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

November 4, 2013 7:00 PM

City Hall Assembly Chambers
Regular Meeting 2013-28

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

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Eagle Scout Award - Recognition of Morgan Nichols

B. Interim CEO of Bartlett Regional Hospital - Jeff Egbert

C. LID Board of Equalization

The Assembly should recess and convene as the Board of Equalization for the purposes of hearing Resolution 2665, confirming the assessment roll for LID No. 91. At the conclusion of this hearing, the Board of Equalization should adjourn and the Assembly will reconvene.

Resolution 2665
A Resolution Confirming the Assessment Roll for Local Improvement District No. 91, Which Provided Municipal Sewer to the Residents Along the Uphill Side of North Douglas Highway From Street Number 4355 to 5795, Fixing the Time and Method of Payment of Assessements, Setting the Day of Levy, and Fixing the Time of Delinquency and the Penalties and Interest.

This resolution would confirm the assessment roll for LID No. 91 for the purpose of constructing a sanitary sewer system serving the property owners within portions of North Douglas Highway. The proposed amount to be borne by property owners is $204,365.

Notices were published in the newspaper and sent to residents in the LID area so they would be aware that they would have this opportunity to make their views known to the Assembly.

At the time of the hearing, the Assembly will sit as a Board of Equalization for the purpose of considering the assessment roll, will consider any objections made and will modify the roll if necessary at the conclusion of the hearing.

IV. APPROVAL OF MINUTES

A. October 14, 2013 - Regular Assembly Meeting 2013-26 Minutes

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(W) An Ordinance Appropriating To The Manager The Sum Of $145,550 As Funding for the State Homeland Security Program, Grant Funding Provided by the State of Alaska Department of Military and Veterans Affairs

This ordinance would appropriate $145,550 for the 2013 State Homeland Security Programs (SHSP) Grant from the Alaska Department of Military and Veterans Affairs.

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

- CBJ Staff Participation in Alaska Shield 2014 Exercise
- After Action Review Travel for Alaska Shield 2014 Exercise
- Camera and Access Systems for JPD and CCFR Facilities
- Bulk Fuel Storage Facility Assessments and Response Planning
- Pagers for CCFR
- Portable Radio Repeater for First Responders

The term of this grant is October 1, 2013 through March 31, 2015.

There is no match requirement for this grant.

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

b. Ordinance 2013-28 An Ordinance Relating to Snow Removal Parking Prohibitions, Civil Fines and Civil Fine Procedure, and Providing for a Penalty.

This ordinance would replace the criminal infraction process in place for handling violations of the snow removal parking prohibition ordinance and the ordinance prohibiting the placement of snow and ice in public ways by making violations of those code sections civil violations. The penalty remains unchanged.

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

c. 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.

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

d. Ordinance 2013-11(X) An Ordinance Appropriating To The Manager The Sum of $58,000 As Funding For Law Department Office Space To Accomodate Additional Staff; Funding Provided By The General Fund Fund Balance.

This ordinance would appropriate $58,000 for additional office space to accommodate 2 new Law Department staff members. Funding will be provided by the General Fund fund balance.

Two options were provided to the Assembly Finance Committee at its October 16, 2013 meeting, to provide the additional space needed. Option 1 would remodel existing office space in the Municipal Way Building at an estimated cost of $52,000. This also includes estimates for custom office furniture that would make the best use of the remodeled space. Option 2 would allow the Law Department to move to the Sealaska Building and allow Human Resources staff to move out of the Municipal Way Building basement to the space currently occupied by the Law Department. Option 2 is estimated to cost $58,000, which includes moving, IT installation and furniture.

The AFC approved pursuing Option 2 and requested more definite cost estimates be presented at this Assembly meeting.

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

2. Resolutions

a. Resolution 2662 - A Resolution Reestablishing the Rules of Procedure for Assembly Advisory Boards, and Repealing Resolution 2246.

At its September 23, 2013 meeting, the Assembly Human Resources Committee reviewed and approved the following new policy as it relates to fundraising activities by CBJ Advisory Boards:

Advisory boards and committees are authorized to solicit or otherwise receive:

• *Cash donations, up to a maximum of $250 for any single donation, and*
• *In-kind contributions such as food for a public event, or a donation of the use of a meeting facility, are permitted with no cap on the value.*

These donations are to be used for events or materials directly related to the board's or committee's charter. In the case of cash donations, the cash would be deposited in a CBJ treasury account. The expenditure of these funds would *generally occur via the Clerk's Office purchasing card. It would be the responsibility of the board to track the amount of donations and expenditures. The donations raised would need to be expended or encumbered in the year collected.*

This policy does not extend to any of the adjudicatory bodies or any of the empowered boards which have a budget, manager, and staff nor to grant making/awarding bodies.

