

**AGENDA/MANAGER'S REPORT**  
**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
Monday, December 4, 2000 7:00 – 11:00 PM  
Assembly Chambers – Municipal Building  
**Meeting No. 2000-23**

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

- I. FLAG SALUTE
- II. ROLL CALL
- III. SPECIAL ORDER OF BUSINESS
- IV. APPROVAL OF MINUTES
  - A. November 20, 2000 – Regular Meeting 2000-22
- 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 2000-49  
**An Ordinance Amending the Clerk of Courts Code to Allow Motor Vehicle Equipment Offenses to be Discharged by Correction of the Equipment or Payment of Bail.**

The current bail schedule for misdemeanors provide that drivers who get cited for defective equipment may have the ticket cancelled if they prove to JPD that they have fixed the problem. If they don't fix it, the schedule requires a court appearance . This mandatory court appearance (MCA) is a burden for the court system, which has asked us to convert it to a \$20 fine, payable by mail. This is the rule for equipment violations cited under state statute.

This ordinance responds to the court system request by allowing equipment citations to be discharged by correcting the equipment or by paying \$20 bail. Payment of the bail does not really solve the problem. Anyone who continues to drive a defective car can be cited as many times as necessary until they fix it.

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

- b. Ordinance 2000-50  
**An Ordinance Repealing CBJ 42.20.130, “Disrupting Meetings and Processions”.**

This ordinance repeals a section of the criminal code which has never been used. We rarely encounter attempts to “disrupt a meeting or parade” that rise to criminal levels, and when we do, we avoid using the current ordinance, which contains some legally dubious language.

This language is a holdover from the 1970 Uniform Penal Code adopted by CBJ at unification, and it raises significant constitutional issues about vagueness and over breadth. The code revisor has flagged it for repeal and the Chief of Police and City Attorney agree. Other code sections are available to address interference with peaceable use of streets and sidewalks.

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

- c. Ordinance 2000-51  
**An Ordinance Disestablishing the Health and Social Services Department.**

This ordinance amends the code to remove references to the Health and Social Services Department (HSS). Last spring, the CBJ, in cooperation with the State of Alaska, Department of Health and Social Services, began transition of both mental health and chemical dependency programs to other local providers. On July 1, 2000, Bartlett Regional Hospital assumed the administration of the HSS chemical dependency program, including Juneau Recovery Hospital. Juneau Alliance for Mental Health, Inc. (JAMHI) assumed administration of the HSS mental health program, with a subcontract to Juneau Youth Services for services to children and youth. This ordinance amends the code to reflect these changes.

Two HSS programs continue to be administered by the Manager. The Social Service Block Grants has one employee, now part of the Controllers division. The Teen Health Center is under the Manager's Office.

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

d. Ordinance 2000-11 (AA)

**An Ordinance Appropriating to the Manager the Sum of \$140,000 as Partial Funding for Mendenhall Treatment Plant Improvements. Such Funds Provided by an Amendment to a Loan From the Alaska Department of Environmental Conservation.**

This ordinance appropriates a \$140,000 amendment to an existing \$1,000,000 loan from the Alaska Department of Environmental Conservation.

The original loan was for improvements to the Mendenhall Wastewater Treatment Facility, which included the upgrade of the control system, replacement of the sequencing batch reactor decanter system and associated work. Most of the work has been completed, but recently it was determined that an additional blower was needed to provide air to the sequencing batch reactors and sludge management system. This loan amendment will be used to install the additional blower.

The contract interest rate on the loan will be 3.46% to be paid back over a period of 20 years beginning one year after completion of the project. It is estimated that the project will be complete by June, 2001.

A copy of Resolution No. 2030 authorizing application for the loan amendment and the DEC loan amendment can be found in your packet.

