

**AGENDA/MANAGER'S REPORT**  
THE CITY AND BOROUGH OF JUNEAU, ALASKA  
Monday, July 10, 2000 7:00 – 11:00 PM  
Assembly Chambers – Municipal Building  
**Meeting No. 2000-13**

Submitted by: \_\_\_\_\_  
David R. Palmer  
City & Borough Manager

- I. FLAG SALUTE
- II. ROLL CALL
- III. SPECIAL ORDER OF BUSINESS
  - 1. Alaska Department of Environmental Conservation cruise ship air and water quality presentation by Mike Conway
- IV. APPROVAL OF MINUTES
  - 1. 6/19/00-Regular Meeting No. 2000-12
- 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 and Assembly Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
  - B. Assembly Action
    - 1. Ordinances for Introduction

- a. Ordinance No. 2000-11 (A)  
**An Ordinance Appropriating To The Manager The Sum Of \$378,254 For Construction Of Phase I Of The Runway Safety Areas And For Environmental Work For Future Runway Safety Area Construction Affecting Wetland Areas At The Juneau International Airport. Such Funds, \$367,623, Provided By The Federal Aviation Administration And \$10,631 Provided By The Alaska Department Of Transportation And Public Facilities.** Presented by the Manger.

This ordinance appropriates \$367,623 in a Federal Aviation Administration (FAA) grant and \$10,631 in an Alaska Department of Transportation and Public Facilities matching grant for construction of phase I of the runway safety areas, and for environmental work related to proposed expansion in areas designated as wetlands at the Juneau International Airport. This amount will be added to the funds provided by Ordinance 99-17(AJ)am to bring the total project cost to \$3,913,531.

The runway safety area project is a high FAA priority. Phase I of the construction will construct safety areas parallel to the existing runway in locations not requiring environmental permits.

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

- b. Ordinance No. 2000-11 (B)  
**An Ordinance Authorizing The Manager To Transfer The Sum Of \$100,000 From Harbor Operations To The Statter Harbor Improvements Capital Project.** Presented by the Manger.

This ordinance will transfer \$100,000 in Harbor contingency funds to the Statter Harbor Improvements capital project. These funds will provide for additional electrical work (lighting) and associated administrative costs.

The Docks and Harbor Board approved this action at their June 29, 2000, Regular Meeting.

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

- c. Ordinance No. 2000-11 (C)  
**An Ordinance Appropriating To The Manager The Sum Of \$39,895 For Delinquency Prevention. Such Funds Provided By The Alaska Department Of Health And Social Services.** Presented by the Manger.

This ordinance appropriates a \$39,895 Alaska Department of Health and Social Services grant for a delinquency prevention program. These grant funds are being passed through the City and Borough of Juneau to the

Southeast Alaska Guidance Association (SAGA). This is the third year of a three-year delinquency prevention plan. This year's program will focus on summer youth employment and wilderness challenge.

A copy of the Notification of Grant Award and Grant Agreement can be found in your packet.

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

- d. Ordinance No. 2000-11 (D)  
**An Ordinance Appropriating To The Manager The Sum Of \$3,174,400 To Fund \$2,615,000 Of Capital Projects And \$559,400 In Operational Support To Cruise Ship Tourism. Such Funds Provided From Marine Passenger Fees.**

This ordinance appropriates \$3,174,400 in Marine Passenger Fees, of which \$2,615,000 is for capital improvement projects and \$559,400 for operational support for Cruise Ship related tourism (as identified below). Since being heard by the Committee of the Whole on June 26 2000 the CBJ Finance Department has reduced the estimate of the revenue by \$350,000. The following projects have been reduced to meet the new projection: Visitors Center by \$100,000, Decorative Street Lights by \$50,000, and Docks Dredging by \$200,000.

Both the Public Works and Facilities Committee and the Assembly Committee of the Whole have reviewed the projects. One change has been made since the Committees' reviews, \$60,000 was added to fund 30 minute bus service for May and June of 2001.

