited area of operation	Any	100.00
67.01.095(c)	Violation of wake restriction	Any	100.00
67.01.095(d)	Refueling prohibited	Any	250.00
67.01.095(e)	Vessel size limitation <u>Rinsing or flushing prohibited</u>	Any	100.00 <u>250.00</u>

...

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Ordinance 2013-11(AS) An Ordinance Appropriating to the Manager the Sum of \$2,890 as Partial Funding for the Purchase of Bullet Proof Vests; Grant Funding Provided by the United States Department of Justice and Local Funding Provided by the Juneau Police Department.

MANAGER'S REPORT:

This ordinance would appropriate \$2,890 in grant funds from the U.S. Department of Justice, Office of Justice Programs for the purchase of bullet proof vests. The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. The grant funds are anticipated to pay fifty percent of the total costs for thirteen vests with the remaining 50% (the grant match) from JPD's operating budget.

RECOMMENDATION:

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

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2013-11(AS)	5/15/2014	Cover Memo

Presented by: The Manager
Introduced: 05/19/2014
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2013-11(AS)

An Ordinance Appropriating to the Manager the Sum of \$2,890 as Partial Funding for the Purchase of Bullet Proof Vests; Grant Funding Provided by the United States Department of Justice and Local Funding Provided by the Juneau Police Department.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$2,890 for the purchase of bullet proof vests.

Section 3. Source of Funds

United States Department of Justice	\$2,890
-------------------------------------	---------

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Resolution 2691 A Resolution Authorizing the Manager to Donate a 1995 E-One Chevrolet Ambulance to the City of Angoon.

MANAGER'S REPORT:

Approximately seven years ago, the Juneau Police Department received a 1995 E-One Chevrolet Ambulance from Capital City Fire Rescue, which JPD has since used for its Explosive Ordnance Disposal Unit. A recent bluebook quote for the vehicle was listed at \$3300. JPD recently received a replacement ambulance from CCFR for the EOD unit and does not need both vehicles for police operations.

CBJ 53.50.220 provides that upon a determination that the best interests of the public would be served, surplus property with an estimated value of over \$3,000 may be transferred to another governmental unit after approval by the assembly by resolution.

JPD received a letter from Angoon Mayor Matthew Kookesh informing us that his community was in need of an ambulance and fire engine. Mayor Kookesh said Angoon only has one older ambulance, which is not equipped to allow for the provision of medical care; it is only capable of transporting.

Based on Mayor Kookesh's request, I am requesting that the City and Borough of Juneau donate the ambulance to the City of Angoon.

RECOMMENDATION:

The Manager recommends this resolution be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution 2691	5/14/2014	Resolution

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2691

A Resolution Authorizing the Manager to Donate a 1995 E-One Chevrolet Ambulance to the City of Angoon.

WHEREAS, the City and Borough of Juneau owns a 1995 E-One Chevrolet ambulance, which is now surplus to the needs of the City and Borough; and

WHEREAS, the 1995 E-One Chevrolet ambulance has a value of \$3300; and

WHEREAS, the Manager has determined that the best interests of the public would be served by the transfer of the surplus 1995 E-One Chevrolet ambulance to the City of Angoon; and

WHEREAS, CBJ 53.50.220(c) provides that surplus City and Borough property having an estimated value in excess of \$3,000 may be transferred to another governmental unit upon approval by the Assembly by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. That the Manager is authorized to transfer to the City of Angoon, without charge, the 1995 E-One Chevrolet ambulance, recently retired from service by the Juneau Police Department's Explosive Ordnance Disposal Unit.

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Bid Results - Bid 15-009 - Term Contract for CBJ Roadway Painting

MANAGER'S REPORT:

The City requested bids for roadway painting of various streets throughout the Borough. It is the responsibility of the vendor to provide all paint, materials, equipment, labor, insurance and required traffic control to complete the project.

Bids were opened on Thursday, May 8, 2014, the bid protest period expired at 4:30pm on Tuesday, May 13, 2014. Results of the bid opening were as follows:

BIDDERS	TOTAL PRICE
Apply-A-Line	\$137,626.08
Specialized Pavement Marking	\$155,377.60

RECOMMENDATION:

The Manager recommends approval of this bid award to Apply-A-Line, for the total bid amount of \$137,626.08.

ATTACHMENTS:

	Description	Upload Date	Type
☐	Recommendation to Award - Bid No. 15-009 - Term Contract for CBJ Roadway Painting	5/12/2014	Cover Memo

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 SOUTH SEWARD STREET, JUNEAU ALASKA 99801

TO: Kimberly Kiefer
City Manager

DATE: May 14, 2014

FROM: Renee Loree
Senior Buyer

SUBJECT: RECOMMENDATION TO AWARD
Term Contract for CBJ Roadway Painting
Bid No. 15-009

Bids were opened on the subject project on Thursday, May 8, 2014. The bid protest period expired at 4:30 p.m. on Tuesday, May 13, 2014. Results of the bid opening are as follows:

BIDDERS	TOTAL PRICE
Apply-A-Line	\$137,626.08
Specialized Pavement Marking	\$155,377.60

Buyer: Renee Loree

Funding Source: 209720101 5390 – Streets Operations, Contractual Service

With the concurrence of Ed Foster, Public Works Streets Superintendent, the Purchasing Division recommends award to Apply-A-Line on the basis of having the lowest responsive and responsible bid price in the amount of \$137,626.08 based on Total Bid.

Approved: _____
Kimberly A. Kiefer, City Manager

Date of Assembly Approval: _____



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

Liquor License Location Transfer of Beverage Dispensary License #3695 South of the Bridge, LLC
d/b/a Louie's Douglas Inn

MANAGER'S REPORT:

The following liquor license application is before the Assembly to either protest or waive its right to protest this location transfer.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the below business and found it 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.

Beverage Dispensary License #3695 - Location Transfer
South of the Bridge, LLC d/b/a Louie's Douglas Inn
Transfer from: No Premises
Transfer to: 915 3rd Street, Douglas, AK 99824

RECOMMENDATION:

The Manager recommends the Assembly waive its right to protest the above liquor license transfer.

ATTACHMENTS:

Description		Upload Date	Type
☐	ABC Notice of Liquor License Transfer	5/5/2014	Liquor License
☐	Liquor License Application - South of the Bridge LLC d/b/a Louie's Douglas Inn	5/5/2014	Liquor License



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
Fax: 907.334.2285

April 21, 2014

City & Borough of Juneau
Attn: Beth McEwen, City Clerk
VIA Email: beth_mcewen@ci.juneau.ak.us
Cc: city_clerk@ci.juneau.ak.us

South of the Bridge, LLC – Beverage Dispensary License #3695 DBA Louie's Douglas Inn

- ☐ New Application ☐ Transfer of Ownership ☒ Transfer of Location
☐ Restaurant Designation Permit ☐ DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director



Sarah D. Oates

Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: April 21, 2014

Application Type: **NEW**_____

☒ **TRANSFER**
☐ Ownership
☒ Location
☐ Name Change

Governing Body: **City & Borough of Juneau**
Community Councils: None

License #: 3695
License Type: Beverage Dispensary
D.B.A.: Louie's Douglas Inn
Licensee/Applicant: South of the Bridge, LLC
Physical Location: 915 3rd Street, Douglas, AK 99824
Mailing Address: PO Box 240754, Douglas, AK 99824
Telephone #: 907-723-9732
EIN: 46-3233317

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Baxter, Bruce & Sullivan, P.C. Agent	PO Box 32819 Juneau, AK 99803	907-789-3166	07/17/2013 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
James G. Williams President	01/30/1951	412 H Street Douglas, AK 99824	907-364-3288	33.3%
Arbe J. Williams Secretary / Treasurer	08/20/1951	412 H Street Douglas, AK 99824	907-364-3288	33.3%
Abigail R. Trucano Vice President	06/03/1982	1800 Wickersham Avenue Juneau, AK 99801	907-364-3288	33.4%

If **transfer** application, current license information:

License #: 3695
Current D.B.A.: Louie's Douglas Inn
Current Licensee: South of the Bridge, LLC
Current Location: No Premises

Additional comments:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director



Sarah D. Oates

Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Transfer Liquor License

(907) 263-5900
Fax: (907) 263-5930
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: Open Summer 2014

SECTION A - LICENSE INFORMATION			FEES
License Year: 2014-2015	License Type: Beverage Dispensary	Statute Reference Sec. 04.11. 090	Filing Fee: \$100.00
License #: 3695			Rest. Desig. Permit Fee: (\$50.00) \$
Local Governing Body: (City, Borough or Unorganized) City & Borough of Juneau 155 S. Seward St. Juneau, AK 99801		Community Council Name(s) & Mailing Address:	Fingerprint: \$ <i>(\$51.50 per person)</i>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): South of the Bridge, LLC		Doing Business As (Business Name): Louie's Douglas Inn	TOTAL \$100.00
Mailing Address: P.O. Box 240754		Business Telephone Number: (907) 723-9732	
City, State, Zip: Douglas, AK 99824		Fax Number:	
Street Address or Location of Premises: 915 3rd Street Douglas, AK 99824		Email Address: abbytrucano@gmail.com	
SECTION B - TRANSFER INFORMATION			
☒ Regular Transfer ☐ Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents. ☐ Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.		Name and Mailing Address of CURRENT Licensee: South of the Bridge, LLC PO Box 240754 Douglas, AK 99824	
		Business Name (dba) BEFORE transfer: Louie's Douglas Inn	
		Street Address or Location BEFORE transfer: No Premise	
SECTION C - PREMISES TO BE LICENSED			
Distance to closest school grounds: .2 Miles	Distance measured under: ☒ AS 04.11.410 OR ☐ Local ordinance No.	☐ Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: .1 Miles	Distance measured under: ☒ AS 04.11.410 OR ☐ Local ordinance No.	☒ Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
		☒ Not applicable	
Premises to be licensed is: ☐ Proposed building ☒ Existing facility ☐ New building		☐ Plans submitted to Fire Marshall (required for new & proposed buildings) ☒ Diagram of premises attached	
915 3rd Street Douglas, AK 99824			

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Transfer Liquor License

(907) 263-5900
Fax: (907) 263-5930
<http://commerce.alaska.gov/dnn/abc>

SECTION D - LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION E - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): South of the Bridge, LLC		Telephone Number: (907)723-9732	Fax Number:
Corporate Mailing Address: PO Box 240754	City: Douglas	State: Alaska	Zip Code: 99824
Name, Mailing Address and Telephone Number of Registered Agent: Baxter, Bruce & Sullivan P.C. PO Box 32819 Juneau, AK (907) 789-3166		Date of Incorporation OR Certification with DCED: 07/17/2013	State of Incorporation: Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☒ Yes ☐ No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
James G. Williams	PRESIDENT	33.3	412 H St. Douglas, AK 99824	(907)364-3288	01/30/1951
Arbe J. Williams	SECRETARY/ TREASURER	33.3	412 H St. Douglas, AK 99824	(907) 364-3288	08/20/1951
Abigail R. Trucano	VICE PRESIDENT/ GENERAL MGR	33.4	1800 Wickersham Ave. Juneau, AK 99801	(907)364-3288	06/03/1982

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Transfer Liquor License

(907) 263-5900
Fax: (907) 263-5930
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

NOTE: If you need additional space, please attach a separate sheet.

SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

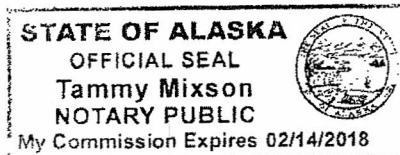
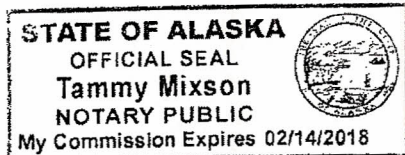
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Jeffery Trucano Address: 1800 Wickersham Ave. Juneau, AK 99801 Home Phone: 907-321-3988 Work Phone: Same	Applicant ☐ Affiliate ☒ Date of Birth: 10/16/1980	Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature A. TRUCANO (NO Premise)	Signature of Transferee(s) Signature A. TRUCANO
Signature Name & Title (Please Print) Abigail Trucano / Vice President	Signature Name & Title (Please Print) Abigail Trucano / Vice President
Subscribed and sworn to before me this 4 day of March, 2014	Subscribed and sworn to before me this 4 day of March, 2014
Notary Public in and for the State of Alaska Tammy Mixson	Notary Public in and for the State of Alaska Tammy Mixson
My commission expires:	My commission expires:



29.0'

Area 1

Area 2

Legend:
Area 1 - Where alcohol will be served
Area 2 - Where alcohol will be stored in a locked storage building (Approximate area of storage to be 9'x24')



**Jensen
Yorba
Lott
Inc.**

522 West 10th Street
Juneau, Alaska 99801
phone 907-586-1070
fax 907-586-3959
jersenyorbalott.com

JIM WILLIAMS
LOUIE'S
DOUGLAS INN
Juneau, Alaska

REVISIONS

SHEET TITLE
SITEPLAN

DATE: MARCH 2014
FILE: 13066

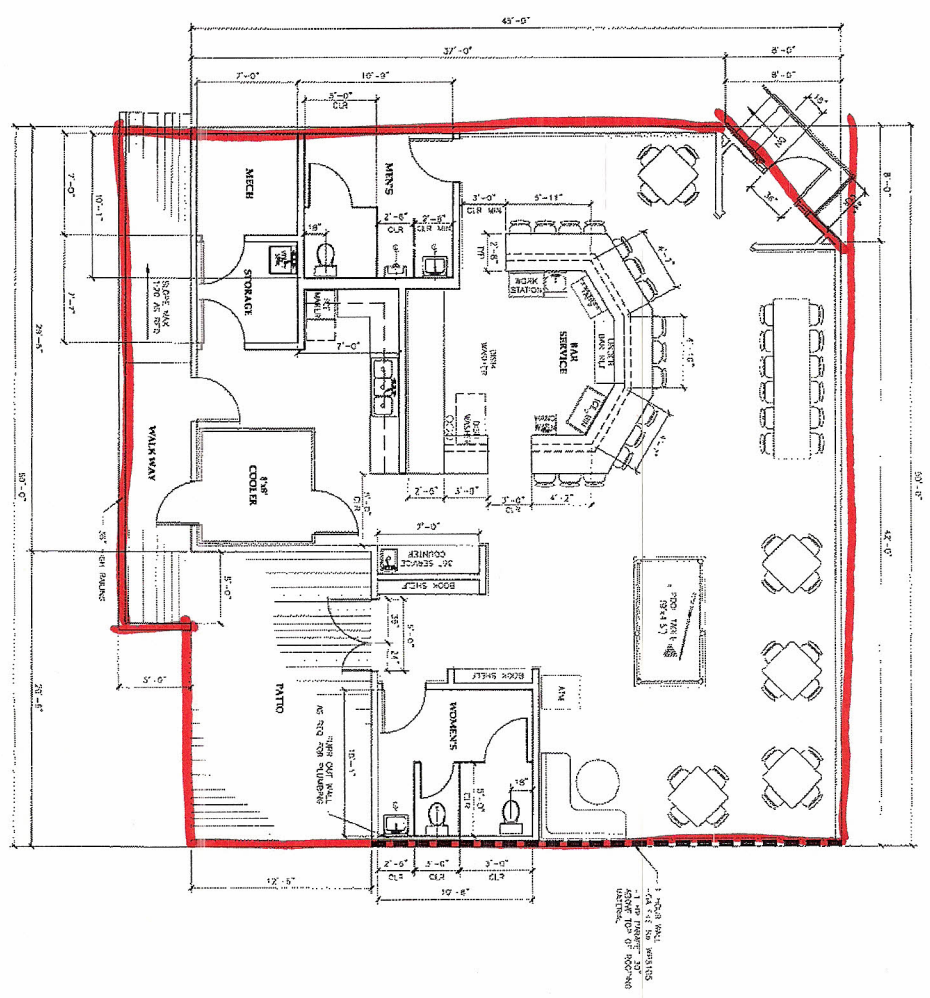
A101

1 SITE PLAN



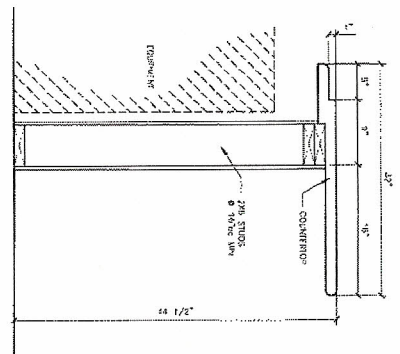
1 FLOOR PLAN

SCALE 0 2 4



2 TYP BAR DETAIL

SCALE 0 6 12



JIM WILLIAMS
LOUIE'S DOUGLAS INN
 Juneau, Alaska

Jensen Yorba Inc.
 323 West 10th Street
 Juneau, Alaska 99801
 Phone 907-586-1079
 Fax 907-586-3999
 jensen@jenseninc.com

A201

SHEET TITLE
 FLOOR PLAN
 DATE: 10/1/2004
 FILE: 1004

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

Liquor License Transfer of Beverage Dispensary License #447 FROM Alaska Promotions LLC
d/b/a Brandi's Airport Bar TO Suite 907, LLC d/b/a Suite 907

MANAGER'S REPORT:

The following liquor license application is before the Assembly to either protest or waive its right to protest this transfer of ownership, location, and name change.

The Assembly may protest a license application for any of the reasons listed in CBJ 20.25.025. The Finance, Police, Fire, Public Works, and Community Development Departments have reviewed the below business and found it 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.

Beverage Dispensary License #447 - Transfer of Ownership, Location, & Name Change
Transfer From: Alaska Promotions, LLC d/b/a Brandi's Airport Bar located at 1873 Shell Simmons Drive, Juneau
Transfer To: Suite 907, LLC d/b/a Suite 907 located at 9121 Glacier Hwy., Juneau

RECOMMENDATION:

The Manager recommends the Assembly waive its right to protest the above liquor license transfer.

ATTACHMENTS:

Description	Upload Date	Type
☐ ABC Notice of Liquor License Transfer	5/6/2014	Liquor License
☐ Liquor License Transfer Application	5/6/2014	Liquor License



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
Fax: 907.334.2285

April 18, 2014

City & Borough of Juneau
Attn: Beth McEwen, City Clerk
VIA Email: beth_mcewen@ci.juneau.ak.us
Cc: city_clerk@ci.juneau.ak.us

Suite 907, LLC – Beverage Dispensary License #447 DBA Suite 907

- ☐ New Application ☒ Transfer of Ownership ☒ Transfer of Location
☐ Restaurant Designation Permit ☒ DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director



Sarah D. Oates
Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: April 18, 2014

Application Type: **NEW**_____

☒ **TRANSFER**
☒ Ownership
☒ Location
☒ Name Change

Governing Body: **City & Borough of Juneau**
Community Councils: None

License #: 447
License Type: Beverage Dispensary
D.B.A.: Suite 907
Licensee/Applicant: Suite 907, LLC
Physical Location: 9121 Glacier Highway, Juneau, AK 99801
Mailing Address: 9121 Glacier Highway, Box 10, Juneau, AK 99801
Telephone #: 907-321-3496
EIN: 46-5154764

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Suite 907, LLC	9121 Glacier Highway, Box 10 Juneau, AK 99801	907-321-3496	03/23/2014 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Cynthia Isaak Shareholder	02/01/1972	4355 Brothers Avenue Juneau, AK 99801	907-321-3496	100%

If **transfer** application, current license information:

License #: 447
Current D.B.A.: Brandi's Airport Bar
Current Licensee: Alaska Promotions, LLC
Current Location: 1873 Shell Simmons Drive, Juneau, AK 99801

Additional comments:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

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Sincerely,

SHIRLEY A. COTÉ
Director



Sarah D. Oates

Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

Icoholic Beverage Control Board
100 Viking Drive
Nanchorage, AK 99501

Transfer Liquor License

(907) 269-0350
Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:

☒ Full Year

OR

☐ Seasonal

List Dates of Operation: _____

SECTION A - LICENSE INFORMATION

License Year: 2013/2014	License Type: BEVERAGE DISPENSARY	Statute Reference Sec. 04.11. 090	FEES 11306 Filing Fee: \$100.00 Rest. Desig. Permit Fee: (\$50.00) \$ Fingerprint: \$51.50 (\$51.50 per person) TOTAL \$151.50
License #: 447	Local Governing Body: (City, Borough or Unorganized) CBT JUNEAU, Alaska	Community Council Name(s) & Mailing Address: N/A	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): SUITE 907, LLC		Doing Business As (Business Name): SUITE 907	Business Telephone Number: 907 321-3496 Fax Number: 907 364-3475
Mailing Address: 9121 GLACIER Highway, Box 10 City, State, Zip: JUNEAU, AK 99801		Street Address or Location of Premises: 9121 GLACIER Highway JUNEAU, AK 99801	Email Address: SUITE907@gmail.com
Is any shareholder related to the current owner? ☐ Yes ☒ No If "yes" please state the relationship _____			

SECTION B - TRANSFER INFORMATION

☐ Regular Transfer	Name and Mailing Address of CURRENT Licensee: ALASKA PROMOTIONS, LLC
☒ Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents.	Business Name (dba) BEFORE transfer: BRANDI'S AIRPORT BAR
☐ Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Street Address or Location BEFORE transfer: 1873 SHELL Simmons DRIVE JUNEAU, AK 99801

SECTION C - PREMISES TO BE LICENSED

Distance to closest school grounds: 2.1 MILES	Distance measured under: ☒ AS 04.11.410 OR ☐ Local ordinance No.	☐ Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Distance to closest church: 0.8 MILES	Distance measured under: ☒ AS 04.11.410 OR ☐ Local ordinance No.	☒ Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Premises to be licensed is: ☐ Proposed building ☒ Existing facility ☐ New building	☐ Plans submitted to Fire Marshall (required for new & proposed buildings) ☒ Diagram of premises attached	

Alcoholic Beverage Control Board
400 Viking Drive
Nanchorage, AK 99501

Transfer Liquor License

(907) 269-0350
Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc>

SECTION D - LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION E - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): SUITE 907, LLC	Telephone Number: 907 321-3496	Fax Number: 907 364-3475
Corporate Mailing Address: 9121 Glacier Highway, Box 10	City: JUNEAU	State: ALASKA
Name, Mailing Address and Telephone Number of Registered Agent: CYNTHIA ISAAC 4355 BROTHERS AVE JUNEAU, AK 99801	Date of Incorporation OR Certification with DCED: 3/23/14	Zip Code: 99801
State of Incorporation: ALASKA		
Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☒ Yes ☐ No		
If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.		

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Cynthia Isaac	PRESIDENT	100	4355 BROTHERS AVE JUNEAU	321-3496	2/1/72

Transfer Liquor License

NOTE: If you need additional space, please attach a separate sheet.

SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

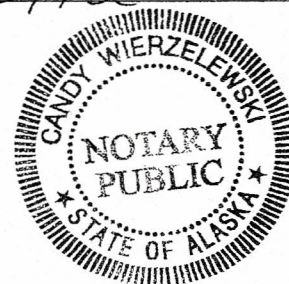
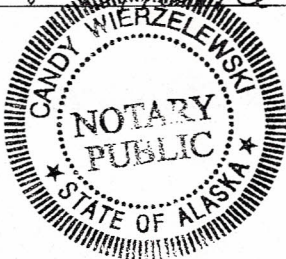
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant ☒ Affiliate ☐ Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant ☐ Affiliate ☐ Date of Birth:

Declaration

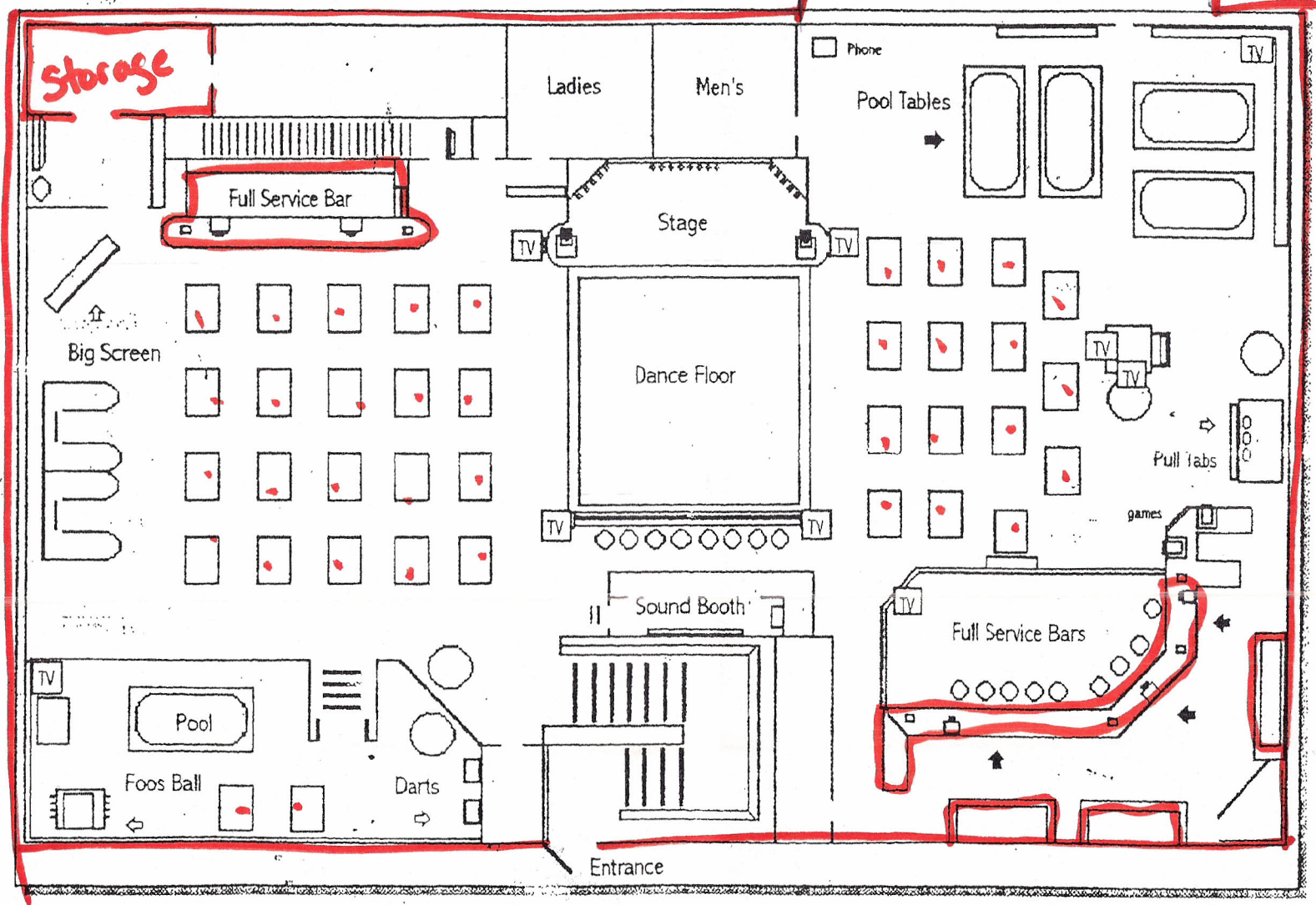
- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature	Signature of Transferee(s) Signature
Signature	Signature
Name & Title (Please Print) Ethan Billings - PRESIDENT	Name & Title (Please Print) Cynthia Isaak - President
Subscribed and sworn to before me this 24 day of March 2014	Subscribed and sworn to before me this 24 day of March 2014
Notary Public in and for the State of Alaska Candy Wierzelewski	Notary Public in and for the State of Alaska Candy Wierzelewski
My commission expires: 3/16/16	My commission expires: 3/16/16



Suite 907
~~MARTINI'S Lounge~~
9121 GLACIER Highway
Juneau, ALASKA
Floor Layout

outdoor deck



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

Ordinance 2014-13 An Ordinance Amending the Purchasing of Supplies and Services Code Related to the Disposal of Surplus Property.

MANAGER'S REPORT:

This ordinance would streamline and modernize how the City and Borough deals with surplus property. It would remove from the Purchasing Code most of the administrative process requirements, while authorizing the City Manager to establish an administrative policy to administer and control the program.

This amendment also changes the section specifying when the Assembly must approve, by resolution, a transfer of surplus property to a another governmental or non-profit organization by increasing the threshold property value from \$3,000 to \$50,000.

Finance Department staff developed an administrative policy for surplus property with an emphasis on utilizing web-based technology to communicate and facilitate the disposal process. The policy clarifies the departments' roles and responsibilities for disposal, and outlines procedures for how to manage the property until its final disposal. The policy incorporates the Code's original intent to dispose of surplus property by selling it to the highest bidder.

The Committee of the Whole reviewed the revised Code and administrative policy at its April 14, 2014 regular meeting, and recommended forwarding to the full Assembly for approval.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-13	5/5/2014	Ordinance
☐ Issue Paper	4/11/2014	Cover Memo
☐ Surplus Policy and Procedure	4/11/2014	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-13

An Ordinance Amending the Purchasing of Supplies and Services Code Related to the Disposal of Surplus Property.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. CBJ 53.50 is amended to read:

53.50.200 Authority to dispose of surplus ~~supplies~~ property.

The manager shall have authority to sell, transfer, or destroy surplus property that all ~~supplies which~~ cannot be used by any department or that has become unsuitable for City and Borough use, ~~or to exchange such supplies for, or trade in such supplies for a new supply, or otherwise dispose of~~ as provided in this chapter.

53.50.210 Disposal of surplus ~~supplies~~ property.

(a) ~~Except as provided in section 53.50.220,~~ Except as provided in subsection (b) of this section, all surplus property unsuitable for City and Borough use shall be disposed of in accordance with written policies and procedures established by the manager, when the disposal is determined by the manager to be in the best interests of the City and

~~Borough. supplies to be sold under the provisions of section 53.50.200 shall be sold to the highest bidder as provided in this section~~

- (b) Upon a determination by the manager that the best interests of the public would be served, the manager may transfer any surplus City and Borough property to another governmental or quasi-governmental unit, or to a charitable, civic or non-profit organization, except that where the estimated value of the property to be transferred exceeds \$50,000, the transfer may be made only after approval by the assembly by resolution.

~~The manager shall provide at least 14 days notice of each disposal by publication in a newspaper of general circulation in the municipality. The notice shall contain a general description of items for disposal, shall designate the place where the items may be inspected or where a detailed description of the items may be obtained, shall specify whether the disposal is to be by sealed bid or auction, shall designate the time and place of the disposal, and shall specify where the written rules required in subsection (c) may be obtained.~~

- (c) ~~The manager shall establish written rules for the conduct of the disposal. The rules shall include the method of submitting bids, the method of payment, removal of items sold, and other standards and procedures as may be necessary or useful. The rules shall be available at least ten days before the disposal.~~

53.50.220 Exceptions to disposal procedure. Reserved.

- (a) ~~Sales under \$300.00. When, in the estimation of the manager, the total value of the supplies to be disposed of does not exceed \$300.00, or when the individual values in a~~

1
2
3 ~~group of essentially identical items does not exceed \$50.00 and they are not marketable~~
4 ~~as a group, such supplies may be disposed of by sale to the public under the following~~
5 ~~conditions:~~

6 ~~(1) At least 72 hours before the sale, an announcement of the sale shall be posted on~~
7 ~~the municipal website and delivered to the radio and television stations operating~~
8 ~~in the area;~~

9
10 ~~(2) Such other conditions as the manager may prescribe.~~

11 ~~(b) Abandonment or destruction. The manager or the manager's designee may authorize the~~
12 ~~abandonment, or destruction of City and Borough property which has no commercial~~
13 ~~value or of which the estimated cost of continued care, handling, repair, maintenance or~~
14 ~~storage would exceed the estimated proceeds of sale.~~

15
16 ~~(c) Transfer to another governmental unit or to a charitable, civic or nonprofit organization.~~
17 ~~Upon a determination by the manager that the best interests of the public would be~~
18 ~~served, the manager may transfer any surplus City and Borough supplies to another~~
19 ~~governmental or quasi-governmental unit or to a charitable, civic or nonprofit~~
20 ~~organization except that where the estimated value of the supplies to be transferred~~
21 ~~exceeds \$3,000.00, the transfer may be made only after approval by the assembly by~~
22 ~~resolution.~~

23
24 ~~(d) Disposition of police dogs. Upon a determination by the manager that it would be~~
25 ~~inhumane to do otherwise, the manager may authorize the disposition by negotiated~~
~~sale of a police dog to its handler.~~

1
2
3 ~~(e) *Disposition of surplus recyclable materials.* The manager may, after soliciting and~~
4 ~~reviewing written proposals, and upon approval by motion by the assembly, grant to one~~
5 ~~or more civic, nonprofit, or charitable organizations the right to collect and dispose of~~
6 ~~surplus City and Borough recyclable materials. Grantees shall be selected and the~~
7 ~~terms and conditions of their grants established after consideration of the following~~
8 ~~criteria:~~

9
10 ~~(1) The ability of the organization to provide efficient, regular and dependable~~
11 ~~collection of recyclable materials;~~

12 ~~(2) The ability of the organization to realize the maximum financial return from the~~
13 ~~collected recyclable materials;~~

14 ~~(3) The value to the community of the charitable, civic, or nonprofit service provided by~~
15 ~~the organization;~~

16
17 ~~(4) The extent to which the organization receives other forms of support from the City~~
18 ~~and Borough;~~

19 ~~(5) The degree to which funds generated by the grant will be applied directly to the~~
20 ~~community service rather than to the overhead or administrative expenses of the~~
21 ~~organization.~~

22
23 ~~(f) *Other disposition.* Upon a determination by the manager that personal property owned~~
24 ~~by the City and Borough is no longer used or has become obsolete or worn out, the~~
25 ~~assembly may by resolution authorize the manager to dispose of the property by such~~
~~method as the assembly finds to be in the public interest.~~

1
2
3 **53.50.310 Nonapplicability of sections 53.50.200 through 53.50.220.**

4 The provisions of sections 53.50.200 through 53.50.~~220~~210 of this chapter shall not be
5 deemed to apply to property or money subject to confiscation under the laws of the state or
6 of the United States of America, and shall apply to property or money held as evidence only
7 when the same is unclaimed by any person and no other provisions of law are applicable
8 concerning its disposition.
9

10 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
11 adoption.

12 Adopted this _____ day of _____, 2014.
13
14

15 _____
Merrill Sanford, Mayor

16 Attest:

17 _____
18 Laurie J. Sica, Municipal Clerk
19
20
21
22
23
24
25

City and Borough of Juneau
ASSEMBLY COMMITTEE of the WHOLE
April 14, 2014

Modernize the CBJ Property/Supplies Surplus Program

Attachments:

- 1. Ordinance 2014-13** – Amending the Purchasing Code related to disposal of surplus property.
- 2. Administrative Policy** – Surplus Property

Issue:

The CBJ program for disposal of surplus Borough property is not working as well as it needs to. Based on a review by the Purchasing Division and input from Department Directors actions are needed in 2 key areas:

1. Dedicate .25 FTE of existing staff to program administration and oversight.
2. Modify the CBJ code to: 1) when in the best interests of CBJ disposed of property in accordance with administrative policy and procedure and 2) significantly increase the dollar value of property to be transferred to another governmental or non-profit organization which requires Assembly approval.

Background:

CBJ Code 53.50.200 – 310 authorizes and defines the CBJ Surplus Supplies Program (including personal property). Surplus property is typically defined as property that is no longer suitable for use by departments. The method of its disposal is outlined in the Purchasing Code and has not been updated since 2002.

Current Status:

Based on these needs the Law Department updated the surplus property code. The draft code change is attached.

Staff has developed a draft Surplus Property Policy and Procedure (P&P) to implement the revised code. The P&P incorporates the code's original intent to dispose of surplus property by selling to the highest bidder or transferring it to another government agency or charitable organization.

The new surplus policy: defines the types of surplus property, clarifies departments' roles and responsibility for disposal, and outlines procedures for how to manage the property until its final disposal. To modernize and streamline the P&P includes provisions to: 1) add internet based sales as the main method of surplus disposal; 2) limit newspaper advertisements to announcements of the new CBJ surplus internet site; 3) define nonprofit organizations as 501(c)(3) or 501(c)(4); and 4) request the Assembly to delegate the approval of surplus property transfers (e.g. to another government or nonprofit organization), less than \$50,000, to the City Manager.

Recommendation: The committee review the streamlined approach to the code and determining if they are comfortable with staff moving forward to complete an ordinance for introduction to the full Assembly.

