

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

January 6, 2014 7:00 PM

Assembly Chambers - Municipal Building
Regular Meeting 2014-01

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

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

- A. Recognition - JPD Mechanic Scott Phillips
- B. Proclamation - National Mentoring Month

IV. APPROVAL OF MINUTES

- A. December 16, 2013 - Regular Assembly Meeting 2013-31
- B. December 17, 2013 - Special Assembly Meeting 2013-32

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(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 introduced and set for public hearing at the next regular assembly meeting.

- 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 introduced and set for public hearing at the next regular Assembly meeting.

- 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 introduced and set for public hearing at the next regular assembly meeting.

- 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 will 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 introduced and set for public hearing at the next regular assembly meeting.

- 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 introduced and set for public hearing at the next regular assembly meeting.

2. Liquor License

- a. Liquor License Transfer of Beverage Dispensary License #447 Statewide Services Inc. d/b/a Glacier Restaurant & Catering transfer of Ownership and Name Change and Application for Restaurant Designation Permit for Alaska Promotions, LLC d/b/a Brandi's Airport Bar, located at 1873 Shell Simmons Drive (Juneau International Airport)

The above-listed liquor license transfer is before the Assembly to either protest or waive its right to protest these transfer and to approve or disapprove the application for a Restaurant Designation Permit. 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 the transfer of the license or issuance of the Restaurant Designation Permit, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly.

The Airport Board, at its November 13, 2013 meeting, reviewed the Concession Agreement process and passed a motion to authorize the Airport Manager to negotiate and execute a concession lease agreement with the food/beverage concessionaire on terms and conditions that are in the best interest of the CBJ and Airport.

I recommend the Assembly waive its right to protest the above liquor license transfer and approve the Restaurant Designation Permit.

3. Transfer

- a. Transfer T-951 - Transfer of \$11,400 From the Runway Safety Area CIP to the Airport Revolving Capital Reserve Account (ARCRA), then Transfer \$62,501 from the Airport Revolving Capital Reserve Account to the Runway Rehabilitation and Master Plan Study CIPs.

This request would authorize the transfer of \$11,400 from the Runway Safety Area CIP to the Airport Revolving Capital Reserve Account (ARCRA), which before this transfer has \$51,101 available and then transfers \$62,501 from the Airport Revolving Capital Reserve Account to the Runway Rehabilitation and Master Plan Study CIPs.

T-918 transferred funds from the ARCRA to the Runway Safety Area CIP. This was a temporary funding measure with the intent to reimburse the ARCRA when funding became available.

\$39,063 is the required match for Runway Rehabilitation FAA grant and \$23,438 is the required match for the Master Plan Study FAA grant.

Airport Revolving Capital Reserve Account: \$62,501

The Airport Board reviewed and approved this action at its December 11, 2013 meeting, and recommended forwarding to the full Assembly for approval.

I recommend approval of this transfer.

VIII. PUBLIC HEARING

A. Ordinance 2013-14 - An Ordinance Amending the Disturbing the Peace Code.

This ordinance would amend the disturbing the peace code by: (1) adding a section clarifying that the intent behind the ordinance is to prohibit unreasonable noise; and (2) defining "unreasonable noise" as it relates to an objective "reasonable person" standard, as has been approved by the Alaska Supreme Court.

The Committee of the Whole reviewed this ordinance at its August 5, 2013 meeting, and again at its December 9, 2013 meeting. An amendment was made by the Assembly to amend the section regulating noise emanating from vehicles to make the provision enforceable at any time of day. The Assembly, sitting as the Committee of the Whole, approved the ordinance as amended and recommended forwarding it to the full Assembly for public hearing.

I recommend this ordinance be adopted.

B. Ordinance 2013-29 - An Ordinance Establishing the Human Resources and Risk Management Department.

Human Resource Risk Management (HRRM) is currently a division within the Administrative Department. This ordinance would create a Human Resources Risk Management Department, similar to other CBJ Departments such as Engineering, Library and Community Development. The responsibilities of the Human Resources division have increased over the past few years to include the Risk Management responsibility. The Risk Management function provides services to the Juneau School District and Bartlett Regional Hospital. Most recently HRRM has expanded service to provide consolidated HRRM services to Bartlett Regional Hospital.