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

2. Resolutions

a. Resolution No. 2062

**A Resolution Reestablishing the Rules of Procedure for the Assembly of the City and Borough of Juneau, Alaska; Adopting Mason's Manual of Legislative Procedures as the Governing Rules Where Other Provision Is Not Made; and Repealing Resolution No. 2017.**

This resolution amends Rule C(1)(c) to require that the Assembly organize itself within 7 days of the first meeting following certification of the election, as required by the Charter. The present language allows organization to occur as much as 30 days after certification, but this conflicts with the following Charter provision:

*Section 3.5. ORGANIZATION. The assembly shall meet immediately following certification of the election. At such meeting, or within seven days thereafter, the assembly shall elect from its membership a deputy mayor and do such other acts as may be required for its organization and for the conduct of its business. The assembly shall provide by ordinance for the interim order of succession of its members to the office of deputy mayor.*

**I recommend this resolution be adopted.**

- b. Resolution No. 2063  
**A Resolution Reestablishing Assembly Policy Regarding Appointments to the Juneau Economic Development Council Board of Directors, Goals and Objectives for the Council, and Repealing Resolution 1545, as amended by Resolution 1627.**

At the request of JEDC, this resolution removes one Assembly member from the JEDC board and adds a university representative.

**I recommend this resolution be adopted.**

- c. Resolution No. 2064  
**A Resolution Adopting an Alternative Allocation Method for the Fiscal Year 2001 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Northern Southeast Fisheries Management Area.**

This resolution authorizes the acceptance of the FY 2001 State Shared Fisheries Business Tax Program distribution. This program shares a portion of State's fishery revenues generated in the Northern Southeast Fisheries Management Area, but outside of the organized communities. It is anticipated that the CBJ will receive approximately \$23,500 in FY 2001 from this state program.

Under this program the CBJ shares a portion of the tax receipts with seven other communities (Angoon, Haines, Haines Borough, Hoonah, Pelican, Skagway and Tenakee) in the Northern Southeast Fisheries Management Area. The funds will be shared on a formula with 50% of the funding being distributed on a per capita basis and 50% shared equally among the 8 communities.

**I recommend this resolution be adopted.**

### VIII. ORDINANCES FOR PUBLIC HEARING

- a. Ordinance No. 2000-11 (Y)  
**An Ordinance Appropriating to the Manager the Sum Of \$2,970 for a Museum Assessment Program at the Juneau Douglas Museum. Such Funds Provided by the Institute of Museum and Library Services.**

This ordinance appropriates a \$2,970 grant from the Institute of Museum and Library Services (IMLS) for a Museum Assessment Program (MAP) III Survey. The grant will bring two museum professionals to Juneau to evaluate the Museum's public programs. Upon completion of the evaluation, the consultants will make a written recommendation for improvement to the public programs. This is the fourth, and last, of a series of MAP assessments the City Museum has participated in since 1988.

These have helped our museum assess our strength and weaknesses and plan for the future. The MAP III is especially timely with the increased diversity of the Museum's local and visiting audiences.

According to IMLS, "The MAP program has provided nearly 4,500 successful assessments, leading to improved professional standards and practices within museums of all sizes." A copy of the grant proposal and agreement can be found in your packets.

**I recommend this ordinance be adopted.**

b. Ordinance No. 2000-11(Z)

**An Ordinance Appropriating to the Manager the Sum Of \$67,000 for a Transportation Plan for the Riverside Drive Corridor. Such Funds Provided By the Alaska Department of Transportation and Public Facilities.**

This ordinance appropriates a \$67,000 grant from the Alaska Department of Transportation and Public Facilities for multi-modal transportation study for the Riverside Drive corridor. The grant funds will be used to hire a consulting team to identify and address the transportation demands and desires of current and future users of the corridor, including new facilities planned for Dimond Park. Considering the effects to the larger Mendenhall Valley roadway system, the consultant will recommend preferred alignment, design and primary intersection controls for the Riverside Drive corridor.

The grant has a match requirement of \$6,650, which the CBJ will meet through staff time devoted to the project. The matching funds will be provided through Community Development Department's FY01 budget.

The project will commence immediately upon appropriation of the grant and be completed by September 20, 2001.

A copy of the grant agreement and grant proposal can be found in your packets.

**I recommend this ordinance be adopted.**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS ON NON-AGENDA ITEMS

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. Evaluation of City Attorney**

**(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.