

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

January 27, 2014 7:00 PM

Assembly Chambers - Municipal Building
Regular Assembly Meeting 2014-02

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

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. Introduction of new CBJ Attorney - Robert Palmer
- B. Honorary Mayor - Dunya Hermann - TMHS

IV. APPROVAL OF MINUTES

- A. January 6, 2014 - Regular Assembly Meeting 2014-01

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 2013-11(AE) An Ordinance Appropriating To The Manager The Sum Of \$300,000 As Partial Funding For New Mendenhall Valley Public Library Capital Project; Funding Provided By The Juneau Public Library Endowment Agency Fund

This ordinance would appropriate \$300,000 as partial funding for the new Mendenhall Valley Public Library capital project. Funding is provided by the Juneau Public Library Endowment Agency Fund.

At its December 19, 2013 meeting, the Endowment Board of the Juneau Public Libraries passed Resolution 13-03 approving the transfer of \$300,000 from the Endowment Fund to the new Mendenhall Valley Public Library capital improvement project. This funding was originally pledged in Resolution 11-03 as local match funding for the State of Alaska Major Library Construction Grant.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- b. Ordinance 2013-11(AF) An Ordinance Appropriating To The Manager The Sum Of \$200,000 As A Grant To The Juneau Arts and Humanities Council; Funding Provided By Airport Snow Removal Equipment Facility Capital Project

This ordinance would grant \$200,000 to the Juneau Arts and Humanities Council (JAHC) as partial funding for a new performing arts center. This grant would be funded by a transfer from the Airport Snow Equipment Removal Facility (SREF) Capital Project.

Both the new performing arts center and the SREF were approved for funding from temporary 1% sales tax that went into effect October 1, 2013. The SREF capital project received \$1.55M in sales tax revenues in FY14. The new performing arts center was not scheduled to receive any sales tax revenue in FY14 but now requires funding to move the project forward. At this time the SREF capital project, excluding the \$200,000, has sufficient funding to meet their project needs.

The Public Works and Facilities Committee and the Assembly Finance Committee reviewed and approved the forward funding to the JAHC. The JAHC is scheduled to receive \$200,000 in FY15 funding that will now be used to reimburse the SREF project.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- c. Ordinance 2014-06 - An Ordinance Transferring Responsibility for the Juneau-Douglas City Museum From the Parks and Recreation Department to the Library Department.

This ordinance would transfer the operation of the Juneau-Douglas City Museum from the Parks and Recreation Department to the Library Department. Maintenance of the facility would still be provided by Building Maintenance through coordination with the Library Department.

This move allows both entities to more effectively share resources, co-host programs and exhibits, seek grant opportunities, and advocate for the future of Juneau's shared collections, resources, and community gathering spaces. Libraries and museums historically have very similar missions and work.

Both Department Directors are recommending the transfer and believe that the mission of the Museum is more closely aligned with that of the Library.

There is no financial impact to this move.

The Human Resources Committee reviewed this ordinance at its January 6, 2014 meeting and recommended forwarding to the full assembly for approval.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

- d. Ordinance 2014-07 - An Ordinance Authorizing the Sale of City and Borough Land Located at South Lena Point Subdivision and Establishing the Terms and Conditions Related to the Sale.

This ordinance would authorize the Lands and Resources Division to dispose of 12 City owned lots in the South Lena Subdivision over the next 8 years.

The first South Lena Subdivision land sale was conducted in the spring of 2007. The City offered 43 parcels, of which 32 were sold. In 2010 the 11 remaining lots were offered in a land sale but only two of those lots sold. In recent years, 3 of the original land sale lots have been conveyed back to City ownership due to various circumstances, bringing the total lots available for sale to 12.

Since 2010 the demand for available buildable lots has increased, and the Lands and Resources Division proposes to offer a few lots at a time through occasional Lena land sales over the next few years to avoid saturating the market.

Municipal sewer does not reach Lena Point and there are no current plans to extend municipal sewer to Lena Point in the future. Therefore, purchasers will be responsible for installing their own onsite wastewater treatment and disposal systems (OWTDSs).

At its December 8, 2013 meeting, the Assembly Lands Committee recommended forwarding this Land Disposal action to the full Assembly for approval.

I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

- A. Resolution No. 2670 - A Resolution Establishing a Project Labor Agreement Review Process for Certain City and Borough Projects.

