

AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA
Monday, October 2, 2000 7:00 – 11:00 PM
Assembly Chambers – Municipal Building
Meeting No. 2000-19

Submitted by: _____
David R. Palmer
City & Borough Manager

- I. FLAG SALUTE
- II. ROLL CALL
- III. SPECIAL ORDER OF BUSINESS
- IV. APPROVAL OF MINUTES
 - A. September 11, 2000 – Regular Meeting 2000-16
- 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. 2000-38
An Ordinance Amending The Land Use Code Relating To Fees For Services By The Community Development Department.

This ordinance increases fees for most land use actions which come before the Planning Commission. A fee increase was authorized by the Assembly during the last budget process. This ordinance implements the direction set in the FY 2001 budget. For example, proposed increases include, but are not limited to:

<u>Type of Application</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Allowable/Conditional Use		
Class I	\$200	\$300
Class II	\$350	\$400
Zone Change	\$250	\$500
Variance	\$300	\$350
Street Vacations	\$250	\$400
Minor Lot Consolidation	\$125	\$200

The ordinance also establishes several new fees. These include fees for: access driveways in rights-of-way (\$350); appeal of director's decision (\$300); letters of zoning compliance (\$150) and hazard area conditional use permit (\$350).

The Planning Commission reviewed the fee increases and found them to be fair and reasonable. The Commission suggested that a review of fees be undertaken with every budget cycle so that dramatic fee increases are never necessary.

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

- b. Ordinance No. 2000-39
An Ordinance Amending The Land Use Code With Respect To The Minimum Distance Between Mobile Homes.

This ordinance amends the current separation distance for mobile homes located in mobile home parks from 15 feet to 10 feet when new fire-resistant construction standards are met. This change reflects the improved fire safety of sheetrock wall finishes now commonly used in the manufacture of modern mobile homes. Mobile homes, which are regulated by the Federal Government, are now referred to in the industry as manufactured homes. This change will allow plan review and inspection needs to be more easily determined based on materials of construction or field observation.

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

- c. Ordinance No. 2000-11(T)
An Ordinance Appropriating To The Manager The Sum Of \$27,000 For The Purchase Of A Refined Fuel Specially Formulated To Reduce Smoke Generated At Firefighter Training Facilities, And A 3000-Gallon Fuel Tank. Such Funds Provided By The Areawide Fire Training Center Unreserved Fund Balance.

This ordinance appropriates \$27,000 from the Areawide Fire Training Center unreserved fund balance to purchase a highly refined fuel specially formulated to reduce smoke during firefighter training and a fuel tank. Cost of the fuel will be \$20,000 and the 3,000-gallon tank will cost \$7,000. The new tank is needed to provide additional storage capacity at the Fire Training Center for the special fuel. At the present time, the Center's storage capacity is less than the amount of fuel delivered in the shipping container.

After this ordinance is adopted the Areawide Fire Training Center Fund Balance is estimated at \$17,400.

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

2. Resolutions

- a. Resolution No. 2054
A Resolution Establishing The Friends Of The Flag Committee.

This resolution puts the Friends of the Flag under the CBJ banner, transferring liability for their volunteer efforts from them personally to CBJ. In exchange, they will continue to install and remove flags at the beginning and end of each season. Our risk management personnel will work with the volunteers at the beginning of each season to review safety issues relevant to their work.

I recommend this resolution be adopted.

- b. Resolution No. 2055
A Resolution Amending The Personnel Rules To Limit Grievance And Appeal Procedures To Permanent Employees.

This change is made to correct a conflict between 6 PR 020 and 15 PR 020, 025, and 030. Probationary employees who fail to satisfactorily complete their probationary period can be terminated at any time without cause and without the opportunity for appeal pursuant to 6 PR 020 since it was amended in 1996. The grievance procedure needs to reflect that probationary employees are prohibited from grieving their termination. Also, the change removes the ability to grieve for an employee occupying a position by virtue of a substitute appointment. Substitute appointments are used to fill a vacant position with a current CBJ employee when the duration of the appointment is 26 weeks or less. This type of appointment is temporary in nature, so although the incumbent receives benefits, it is not a permanent appointment to which property rights accrue and thus an employee occupying a substitute position should not

be able to grieve disciplinary actions up to and including dismissal
Transfer Requests:

I recommend this resolution be adopted.

3. Transfer Requests:

None submitted for this meeting.

4. Bid Awards:

None submitted for this meeting.

VIII. ORDINANCES FOR PUBLIC HEARING

a. Ordinance No. 2000-37

An Ordinance Creating Local Improvement District No. 86 Of The City And Borough For The Purpose Of Constructing An Interceptor And Collector Sewer System Along Portions Of Channel Drive, North Douglas Highway And In The Bonnie Brae Subdivision.

This ordinance establishes LID 86 for the purpose of constructing a combined highway and beachfront sanitary sewer system. Under this project, a new sewer main will be installed along Channel Drive, across Gastineau Channel, along North Douglas Highway and the Gastineau Channel shoreline, and connect up to the Bonnie Brae Subdivision sewer outfall pipe.

The total project budget is \$4,611,945. Grants from the State of Alaska comprise about 51% of the project budget (\$2,345,000). The properties within the LID will be assessed a maximum of \$835,500, or about 18% of the budget. The City and Borough will fund the remaining portion of the project with sales tax and sewer fund revenues (\$1,431,445).

The proposed ordinance sets the LID assessment at the same rate the Assembly set for the Back Loop Sewer Project. The Assembly's Public Works and Facilities Committee set the assessment after several public hearings. The assessment is set at \$5,000 per lot for non-Bonnie Brae property owners, \$3,500 per lot for Bonnie Brae property owners, and a \$1,000 credit in cases where property owners are required to construct on-lot lift stations.