Capital Improvement Projects:

	<i>Facilities</i>	
Construct Visitor Center/Waterfront Vendor/ Customer Shelters near wharves	\$ 650,000	
Auke Bay Commercial Loading Facility	500,000	
Gold Creek Entrance Enhancement	150,000	
Upgrade National Guard Dock for tugboats and large commercial vessels	300,000	
Transit Facility-Match Federal Funds	150,000	
	<i>Maintenance</i>	
Rebuild road to SAGA lodge for tourist access	50,000	
Downtown sidewalk, stairway, street reconstruction	50,000	
Mt. Roberts Trail and all trail maintenance	250,000	
IVF Electrical Upgrade	110,000	
Commercial (visitor) Launch Ramp Access improvements	220,000	
Refinish downtown streetlights	150,000	
Commercial Trail Planning	35,000	
Total Capital Improvement Projects	<u>2,615,000</u>	

Operational Funding:

General Fund:

Fund Balance:

Reimbursement for the baseline noise study of flightseeing operators 100,000

City Manager:

1 FTE Administrative Assistant I (tourism) 42,400

Local Emergency Planning Committee 10,000

Planning & Policy Committee tourism long range plan 100,000

Flightseeing mediation 100,000

Service Area 9:

Parks and Recreation:

Trail Monitor (seasonal) 25,000

Capital Transit

Capital Transit 30 minute service (seasonal) 60,000

Visitors Services:

Juneau Convention & Visitors Bureau-Visitor Information Services 97,000

Docks:

Tourism "Ambassador" on Waterfront (seasonal) 25,000

Total Operational Support 559,400

Total \$3,174,400

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

e. Ordinance No. 2000-28

**An Ordinance Amending the Penal Code to Allow the Discharge of Firearms within the Mendenhall Wetlands State Game Refuge.**

Presented by the Manger.

This ordinance amends the CBJ firearms ordinance to be consistent with state and federal waterfowl hunting regulations on the Mendenhall Wetlands State Game Refuge.

Currently, CBJ ordinance prohibits discharging firearms within one-half mile of a road. However, state and federal waterfowling regulations permit waterfowl hunting on the wetlands. Due to the inconsistency, every year questions arise regarding hunters discharging shotguns on the wetlands, which leaves officials trying to explain to the public these conflicting regulations and ordinances. This ordinance allows only the discharge of shotguns on the wetlands – not rifles and handguns.

The local State Fish and Wildlife Protection Division (Department of Public Safety) and the State Division of Wildlife Conservation (Department of Fish and Game) support this ordinance.

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

2. Resolutions

a. Resolution No. 2039

**A Resolution Opposing State Limitations on Local Revenues.**

This resolution puts the Assembly on record as opposing the upcoming ballot measure for a statewide property tax cap. Although there is some hope that the legislature may provide for local options to circumvent the effects of the initiative, there is as yet no relief on the books. A 10-mill cap would not hit Juneau as hard as some other cities, but it would still hurt. Worse yet, local voters are preempted by state wide voters on purely local issues.

**I recommend that the Assembly adopt this Resolution.**

b. Resolution No. 2040

**A Resolution Authorizing the Manager to Donate Surplus Dive Rescue and Recovery Equipment to Southeast Aquatic Safety, Inc.**

This resolution endorses the efforts of South East Aquatic Safety, Inc. (S.E.A.S.) to form a non-profit dive recovery team. Through this resolution, Capital City Fire and Rescue (CCF/R) will be rededicating their dive recovery program to working within the scope of S.E.A.S. This will provide a stronger framework for professional training, and will broaden the ability of individuals who have been trained in diving but are not members of CCF/R, to participate in dive recovery operations. CCF/R members who are active divers have been encouraged to join and participate with S.E.A.S.

The attached inventory list indicates the quantity and type of equipment that will be donated to S.E.A.S.

**I recommend that the Assembly adopt this Resolution.**

c. Resolution No. 2041

**A Resolution Disestablishing the Tourism Advisory Committee.**

The Committee of the Whole, at its June 12 meeting, requested the Attorney to draft a resolution disestablishing the Tourism Advisory Committee. With the establishment of the Assembly Planning and Policy Committee, the Assembly has undertaken many of the tasks formerly handled by the TAC.

The PPC is now providing policy direction for tourism management issues and is actively pursuing planning studies and other projects with the goal of mitigating the impacts of tourism. The resolution thanks past and present members of the TAC for their service to the community.

**I recommend that the Assembly adopt this Resolution.**

C. Transfer Request:

1. Transfer Request No. T-690  
**Transfer Request No. T-690 Transfers \$404,954 In 1991 GO Bonds And Interest From Four School District Capital Projects To The Undesignated Construction/Major Repair – DOE Restricted Account.**

This request moves \$404,954 in 1991 GO Bonds and Interest from four school district capital projects that have been completed to the Undesignated Construction/Major Repair – DOE Restricted account. The bonds and interest are for school district capital improvement projects. The School District will identify the project or projects to be funded and obtain DOE approval to move the funds.