By motion dated March 10, 2008, the Assembly expressed its support for the use of project labor agreements by the CBJ to the fullest extent allowed by law. The purpose of Resolution 2670 is to formalize and standardize the review process to be used by all CBJ Departments in evaluating whether to use a project labor agreement on CBJ construction projects estimated to cost four million dollars or more.

At its regular meeting on January 13, 2014, the Public Works and Facilities Committee moved to forward this resolution to the full Assembly for approval.

I recommend this resolution be adopted.

- B. Resolution No. 2673 - A Resolution Authorizing Capital City Fire and Rescue to Accept From the Juneau Volunteer Firefighters Association the Donation of Two Antique Fire Trucks, Previously Used in Service of the City and Borough of Juneau.

This resolution would transfer ownership of two antique fire trucks, previously in service in the City and Borough, from the Juneau Volunteer Firefighters Association to the City and Borough of Juneau. Engine #126 is a 1927 American Lafrance pumper truck, in service in Juneau from 1927 - 1953, and recently obtained by the Juneau Volunteer Firefighters Association from the Coach

Trailer Company in Portland Oregon for \$38,500.00. Engine #2 is a 1940 Seagraves Fire Engine that was fully restored by the Volunteers. It was in service in Juneau from the early 1940's through the early 1980's. Both engines are currently housed within the CCFR Fire Stations.

The Juneau Volunteer Firefighter Association passed a resolution on November 29, 2013 recommending the transfer of ownership along with a \$3,000.00 donation to pay for some necessary repairs. JVFA has asked that in return, the CBJ, maintain, preserve, and share with the community these important pieces of the fire department's history.

I recommend this resolution be adopted.

- C. Resolution No. 2674 - A Resolution Adopting the Alternative Allocation Method for the FY14 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity In Fisheries Management Area 17: Northern Southeast.

This resolution would authorize the acceptance of the CBJ's share of the FY2014 State Shared Fisheries Business Tax. This distribution represents CBJ's share of state fishery revenues generated in the Northern Southeast Fisheries Management Area (NSFMA), but outside of the organized communities.

The funds are allocated to each community in the NSFMA (Angoon, Gustavus, Haines Borough, Hoonah, Skagway, Tenakee Springs and Juneau). Because the NSFMA's FY2014 allocation falls below the long-form threshold value, the short-form method of allocation, as approved by the State of Alaska's Department of Commerce, Community and Economic Development, is used this year. Using this short-form allocation method, it is anticipated that the CBJ will receive approximately \$21K in FY2014.

I recommend this resolution be adopted.

- D. Resolution No. 2675 - A Resolution Ratifying the Labor Agreement Between the Bartlett Regional Hospital of the City and Borough of Juneau and the International Longshore and Warehouse Union AFL-CIO, Healthcare Unit 2201.

This resolution would provide Assembly ratification of the terms of the tentative agreement negotiated between the Bartlett Regional Hospital and the International Longshore and Warehouse Union, AFL-CIO, Health Care Unit 2201 for a collective bargaining agreement that will go in effect upon approval by the Assembly, and expire on December 31, 2014.

The tentative agreement includes economic modifications to the pay plan.

This tentative agreement has been ratified by the ILWU membership and the BRH Board of Directors. The economic terms are in keeping with those of other CBJ collective bargaining agreements for fiscal year 15.

I recommend that this resolution be adopted.

- E. Resolution No. 2676 - A Resolution Providing For Interest Rates For The Port Revenue Bond Being Issued Through The Alaska Municipal Bond

Bank.

On February 06, 2014 the City and Borough is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately \$6.5 million in Port Revenue twenty five-year port revenue bonds. Approximately \$413,000 of the proceeds will be transferred into a required bond reserve fund.

The issuance of the bonds was authorized by the Assembly in Ordinance 2014-01, adopted January 06, 2014. The final Assembly action, per CBJ Charter, related to these bonds is to “prescribe” (set/accept) by resolution the interest rates and annual principal maturity dollar amounts.

CBJ legal counsel, K&L Gates, has prepared Resolution 2676 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution list the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for the all bonds cannot exceed 5.0%

The Assembly Finance Committee reviewed the resolution at its January 15, 2014 meeting and unanimously recommended forwarding it to the full Assembly for formal action.

I recommend this resolution be adopted.

3. Bid Award

A. Bid Award DH12-001

Construction of this project would provide two new floating cruise ship berths seaward of the existing Alaska Steamship Wharf and the Cruise Ship Terminal Dock. The project would include steel piling; bridges; gangways; concrete pontoons; lighting and power; water; and sewer lines for wastewater discharge from ships.

