

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

May 13, 2013 7:00 PM
City Hall Assembly Chambers, 155 S. Seward St., Juneau, AK 99801
Regular Assembly Meeting 2013-12

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

I. ROLL CALL

II. SPECIAL ORDER OF BUSINESS

- A. Juneau Human Rights Commission - Essay Contest Prize Awards

III. APPROVAL OF MINUTES

- A. April 22, 2013 - Regular Assembly Meeting 2013-10 Minutes
- B. April 29, 2013 - Special Assembly Meeting 2013-11 Minutes DRAFT

IV. MANAGER'S REQUEST FOR AGENDA CHANGES

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VI. 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-Election

An Ordinance Providing for Publication of Municipal Candidate Information

CBJ has no code regarding the publication of a candidate statement. Many voters have asked the CBJ Election Official for more information about certified candidates on the ballot. In an effort to provide information and save money, this ordinance would provide a procedure for a candidate statement to be published to the municipal website. The ordinance outlines the procedures, timing and content of the candidate statements. If approved by the Assembly, final review of this ordinance would require Pre-Clearance by the Department of Justice as a change in procedures related to voting.

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

- b. Ordinance fun

An Ordinance appropriating icde cream

This is a great idea.

I recommend we eat ice cream.

VII. PUBLIC HEARING

A. Ordinance 2013-13

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of West Juneau Block D, Lots 11-14 Fraction, Lot 9 and 10 Fraction, Lots 7 Fraction and 8 Fraction,

and Lot 6 and 7 Fraction, Located at the West End of the Douglas Bridge and Currently Zoned D-5, to D-18.

In July 2012 the applicant applied to have West Juneau, Block D, lots 11, 12, 13 and a fraction of lot 14 rezoned from D5 to D18. After reviewing the maps of the surrounding area and existing land uses it made sense to the Community Development Department to expand the rezone to include additional lots as shown on attachment A. Initially, CDD considered expanding the rezone to include the entire block to Cordova Street. However, after further consideration only the lots with access to the frontage road are proposed for inclusion.

On January 7, 2013 CDD held an informational meeting to discuss the proposed rezoning with all owners of property in the area being considered for inclusion in the rezone. The area of the potential rezone is located adjacent to Douglas Highway and surrounded by D18 zoning to the east and north and D5 zoning to the west and south. The size of the lots and the development is similar to the surrounding area; both the areas zoned D18 and D5. There are a few multi-family complexes in the D18 neighborhoods but much of the area is developed as single family, single family with apartment, and duplex units. Breeze In is located across the Douglas Highway from this area, and is zoned D5 but is also included in the Convenience Store Overlay District.

The CBJ Land Use Code provides minimum restrictions for zone change requests. This proposal conforms to these restrictions as follows:

- The request is for less than 2 acres, but if approved will expand an existing D18 zoning district.
- No similar request has been made in the past year.
- This request substantially conforms to the land use maps of the 2008 Comprehensive Plan.

The Planning Commission recommends that the Assembly approve the rezone of the subject parcels from D-5 to D-18.

I recommend this ordinance be adopted.

B. Ordinance 2013-15

An Ordinance Relating to Parking, Other Violations, Civil Fines and Civil Fine Procedure, and Providing for a Penalty.

This ordinance would establish a new process for handling parking and other violations of CBJ Code, to replace the infraction process invalidated recently by the Alaska Supreme Court. The ordinance would leave the content of the violations – parking rules – unchanged, but would allow notice of violations to be provided by affixing tickets to vehicles violating the parking rules. It also would provide for a hearing before an administrative hearing officer to be appointed by the City Manager, if requested within the time allowed to challenge a notice of violation.

I recommend this ordinance be adopted.

C. Ordinance 2012-20(AM)

An Ordinance Transferring Of \$75,554 To The Open Space Waterfront Land Acquisition Capital Improvement Project, The Source Is Unexpended FY12 Marine Passenger Fees Budgeted To The General, Visitor Services, And Roaded Service Area Funds.

This ordinance would transfer \$75,554 of unexpended Marine Passenger Fees (MPF) revenues budgeted for specific purposes in FY12, 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 FY12 transfer consists of:

DBA - Downtown Ambassador Program Funds	\$ 7,518
AJ Dock	10,000
Franklin Dock	2,994
Seasonal BLS-EMS Transport Program	5,383
JCVB Crossing Guard Program	19,185
Downtown Sidewalk Cleaning and Maintenance	22,752
Downtown Foot and Bike Patrol	<u>7,722</u>
Total	- \$ 75,554

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

I recommend this ordinance be adopted

D. Ordinance 2012-20(AN)

An Ordinance Transferring to the Manager the Sum of \$300,000 To Return Funds To The Waterfront Seawalk Capital Project Fund, Funding Provided By The General Fund Fund Balance.

