I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

IV. APPROVAL OF MINUTES
   A. December 19, 2011 – Regular Assembly Meeting 2011-29

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 2012-01

            This ordinance would repeal the Land Use Code restriction on development of property in the vicinity of eagle nests. Consistent with past practice, the CBJ has deferred to the U.S. Fish and Wildlife Service (USFWS) regarding conditions necessary to provide protection of bald eagles. Bald eagles have been de-listed as an endangered species and the prescriptive conditions previously required by the USFWS have been relaxed. This revision acknowledges the change in status and our past practice of deferring to the federal agency responsible for the protection of bald eagles.
I recommend this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

b. Ordinance 2012-02
An Ordinance Authorizing Hughes Way To Be Replatted And Developed In A Manner That Does Not Meet The Current Minimum Subdivision Standards Required By The Land Use Code And Authorizing Settlement Of The Keikkala Living Trust Appeal.

This non-code ordinance would allow the plat of Hughes Way to be processed as a minor subdivision, and exempt it from certain requirements of the Land Use Code, e.g., dimensional standards. The Planning Commission recommended approval of a non-code ordinance for Hughes Way in 2009. Finally, adoption of this ordinance would resolve the pending Keikkala Living Trust appeal.

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

c. Ordinance 2011-11(Y)
An Ordinance Appropriating To The Manager The Sum Of $10,300 As Additional Funding To The Juneau Public Libraries For The Public Library Assistance, Regional Mail Services, And Continuing Education Grants. Grant Funding Provided By The Alaska Department Of Education.

This ordinance is a housekeeping measure that would appropriate $10,300 to increase the FY12 adopted budget for three Library grants. At the time the FY12 budget was adopted, the exact amount of the grants was unknown and the amounts adopted were based on the best information available at that time. The actual grant awards have been received and are higher than originally estimated. Funding is provided by the Alaska Department of Education.

The adjustments are as follows:

1. The Public Library Assistance grant will be adjusted upward from a budgeted $19,000 to the amount received of $19,500, an increase of $500; and,

2. The Regional Mail Services grant will be adjusted upward from a budgeted $90,900 to the amount received of $96,200 an increase of $5,300; and,

3. The Continuing Education grant will be adjusted upward from a budgeted $3,000 to the amount received of $7,500, an increase of $4,500.

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

d. Ordinance 2011-11(Z)
An Ordinance Appropriating To The Manager The Sum Of $50,000 As Grant Funding For Lighting Upgrades At The Juneau Arts And Culture Center. Grant Funding Provided By The Alaska Department Of Commerce, Community And Economic Development.
This ordinance would appropriate a $50,000 grant from the Alaska Department of Commerce, Community and Economic Development for lighting upgrades at the Juneau Arts and Culture Center.

These funds will be used to remove and replace the existing house lights with energy efficient fluorescent lights for the high bay spaces, and install conduit and cable extensions that will allow for future installation of a modest theatrical lighting system.

The Public Works and Facilities Committee recommended this action at its November 7, 2011 meeting.

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

2. Resolutions

3. Transfers

4. Liquor Licenses

1. Liquor License Renewals

1. Beverage Dispensary License #550: Imperial Bar Inc. d/b/a Imperial Bar, location: 241 Front Street

2. Beverage Dispensary License #728: JD Entertainment, Inc. d/b/a The Island Pub, location: 1102 2nd Street, Douglas

3. Beverage Dispensary License #3695: Henry’s Food & Spirits LLC d/b/a Henry’s Food and Spirits, location: 9109 Mendenhall Road #4B [Note: This license transfer to 64 Thunderbird with no premises was just approved at the 12/19/2011 Assembly Meeting but we still need to act on the renewal as well.]

4. Beverage Dispensary - Tourism License #2541: MGO Inc. d/b/a Juneau Airport Travel Lodge, location: 9200 Glacier Hwy.

5. Brewery License #2534: Alaskan Brewing LLC d/b/a Alaskan Brewing Co., location: 5429 Shaune Drive

6. Club License #3313: Fraternal Order of Eagles Aerie #4200 d/b/a Fraternal Order of Eagles #4200, location: 2055 Jordan Avenue #1

7. Package Store License #271: Alaska Cache Liquor Inc. d/b/a Alaska Cache Liquor, location: 156 S. Franklin Street

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

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 2011-30

An Ordinance Providing For The Issuance And Sale Of A General Obligation Refunding Bond In The Aggregate Principal Amount Of Not To Exceed $6,300,000; And Providing The Form And Terms Of The Bond And For Unlimited Tax Levies To Pay The Bond.