ADMINISTRATIVE POLICY NO. 14-02
CBJ SURPLUS PROPERTY POLICY & PROCEDURE

A. PURPOSE.

This policy provides the City and Borough of Juneau, Alaska (CBJ) employees with a consistent, expedient, and manageable method to dispose of their spare and excess property items. When a CBJ department or division needs to dispose of property, they are expected to adhere to this policy and to exercise prudent judgment in the implementation of the Surplus Property Management Program. By using proper disposal methods, departments and divisions will be able to streamline the process and contribute to the efficiency of the program while attaining the best value for the City.

The following sections outline the surplus property management practice, along with the departments' involvement in reducing excess property in the best interests of the city.

B. ROLES AND RESPONSIBILITIES.

A. The CBJ Purchasing Division shall oversee the Surplus Property Management Program.

This includes but is not limited to:

- i. Management and maintenance of internet sales and Surplus Property Management database;
- ii. Assisting departments in understanding the surplus program protocols and practices;
- iii. Assisting departments in ensuring proper disposal of spare and excess property.

B. Department/Division Property Officer Responsibilities: Each Department or Division shall assign a Department/Division Property Officer (DPO), and a back-up to the DPO, as single point of contact that works with Purchasing in the disposal of their unneeded property. It is the responsibility of the DPO and the back-up to:

- i. Know the Surplus Property Policy and comply with all provisions therein;
- ii. Communicate with Purchasing regarding property within their area;
- iii. Check with their Accountant regarding any grant specifications, Fleet, Fixed Asset or CIP numbers associated with excess property items;
- iv. Post excess items to the Surplus Property Management Entry Form, hosted on SharePoint, including any optional viewing hours and applicable asset numbers;
- v. Ensure unneeded property is removed properly from department/division in disposal.

C. Employee Responsibilities: It is the responsibility of the employee to:

- i. Know the Surplus Property Policy and comply with all provisions therein;

- ii. Inform the DPO of spare or potentially obsolete property as soon as practical;
- iii. Work with the DPO to organize and collect data on spare property, including dimensions/sizes, photographs, quantity, descriptions, etc.;
- iv. Ensure the cleanliness and travel-worthiness of the property to be sold, transferred, or otherwise disposed;
- v. Coordinate item pick-ups with buyers and answer any questions about the property items.

C. TYPES OF SURPLUS PROPERTY

- A. Spare Property:** Items no longer needed by a department but are still useful or serviceable by other CBJ agencies. Items are designated for CBJ internal reallocation and made available for viewing to employees. Once claimed by another department or division, items are no longer considered “spare,” and ownership changes to the receiving department/division.
- B. Obsolete Property:** Unusable items (worn out or broken beyond feasible repair) with no commercial value or with an estimated cost of continued care, handling, or storage that would exceed the estimated proceeds of sale. Obsolete property is disposed of at a waste facility equipped to take such items (e.g., the public landfill/dump, a salvage or recycling center, etc.).
- C. Recyclable Property:** Any items that cannot be used in their current form but can be salvaged to make new property (e.g., any precious metals salvaged from obsolete property). These items will be posted on an internet auction site for viewing by the public to be sold to the highest bidder.
- D. Excess Property:** Items no longer needed by any CBJ agency, but still useable and with commercial value. Items are posted on an internet auction site for viewing by the public to be sold to the highest bidder.

4. EXEMPT PROPERTY

The following types of surplus property are exempt from the application of this policy.

- A.** Hazardous or toxic materials, batteries, paint, oils, and similar items must be properly handled and disposed of at a local Hazardous Material Program drop-off at the expense of each department.
- B.** Police dogs, when it is considered inhumane to do otherwise, will be disposed of to their handlers via negotiated sale authorized by the manager.
- C.** Property currently overseen through another CBJ program shall be exempt from the Surplus Property Management Program.

5. DISPOSAL METHODS

- A. Internet Sales:** In accordance with any established CBJ policies or procedures regarding telecommunication or social media use, an auction-style e-commerce site dedicated to the competitive sale of surplus property to the public, where property is sold to the highest bidder in accordance with CBJ Terms and Conditions. Internet sales are considered the default disposal method for the CBJ Surplus Property Management Program.
- B. Property Transfers:** Surplus property that is either donated or sold to another governmental or quasi-governmental unit, or charitable, civil or non-profit organization, such as a registered 501(c)(3) or (c)(4) organization. Transfers over \$50,000 must be approved by the Assembly; all other requests must be approved by the Purchasing Officer.
- C. Destruction:** Obsolete property that is taken apart for useful components, taken to a salvage company, or sent to a recycling or waste facility (e.g. landfill) to be completely destroyed.
- D. Competitive Sealed Bid Process:** A method of offering surplus property to the public through Purchasing's bid process. Sealed bids are accepted and awarded to the highest bidder. In the event that all other disposal methods are deemed impractical or unfeasible, this method may be considered by Purchasing.

6. PROPERTY MANAGEMENT

- A. Spare Property:** Items identified by the DPO as spare property shall be managed as follows:
 - i. **Record Creation:** DPOs shall upload spare items on the online entry form found on the Purchasing SharePoint page, including a description, pictures, and all other relevant information; any Property Transfer recommendations, grant specifications, and Fleet, Fixed Asset or CIP numbers associated with the items must be included.
 - ii. **Internal Reallocation:** Recorded items will be uploaded weekly by Purchasing for announcement of availability of items to other CBJ departments. Such property will be available for 14 days from the posting date on a "first come, first served" basis. During the internal reallocation process, property is only available to CBJ departments. No spare property may be sold or donated to external parties prior to being offered to other departments, unless approved by Purchasing. Property claimed by an internal agency will be picked up by requesting department, or other arrangement, and considered disposed; ownership will then lay with the receiving agency. Unclaimed property will be deemed excess and will follow excess property protocols below.

- iii. **Commonly Circulated Items (CCI):** Spare property typically used by all departments may be removed from the original location to the CBJ's storage facility for continued availability to CBJ employees, at Purchasing's discretion. CCIs may include, but are not limited to, filing cabinets, office desks, office panels, etc. CCIs will remain on the Purchasing SharePoint site for DPOs to view as their need arises.
- iv. **Computer-Related Electronics:** Computer-related electronic equipment (including, but not limited to, keyboards, mice, printers, copiers/Xeroxes and fax machines) must be forwarded to MIS to ensure proper handling and destruction of sensitive data.

B. Obsolete Property: DPOs will determine whether their property is obsolete and ready for destruction. Items taken to a recycling, salvage, or waste facility must have all visible CBJ affiliation (including, but not limited to: logos, stickers, asset tags, and other identifying marks) removed from all components, and have a label attached that reads "Broken beyond repair" or "Too costly to repair."

C. Excess Property: Items deemed as excess shall be uploaded from SharePoint on a weekly basis to the auction site for public viewing and sale to the highest bidder. Auctions will last 14 days and may be extended at Purchasing's discretion. Computers and related equipment will be disposed of through the Surplus Property Program as determined by MIS and Purchasing.

- v. **Preparation:** All excess items must have visible CBJ affiliation removed from the item (logos, stickers, tags, embossing, etc.), prior to auction.
- vi. **Sale:** Items successfully auctioned will be disposed of in a manner outlined in the CBJ Terms and Conditions. Upon the sale of property, employees must package or otherwise ready items for shipping and coordinate pick-up with the buyer.
- vii. **Unsuccessful auctions:** Purchasing will arrange the disposal of unsuccessfully auctioned property.
- viii. **Proceeds:** Proceeds generated from each sale will be deposited into the City's general fund, except for the proprietary funds (Airport, Harbor, Docks, BRH, Water, Wastewater, Waste Management, Fleet and Risk Management) and the following special revenue departments/funds (Lands, Eaglecrest, Downtown Parking, and Visitor Services)
- ix. **Property Transfers:** Items that are recommended for transfer to another governmental or quasi-governmental unit, or to a charitable, civil or non-profit organization, such as a registered 501(c)(3) or 501(c)(4) organization, may be transferred after having been posted for internal reallocation to CBJ departments. Requests for property transfers must include a complete Property Transfer form

on their Sharepoint entry and be approved by Purchasing or the Assembly before transport to the receiving agency.

7. ELIGIBILITY TO BID

- A.** Once items are determined as surplus, CBJ employees may use the public auction site, as a member of the public, to bid on items. CBJ employees are responsible for the set-up of a personal account on the auction site, and are to bid on and pick up items during their personal time. Under no circumstances should personal accounts reference any CBJ affiliation, such as a CBJ email account, CBJ login or logo. Accounts set up by Purchasing are to be used solely in relation to CBJ auction items.
- B.** The CBJ may block or ban, on the public auction site, bidders who abandon property or refuse to pay for an item.

8. VIOLATION OF POLICY.

In accordance with any and all enacted CBJ policies and procedures regarding employee misconduct, anyone who willfully misrepresents, distorts, or manipulates any information about an item within the Surplus Property Management Program shall be subject to disciplinary action.

9. GENERAL PROVISIONS.

Scope: This policy applies to all agencies and employees of the City and Borough of Juneau, Alaska.

Authority to promulgate policy: The Purchasing Officer, as designated by the City Manager of the City and Borough of Juneau, Alaska, maintains the authority granted by the CBJ Purchasing Code to order policy and the guidelines for implementation.

Effective Date: This policy will take effect on date policy is signed.

Dated at Juneau, Alaska, this _____ day of _____, 2014.

Kimberly Kiefer
City and Borough Manager

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

Ordinance 2014-18(b) An Ordinance Amending the Personnel Management Code Relating to the Applicability of the City and Borough Personnel Rules to Bartlett Regional Hospital.

MANAGER'S REPORT:

This ordinance would eliminate an inconsistency currently existing in the City and Borough Code relating to the applicability of Title 44.05, Personnel Plan, to the employees of Bartlett Regional Hospital. While the more specific Hospital Code at Title 40 provides that the personnel ordinances apply to hospital employees except to the extent modified by regulations issued by the hospital administrator pursuant to CBJ 01.60 and upon approval by the City Manager, CBJ 44.05.010, specifying the scope of the personnel code, exempts Bartlett Regional Hospital.

This ordinance also clarifies that partially exempt employees are not subject to the reduction in force personnel rule regulations.

Finally, version (b) of the ordinance, included in your packet, additionally makes clear that BRH's Chief Executive Officer and Chief Financial Officer are exempt for purposes of the pay plan, similar to the City Manager and City Attorney.

The proposed ordinance was presented as an informational item to the BRH Board's Executive Committee on April 7, 2014, and to the full BRH Board at its meeting on April 29, 2014.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-18(b)	5/6/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-18(b)

An Ordinance Amending the Personnel Management Code Relating to the Applicability of the City and Borough Personnel Rules to Bartlett Memorial Hospital.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 44.05.010, Scope and purpose, is amended to read:

44.05.010 Scope and purpose.

(a) This chapter applies to all City and Borough departments except as provided herein.

This chapter does not apply to ~~Bartlett Memorial Hospital~~, or the City and Borough school district.

...

Section 3. Amendment to Section. CBJ 44.05.070, Partially exempt service, is amended to read:

44.05.070 Partially exempt service.

Positions in the partially exempt service shall be included in the position classification plan established in the personnel rules and shall be compensated according to the pay plan, except for the positions of manager, ~~and attorney,~~ and Bartlett Memorial Hospital's chief executive officer and chief financial officer. Persons holding positions in the partially exempt service are not subject to or covered by the personnel rules on recruitment, examination, selection, probationary periods, reduction in force, and grievance and appeal procedures.

The following positions are in the partially exempt service:

- (a) The manager and the attorney;
- (b) Department heads of the departments in the City and Borough; and
- (c) Those positions specifically designated as partially exempt by the manager.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Ordinance 2014-22(b) An Ordinance Amending the City and Borough of Juneau Code Relating to
Street and Sidewalk Vending.

MANAGER'S REPORT:

This ordinance would amend the City and Borough Code relating to sidewalk and street vending. With respect to sidewalk vending, the ordinance would amend CBJ 42.20.210 to clarify that persons with sidewalk vending permits are exempt from the off-street solicitation provision. With respect to street vending, the ordinance would allow the use of both carts and vehicles, and would eliminate the prohibition against vending from parking spaces in certain areas.

As to both street and sidewalk vending permits, the ordinance would:

1. increase the monthly permit fee from \$100 to \$150 for sidewalk vending permits and from \$150 to \$200 for street vending permits;
2. allow a 25% increase in allowable vendor space size from 15 to 20 square feet;
3. require vendors to provide proof of "open flame" permits when appropriate; and
4. specify that goods handcrafted or characteristic of the heritage or culture of Southeast Alaskan Natives sold directly by the artist are one type of goods allowed to be sold with a permit.

