



SPECIAL ASSEMBLY MEETING 2022-21

AGENDA

August 29, 2022 at 6:00 PM

Assembly Chambers/Zoom Webinar/YouTube Livestream

Meeting No. 2022-21 <https://juneau.zoom.us/j/91515424903> or 1-253-215-8782 Webinar ID: 915 1542 4903

Agenda/Manager's Report Submitted By:

Duncan Rorie Watt, City Manager

A. CALL TO ORDER

B. LAND ACKNOWLEDGEMENT

C. ROLL CALL

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

1. Instruction for Public Participation

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278. For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.org.

E. CONSENT AGENDA

i. Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction

ii. Assembly Requests for Consent Agenda Changes

iii. Assembly Action

2. Ordinance 2022-06(b)(K) An Ordinance Appropriating \$100,000 to the Manager for the Telephone Hill Redevelopment Capital Improvement Project; Funding Provided by General Funds.

This ordinance would appropriate \$100,000 to begin the redevelopment process of Telephone Hill upon completion of the property conveyance from the State Department of Natural Resources to CBJ. An additional \$2 million in project funding will be provided by temporary 1% sales tax, if extended by voters during the October election. This project is #9 on CBJ's FY23 Legislative Priority List.

The Lands, Housing, and Economic Development Committee reviewed this request at the August 8 and August 29, 2022 meeting.

The City Manager recommends the Assembly introduce this ordinance and forward it to the Lands, Housing, and Economic Development Committee, and set it for public hearing at the regular Assembly meeting on September 12, 2022.

3. Ordinance 2022-06(b)(L) An Ordinance Appropriating \$187,442 to the Manager for the Design Phase of the Gate 5 Passenger Boarding Bridge Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.

This ordinance would appropriate \$187,442 in Airport Improvement Program grant funding for the Gate 5 Passenger Boarding Bridge CIP. This funding would provide for the design phase of the acquisition and

installation of a new passenger boarding bridge. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Gate 5 Passenger Boarding Bridge CIP.

The Airport Board reviewed this request at the August 11, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the June 6, 2022 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

4. **Ordinance 2022-06(b)(M) An Ordinance Appropriating \$2,017,881 to the Manager for the Design Phase of the Ramp Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.**

This ordinance would appropriate \$2,017,881 in Airport Improvement Program grant funding for the Ramp Improvements CIP. This funding would provide for the design phase of the rehabilitation of large air carrier and air taxi ramps. The local match requirement will be provided by previously-appropriated 1% sales tax funds in the Ramp Improvements CIP.

The Airport Board reviewed this request at the August 18, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the June 6, 2022 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

5. **Ordinance 2022-06(b)(N) An Ordinance Appropriating \$2,254,418 to the Manager for the Construction Phase of the Float Pond Improvements Capital Improvement Project; Funding Provided by the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant.**

This ordinance would appropriate \$2,254,418 in Airport Improvement Program grant funding for the Float Pond Improvements CIP. This funding would provide for the construction of raising the existing roadbed, introducing a drainage ditch, armoring the pond bank with rock, and reconstructing fourteen floatplane dock headwalls. The local match requirement will be provided by previously appropriated 1% sales tax funds in the Float Pond Improvements CIP.

The Airport Board reviewed this request at the August 18, 2022 meeting. The Public Works and Facilities Committee reviewed this request at the June 6, 2022 meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

6. **Ordinance 2022-06(b)(O) An Ordinance Appropriating \$2,400,000 to the Manager for the Purchase of the Family Practice Building at 10301 Glacier Highway; Funding Provided by Hospital Funds.**

Bartlett Regional Hospital desires to acquire the Family Practice property near Industrial Boulevard to ensure the hospital has space to expand into as the demand for medical care increases. This property currently houses multiple established medical practices, and it would provide convenient access to medical care for people that live in the Mendenhall Valley. The hospital would like to eventually provide easy access to specialty care practitioners closer to patients' homes.

This request was reviewed by the Lands, Housing and Economic Development Committee at the March 7, 2022 meeting. This request was reviewed by the Hospital Board at the February 22, 2022 meeting. The Hospital Board recommended the purchase of the building at the August 23, 2022 meeting.

The Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

7. **Ordinance 2022-06(b)(Q) An Ordinance Appropriating \$1,185,900 to the Manager for the Hospital CT/MRI Replacement Capital Improvement Project; Funding Provided by Hospital Funds.**

This ordinance would appropriate \$1,185,900 of hospital funds for the replacement and installation of one MRI and two CT scanners at Bartlett Regional Hospital. The existing apparatus has reached end of useful life and upgrades to the HVAC, electrical, and magnetic shielding are required for installation of the new equipment. This funding will supplement the original project appropriation of \$2,300,000 in order to award the bid, which came in 65%-75% above the architect's estimate.

The hospital Board reviewed this request at the August 23, 2022 meeting and the Hospital Finance Committee will review this request at the September 9, 2022 meeting.

The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

8. Ordinance 2022-22 An Ordinance Amending the City and Borough of Juneau Code Related to the Aquatic Board of Directors.