This appropriation would transfer \$300,000 from the General Fund fund balance back to the Waterfront Seawalk Capital Project.

Resolution Serial No. 2473, adopted on April 27, 2009, authorized the Manager to negotiate and enter into an agreement with East End Associates, Inc. regarding the extension of the seawalk through Taku Fisheries property.

On July 1, 2009, the CBJ and East End Associates Inc entered into an agreement, called the Seawalk Agreement. As part of that agreement, the CBJ funded a portion of the Refrigerated Seawater System (\$480,000) and agreed to loan up to \$300,000 for the remainder of the costs of the installed system. The agreement stipulated that application for the loan shall be made within 180 days of closing.

The Waterfront Seawalk Capital Project was identified as the funding source for both the \$480,000 payment and the \$300,000 loan.

To date, East End Associates has made no request for the loan funds and the funds should be returned to the Waterfront Seawalk Capital Project.

I recommend this ordinance be adopted.

E. Ordinance 2012-20(AO)

An Ordinance Appropriating To The Manager The Sum Of \$250,000 As Funding For The Auke Lake Wayside Boat Launch Ramp, Grant Funding Provided By The Alaska Department Of Commerce, Community And Economic Development.

This ordinance would appropriate a \$250,000 Community Coastal Impact Assistance Program grant from the Alaska Department of Commerce, Community, and Economic Development to design and construct a boat launch ramp at Auke Lake Wayside. This grant is reimbursement for expenditures already incurred. There is no grant match required.

This project was completed in summer 2011. Total project costs were approximately \$291,770. This project was originally funded by Sales Tax (\$250,000) and the CBJ Lands Fund (\$50,000). Grant funds will allow reimbursement to the Lands Fund (\$50,000) and will allow transfer of the remaining (\$200,000) Sales Tax funding to other Parks and Recreation capital projects.

The Public Works and Facilities Committee heard this proposed action at its April 8, 2013 meeting and has forwarded this appropriation to the full Assembly for approval.

I recommend this ordinance be adopted.

F. Ordinance 2012-20(AP)

An Ordinance Transferring to the Manager the Sum of \$800,000 To Transfer Funds To The 2009 Special Capital Projects 1% Sales Tax Fund Fund Balance, Funding Provided By The Capital Improvement Projects Fund.

This housekeeping appropriation would transfer \$800,000 from the Capital Improvement Projects fund back to the 2009 Special Capital Projects 1% Sales Tax Fund fund balance.

Due to a communication error, a total of \$7,300,000 was budgeted to be transferred. This ordinance corrects the transfer amount.

I recommend this ordinance be adopted.

G. Ordinance 2012-20(AQ)

An Ordinance Appropriating to the Manager the Sum of \$300,000 as Partial Funding For The Eagles Edge Utility Local Improvement District Capital Improvement Project, Loan Funding Provided by the State of Alaska Department of Environmental Conservation.

This Ordinance would appropriate to the Manager \$300,000 of loan funds from the State of Alaska, Department of Environmental Conservation. The loan funds will be added to the ongoing Eagles Edge Utility LID CIP R72-053 for the Eagles Edge Subdivision Water Project. This loan provides low interest funding to cover the Local Improvement District (LID) assessments and allows the CBJ to offer the property owners financing of their LID Payments at the low interest rate of 2% instead of CBJ having to borrow money at competitive market interest rates.

Assembly Resolution 2630, adopted November 5, 2012, authorized the City Manager to enter into this loan agreement with ADEC. The Public Works and Facilities Committee passed a motion of support for the resolution at its October 29, 2012 meeting.

The Public Works and Facilities Committee heard this action at its April 8, 2013 meeting and has

forwarded this appropriation to the full Assembly for approval.

I recommend this ordinance be adopted.

H. Ordinance 2012-20(AR)

An Ordinance Appropriating to the Manager the Sum of \$9,399 as Funding For The Purchase Of Three Early Literacy Interactive Computer Stations, Grant Funding Provided by the State of Alaska Department of Education and Early Development.

This ordinance would appropriate \$9,399 in grant funding received from the Alaska State Library, Division of Libraries, Archives and Museums, Department of Education and Early Development for the purchase of three early literacy interactive computer stations, one for each public library in Juneau. This funding comes entirely from a State Library grant and requires no matching funds from the CBJ. These machines replace older stations and there is no impact on the operating budget or maintenance contracts. The grant was awarded in April 2013 and the terms of the grant require expenditure in FY13.

I recommend this ordinance be adopted.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. STAFF REPORTS

XI. ASSEMBLY REPORTS

XII. ASSEMBLY COMMENTS AND QUESTIONS

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. 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