The primary difference between version (b) of the ordinance, included in your packet, and the ordinance originally introduced is that the elimination of the street vending permit provisions, as was originally proposed, has been reversed. This version leaves the street vending permit provisions of the code intact, save for the changes identified above, as requested by the Committee of the Whole at its April 14, 2014 meeting.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-22(b)	5/14/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-22(b)

**An Ordinance Amending the City and Borough of Juneau Code
Relating to Street and Sidewalk Vending.**

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Chapter. CBJ 42.20.010 Off-site commercial solicitation restricted, is amended to read:

42.20.210 Off-site commercial solicitation restricted.

(a) Limitations on off-site commercial solicitation activity:

- (1) Except as allowed under CBJ 62.10.050 (Street Vending), CBJ 62.10.070 (Sidewalk Vending), CBJ 42.20.200 (Panhandling Restricted), or CBJ 85.25.60 (Dock Vending Permits), no person shall engage in off-site commercial solicitation within the Juneau Downtown Historic District, as it may be amended from time to time, or the adjacent areas as depicted in Exhibit A, except within an enclosed structure encompassing at least 200 square feet.

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2 **Section 3. Amendment to Chapter. CBJ 62.10 Street and Sidewalk Obstructions,**
3 is amended to read:

4 ...

5 **62.10.050 Street vending; permit required.**

6 ...

7 (b) Applications to vend on a street during the calendar year will be accepted by the
8 manager or the manager's designee beginning October 1. Permits and the conditions thereof
9 shall be issued on a first-come, first-served basis except that priority shall be given to those
10 applications received between October 1 and January 1 from applicants who operated for at
11 least three months during the previous year under a permit specifying the same location as
12 the one applied for. If such location is not available, such applicant shall have priority in the
13 selection of locations not themselves subject to a priority claim by a vendor who operated
14 thereon under a previous permit. Applications shall be accompanied by a nonrefundable
15 filing fee of \$50.00. Upon issuance of a permit, the permittee shall pay a permit fee of
16 \$~~150.00~~ 200.00 per month for each month or fractional month of the permit period applied
17 for; except, if such period is three months or more, the applicant shall pay the first and final
18 month's permit fee with the application, and fees for each intervening month on the first
19 business day thereof. The fees may be adjusted by the manager from time to time to reflect
20 increases in the cost of municipal services and increases in the cost of processing street
21 vendor permits and monitoring street vendors. The application shall include a description of
22 any vending cart or vending vehicle used in the business, ~~including additions or~~
23 ~~modifications made to the cart or vehicle,~~ the type of goods to be sold, the hours of operation,
25

1
2 the requested location, and such other information as the manager or the manager's
3 designee may request.

4 ...

5 (e) Vending carts and vending vehicles may not be located in any on-street vehicle parking
6 space in the ~~PD 1 or~~ PD 2 zoning parking district. Carts and vehicles may be placed in on-
7 street vehicle parking spaces within the PD 1 zoning parking district or outside the ~~PD 1~~
8 ~~and PD 2 zoning parking districts, unless~~ and may be placed in no parking zones both
9 ~~inside and outside such districts if~~ the manager determines that the size, location and
10 operation of the cart or vehicle will ~~not~~ create a safety hazard.

11 ...

12 ...
13 (g) A cart or vehicle which is authorized under this section to be placed on the street shall
14 be of such a size and nature or so equipped that it may be moved quickly and easily by one
15 person. The permittee or the permittee's designee shall personally attend the cart while it is
16 on a street.

17 ...

18 (i) The manager may adopt standards for the construction and appearance of carts, the
19 issuance and renewal of permits, and may impose time, place, method of operation and such
20 other restrictions on a permit as may be necessary to ensure the safe and convenient use of
21 the public streets and sidewalks. Prior to issuance, the applicant shall submit to the
22 manager a certification by the finance department that the applicant has met the
23 requirements of the sales tax code. A permittee may not vend on a street unless there is
24 displayed on the cart or vehicle a current state business license, a current state food
25

1
2 handling permit, if appropriate, and a current open flame permit, if appropriate, and the
3 operation meets applicable state and local health and sanitation requirements.

4 ...

5 (k) Permits shall be issued only for the sale of:

6 (1) Food;

7 (2) Goods handcrafted primarily from materials indigenous to Southeast Alaska and
8 vended directly by the permittee;

9 (3) Works of visual art depicting Southeast Alaskan scenes or history; and

10 (4) Goods characteristic of the Russian-American period before October 18, 1867, the
11 early territorial period before 1930, ~~or the heritage or culture of the Alaskan~~
12 ~~Natives of Southeast Alaska;~~ and

13 (5) Goods handcrafted and characteristic of the heritage or culture of the Alaskan
14 Natives of Southeast Alaska and sold directly by the artist.

15
16 (l) Vending carts may not exceed ~~15~~ 20 square feet in plan area as measured squaring off
17 all projections such as handles, wheels and shelves. An umbrella or awning may
18 be added, but its open diameter or length may not exceed eight feet and no part of
19 the projecting area may be less than seven vertical feet from the sidewalk or
20 street. The manager may permit deviations from the requirements of this
21 subsection consistent with the safe and convenient use of the public streets and
22 sidewalks.

23
24 ...
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1
2 **62.10.070 Sidewalk vending; permit required.**

3 ...

4 (b) Applications to vend on a sidewalk during the calendar year will be accepted by the
5 manager or the manager's designee beginning October 1. Permits and the conditions thereof
6 shall be issued on a first-come, first-served basis except that priority shall be given to those
7 applications received between October 1 and January 1 from applicants who operated for at
8 least three months during the previous year under a permit specifying the same location as
9 the one applied for. If such location is not available, such applicant shall have priority in the
10 selection of locations not themselves subject to a priority claim by a vendor who operated
11 thereon under a previous permit. Applications shall be accompanied by a non-refundable
12 filing fee of \$50.00. Upon issuance of a permit, the permittee shall pay a permit fee of
13 ~~\$100.00~~ \$150.00 per month for each month or fractional month of the permit period applied
14 for; except, if such period is three months or more, the applicant shall pay the first and the
15 final month's permit fee with the application, and fees for each intervening month on the
16 first business day thereof. The fees may be adjusted by the manager from time to time to
17 reflect increases in the cost of municipal services and increases in the cost of processing
18 sidewalk vendor permits and monitoring sidewalk vendors. The application shall include a
19 description of any vending cart used in the business, the type of goods to be sold, the hours
20 of operation, the requested location, and such other information as the manager or the
21 manager's designee may request.
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23 ...
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25 (d) Vending carts may not exceed ~~15~~ 20 square feet in plan area as measured squaring off
all projections such as handles, wheels and shelves. An umbrella or awning may be added,

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2 but its open diameter or length may not exceed eight feet and no part of the projecting area
3 may be less than seven vertical feet from the sidewalk or street. The manager may permit
4 deviations from the requirements of this subsection consistent with the safe and convenient
5 use of public sidewalks by pedestrians.

6 ...

7 (h) The manager may adopt standards for the construction and appearance of carts, the
8 issuance and renewal of permits, and may impose the time, place, method of operation, and
9 such other restrictions on the permit as may be necessary to ensure the safe and convenient
10 use of public sidewalks by pedestrians. Prior to issuance, the applicant shall submit to the
11 manager a certification by the finance department that the applicant has met the
12 requirements of the sales tax code. A permittee may not vend on a sidewalk unless the
13 permittee has displayed on the cart or vehicle a current state business license, a current
14 state food handling permit, if appropriate, and a current open flame permit, if appropriate.
15 and the operation meets applicable state and local health and sanitation requirements.

16 ...

17
18 (j) Permits shall be issued only for the sale of:

- 19 (1) Food;
- 20 (2) Goods handcrafted primarily from materials indigenous to Southeast Alaska and
21 vended directly by the permittee;
- 22 (3) Works of visual art depicting Southeast Alaskan scenes or history; ~~and~~
- 23 (4) Goods characteristic of the Russian-American period before October 18, 1867, the
24 early territorial period before 1930, ~~or the heritage or culture of the Alaskan~~
25 ~~Natives of Southeast Alaska;~~ and

1
2 (5) Goods handcrafted and characteristic of the heritage or culture of the Alaskan
3 Natives of Southeast Alaska and sold directly by the artist.

4 ...

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6 **Section 5. Effective Date.** This ordinance shall be effective 30 days after its
7 adoption.

8 Adopted this _____ day of _____, 2014.

9
10 _____
Merrill Sanford, Mayor

11 Attest:

12 _____
13 Laurie J. Sica, Municipal Clerk
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**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2014-27 An Ordinance Amending the Penal Code Relating to Harassment.

MANAGER'S REPORT:

This ordinance would amend the City and Borough code related to criminal harassment, by expanding the types of harassment prohibited to include harassment by electronic means. Currently, harassing another person by electronic means, such as texting, is only prohibited by State law. This amendment would bring the City and Borough code in line with the State statute. Additionally, this amendment would make it unlawful to threaten another with sexual contact, in addition to threatening physical injury, which is already prohibited.

The Human Resources Committee heard this ordinance at its April 7, 2014 meeting and recommended forwarding it to the full Assembly for approval.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-27	5/6/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-27

An Ordinance Amending the Penal Code Relating to Harassment.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 42.20.110, Harassment, is amended to read:

42.20.110 Harassment.

(a) A person commits the crime of harassment if, with intent to harass or annoy another person, that person:

- (1) Insults, taunts, or challenges another person in a manner likely to provoke an immediate violent response;
- (2) Telephones another or fails to terminate the connection with intent to impair the ability of that person to place or receive telephone calls;
- (3) Makes repeated telephone calls at extremely inconvenient hours;

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2 (4) Makes an anonymous or obscene telephone call, an obscene electronic
3 communication, or a telephone call or electronic communication that threatens
4 physical injury or sexual contact;

5 (5) Subjects another person to an offensive physical contact.

6
7 (b) Harassment is a Class B misdemeanor.

8
9 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
10 adoption.

11 Adopted this _____ day of _____, 2014.

12
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14 _____
Merrill Sanford, Mayor

15 Attest:

16
17 _____
Laurie J. Sica, Municipal Clerk

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

Ordinance 2014-28(b) An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Douglas Townsite, Block 46, Lots 1 and 1A, Located at Dock Street and 1st Street in Downtown Douglas, from Waterfront Industrial (WI) to D-18.

MANAGER'S REPORT:

In January 2014, CDD received an application to rezone Lots 1 and 1A of Douglas Townsite Block 46, located at the Northeast corner of Dock Street and 1st Street, from WI (Waterfront Industrial) to D-18. On February 26, 2014, staff held an informational meeting to discuss the proposed rezoning with all property owners in the affected area.

The size of the lots and the development proposed is similar to the surrounding area as there are currently multi-family and single-family developments in the surrounding D-18 neighborhood. Southeast across Dock Street is zoned WI. Southwest is zoned LC (Light Commercial).

The requested rezone conforms to CBJ Land Use Code requirements as follows:

1. The request is for less than 2 acres, and if approved will expand an existing D-18 zoning district.
2. No similar request has been made in the past year.
3. This request substantially conforms to the Land Use Maps of the 2013 Comprehensive Plan.

The Planning Commission heard this request at its March 25, 2014 meeting, and recommended forwarding to the full Assembly for approval.

The version (b) included in your packet (which shows the tracked changes) revises the ordinance to address some redundancy in the "whereas" clauses and by simplifying some of the text.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

	Description	Upload Date	Type
☐	Ordinance 2014-28(b)	5/15/2014	Cover Memo
☐	Exhibit A - Ordinance 2014-28(b)	5/14/2014	Exhibit

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-28(b)

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Douglas Townsite, Block 46, Lots 1 and 1A, Located at Dock Street and 1st Street in Downtown Douglas, from Waterfront Industrial (WI) to D-18.