Resolution 2662 modifies the current Advisory Board Rules of procedure in two sections:

The first change is of a housekeeping measure discovered during our board training sessions this summer and removes the word "physically" from the following section under definitions:

3. A vacancy on a City and Borough advisory board shall exist under the following conditions:

… (d) If a member is unable to "physically" attend board meetings for a period of more than 90 days; …

The second change, related to the new policy on fundraising, is the addition of "Treasurer" to "Policy 6. Officers."

I recommend this resolution be adopted.

b. Resolution 2664 - A Resolution De-Appropriating $299,490 From The Bayview Subdivision Sewer Outfall, $250,000 From The Juneau-Douglas Treatment Plant Jet Truck And Septage Receiving Facility And $219,832 From The Twin Lakes Pump Station Capital Improvement Projects

This resolution would de-appropriate $769,322 in loan funding from the Alaska Department of Environmental Conservation that was not expended. The capital projects are complete and no additional funding is needed.

The Public Works and Facilities Committee approved this request at its October 14, 2013 meeting.

I recommend this resolution be adopted.

3. Transfer

a. T-947 Transfer of approximately $4.098 million to existing or newly-created Capital Improvement Projects and the closure of twenty-two completed CIPs

This request would authorize the transfer of approximately $4.098 million to existing or newly-created Capital Improvement Projects and the closure of twenty-two completed CIPs. The transfers are listed in the attached Impact of Budget Action (IBA) worksheet. The worksheet details the transfer amounts and available funds for each project.

The Public Works and Facilities Committee reviewed this request at its October

14, 2013 meeting and recommended forwarding to the full Assembly for approval.

I recommend approval of these transfers.

4. Liquor License

a. Liquor License Renewals

1. Package Store License #271: Alaska Cache Liquor Inc. d/b/a Alaska Cache

2.Beverage Dispensary - Tourism License #3824: Hospitality Group LLC d/b/a Frontier Suites Hotel, location: 9400 Glacier Hwy.

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 one or more of the above mentioned liquor license renewals, 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(U) An Ordinance Appropriating To The Manager The Sum Of $10,000 As Funding For Equipment, Maintenance And Training For Juneau HAZMAT Team, Funding Provided By A Memorandum of Understanding With The Alaska Department Of Environmental Conservation.

This ordinance would appropriate the $10,000 for equipment purchases, maintenance and training for the Juneau Hazardous Materials (HAZMAT) Team. Funding is provided through a Memorandum of Understanding between the CBJ and The Alaska Department of Environmental Conservation.

This funding would allow the Juneau HAZMAT team to build on its present capabilities and facilitate response activities and would be crucial in allowing the Juneau HAZMAT team to provide a Level A hazmat response to the CBJ and, Southeast Alaska, and as part of the Alaska Statewide Response Team.

There is no match requirement.

I recommend this ordinance be adopted.

B. Ordinance 2013-11(V) An Ordinance Appropriating To The Manager The Sum Of $110,000 As Funding For The Emergency Management Performance Grant, Grant Funding Provided By The State Of Alaska, Department Of Military And Veterans Affairs.

This ordinance would appropriate the $110,000 2013 Emergency Management Performance Grant (EMPG) from the Alaska Department of Military and Veterans Affairs for the City and Borough of Juneau, Alaska.

These funds are provided to reimburse the City Emergency Programs Division- for costs incurred in direct support of the goals and activities of the Emergency Management Performance Grant. These costs include employee payroll for three CBJ Staff members in the performance of Emergency Management functions in planning, training, and exercise within the grant performance period.

EMPG Performance includes but is not limited to, the following tasks:

• Preparing the jurisdictions Local Capability Assessment (LCA) Document for the State.
• Required attendance at the Bi-Annual Conference State's Multi-Year Training and Exercise Plan Workshop (TEPW), and development of a local jurisdiction Multi-Year Training and Exercise Plan to be submitted to DHS&EM at the TEPW.
• Participation in exercises during the performance period.
• Continued utilization and work towards compliancy with the National Incident Management System (NIMSCAST).
• Completion of the FEMA Independent Study Professional Development Series.
• Timely submission of quarterly progress reports.

There is a dollar-for-dollar, in-kind match requirement which is provided through CBJ Emergency Management staff personnel services.

I recommend this ordinance be adopted.

C. Ordinance 2013-25 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Lots 1-3, Seven Mile Subdivision, Located Near Seven Mile Glacier Highway, Currently Zoned D-5, to D-18.