Over the last two years, the Aquatics Board has had vacancies, which contributed to meetings being cancelled for lack of quorum. The Aquatics Board recommended changes to its membership requirements, so it can continue to provide effective oversight of the pool facilities. The Assembly Human Resources Committee reviewed this topic on August 1, 2022 and recommended the Assembly reduce the membership from nine to seven and allow up to three members to be from a local aquatic organization. Assemblymember Triem has also proposed an amendment to remove the current code requirement that inserts the Aquatics Board into the hiring process for the Aquatics Manager.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

9. Resolution 2999 A Resolution Accepting Telephone Hill at No Cost from the State of Alaska.

This legislative session, the Alaska Legislature enacted HB349, directing the Alaska Department of Natural Resources to convey, without cost, State-owned properties on Telephone Hill to the City and Borough of Juneau. In exchange for receiving these properties, the City and Borough of Juneau acknowledges that the State of Alaska has satisfied any and all obligations originating from a \$2M contribution made by the City and Borough of Juneau in 1984.

The Lands, Housing, and Economic Development Committee reviewed this topic at the August 8, 2022 meeting and passed a motion of support for a resolution to acquire Telephone Hill properties.

The Manager recommends the Assembly adopt this resolution.

10. Resolution 3000 A Resolution Amending the City and Borough of Juneau Personnel Rules.

This resolution would update the Personnel Rules as a result of recent three-year collective bargaining agreements, market conditions, and changes to the State of Alaska pay policies related to attorneys. A more detailed summary of the changes is included with a memo from Human Resources Director Dallas Hargrave.

The Assembly Human Resources Committee reviewed this matter on August 25, 2022.

The Manager recommends the Assembly adopt this resolution.

F. NEW BUSINESS

11. Notices of Appeals to Assembly: Goldstein Improvement Company Appeal #2022-AA03, #2022-AA04, #2022-AA05, and #2022-AA06

Greg Adler, on behalf of Goldstein Improvement Company, filed four Notices of Appeal regarding real property valuations by the Assessor from 2022 as follows:

Appeal to Assembly #2022-AA03 for the property located at 119 Second St., parcel #1C070A020043

Appeal to Assembly #2022-AA04 for the property located at 201 Seward St., parcel #1C070A040010

Appeal to Assembly #2022-AA05 for the property located at 224 Second St., parcel #1C070A040020

Appeal to Assembly #2022-AA06 for the property located at 234 Seward St., parcel #1C070A050060

State law (AS29.45.210(d)) provides that a taxpayer can appeal a Board of Equalization decision to Superior Court within 30 days of distribution of the Board of Equalization decision---not to the Assembly. Additionally, CBJ Charter has two provisions that may be relevant: CBJ Charter 3.16(b) (allowing appeals from Boards created by the Assembly to the Assembly) with CBJ Charter 3.11 (prohibiting the Assembly from giving orders on administrative matters to an employee of the Manager). Prior to the expiration of the 30 day window to appeal the Board of Equalization decisions to Superior Court, the City Clerk informed Mr. Adler that the Assembly would likely address these subject matter jurisdiction issues before deciding the merits of the appeals and that may cause Mr. Adler to forego his ability to timely appeal the Board of Equalization decision to Superior Court.

The Assembly needs to decide if it is going to accept these appeals, and if it is going to appoint a presiding officer or appoint a hearing officer.

The City Attorney recommends the Assembly accept these appeals for the limited purpose of receiving briefing from the parties and deciding if it has jurisdiction over the subject matter of these appeals, and refer these to the same hearing officer as the two prior appeals.

12. Staff Reports: Juneau Terminal Reconstruction CIP: Supplemental Agreement #2

At the July 11, 2022 regular meeting, the Manager notified the Assembly that he had approved a supplemental agreement to the JNU Terminal Reconstruction Project with Dawson Construction for up to \$223,506.25 for the installation of additional acoustical tiles in the terminal building. CBJC 53.50.040(C) authorizes the execution of supplemental agreements; the Manager is limited to approving supplemental agreements to an amount not greater than \$250,000, or 25% of the contract amount, whichever is less. The base contract with Dawson was for approximately \$16M. The Manager is also required to notify the Assembly of approved supplemental agreements at its next regularly scheduled meeting.

The Airport has requested approval for a second supplemental agreement for the installation of additional flooring for a price of \$176,266.32. As the value of these two requests exceeds the Manager's authority, Assembly approval for this proposed addition to the construction contract is required.

The logic for these two supplemental agreements is similar. The Airport desires to capitalize on the already mobilized contractor, the ability to lock in building materials at current prices, and the value of having consistent building materials throughout the building, which allows for lower maintenance costs. These reasons support a finding that not requiring competitive bidding for these improvements is in the best interests of the City and Borough.

The Manager recommends that the Assembly approve supplemental agreement #2.

13. Staff Report: Update on Catholic Community Service - Hospice and Home Health

14. Staff Report: Update on Municipal Election Matters

15. Assembly retreat date discussion

16. Hardship and Senior Citizen/Disabled Veteran Late-Filed Real Property Tax Exemption Applications

There is one property owner that has requested the Assembly authorize the Assessor to consider a late-filed exemption for their property assessment.

The Assembly should consider this request and determine whether the property owner was unable to

comply with the April 30 filing requirement. A.S. 29.45.030(f); CBJC 69.10.021(d). The burden of proof is upon the property owner to show the inability to file a timely exemption request. If the Assembly decides to accept this late-filed exemption request, the application will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on this application.

G. SPECIAL ORDER OF BUSINESS

17. Joint Assembly Meeting with the Planning Commission

Topics:

Brief overview of CDD

Priorities discussion

H. SUPPLEMENTAL MATERIALS

I. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.