ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA
Monday, April 22, 2013, 7 p.m.
Assembly Chambers – Municipal Building
Regular Meeting No. 2013-10

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

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. James G. (Jim) King Recognition

IV. APPROVAL OF MINUTES

A. April 1, 2013 – Regular Assembly Meeting 2013-08
B. April 3, 2013 – Special Assembly Meeting 2013-09

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS.

(Not to exceed a total of 20 minutes nor more than 5 minutes for any individual).

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 2013-13
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 introduced and set for public hearing at the next regular Assembly meeting.

b. Ordinance 2012-20(AM)
An Ordinance Transferring Of $75,554 To The Open Space Waterfront Land Acquisition Capital Improvement Project From 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	7,722
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 introduced and set for public hearing at the next regular Assembly meeting.

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

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

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

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

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

2. Resolutions

a. Resolution 2644
A Resolution Extending the Sunset Date for the Aquatic Facilities Advisory Board, and Repealing Res. 2532(b).

This resolution would repeal and replace the three-year sunset date for the Aquatic Facilities Advisory Board, extending the Board to July 1, 2016. The resolution would also repeal the requirement that the Board report to the Assembly Committee of the Whole on a quarterly basis, and repeal the resolution which first established the Board.

The Human Resources Committee reviewed this resolution at its March 27, 2013 meeting and recommended forwarding to the full Assembly for approval.

I recommend this resolution be adopted.

b. Resolution 2645
A Resolution De-Appropriating $372,700 From The General Fund, Roaded Service Area Fund, Fire Service Area Fund, Lands and Resources Fund, Downtown Parking Fund, Visitor Services Fund, Airport Fund, Harbors Fund, Dock Fund, Waste Management Fund, Water Fund, Wastewater Fund, Fleet Services Fund, Risk Management Fund and Special Assessment Funds Fund Balances.

Ordinance 2012-20(R), adopted on September 17, 2012, appropriated $372,700 for a negotiated wage increase and an additional longevity step (Step N), including benefits, for MEBA and non-represented employees. Funding was provided by the fund balances of the appropriate funds.

Departments have been able to absorb the cost increases associated without the need for the additional appropriation. This resolution would de-appropriate ordinance 2012-20(R) funds, and return the money to the fund balances from which it was originally appropriated.

I recommend this resolution be adopted.

3. Transfer Request T-945

A Transfer of $100,000 from Bear Creek Road Drainage and Dam CIP W75-045 to a new CIP for Harbor Way Water Improvements.

This would transfer $100,000 from the Bear Creek Road Drainage & Dam CIP W75-045, which is closing, to a new CIP for Harbor Way water improvements.

Currently, the water system along Harbor Way to the University Marine Tech Center and Harbor Masters offices feeds through an old cast iron water line crossing Egan Drive. The proposed work would provide a redundant feed to ensure that water service to the area is not compromised by the probable failure of the existing mainline crossing Egan drive, as has happened to the other feeder line, causing the single feed. This priority work would be accomplished this summer.

The Bear Creek Dam CIP has been determined to not be a priority for the Water Utility and does not need the improvements that were anticipated when the CIP was created in 2009.

The Public Works and Facilities Committee reviewed this request at its April 8, 2013 meeting and recommended forwarding to the full Assembly for approval.

I recommend this transfer be approved.

VIII. PUBLIC HEARING

A. Resolution 2640

A Resolution Adopting the City and Borough Capital Improvements Program for Fiscal Years 2014 Through 2019, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2014.

This resolution would adopt the Capital Improvement Program for Fiscal Years 2014 through 2019, as required by Charter Section 9.4, and lists the capital projects that would be undertaken in FY 2014 using sales tax funds and Marine Passenger Fee Funds.

Notice of Public Hearing for this resolution in accordance with CBJ Charter Section 9.6 was included in the April 5 and April 12 Your Municipality ads.

I recommend the Assembly take public testimony on this resolution in accordance with Charter section 9.6 and be referred back to Assembly Finance Committee.

B. Ordinance 2012-20(AK)

An Ordinance Appropriating To The Manager The Sum Of $132,635 As Reimbursement For Improvements To the Alaska Office Building Exterior; Grant Funding Provided By The State of Alaska.

This ordinance would appropriate $132,635 from the State of Alaska as reimbursement for improvements to the Alaska Office Building exterior. The work will be constructed as part of the City's Main Street, Second to Fifth Street, improvements project. Work includes construction of a new canopy from Main Street to the main entry of the Alaska Office Building as well as demolition and replacement of entrance stairs and handrail at the main entry.