A public bid opening was held on January 23, 2014.

Bidders:	Total Bid
Manson Construction Co.	\$53,743,440
Pacific Pile and Marine, LP	\$58,201,620

Architect Estimate:	\$55,403,800
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The Docks and Harbors Board recommended approval of the bid at a special meeting on January 23, 2014.

I recommend award of this project to Manson Construction Company for the total amount bid of \$53,743,440.

B. Eaglecrest Learning Center - E14-076

Bids were opened on this project on December 17, 2013. The bid protest period expired at 4:30pm on January 13, 2014. Results of the bid opening are as follows:

Bidders	Total Bid
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North Pacific Erectors	\$2,698,117
Alaska Commercial Contractors	\$2,962,875
Dawson Construction	\$3,214,500
Denali General Contractors, Inc.	\$3,600,000
Ames 1, LLC.	\$4,223,679
Silver Bow Construction	\$4,183,400

Architect's Estimate	\$2,710,704
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The project would be a new two-story, 8,660 square foot building at Eaglecrest. The building will house equipment rental, repair shop, retail shop, ticket windows, restrooms, and classroom areas.

I recommend award of this project to North Pacific Erectors, Inc. for the total amount bid of \$2,698,117.

4. Liquor License

a. 2014/2015 Liquor License Renewals

Beverage Dispensary License #648: **YC Baranof, LLC d/b/a Bubble Room – Westmark Baranof**; 127 N. Franklin Street

Beverage Dispensary Tourism License #1378: **Alaskan Hotel & Bar Inc. d/b/a Alaskan Hotel**; 167 S. Franklin Street

Beverage Dispensary Tourism License #2541: **MGO Inc. d/b/a Juneau Airport Travel Lodge**; 9200 Glacier Hwy.

Brewery License #2534: **Alaskan Brewing LLC d/b/a Alaskan Brewing Co.**; 5429 Shaune Drive

Club License #3313: **Fraternal Order of Eagles Aerie #4200 d/b/a Fraternal Order of Eagles #4200**; 2055 Jordan Ave. #1

Package Store License #2976: **No Creek Jack Inc. d/b/a Duck Creek Market**; 9951 Stephen Richards Drive

Package Store License #4742: **Wal-Mart Stores Inc., d/b/a Wal-Mart Supercenter #3814**; 6525 Glacier Hwy.

Restaurant/Eating Place License #3049: **Valley Restaurant LLC, d/b/a The Valley Restaurant**; 9320 Glacier Hwy.

Restaurant/Eating Place Public Convenience License #3643: **Clay Kent & Cisco Ramos d/b/a Douglas Café**; 916 3rd Street, Douglas

Wholesale – General License #3166: **The Odom Corporation, d/b/a The Odom Corporation**; 5452 Shaune Drive, Bay 1

Wholesale – Malt Beverage & Wine License #4715: **The Odom Corporation d/b/a The Odom Corporation**; 3143 Channel Dr.

The above-listed liquor license renewals are before the Assembly to either protest or waive its right to protest these renewals. The Finance, Police, Fire, and Community Development Departments have reviewed the above businesses and found them to be in compliance with CBJ Code.

In the event the Assembly does protest any of the renewals of these licenses, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

I recommend the Assembly waive its right to protest the above liquor license renewals.

VIII. PUBLIC HEARING

- A. Ordinance 2013-11(AB) - An Ordinance Appropriating To The Manager The Sum Of \$11,793 As Funding To Provide Continuing Education For Library Staff And The Addition Of An Early Literacy Learning Station At Mendenhall Valley Public Library, Funding Provided By The Alaska State Library

This ordinance would appropriate \$11,793 for the continuing education for library staff and the addition of an early literacy learning station to the Mendenhall Valley Public Library. Funding is provided by 2 Alaska State Library grants, \$9,000 for continuing education and \$2,793 the early literacy learning station.

There is no matching requirement for these grants.

I recommend this ordinance be adopted.

- B. Ordinance 2013-11(AC) - An Ordinance Appropriating To The Manager The Sum Of \$8,700 As Partial Funding For The Joseph Alexander Collection Archival Rehousing Project, Grant Funding Provided By The Museums Alaska Collections Management Fund

This ordinance would appropriate \$8,700 to be used to purchase archival supplies in order to rehouse the Joseph Alexander Collection. Grant funding is provided by the Museums Alaska Collections Management Fund .