After the transfer is approved, the fund available balances, budgets, and status for the projects will be as follows:

<u>Transfer Status/ Project Number/ Project Name</u>	<u>Unobligated Funds Available Prior to Transfer</u>	<u>Unobligated Funds Available After Transfer</u>	<u>Total Project Budget After Transfer</u>	<u>Status</u>
Transferred from:				
S209-90/ Floyd Dryden HVAC	\$69,238\$	-0-	\$396,262	Closed
S454-55/ Auke Bay Library Circulation	\$28,091	-0-	\$1,909	Closed
S454-54/ Auke Bay Classroom Renovations	\$78,077	-0-	\$232,923	Closed
Transferred to:				
S100-93/ Undesignated Construction/ Major Repair – DOE Restricted	\$221,380*	\$626,334	\$626,334	Undesignated

\* - Total interest income posted to this fund is \$848,995; only \$221,380 has been budgeted. After the transfer request is approved, total interest and GO Bonds available to fund projects will be \$1,253,919. The difference between what is

showing in the table above and what is available, \$627,615, will be appropriated once a project is identified.

**I recommend approval of this transfer.**

2. Transfer Request No. T-691

**Transfer Request No. T-691 Transfers \$345,288 Comprised Of 1991 GO Bonds, \$15,524, DOA Matching Grants, \$229,438 And The Required Local Match Of \$100,326 From 3 Completed School Districts To A New Project Which Will Upgrade The Marie Drake Elementary School For ADA Compliance.**

This request moves \$345,288 from 3 completed school district projects to a new project to upgrade the Marie Drake Elementary School for ADA compliance.

The \$229,438 in state matching grants have been reprogrammed by the State so that ADA upgrades are grant eligible expenditures. The new project will widen classroom doors in Marie Drake Elementary School for compliance with ADA. It is anticipated that the ADA upgrades at Marie Drake will be complete in Summer, 2001.

After the transfer is approved, the fund available balances, budgets, and status for the projects will be as follows:

<u>Transfer Status/ Project Number/ Project Name</u>	<u>Unobligated Funds Available Prior to Transfer</u>	<u>Unobligated Funds Available After Transfer</u>	<u>Total Project Budget After Transfer</u>	<u>Status</u>
Transferred from:				
S205-90/ Fire Rated Corridors	\$15,524	\$ -0-	\$148,476	Closed
S454-48/ Auke Bay School - Fire Rated Corridors	\$38,021-	\$ -0-	\$95,294	Closed
S454-50/ Marie Drake/Harborview Schools Fire Rated Corridors	\$291,743	\$ -0-	\$28,257	Closed
Transferred to:				
S454-68/ ADA Upgrades to Marie Drake	\$ -0-	\$345,288	\$345,288	New Project

**I recommend approval of this transfer.**

3. Transfer Request No. T-692

**This Transfer Request No. T-692 Transfers \$100,000 From Unallocated FY01 Areawide Street Sales Tax To The Calhoun Avenue Overlay Project.**

This request moves \$100,000 from Unallocated FY01 Areawide Street Sales Tax to the Calhoun Avenue Overlay project.

The work will consist of planing Calhoun Avenue from the Gold Creek Bridge to the Governor’s Mansion, tack coating the planed area and overlaying with a minimum of 2” of bituminous asphalt pavement. The engineer's estimate indicates that an additional \$100,000 is needed to complete the project.

After the transfer is approved, the fund available balances, budgets, and status for the projects will be as follows:

<u>Transfer Status/ Project Number/ Project Name</u>	<u>Unobligated Funds Available Prior to Transfer</u>	<u>Unobligated Funds Available After Transfer</u>	<u>Total Project Budget After Transfer</u>	<u>Status</u>
Transferred from:				
Z492-00/ Unallocated FY01 AW Street Sales Tax	\$224,000	\$124,000	\$124,000	Ongoing
Transferred to:				
R412-78/ Calhoun Ave. Overlay	\$100,000	\$200,000	\$200,000	New project

**I recommend approval of this transfer.**

4. Transfer Request No. T-693

**Transfer Request No. T-693 transfers \$230,000 from the Runway 8-26 Rehabilitation project to the Airport Revolving Capital Reserve Account.**

The request transfers a) \$230,000 from the Runway 8-26 Rehabilitation project to the Airport Revolving Capital Reserve. The City originally funded the excess design and construction costs with a transfer from the Airport Revolving Capital Reserve Account. This appropriation repays that fund.

b) \$70,000 from the Capital Reserve Account to the Wetlands Fill/Jordan Creek Dredge project. The additional funding purchases fill material and pays labor and hauling costs for bird habitat elimination. Upon completion this area will be available for private aircraft hangers and tie down.