WHEREAS, the Comprehensive Plan of the City and Borough of Juneau supports the facilitation of housing and the protection and preservation of existing neighborhoods; and

WHEREAS, the applicant, Jacqueline Farnsworth, wishes to rezone Douglas Townsite, Block 46, Lots 1 and 1A, located at Dock Street and 1st Street in downtown Douglas, from Waterfront Industrial (WI) to D-18 multi-family residential for the future development of a single-family home; and

WHEREAS, the Comprehensive Plan identifies the area of Douglas proposed for rezoning as Marine Mixed Use (M/MU); and

WHEREAS, M/MU is described as high-density residential and non-residential land uses in areas in and around harbors with medium and high-density residential uses at densities ranging from 10 to 60 residential units per acre; and

1
2 WHEREAS, the area of the proposed rezone is immediately adjacent to D-18 zoning,
3 which provides for up to 18 units per acre; and
4

5 WHEREAS, in the area under consideration, the lots as platted are relatively small,
6 often resulting in several lots being held in common ownership and developed as if they
7 were one parcel; and
8

9 WHEREAS, the zone change application meets the criteria set forth in CBJ 49.75.120,
10 as follows:
11

- 12
- 13 a) The zone change is less than two acres and is an expansion of an existing
14 adjacent zone;
 - 15 b) The application is not substantially similar to another rezone considered in
16 the last 12 months; and
 - 17 c) The proposed zoning district and the uses allowed therein are in substantial
18 conformance with the Land Use Maps of the Comprehensive Plan.
19

20 NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
21 JUNEAU, ALASKA:
22

23 **Section 1. Classification.** This ordinance is of a general and permanent nature
24 and shall become a part of the City and Borough of Juneau Municipal Code.
25

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of Lots 1 and 1A, Block 46, Douglas Townsite, located at Dock Street and 1st Street in downtown Douglas from Waterfront Industrial (WI) to D-18 multi-family residential.

The described rezone is shown on the map attached as Exhibit “A,” illustrating the area of the zone change.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

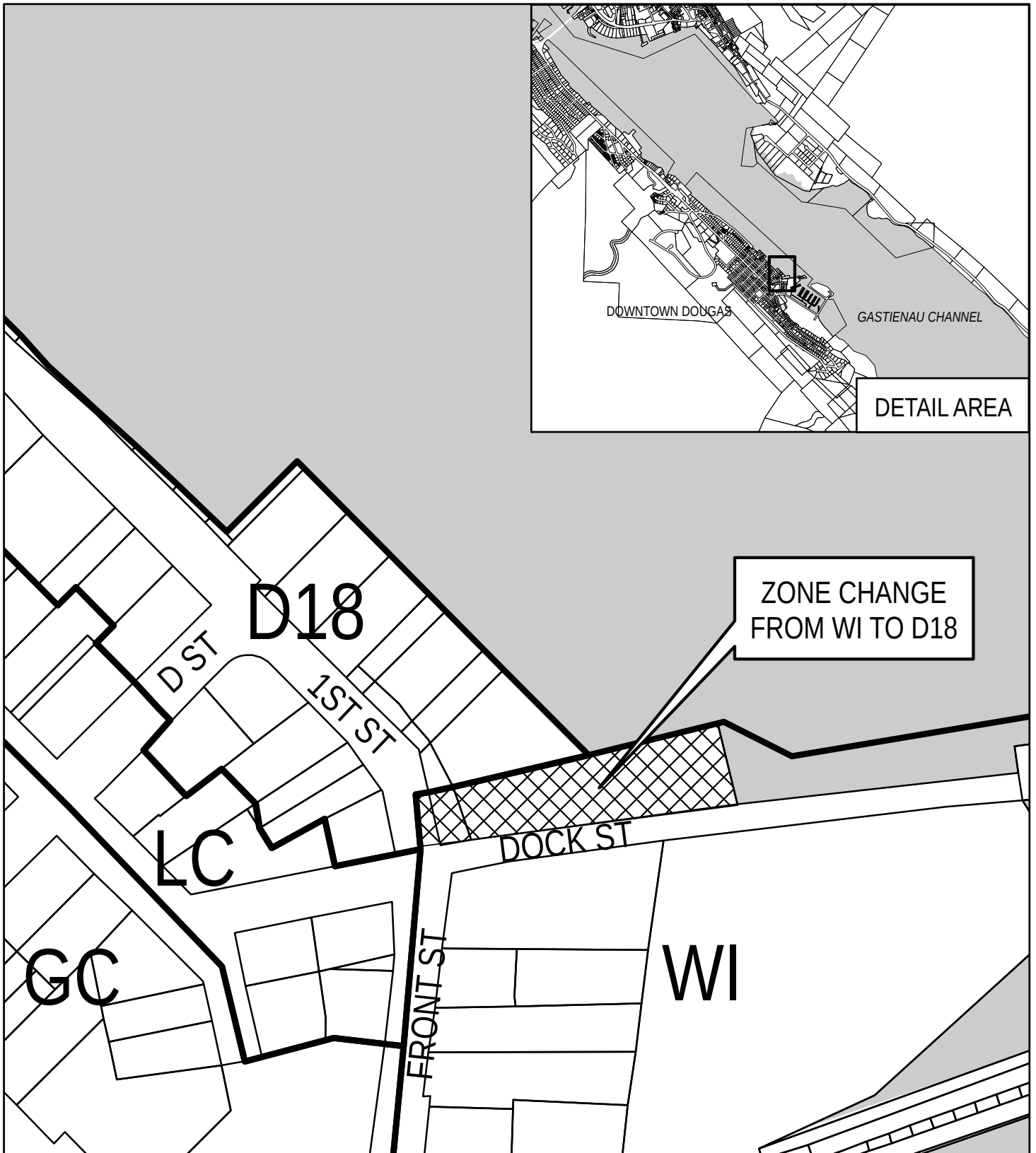


Exhibit A - Ord. 2014-28(b)
Zoning Change for
Lots 1 and 1A of Block 46 Douglas Townsite
from Waterfront Industrial to D-18.

0 125 250
Feet



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

Ordinance 2013-11(AQ) An Ordinance Appropriating to the Manager the Sum of \$85,128 as Additional Funding for the 2012 State Homeland Security Programs; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

MANAGER'S REPORT:

This ordinance would appropriate an additional \$85,128 for the 2012 State Homeland Security Programs (SHSP) Grant per Amendment 4 from the Alaska Department of Military and Veterans Affairs. Amendment 4 increases the grant budget from \$138,500 to \$223,628. This grant was originally adopted in FY13 with ordinance number 2012-12(X).

These funds would be used to support the goals and activities of the Emergency Management through funding of training, exercises and equipment purchases.

These items include:

Microwave Data Links for JPD/CCFR and 911 System (increase) = \$74,289.94

CCFR Mobile Data Terminals (new) = \$10,837.24

The term of this grant is October 1, 2012 through June 30, 2014.

There is no match requirement for this grant.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ 2013-11(AQ)	5/15/2014	Cover Memo
☐ Grant Amendment 4	4/8/2014	Cover Memo

Presented by: The Manager
Introduced: 04/28/2014
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2013-11(AQ)

An Ordinance Appropriating to the Manager the Sum of \$85,128 as Additional Funding for the 2012 State Homeland Security Programs; Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$85,128 to support the activities related to the 2012 State Homeland Security Programs.

Section 3. Source of Funds.

Alaska Department of Military and Veterans Affairs \$85,128

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this 19th day of May, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Military and
Veterans Affairs

Division of Homeland Security and
Emergency Management

P.O. Box 5750
JBER, AK 99505-0800
Main: 907.428.7000
Fax: 907.428.7009
www.ready.alaska.gov

March 31, 2014

Ms. Kimberly A. Kiefer, City and Borough Manager
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

COPY

RE: 2012 State Homeland Security Program, EMW-2012-SS-00127
State Grant No.: 12SHSP-GR34077
Amendment #4, Effective March 19, 2014

Certified Mail #: 9171 9690 0935 0073 0278 95

Dear Ms. Kiefer:

Please find attached the award amendment for the City and Borough of Juneau's 2012 State Homeland Security Program. This amendment allocates \$85,127.18 to the Equipment category for approved projects, increasing the total award to \$223,627.18. All previous Grant Terms and Conditions, and Grant Requirements, Assurances and Agreements still apply.

Attached are two pre-signed grant award obligating documents. Please review the information for accuracy, sign both obligating documents, keep one copy for your records, and return the other original within 30 days of jurisdiction receipt to:

State Administrative Agency Point of Contact
PO Box 5750
JBER, AK 99505

If you have questions or need further assistance, please contact the Division Project Manager for this grant, Adrian Avey, at 907-428-7000, 800-478-2337, or by email at mva.grants@alaska.gov.

Sincerely,

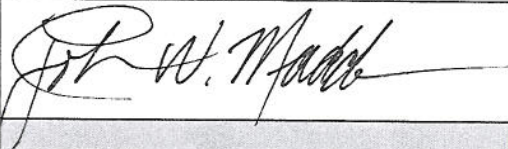
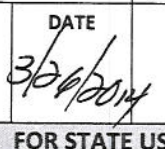

John W. Madden
Director

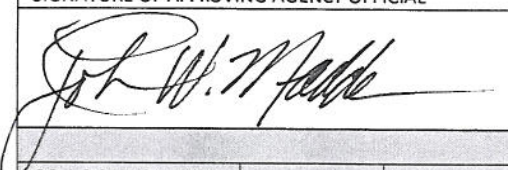
Enclosures: Obligating Document (2 Copies)
Project Budget Details Report

CC: Tom Mattice, Jurisdiction Project Manager
Robert N. Bartholomew, Jurisdiction Chief Financial Officer

*MGR Report
Re: Adoption
- New PAC
Per Project #4
+ \$ Per #1*

COPY

State of Alaska Division of Homeland Security and Emergency Management Under US Department of Homeland Security Federal Emergency Management Agency Grant Programs Directorate				Page 1 of 1 AWARD DATE October 01, 2012 FEDERAL GRANT PROGRAM 2012 State Homeland Security Program	
OBLIGATING AWARD DOCUMENT				AMENDMENT # 4 FEDERAL GRANT NUMBER EMW-2012-SS-00127	
RECIPIENT NAME AND ADDRESS (Including Zip Code) City and Borough of Juneau 155 South Seward Street Juneau, AK 99801		PERFORMANCE PERIOD FROM: October 01, 2012 TO: June 30, 2014 STATE GRANT NUMBER 12SHSP-GR34077		CFDA: 97.067 AWARD AMOUNT \$223,627.18	
DUNS NUMBER 129390407	EIN 92-0038816	FUNDING ALLOCATION			
METHOD OF PAYMENT Electronic		PLANNING \$6,000.00	EXERCISE \$7,500.00		
		TRAINING \$6,000.00	EQUIPMENT \$210,127.18		
PURPOSE OF AWARD This amendment allocates \$85,127.18 to the Equipment category for approved projects, increasing the total award to \$223,627.18. The effective date of this action is March 19, 2014.					
GRANT TERMS AND CONDITIONS All previous Grant Terms and Conditions still apply.		GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS (all previous Grant Requirements, Assurances and Agreements still apply) The acceptance of a grant from the United States government creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant. [GAO Accounting Principles and Standards for Federal Agencies, Chapter 2, Section 16.8(c)]			
SPECIAL CONDITIONS (Grant funds cannot be expended until these conditions have been met. See Obligating Award for details) None					
AGENCY INFORMATION					
ADDRESS Division of Homeland Security and Emergency Management PO Box 5750 JBER, AK 99505-5750	WEBSITE http://ready.alaska.gov		EMAIL mva.grants@alaska.gov		
		PHONE 907-428-7000	FAX 907-428-7009		
STATE PROJECT MANAGER Adrian Avey	PHONE 907-428-7027	FAX 907-428-7009	EMAIL adrian.avey@alaska.gov		
AGENCY APPROVAL			RECIPIENT ACCEPTANCE		
NAME AND TITLE OF APPROVING AGENCY OFFICIAL John W. Madden, Director			NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL Kimberly A. Kiefer, City and Borough Manager		
SIGNATURE OF APPROVING AGENCY OFFICIAL 			SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 		
DATE 3/26/2014			DATE		
FOR STATE USE ONLY					
CO-LOCATION CODE 9292251			DIVISION FILE NUMBER 12 SHSP 1.6.10.1.7	DATE RETURNED	