Early in 2013, the Juneau-Douglas City Museum (JDCM) accepted the Joseph Alexander collection, partially through a transfer from the Alaska State Historical Library (ASHL) and partially through a donation. Together, the collection is 10 boxes (12 sq. ft.) of photographic negatives and prints from Juneau photographer, Joseph Alexander, dating between the 1940s to 1980s. An initial inventory completed by the JDCM estimates the collection at approximately 90,000 negatives, prints, envelopes and documents, making it by far the largest collection this institution has ever accessioned.

Currently, the collection is housed in the 10 deteriorating and acidic cardboard boxes, 10 shoe boxes, and 70 Kodak 4x5 negative boxes that are covered in dust and are beginning to fall apart.

The entire rehousing project is estimated to cost \$24,739 and will be completed by museum staff, a collections assistant contracted to rehouse and catalog the collection, and a group of six volunteers who work in collections on a weekly basis.

This grant is being matched by in-kind staff and volunteer time and the purchase of additional archival supplies from the museum's Acquisitions account, a dedicated donor account to fund Juneau history acquisitions and archival supplies.

I recommend this ordinance be adopted.

- C. Ordinance 2013-11(AD) - An Ordinance Appropriating To The Manager The Sum Of \$110,000 As Funding For Outside Legal Counsel Regarding Litigation Against Aparc Systems, Funding Provided By Unexpended Revenues From The 1% Temporary Sales Tax That Expired September 30, 2013

The City and Borough has initiated a lawsuit against Aparc Systems. The City and Borough is being represented by outside counsel, with oversight by the Law Department. The purpose of this appropriation would be to pay for legal services related to that lawsuit.

I recommend this ordinance be adopted.

- D. Ordinance 2014-02 - An Ordinance Authorizing a Loan in an Amount Not to Exceed \$3,150,000 from Central Treasury to the Community Development Capital Project Fund for the Purpose of Providing Interim Financing for the Dimond Park Library Project (L23-058).

This ordinance would authorize a loan of up to \$3,150,000 from the Central Treasury up to the Library Capital Improvement Project #L23-058 for the purpose of providing interim financing for the Dimond Park Library Project. This ordinance serves two purposes. First, it provides the budget authorization (Charter provisions) to proceed with awarding the project contract (scheduled to be awarded in April 2014) and second, to provide project cash flow funding, if necessary. Project cash disbursements will occur over time, the actual loan amount will be determined based on the cash flow needs of the project.

The loans would include interest estimated by the finance director at the average rate the City and Borough earned or would earn on Central Treasury investments over the applicable loan period. The principal and interest on the balance would be repaid to the Central Treasury from future 1% temporary sales taxes appropriated to the Project. These loans would be provided under code section 57.05.045, Central Treasury loans.

This funding recommendation was reviewed and approved by Public Works and Facilities Committee on October 28, 2013 and the Assembly Finance Committee on December 18, 2013.

I recommend this ordinance be adopted.

- E. Ordinance 2014-03 - An Ordinance Authorizing a Loan in an Amount Not to Exceed \$400,000 from Central Treasury to the Parks and Recreation Capital Project Fund for the Purpose of Providing Interim Financing for the Juneau Douglas City Museum Renovation Project.(P46-067)

This ordinance will authorize a loan of up to \$400,000 from the Central Treasury up to the Capital Improvement Project # P46-067 for the purpose of providing interim financing for the Juneau-Douglas City Museum Renovation Project. This ordinance serves two purposes. First, it provides the budget authorization (Charter provisions) to proceed with awarding the project contract (scheduled to be awarded in March 2014) and second, to provide project cash flow funding, if necessary. Project cash disbursements will occur over time, the actual loan amount will be determined based on the cash flow needs of the project.

The loans would include interest estimated by the finance director at the average rate the City and Borough earned or would earn on Central Treasury investments over the applicable loan period. The principal and interest on the balance would be repaid to the Central Treasury from future 1% temporary sales taxes appropriated to the Project. These loans would be provided under code section 57.05.045, Central Treasury loans.

This funding recommendation was reviewed and approved by Public Works and Facilities Committee on October 28, 2013 and the Assembly Finance Committee on December 18, 2013.

I recommend this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS

- A. Airport TSA Update
- B. Spuhn Island Cell Tower Update
- C. Cell Tower Ordinance and Master Plan Timeline

XII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports
- C. Liaison Reports
- D. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

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