The 2008 Comprehensive Plan supports compact development to increase efficient land use in areas served by public water, sewer,and transit, and that are located within the Urban Service Area Boundary. The rezone of Lots 1-3 at Seven Mile Subdivision (.73 acres total) from D-5 to D-18 is consistent with the 2008 Comprehensive Plan and meets the intent of the Land Use Code.

The Planning Commission reviewed this rezone at its September 10, 2013 meeting, and recommended forwarding it to the full Assemblyfor approval.

I recommend this ordinance be adopted.

D. Ordinance 2013-26 An Ordinance Adopting the 2013 Update to the Comprehensive Plan of the City and Borough of Juneau.

The Draft 2013 Comprehensive Plan of the City and Borough of Juneau is the result of more than two years of extensive community outreach, fieldwork, and public meetings. The Draft 2013 Comprehensive Plan contains updated data and portions of the plan were substantially reorganized to improve the Plan's readability. Also included are new policies intended to improve Juneau's economic sustainability, clarify the community's stance on emerging issues such as siting of wireless communications facilities, and address issues that have adversely affected the community for years, such as a shortage of affordable childcare.

There are five categories of changes to the draft 2013 plan from the adopted 2008 plan:

1. **Organizing**: Sections were reorganized both within and between chapters to improve readability and to consolidate similarly themed sections from multiple chapters.

2. **Updating**: New data available through a variety of sources, (e.g., the 2010 U.S. Census and 2011 American Community Survey to the Alaska Department of Fish & Game's 2012 Anadromous Waters Catalog, to housing, economic development, and other local surveys was integrated into the 2013 Draft Plan, many in new or improved charts designed to show the data in clear and understandable terms. These changes also include removing 2008 Implementing Actions that have been implemented, or modifying them to fit into the plan as Development Guidelines or Standard Operating Procedures, where appropriate.

3. **Correcting**: Errors in the 2008 Plan have been corrected wherever they were found.

4. **New Directions**: The Draft Comprehensive Plan provides guidance on new subjects, including the promotion of competition between commercial air carriers, regulation of wireless communications facilities, advocacy and engagement by the local government at the state and federal level, protection of public Right-Of-Ways, and support for quality affordable childcare.

5. **New or ImprovedTools**: The Draft Plan contains an improved table of contents, list of acronyms used in the plan, and glossary, and, for the first time, an index. Although there are changes to the 2008 Comprehensive Plan throughout the draft plan, the updates are concentrated in a few chapters: Economic Development (Chapter 5), Energy (Chapter 6), Natural Resources and Hazards (Chapter 7), Transportation (Chapter 8), and Public and Private Utilities and Facilities (Chapter 12).

The Planning Commission held a public hearing on the Draft Plan on May 14, 2013, and recommended Assembly approval.

The Assembly Committee of the Whole reviewed the Plan on August 26 and September 30, 2013, and recommended Assembly approval.

I recommend this ordinance be adopted.

E. Ordinance 2013-27 An Ordinance Amending the Uniform Sales Tax Code Relating to the Senior Citizen Sales Tax Exemption.

This ordinance would make three changes to the senior sales tax exemption ordinance. The first is a house-keeping amendment to subsection (b), and is necessary to make that subsection consistent with the rest of the ordinance with respect to the identification of the categories of individuals eligible for the senior sales tax exemption. The second change to the ordinance is the addition of a new subsection (d), which would allow the manager to issue a designated shopper card to any individual holding a valid Power of Attorney from a person authorized to be issued a card. Finally, Subsection (c) was amended to conform with subsection (d) to allow for the issuance of an actual "designated shopper" card.

I recommend this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit License #5231 Suwanna Cafe, LLC d/b/a Suwanna Cafe, Location: 8800 Glacier Hwy. Ste. #100, Juneau

The above-listed liquor license is before the Assembly to either protest or waive its right to protest its issuance. The Finance, Police, Fire, and Community Development Departments have reviewed the above business and the Finance Departments is recommending the Assembly protest the license renewal based on delinquent sales tax in the amount of $101.84 as well as all associated penalties and interest as identified in the October 24, 2013 letter to the licensee contained in your Human Resources Committee meeting packets.

In the event the Assembly does protest the renewal of the above mentioned liquor license, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly. The letter mentioned above meets that requirement and this would be the time for the licensee to address their issues to the Assembly.

The Assembly Human Resources Committee considered this issue at its meeting immediately preceding this meeting and will forward its recommendation to the Assembly.

I recommend the Assembly proceed according to the recommendations of the Assembly Human Resources Committee in this matter.

XI. STAFF REPORTS

A. Law Office Follow-up

XII. ASSEMBLY REPORTS

A. Mayor's Report

1. USS Juneau Proclamation - Assemblymember Wanamaker Presenting in New Jersey

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. Parking Management

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