State of Alaska Division of Homeland Security and Emergency Management Under US Department of Homeland Security Federal Emergency Management Agency Grant Programs Directorate						Page 1 of 1	
						AWARD DATE	
						October 01, 2012	
						FEDERAL GRANT PROGRAM	
						2012 State Homeland Security Program	
OBLIGATING AWARD DOCUMENT					AMENDMENT # 4	FEDERAL GRANT NUMBER EMW-2012-SS-00127	
RECIPIENT NAME AND ADDRESS (Including Zip Code) City and Borough of Juneau 155 South Seward Street Juneau, AK 99801				PERFORMANCE PERIOD FROM: October 01, 2012 TO: June 30, 2014		CFDA: 97.067 AWARD AMOUNT \$223,627.18	
DUNS NUMBER 129390407 EIN 92-0038816				STATE GRANT NUMBER 12SHSP-GR34077			
METHOD OF PAYMENT Electronic				FUNDING ALLOCATION PLANNING \$6,000.00 TRAINING \$6,000.00 EXERCISE \$7,500.00 EQUIPMENT \$210,127.18			
PURPOSE OF AWARD This amendment allocates \$85,127.18 to the Equipment category for approved projects, increasing the total award to \$223,627.18. The effective date of this action is March 19, 2014.							
GRANT TERMS AND CONDITIONS All previous Grant Terms and Conditions still apply.				GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS (all previous Grant Requirements, Assurances and Agreements still apply) The acceptance of a grant from the United States government creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant. [GAO Accounting Principles and Standards for Federal Agencies, Chapter 2, Section 16.8(c)]			
SPECIAL CONDITIONS (Grant funds cannot be expended until these conditions have been met. See Obligating Award for details) None							
AGENCY INFORMATION							
ADDRESS		Division of Homeland Security and Emergency Management PO Box 5750 JBER, AK 99505-5750			WEBSITE		http://ready.alaska.gov
					EMAIL		mva.grants@alaska.gov
					PHONE		907-428-7000
					FAX		907-428-7009
STATE PROJECT MANAGER		PHONE		FAX		EMAIL	
Adrian Avey		907-428-7027		907-428-7009		adrian.avey@alaska.gov	
AGENCY APPROVAL				RECIPIENT ACCEPTANCE			
NAME AND TITLE OF APPROVING AGENCY OFFICIAL				NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL			
John W. Madden, Director				Kimberly A. Kiefer, City and Borough Manager			
SIGNATURE OF APPROVING AGENCY OFFICIAL				SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL			
			DATE 3/26/2014		DATE		
FOR STATE USE ONLY							
CO-LOCATION CODE		DIVISION FILE NUMBER			DATE RETURNED		
9292251		12 SHSP 1.6.10.1.7					

Project Budget Details Report

2012 Homeland Security Grant Program / SHSP

Juneau, City and Borough

Reported Category = ALL. Reported Revision = 1 of 1.

PBD#	Expense Category	Solution Area	Discipline	Qty	Budgeted Cost	Amt Spent	PBD# Balance
1	Equipment	Interop. Commun	LE				
EHP					State		
Federal					\$199,289.94		\$199,289.94
Item: Microwave Data Links Description: Microwave Data Links for Back-up/Secondary Dispatch Center, Alternate Data Storage Site and JPD Sub Station Regional 911 Dispatch Center COOP							

2	Exercise	Prog: Des,Dev,Cond,Eval	EMA				
EHP					State		
Federal					\$7,500.00	\$1,799.58	\$5,700.42
Item: AK Shield Exercise 2014 - Travel Description: Travel to 2014 AK Shield Exercise Planning Meetings							

3	Training	Course: Dev,Del,Eval	EMA	4			
EHP					State		
Federal					\$6,000.00	\$4,237.88	\$1,762.12
Item: ICS Training Description: ICS Position Specific Training- Incident Commander, Operations Chief, Planning Chief, Logistics Chief Training (classroom-based training, no EHP review required)							

4	Equipment	Interop. Commun	EMA				
EHP					State		
Federal					\$10,837.24		\$10,837.24
Item: Mobile Data Terminals Description: Mobile Data Terminals for Emergency Response Vehicles							

Adjusted Grant Award

State

Federal **\$223,627.18**

Total Budgeted Allocated (Fed & State)

\$223,627.18

PBD Total Allocations:

State

Federal **\$223,627.18**

Total Expenses:

State

Federal **\$6,037.46**

Summary Balance:

State

Federal **\$217,589.72**

PBD Non-Budgeted Funds: **\$0.00**

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

Ordinance 2013-11(AR) An Ordinance Transferring \$37,692 of Unexpended FY13 Marine Passenger Fees from the General and Visitors Services Funds to the Open Space Waterfront Land Acquisition Capital Improvement Project.

MANAGER'S REPORT:

This ordinance would transfer \$37,692 of unexpended Marine Passenger Fees (MPF) revenues budgeted for specific purposes in FY13 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 FY13 budget but were not fully expended by the end of FY13.

Downtown Business Association - Downtown Security Program	\$5,273
Seasonal BLS-EMS Transport Program	\$27,829
Juneau Convention & Visitors Bureau - Crossing Guard Program	\$4,591
Total:	\$37,692

For accounting purposes, the funds would first be refunded to the Marine Passenger Fee Fund and then transferred to the Open Space Waterfront Land Acquisition CIP.

RECOMMENDATION:

The Manager recommends this ordinance be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2013-11(AR)	5/15/2014	Cover Memo

Presented by: The Manager
Introduced: 4/28/2014
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2013-11(AR)

An Ordinance Transferring \$37,692 of Unexpended FY13 Marine Passenger Fees from the General and Visitors Services Funds to the Open Space Waterfront Land Acquisition Capital Improvement Project.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Transfer. There is appropriated to the Manager the sum of \$37,692 for the Open Space Waterfront Land Acquisition Capital Improvement Project.

Section 3. Source of Funds. Marine Passenger Fee funds that were transferred to the following funds:

• General Fund	\$ 33,101
• Visitor Services Fund	<u>4,591</u>
	\$ 37,692

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

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

Ordinance 2014-24(b) An Ordinance Appropriating Funds from the Treasury for FY15 City and
Borough Operations

MANAGER'S REPORT:

This ordinance would appropriate \$308,849,500 for the City and Borough of Juneau's FY15 operating budget, excluding the School District. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditure within the funds themselves. These transfers account for \$82,539,800 of the FY15 operating budget. Excluding the transfers and School District, the CBJ FY15 operating budget, debt service and capital projects is \$266,309,700.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

The Charter requires adoption by June 15, 2014.

RECOMMENDATION:

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-24(b)	5/16/2014	Appropriating Ordinance

Ordinance of the City and Borough of Juneau

Serial No. 2014-24(b)

An Ordinance Appropriating Funds from the Treasury
for FY15 City and Borough Operations

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau, excluding the Juneau School District, for the fiscal year beginning July 1, 2014, and ending June 30, 2015. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:

State Support	\$ 22,252,200	
Federal Support	2,097,700	
Taxes	<u>95,254,800</u>	<u>93,373,100</u>
Charges for Services	<u>111,806,300</u>	<u>109,349,900</u>
Licenses, Permits, Fees	<u>12,354,800</u>	<u>12,591,100</u>
Fines and Forfeitures	<u>349,200</u>	<u>602,900</u>
Sales	390,700	
Investment and Interest Income	<u>2,675,500</u>	<u>2,640,800</u>
Rents and Leases	4,360,400	
Other Miscellaneous Revenue	<u>2,161,600</u>	<u>2,206,600</u>
Total Revenue	<u><u>253,703,200</u></u>	<u><u>249,865,400</u></u>

TRANSFERS IN:

Support From Other Funds	<u><u>56,653,000</u></u>	<u><u>56,869,400</u></u>
---------------------------------	---------------------------------	---------------------------------

FUND BALANCE USAGE/(CONTRIBUTION)

Replacement Reserve Contribution	(33,100)	
Fund Balance Usage Excluding the General Fund	<u>(3,364,000)</u>	<u>993,700</u>
General Fund Fund Balance Usage	<u>447,300</u>	<u>1,154,100</u>
Total Fund Balance Usage/(Contribution)	<u><u>(2,949,800)</u></u>	<u><u>2,114,700</u></u>

**Total Revenue, Transfers In
and Fund Balance Usage**

<u><u>\$ 307,406,400</u></u>	<u><u>\$ 308,849,500</u></u>
-------------------------------------	-------------------------------------

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2014, and ending June 30, 2015.

APPROPRIATION:**General Fund:**

Mayor & Assembly	\$ 4,768,900	\$ 4,637,000
Law	2,119,600	2,093,400
Manager	1,519,900	1,494,300
Clerk	557,700	546,600
Voter Information	10,000	
Management Information Systems	2,438,400	2,427,700
Libraries	2,899,000	2,813,100
Finance	5,499,700	5,326,600
Human Resources	579,000	577,000
Community Development	2,996,600	2,777,300
Capital City Rescue	4,213,000	4,202,000
General Engineering	444,500	443,100
Building Maintenance	2,469,700	2,385,900
Parks and Landscape	1,968,300	1,945,600
Capital Projects Indirect Cost Allocation	(524,300)	
Interdepartmental Charges	(4,261,400)	
Unallocated Budget Reductions	(630,000)	
Support to:		
School District	24,696,400	24,904,400
Other Funds	875,000	837,500
Total General Fund	52,640,000	52,635,800

Special Revenue Fund:

Capital Transit	6,888,700	6,695,400
Lands and Resources	860,000	
Eaglecrest Ski Area	2,876,300	2,846,300
Police	14,024,500	13,776,700
Streets	5,489,500	5,324,300
Capital City Fire	3,723,800	3,790,200
Parks and Recreation	5,219,400	4,970,100
Downtown Parking	504,100	
Affordable Housing	460,000	75,000
Visitor Services	2,305,100	2,155,100
Sales Tax Full Cost Allocation	698,400	
Hotel Tax Full Cost Allocation	13,800	
Tobacco Excise Tax Full Cost Allocation	16,400	
Marine Passenger Fee	5,500	
Port Development Fee	5,500	
Interdepartmental Charges	(1,288,800)	
Unallocated Budget Reductions	(550,000)	-
Support to Other Funds	55,369,500	55,423,400
Total Special Revenue Funds	\$ 96,621,700	95,871,400

Jensen - Olson Arboretum Fund**\$ 87,500****Enterprise Funds:**

Airport	\$ 6,097,900	
Harbors	3,551,900	
Docks	1,403,500	
Waste Management	<u>1,339,700</u>	<u>1,325,400</u>
Water	<u>3,661,700</u>	<u>3,640,300</u>
Wastewater	<u>12,010,700</u>	<u>12,146,700</u>
Bartlett Regional Hospital	<u>82,998,200</u>	<u>86,117,000</u>
Interdepartmental Charges	(11,000)	
Support to Other Funds	450,000	
Total Enterprise Funds	<u><u>111,502,600</u></u>	<u><u>114,721,700</u></u>

Internal Service Funds:

Public Works Fleet	2,561,000
Fleet Replacement Reserve	2,194,400
Self-Insurance	21,903,100
Interdepartmental Charges	<u>(25,262,900)</u>
Total Internal Service Funds	<u><u>1,395,600</u></u>

Debt Service Fund**25,019,700 25,107,700****Capital Project Funds****19,346,300 18,296,300****Special Assessment Funds**

	282,000
Support to Other Funds	<u>11,000</u>
Total Special Assessment Funds	<u><u>293,000</u></u>

Work Force:

CIP Engineering	2,173,800	
Public Works Administration	<u>585,600</u>	<u>441,900</u>
Interdepartmental Charges	<u>(2,759,400)</u>	<u>(2,615,700)</u>
Total Work Force	<u><u>-</u></u>	<u><u>-</u></u>

Better Capital City**500,000 440,500****Total Appropriation****\$ 307,406,400 \$ 308,849,500**Section 4. Effective Date. This ordinance shall be effective immediately upon adoption.Adopted this ____th day of _____

Attest:

Merrill Sanford, Mayor_____
Laurie Sica, City Clerk

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

Ordinance 2014-25(b) An Ordinance Appropriating Funds from the Treasury for FY15 School District Operations

MANAGER'S REPORT:

This ordinance would appropriate to the School District an FY15 operating budget of \$158,373,800. The FY15 school budget is supported with a combination of funding sources that includes local funding of \$24,904,400. This consists of \$24,526,900 for general operations, \$172,500 for student activities, \$70,000 for pupil transportation, and \$135,000 for Community Schools. The \$24,526,900 in general operating support is an increase in funding of \$392,500 over FY14. This amount is directly offset in a reduction in funding to student activities outside of the CAP.