The Assembly Finance Committee reviewed this request on December 18, 2013, and recommended forwarding to the full Assembly for Approval.

I recommend this ordinance be adopted.

C. Ordinance 2013-11(AA) - An Ordinance Appropriating To The Manager The Sum Of \$150,000 As A Transfer To The Last Chance Basin Hydro-Geo Capital Project; Funding Provided By Water Utility Fund Fund Balance.

This ordinance would transfer \$150,000 to the Last Chance Basin Hydro-Geo capital project from the Water Utility Fund fund balance. This transfer will partially fund the design for the rehabilitation of the Last Chance Basin Well Field in order to meet peak drinking water demands that occur in the summer months. This demand is largely driven by the desire of cruise ships to fill up with drinking water while in our port.

This past summer, the Water Utility was unable to supply cruise ships with a stable or predictable water supply. Last month, staff from Engineering, Public Works and Manager's Office met with cruise ship representatives to discuss the issue. Well field rehabilitation is a priority of the Water Utility, Assembly and cruise industry. At that meeting, there was support from the industry representatives to use CBJ Marine Passenger Fees for well field rehabilitation and T-949, which was approved at the November 25, 2013 Assembly meeting, transferring \$150,000 from the Waterfront Seawalk CIP to the Last Chance Basin CIP. With the addition of this appropriation, \$300,000 will be available.

The \$300,000 is an initial amount of funds to develop a design and assist in aligning us with funding sources to maintain the main CBJ water supply. This preparatory funding leverages us to react quickly if and when grants, loans, CBJ marine passenger fees, or Legislative and/or State marine passenger fee funding becomes available in the Spring of 2014, instead of having to wait another whole year.

At its November 18, 2013 meeting, the Public Works and Facilities Committee reviewed this request and recommended forwarding to the full Assembly for approval.

I recommend this ordinance be adopted.

- D. Ordinance 2014-01 An Ordinance Providing for the Issuance and Sale of Port Revenue Bonds in one or more series in the Aggregate Principal Amount of Not to Exceed \$29,000,000; Providing for the Form and Terms of the Bonds; Providing a Method of Payment Therefor; Reserving the Right to Issue Revenue Bonds on a Parity with the Bonds upon Compliance with Certain Conditions; and Repealing and Rescinding Ordinance Serial No. 2012-28.

This ordinance would repeal and replace Ordinance 2012-28, adopted August 27, 2012, which authorized the issuance of \$29 million in Port Revenue bonds. The dollar amount of bonds authorized is not being changed, at this time. We will be selling \$6.5 million in bonds for the Seawalk in February 2014 so it is necessary to amend the ordinance to address the following issues:

1. The bonds will be sold in up to 3 issues, to match the project schedule, versus all at once.
2. The bond proceeds are intended to fund 2 projects: 1) Cruise Ship Dock Enhancement & Related Uplands and 2) Additional Seawalk following the Waterfront Development Plan.
3. The Dock project is considered a “Private Activity” project. Meaning there are payments (revenues) from private business, for the use of the dock, available to pay back some of the bonds. Bonds issued under this situation are not tax exempt and carry a slightly higher interest rate.
4. The Seawalk project is considered a “Governmental Project” and the bonds are tax exempt.
5. Section 9 provides for delegating the adoption of interest rates contained in the eventual interest rate resolution. The resolution would still go through the standard Assembly process.
6. The term of the bonds is extended to 25 years.

The debt service will be paid from local port development fees. The estimated total cost of the debt service, including interest at an average rate of 4.52%, for the 25-year bonds is \$49.6 million.

I recommend this ordinance be adopted.

IX. UNFINISHED BUSINESS

- A. Cavagnaro v CBJ Assessor Appeal - Review of DRAFT Decision
- B. Senior Needs Assessment

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

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