After the transfer is approved, the available fund balances, budgets, and status for the projects will be as follows:



<u>Transfer Status/ Project Number/ Project Name</u>	<u>Unobligated Funds Available Prior to Transfer</u>	<u>Unobligated Funds Available After Transfer</u>	<u>Total Project Budget After Transfer</u>	<u>Status</u>
Transferred from:				
A345-28/ Runway 8-26 Rehabilitation	\$586,550	\$356,550	\$5,782,687	Ongoing
Transferred to:				
A345-33/ Revolving Capital Reserve Account	\$80,901	\$240,901	\$240,901	Ongoing
A345-40/ Wetlands Fill/Jordan Creek Dredge	\$8,735	\$78,735	\$136,000	Ongoing

The Airport Board supports the approval of this transfer.

**I recommend approval of this transfer.**

D. Bid Awards:

1. **Contract No. SD00-401Gastineau School Re-Roof.**

Bids were opened on the subject project on June 23, 2000. Initially, bid results were posted June 23<sup>rd</sup>, naming the apparent low bidder as Keetowah Construction, based on the total of the Base Bid and Alternate No. 1. School District staff decided to award the Base Bid only, which changed the order of bidders. A revised notice was posted June 30, 2000.

The second bid protest period expired at 4:30pm, July 3, 2000. A notice of intent to protest has been received. If the protest is not resolved, this item will be pulled from the agenda.

RESPONSIVE	Base Bid	Alternate No. 1	TOTAL BID
<b>Coogan Construction Company</b>	<b>\$243,573</b>	\$34,500	\$278,073
Keetowah Construction Company	247,700	20,000	267,700
Anchorage Roofing & Contracting, Inc.	270,948	43,440	314,388
Architect's Estimate			\$293,000

The work for this project consists of removal of 40 areas of existing roof membrane and tapered insulation.

The funding source for this project is 1989-91 Bonds. The total project funds are \$311,493.

**I recommend award of this project to Coogan Construction in the amount bid for the Base Bid only, for a total award amount of \$243,573.00.**

E. Liquor Licenses:

Withdrawal of Protest

1. **Beverage Dispensary  
Louie's Douglas Inn**

At the regular Assembly meeting held on May 1, 2000, the Assembly adopted the Human Resource Committee's recommendation to protest the liquor license renewal of Louie's Douglas Inn due to the delinquency of their sales tax. The Sales Tax Division has informed us that the delinquency has been brought current and they are now in compliance. Based on this information, the municipal clerk's office recommends the Assembly withdraw their protest of Louie's Douglas Inn Beverage Dispensary License renewal.

**I recommend the Assembly withdraw the protest of the license renewal for Louie's Douglas Inn based on the above staff report.**

VIII. ORDINANCES FOR PUBLIC HEARING

a. Ordinance No. 2000-22

**An Ordinance Amending the Land Use Code to Remove a Requirement for Pedestrian Easements Connecting Beach Lots at the Extreme High Tide Line in Remote Subdivision Areas.**

This amendment responds to concerns Ralph Kibby that remote subdivisions should not be burdened with a mandatory requirement to provide a pedestrian easement.

In December 1999, the Assembly approved an ordinance that amended the Land Use Code to provide standards for subdivisions in remote areas. The Assembly added a provision to the proposed ordinance which provided that the CDD director or the Commission, as appropriate, should require that coastal lots in remote areas include a pedestrian easement between lots at the line of extreme high tide. The Lands Committee recently revisited this subject. The Committee asked that an ordinance be prepared which would remove reference to a possible requirement of a pedestrian easement connecting beach lots.

Whether pedestrian easements will be required will now be the option of the Planning Commission.

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

b. Ordinance No. 2000-26

**An Ordinance Amending the Building Code to Increase Permit, Plan Review, and Inspection Fees.** Presented by the Manager.

This ordinance increases the fee for building permits by 10% over current levels. The proposed increase was offered as a part of the Community Development Department's FY01 budget submittal as a revenue enhancement and was accepted by the Finance Committee for inclusion into the budget. It is expected to generate approximately \$50,000 in additional revenue at the current level of permit applications.