The original ordinance was introduced at the April 7, 2014 Assembly meeting and referred to the Assembly Finance Committee for deliberation. The Assembly Finance Committee moved the amended ordinance at its May 7, 2014 meeting.

RECOMMENDATION:

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-25(b)	5/16/2014	Appropriating Ordinance

Ordinance of the City and Borough of Juneau

Serial No. 2014-25(b)

An Ordinance Appropriating Funds from the Treasury
for FY15 School District Operations

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau School District, for the fiscal year beginning July 1, 2014, and ending June 30, 2015. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:

State Support	\$ 60,641,000	122,450,900
Federal Support	4,459,400	
User Fees and Permits	4,436,300	4,581,300
Total Revenue	69,536,700	131,491,600

TRANSFERS IN:

General Fund School District Support:		
Operations	24,134,400	24,526,900
Community Schools	135,000	
High School Activities	365,000	172,500
Pupil Transportation	70,000	
Roaded Service Area School District Support-Youth Activities	200,000	-
Support from other funds	378,500	766,000
Total Transfers In	25,282,900	25,670,400

FUND BALANCE USAGE

	1,096,100	1,211,800
Total Revenue, Transfers In and Fund Balance Usage	\$ 95,915,700	\$ 158,373,800

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2014, and ending June 30, 2015.

APPROPRIATION:

Special Revenue Fund:

School District:		
General Operations	\$ 81,143,400	143,495,800
Special Revenue	6,089,600	6,089,600
Other	8,682,700	8,788,400
Total Appropriations	\$ 95,915,700	\$ 158,373,800

Section 4. Effective Date. This ordinance shall be effective immediately upon adoption.

Adopted this ____ day of ____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie Sica, Clerk

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

Ordinance 2014-26(b) An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar
Year 2014 for the Budget for Fiscal Year 2015

MANAGER'S REPORT:

This ordinance establishes the mill rates for property taxes for 2014, which funds the City and Borough of Juneau's FY15 operating budget. The Charter requires the assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY15 Budget that has been reviewed by the Assembly Finance Committee. The Assembly Finance Committee approved a motion on May 7, 2014 to move these proposed mill rates on to the Assembly for action on May 19, 2014.

This ordinance would adopt a total mill levy of 10.76, 9.26 mills for operations and 1.50 mills for debt service, This is a reduction of 0.44 mills from the originally introduced ordinance; the components of which are:

<u>Area</u>	<u>Introduced Millage</u>	<u>Amended Millage</u>
Roaded Service Area	2.25	2.20
Fire Service Area	0.47	0.42
Areawide -		
Operational	6.98	6.64
Debt Service	<u>1.50</u>	<u>1.50</u>
Total	11.20	10.76

RECOMMENDATION:

The Manager recommends this ordinance, as amended by the Assembly Finance Committee, be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-26(b)	5/16/2014	Non-Code Ordinance

Presented by: The Manager
Introduced: April 7, 2014
Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2014-26(b)

An Ordinance Establishing the Rate of Levy for Property Taxes
for Calendar Year 2014 for the Budget for Fiscal Year 2015.

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Rates of Levy. The following are the rates of levy on taxable property within the City and Borough of Juneau for the Calendar Year beginning January 1, 2014, based upon the proposed budget for Fiscal Year 2015 beginning July 1, 2014.

<u>Area</u>	<u>Millage</u>	
Roaded Service Area	2.25	<u>2.20</u>
Fire Service Area	0.47	<u>0.42</u>
Areawide -		
Operational	6.98	<u>6.64</u>
Debt	1.50	

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Adopted this _____ day of _____.

Merrill Sanford, Mayor

Attest:

Laurie Sica, Clerk

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

Resolution 2682(b) - A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2015 Through 2020, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2015.

MANAGER'S REPORT:

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2015 through 2020, as required by Charter Section 9.4, and lists the capital projects that will be undertaken in FY 2015.

The Public Works and Facilities Committee (PWFC) reviewed the CIP at its meetings on February 6 and March 17, 2014, and forwarded the plan to the Finance Committee. The Planning Commission reviewed the CIP at its April 8, 2014 meeting, and submitted comments to the Assembly.

The Finance Committee reviewed the CIP Resolution 2682 at its April 9, 2014 meeting and revised Resolution 2682 on May 7th and recommended forwarding it to the full Assembly for approval.

Version "b" includes the following revisions:

Reduce Eaglecrest Lift/Mountain Operations Improvements by \$50,000 leaving a total of \$250,000; Reduce Public Works Streets Sidewalk and Stairway Repairs funding by \$50,000 leaving a total of \$100,000. Postpone Parks and Recreation Treadwell Arena Entrance Paving for \$100,000, Public Works- Water Cope Park Water Main Improvements for \$350,000, and Public Works Streets/Water/Sewer Front Street Douglas for \$500,000. Total reductions total \$1,050,000.

RECOMMENDATION:

The Manager recommends this resolution be adopted.

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution 2682(b)	5/16/2014	Resolution

Presented by: The City Manager

Introduced: April 28, 2014

Drafted by: Engineering

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2682 (b)

A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2015 Through 2020, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2015.

WHEREAS, the CBJ Capital Improvement Program is a plan for capital improvement projects proposed for the next six fiscal years; and

WHEREAS, the Assembly has reviewed the Capital Improvement Program for Fiscal Year 2015 through Fiscal Year 2020, and has determined the capital improvement project priorities for Fiscal Year 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Capital Improvement Program.

(a) Attachment A, entitled "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2015 - 2020," dated June 1, 2014, is adopted as the Capital Improvement Program for the City and Borough.

(b) The following list, as set forth in the "City and Borough of Juneau Capital Improvement Program, Fiscal Years 2015 - 2020," are pending capital improvement projects to be undertaken in FY15:

FISCAL YEAR 2015 GENERAL SALES TAX IMPROVEMENTS		
DEPARTMENT	PROJECT	FY15 BUDGET
Manager's Office	PRISM Lease	\$ 817,800 *
Parks & Recreation	Deferred Building Maintenance	182,200
General Sales Tax Improvements Total		<u>\$ 1,000,000</u>

**FISCAL YEAR 2015
AREAWIDE SALES TAX PRIORITIES**

DEPARTMENT	PROJECT	FY15 BUDGET	
Manager's Office	IT Infrastructure Modernization	\$ 175,000	
Eaglecrest	Lift/Mountain Operations Improvements	<u>300,000</u>	<u>250,000</u>
Parks & Recreation	Park & Playground Repairs	275,000	
Parks & Recreation	Sports Field Resurfacing & Repairs	150,000	
Parks & Recreation	Bridge Park	500,000	
Parks & Recreation	Treadwell Arena Entrance Paving	<u>100,000</u>	<u>-</u>
Fire Dept.	Central Fire Station Paving	350,000	
Street Maintenance	Pavement Management	800,000	
Street Maintenance	McGinnis Subdivision (Wren Drive Area) LID Phase 1	1,200,000	
Street Maintenance	Lakewood Subdivision Phase 3	950,000	
Street Maintenance	Scott Drive Roadway and Drainage Improvements	1,000,000	
Street Maintenance	Blueberry Hills Road	800,000	
Street Maintenance	Eagles Edge Subd Phase 2	500,000	
Street Maintenance	Front Street Douglas	<u>350,000</u>	<u>-</u>
Street Maintenance	Areawide Drainage Improvements	150,000	
Street Maintenance	Dunn Street LID	250,000	
Street Maintenance	Sidewalk & Staircase Repairs	<u>150,000</u>	<u>100,000</u>
Engineering	Contaminated Sites Sampling and Reporting	75,000	
Transit	Transit Shelters	75,000	
Water/Wastewater Util	Front Street Douglas Water & Sewer Mains	<u>150,000</u>	<u>-</u>
Water Utility	Cope Park Watermain Improvements	<u>350,000</u>	<u>-</u>
Areawide Sales Tax Priorities Total		<u>\$ 8,650,000</u>	<u>\$ 7,600,000</u>

**FISCAL YEAR 2015
TEMPORARY 1% SALES TAX PRIORITIES
Voter Approved Sales Tax 10/01/13 - 09/30/18**

DEPARTMENT	PROJECT	FY15 BUDGET	
Airport	SREF	\$ 750,000	
Library	Mendenhall Valley Public Library	3,150,000	
Manager's Office	Bonded Debt Service	1,800,000	*
Manager's Office	Rainy Day Budget Reserve	650,000	*
Parks & Recreation	Deferred Building Maintenance	530,000	
Parks & Recreation	J-D City Museum HVAC	400,000	
Sealaska Heritage	Walter Soboleff Center	1,450,000	*
Temporary 1% Sales Tax Priorities Total		<u>\$ 8,730,000</u>	

**FISCAL YEAR 2015
MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY15 BUDGET
Parks & Recreation	Waterfront Seawalk	\$ 64,100
Water Utility	Last Chance Basin Wellfield Improvements	1,200,000
Marine Passenger Fee Priorities Total		<u>\$ 1,264,100</u>

**FISCAL YEAR 2015
STATE MARINE PASSENGER FEE PRIORITIES**

DEPARTMENT	PROJECT	FY15 BUDGET
Finance	Cruise Ship Berth Enhancements & Seawalk	\$ 4,100,000
State Marine Passenger Fee Priorities Total		<u>\$ 4,100,000</u>

ORDINANCE 2014-24 CAPITAL PROJECTS FUNDING TOTAL	<u>\$ 19,026,300</u>	<u>\$ 17,976,300</u>
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ORDINANCE 2014-24 OPERATIONS PROJECTS FUNDING TOTAL	<u>\$ 4,717,800</u>	*
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**FISCAL YEAR 2015
WATER UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	FY15 BUDGET
Water Utility	Egan Drive Water Main	\$ 1,200,000
Water Utility	Last Chance Basin Well Rehabilitation	2,000,000
Water Enterprise Fund Total		<u>\$ 3,200,000</u>

**FISCAL YEAR 2015
WASTEWATER UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	FY15 BUDGET
Wastewater Utility	Biosolids Management	\$ 685,000
Wastewater Utility	Gruening Park Lift Station	1,100,000
Wastewater Utility	Valley Court Force Main	1,000,000
Wastewater Utility	Auke Bay Plant Improvements	300,000
Wastewater Enterprise Fund Total		<u>\$ 3,085,000</u>

**FISCAL YEAR 2015
AIRPORT UNSCHEDULED FUNDING**

DEPARTMENT	PROJECT	FY15 BUDGET
Airport	Runway Rehab and Lighting	\$ 20,000,000
Airport	SREF Building Option A	8,600,000

Airport	Terminal Renovation	6,000,000
Airport Funding Total		<u>\$ 34,600,000</u>

FISCAL YEAR 2015

UNSCHEDULED FUNDING (State Priority Requests)

DEPARTMENT	PROJECT		
Water Utility	Last Chance Basin Wellfield Upgrades	\$ 1,350,000	
Water Utility	Salmon Creek Secondary Disinfection	650,000	
Manager's Office	Joint Parking Facility - Willoughby District	5,000,000	
Parks & Recreation	Twin Lakes Multi Use Path Lighting	600,000	
Parks & Recreation	Kaxdigoowu Heen Dei Trail Bridge Replacement	500,000	
Fire Dept.	Platform Ladder Truck	1,400,000	
Schools	JSD Curriculum	580,000	
Schools	JSD Video Conferencing	60,000	
Streets	Vactor Dumps	900,000	
Streets	Governors House Area Roads	3,000,000	
Streets	Safe Routes to School Snow Removal Equipment	250,000	
Streets	Road Dressing Material Storage	800,000	
Streets	Equipment Shelters	700,000	
Unscheduled Funding (State Grant Requests) Total		<u>\$ 15,790,000</u>	76,319,100

Section 2. Fiscal Year 2015 Budget. It is the intent of the Assembly that the capital improvement project budget allocations as set forth in the FY15 pending Capital Improvements List in Section 1(b), above, not already appropriated, shall become a part of the City and Borough's Fiscal Year 2015 Budget.

Section 3. State and Federal Funding. To the extent that a proposed CIP project, as set forth in Section 1(c), above, includes state funding, federal funding, or both, the amount of funding for that project is an estimate only, and is subject to appropriation contingent upon final funding being secured. It is the intent of the Assembly that once funding is secured, these items will be brought back to the Assembly for appropriation.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this ____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie Sica, Clerk