Funding will be added to CIP R72-059, Main Street 2nd to 7th.

The Public Works and Facilities Committee heard this action at its February 25, 2013 meeting and recommended forwarding to the full Assembly for approval.

I recommend this ordinance be adopted.

C. Ordinance 2012-20(AL)

An Ordinance Appropriating to the Manager the Sum of $144,683 As Additional Funding For The Capital Transit Program, Grant Funding Provided By The Alaska Department Of Transportation And Public Facilities.

This ordinance would appropriate $144,683 in State of Alaska funding for the provision of public transportation services. This is additional grant funding not anticipated in the Fiscal Year 2013 Budget. Funding is provided by the Alaska Department of Transportation and Public Facilities.

The funds will be used for the current year (FY13) Capital Transit budget and will reduce the expenditure of local funds for the program by the same amount.

I recommend this ordinance be adopted.

D. Ordinance 2013-09

An Ordinance Adopting an Amended Official Road Classification Map With Changes Regarding the Auke Rec Bypass Road.

This ordinance would revise the adopted Road Classification map in the vicinity of the Auke Recreation Area to switch the classification of the portion of Old Glacier Highway that parallels the new Bypass Road. The proposed change would correct the outdated classification of these road segments and make the Bypass Road the Minor Arterial Road as shown on attached Figure 1.

This change will also increase housing development potential along this portion of Old Glacier Highway by removing subdivision restrictions associated with development along Minor Arterial Streets.

The Planning Commission heard this action at its February 12, 2013 meeting and recommended forwarding it to the full Assembly for approval.

The Public Works and Facilities Committee heard this action at its February 25, 2013 meeting and recommended forwarding to the full Assembly for approval.

I recommend this ordinance be adopted.

E. Ordinance 2013-10

An Ordinance Appropriating Funds From The Treasury For FY14 School District Operations.

This ordinance would appropriate to the School District an FY14 operating budget of $93,967,200. The School District's operating budget is.

General Operations	$77,849,100
Special Revenue (pupil transportation, food service, etc)	6,430,700
Other Operations (student activities, debt service, grants, etc)	9,687,400
Total Budget	$93,967,200

The FY14 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 ($200,000 is coming from the 1% sales tax), $70,000 for pupil transportation and $135,000 for Community Schools. The $24,134,400 in general operating support is the maximum amount allowed under the State's Education Foundation Funding Formula.

State Statute requires the Assembly 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. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding CAP, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2013.

I recommend that the Assembly state, by motion, the amount of local funding to be provided to the School District be set at $24,134,400, which is the maximum amount allowed under the State's Education Foundation Funding Formula for general operating support.

I also recommend, after taking public testimony on this ordinance, the ordinance be referred back to the Assembly Finance Committee for additional review.

F. Ordinance 2013-11

An Ordinance Appropriating Funds From The Treasury For FY14 City and Borough Operations.

This ordinance appropriates $322,531,300 for the City and Borough of Juneau's FY14 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 $85,801,000 of the FY14 operating budget. Excluding the transfers and School District, the CBJ FY13 operating budget, debt service and capital projects is $236,730,300.

The Charter requires that a public hearing be held on the FY14 operating budget by May 1, 2013, and adoption by June 15, 2013.

I recommend, after taking public testimony on this ordinance, that the ordinance be referred back to the Assembly Finance Committee for additional review, and that it be brought back for final Assembly action no later than June 15, 2013.

G. Ordinance 2013-12

An Ordinance Establishing The Rate Of Levy For Property Taxes For Calendar Year 2013 For The Budget For Fiscal Year 2014.

This ordinance would establish the mill rates for property taxes for 2013, which funds the FY14 operating budget. The Charter requires the assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15, 2013.

The mill levies presented in this ordinance support the Manager's FY14 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, 2013.

This ordinance proposes a total mill levy of 10.89; the components of which are:

Area	Millage
Roaded Service Area	2.17
Fire Service Area	0.40
Areawide -	
Operational	6.92
Debt Service	1.40
Total	**10.89**

I recommend, after taking public testimony on this ordinance, that the ordinance be referred back to the Assembly Finance Committee for additional review, and that it be brought back for final Assembly action no later than June 15, 2013.

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. Contract Negotiations
B. Personnel Issue
C. Continuation of Deliberation of Veteran's for Peace Appeal

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