The resultant fee schedule will remain approximately 20% lower than the fees recommended by the International Conference of Building Officials as published in the 1997 Uniform Building Code. Juneau does not require additional permit fees based on the number of mechanical, electrical or plumbing fixtures thus our comparable fee schedule is even lower than many other cities. As an example, the resultant cost of a permit and plan review for a \$200,000 house would be \$1,781.10.

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

c. Ordinance No. 99-17 (AK)

**An Ordinance Appropriating To The Manager The Sum Of \$325,144 As Partial Funding For The Gastineau Avenue Reconstruction Project. Such Funds Provided By The Water Fund Retained Earnings.** Presented by the Manager.

This ordinance appropriates \$325,144 in Water Fund retained earnings as partial funding for replacement of all water mains and associated work along Gastineau Avenue.

An additional \$175,935 of Water Utility funds from closed capital improvement projects will be transferred into the Gastineau Avenue reconstruction project to fund the estimated \$501,709 in water improvement costs.

This action has been approved by the Public Works and Facilities Committee as part of the strategy to fund the Gastineau Avenue reconstruction project. A memorandum from the Public Works Director describing the complexities of the project can be found in your packets.

After this ordinance is appropriated, the balance in the Water Fund retained earnings will be \$3,202,045.

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

- d. Ordinance No. 99-17 (AL)  
**An Ordinance Appropriating To The Manager The Sum Of \$4,414 To Adjust Fiscal Year 2000 Budgeted Library Grants To The Actual Grant Amounts Received. Such Funds Provided By The Alaska Department Of Education.** Presented by the Manager.

This ordinance will appropriate an additional \$4,414 in State of Alaska Department of Education library grant funds. The approval of this ordinance will bring the total amount of State Library Assistance grant funds to \$114,414. This is a FY00 year-end house keeping ordinance which matches our funding authorization to the 4 State Library Assistance grants received. The State grants are as follows:

Public Library Assistance Services	\$ 18,900
Regional Library Mail Lending Service	67,880
Net Lender Services	2,634
Equipment Upgrades	25,000
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Total State Grants	114,414
Previous appropriations	110,000
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Amount of this appropriation	\$ 4,414
	=====

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

- e. Ordinance No. 99-17(AM)  
**An Ordinance Appropriating To The Manager The Sum Of \$45,000 As Partial Funding For Development Of A Wetlands Mitigation Program. Such Funds Provided By The Environmental Protection Agency.** Presented by the Manager.

This ordinance will appropriate \$45,000 in grant funds from the Environmental Protection Agency's Wetland Protection Program for phase II of the development of a CBJ Wetlands Mitigation program. There is a \$18,500 project match requirement. The CBJ will provide \$13,900 in staff time, which is included in the Community Development Department's FY01 Budget. The remaining match of \$4,600 will be made up of in-kind services from local groups and state agencies.

Phase I of the project provided a conceptual plan for development of the Wetlands Mitigation program. This conceptual plan was reviewed and supported by the Committee of the Whole at their April 10, 2000 meeting.

Phase II of the project will include development of specific details for creation and operation of the Wetlands Mitigation program. It is anticipated that phase II will be completed in June 2001.

A copy of the grant application and EPA acceptance letter can be found in your packet.

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

- f. Ordinance No. 99-17 (AN)  
**An Ordinance Authorizing The Manager To Transfer The Sum Of \$182,000 From Harbor Operations To The Norway Point Float Capital Project.** Presented by the Manager.

This ordinance will transfer \$182,000 in Harbor contingency funds to the Norway Point Float capital project for completion of the project.

This project will be located at the northwest corner of the Norway Point/Yacht Club lot. The project will entail the construction of a new shore-side gangway abutment, installation of a covered gangway and concrete-float gangway pad, and the driving of appropriate steel piling to accommodate a seasonal float for short-term moorage and commercial fishing gear repairs.

The Harbor Board approved this action at their regular meeting of October 28, 1999. A copy of the Harbor Board minutes can be found in your packets.

**I recommend this ordinance be adopted.**

*Public Hearing*  
*Assembly Action*

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS ON NON-AGENDA ITEMS

1. A-J Mine Closure – *Presented by the City Manager.*
2. Flightseeing Initiative – *Presented by the City Attorney.*

XII. ASSEMBLY REPORTS ON NON-AGENDA ITEMS

A. Committee Reports

B. Liaison Reports

C. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON PUBLIC PARTICIPATION  
ON NON-AGENDA ITEMS

XV. ADJOURNMENT

Note: Agenda packets are available for review at the Juneau Municipal Libraries.

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: Laurie\_Sica@ci.juneau.ak.us.