This ordinance would authorize the issuance of up to $6.3 million in general obligation bonds to refund the 2000B and 2002 general obligation School Bonds. It is estimated that refunding these bonds will save approximately $415,000 over their 5-year remaining life. The 2000B bond qualifies for 60% state reimbursement and the 2002 for 70%. The overall net savings to the CBJ for the 5-year period will be approximately $135,000.

The bond issuance requires Assembly authorization, but it does not require voter approval. The final issuance of the bonds will require an Assembly resolution for the bid acceptance. The final savings will be reported at the time the bid acceptance resolution is presented.

I recommend this ordinance be adopted.

B. Ordinance 2011-31

An Ordinance Of The City And Borough Of Juneau, Alaska, Authorizing The Issuance Of A Nonrecourse Revenue And Refunding Bond (Wildflower Court, Inc. Project), Of The City And Borough In An Aggregate Principal Amount Not To Exceed $14,200,000; Authorizing The Execution And Delivery Of The Necessary Financing Documents In Connection Therewith; And Providing The Form And Terms Of The Bond.

This ordinance will authorize the issuance of up to $14.2 million in non-recourse revenue refunding bonds for the benefit of Wildflower Court. These bonds will refund non-recourse revenue bonds issued by the CBJ on behalf of Wildflower Court in 1999. The original $18 million in CBJ conduit debt was issued by the CBJ on August 1, 1999, pursuant to Ordinance 99-13. The amount being refunded is $13.05 million. The new bonds will result in an estimated net present value savings $4.2 million over the remaining life of the bonds. In addition, the new bonds will provide up to $1 million in additional
funding to install a kitchen, carpeting, facility improvements, and software and hardware upgrades.

The new bonds will be issued through the Alaska Municipal Bond Bank Authority (AMBBA) to gain the maximum refunding benefit. The term of the new issue will not change. Wildflower Court is pledging its revenues to the repayment of the (conduit) revenue bond debt. Wildflower Court has met its debt service obligations for the past 11 years, and the new bond debt schedule will mesh better with Wildflower’s projected future revenues (State Medicaid funding). However, using the Bond Bank does increase CBJ’s risk exposure in that the AMBBA will require the standard revenue intercept provision. If Wildflower Court fails to meet the debt service requirements, the State could enact the revenue intercept provisions to withhold state payments to the CBJ. To protect the CBJ’s interest, there will be an indenture agreement that would secure the debt by a pledge of the facility.

When issuing tax exempt bonds for nonprofit third parties, there is a requirement that the public have an opportunity to comment on the use of tax-exempt conduit debt. The CBJ held the required Tax Equity and Fiscal Responsibility Act of 1982 hearing. (TEFRA-hearing conducted on December 28, 2011). There were no public comments received.

Included in the packet is a letter from Shawn Morrow, Bartlett Regional Hospital’s Chief Executive Officer, in support of the bond refinancing proposal. Wildflower Court works in collaboration with Bartlett Regional Hospital to provide services for individuals being discharged from the hospital. Wildflower Court is a facility that provides services for adults who require constant skilled nursing services following an injury or acute illness and for individuals who have significant physical or mental disabilities that cannot be managed in a home care setting. Approximately 63.3% of Wildflower Court’s admissions come from Bartlett Regional Hospital.

I recommend this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Bartlett Regional Hospital - Quorum Contract Consideration

XI. STAFF REPORTS

A. 2012 Election Dates

The memo in the packet outlines dates for conducting the 2012 election according to the CBJ Charter and Code.

XII. ASSEMBLY REPORTS

A. Mayor’s Report
B. Committee Reports
C. Liaison Reports
D. Presiding Officer Reports
   1. Appeal of Conditional Use Permit USE2011-00010 - “Keikkala Living Trust Appeal”
      Update.

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