After the introduction of this ordinance on August 21, 2000, notices were published in the newspaper and sent to residents in the LID area so they would be aware they would have this opportunity to make their views known to the Assembly.

At this hearing the Assembly shall hear objections from any owner affected

by the formation of the district and may make changes in the proposed boundaries or in the plans for the proposed improvements. The Assembly may not change the boundaries of the district to include property not previously included without first giving new notice to owners in the manner and form and within the time provided for the original notice.

I recommend this ordinance be adopted.

Public Hearing
Assembly Action

- b. Ordinance No. 2000-11(N)
An Ordinance Appropriating To The Manager The Sum Of \$300,000 As Partial Funding For Improvements To The Amalga Harbor Launch Ramp. Such Funds Provided By The Alaska Department Of Fish And Game.

This ordinance appropriates a \$300,000 grant from the Alaska Department of Fish and Game as partial funding for improvements to the Amalga Harbor boat launch area and transfers \$100,000 from Harbors General Operations as local match for the grant, and to fully fund the project.

The project will consist primarily of ramp replacement, slope stabilization, float repairs, upgrade of the lower and upper parking lots, and restroom improvements.

The action was approved by the Docks and Harbors Board at their regular meeting of June 29, 2000.

I recommend this ordinance be adopted.

Public Hearing
Assembly Action

- c. Ordinance No. 2000-11(O)
An Ordinance Appropriating To The Manager The Sum Of \$455,000 For The Purchase Of Land And Renovation Of A Warehouse Located At The Rock Dump. Such Funds Provided By The Land Fund Unreserved Fund Balance.

This ordinance appropriates \$455,000 for the purchase of land and renovation of a building located at the Rock Dump. The building will be used as a warehouse for the City and Borough and the School District to serve our storage needs.

The building is the former IHH factory, which was funded through the JEDC revolving loan fund. IHH defaulted on their loan and JEDC foreclosed on the

building. The land is under a lease with AJ Associates and will be purchased with a portion of the appropriated funds. The parcel is 1.48 acres in size. The building has 11,000 square feet of space and is served with water and sewer and is well lighted.

The purchase price for the land is \$355,000 (\$5.50/ square foot) which is the appraised value. \$100,000 of the appropriation will be used for connecting the heating system, finishing a bathroom which has been roughed-in, installing several new rollup doors, and grading the access driveway and outside storage area.

JEDC owns the building, and offers it to CBJ in exchange for reimbursement for its out-of-pocket costs related to the foreclosure (\$142,504). This amount will be paid by a separate appropriation if Proposition 2 passes. If Proposition 2 fails, JEDC transfers the building without additional compensation.

This building will serve the needs of the warehouse contemplated to be constructed with sales tax money in the October ballot. \$1.2M was the estimated cost of constructing a new 8,000 square foot warehouse. The Lands Fund will front the money for the project and will be paid back from the sales tax funds if it is approved by the voters.

The acquisition of this land and remodeling the warehouse will provide needed storage space at a fraction of the cost of constructing a new storage building.

After this ordinance is adopted, the unreserved fund balance in the Land Fund will be \$1,481,700.

I recommend this ordinance be adopted.

Public Hearing
Assembly Action

- d. Ordinance No. 2000-11(P)
An Ordinance De-Appropriating The Sum Of \$8,000 From The Manager's General Operations. Such Funds Provided By The General Fund.

The Alaska Public Offices Commission requires a specific appropriation of funds by the Assembly for the publication of a voter information brochure. Each year, the Manager prepares an objective summary of ballot propositions using a "Q & A" format. This year, the brochure is scheduled to be mailed out to all postal customers on September 22.

This de-appropriation ordinance removes funds from the Manager's budget so they can be appropriated for this purpose by the accompanying ordinance 2000-11 (Q).

I recommend this ordinance be adopted.

Public Hearing
Assembly Action

e. Ordinance No. 2000-11(Q)

An Ordinance Appropriating To The Manager The Sum Of \$8,000 For Publication Of Voter Information Pamphlets. Such Funds Provided By The General Fund Unreserved Fund Balance.

This ordinance appropriates funds for the voter information brochure as described in Ordinance 2000-11(P).

I recommend this ordinance be adopted.

Public Hearing
Assembly Action

IX. UNFINISHED BUSINESS

A. GLT vs. CBJ

At the conclusion of the Assembly's hearing on GLT vs. Planning Commission, a motion to grant the appeal failed and the Attorney was directed to prepare a proposed decision in accordance with CBJ 01.50.140(b). I did so, then circulated it to the parties for comment. The appellees suggested some minor editorial changes, which have been incorporated in the draft. The Appellant has offered more substantive comments, which are included in your packet. The proposed decision and the comments have been reviewed by Presiding Officer Jim Powell, who recommends no changes.

The appellant's comments also include a motion for reconsideration. The motion is premature under the rule established in CBJ 01.50.180(a) which provides that such a motion may be made within 30 days after the Assembly has "delivered or mailed a decision to the parties". Rather than put the Appellant to the trouble of refiling the motion after the final decision is mailed, I will at that point inquire of GLT whether it would like to have its motion renewed and will notify the Assembly.

X. NEW BUSINESS

XI. STAFF REPORTS ON NON-AGENDA ITEMS

A. Action Item (FYI only)

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. EXECUTIVE SESSION

A. **Union Contract Negotiations**

B. **Ongoing Litigation**

(Note: the Assembly may enter into Executive Session for these items)

XVI. 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.