

THE CITY AND BOROUGH OF JUNEAU, ALASKA

APRIL 17, 1989

Meeting No. 89-12: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order by Mayor Botelho at 7:00 p.m.

I. FLAG SALUTE

The Flag Salute was led by Mayor Botelho.

II. INVOCATION

The Invocation was offered by Pastor John Bigelow of the Bethany Baptist Church.

III. ROLL CALL

Assembly Present: Young, Campbell, Champion, Davidson, Parsons, Peterson, Robinson, Walker, Botelho

A quorum was present.

Staff Present: Patty Ann Polley, City Clerk; Kevin Ritchie, City Manager; Barbara Blasco, City Attorney; Joe Graham, Harbormaster; John Corso, Deputy City Attorney; John Kern, Transit Manager; Mary Cook, Finance Director; Richard Shadduck, Public Works Department; Allan Judson, Fire Chief; Laraine Glenn, School District

IV. APPROVAL OF MINUTES

03/31/89 Special Meeting No. 89-09

04/03/89 Regular Meeting No. 89-10

04/06/89 Special Meeting No. 89-11

MOTION - by Davidson to adopt the minutes of Special Meeting No. 89-09, held March 31, 1989, as presented, and asked unanimous consent. There being no objection, it was so ordered.

Administrative Report: Attached. The Manager recommended this ordinance be introduced and set for public hearing at the next regular meeting.

5. Ordinance No. 89-23
AN ORDINANCE ESTABLISHING THE CITY AND BOROUGH'S DETERMINATION TO RETAIN FOR A PUBLIC PURPOSE THE FOLLOWING PROPERTIES: LOT 3, BLOCK 101, TOWNSITE OF JUNEAU, JUNEAU, ALASKA, ACQUIRED BY TAX FORECLOSURE FROM DAVID E. MOUSEL; AND LOT 5, BLOCK 5, JUNEAU INDIAN VILLAGE, JUNEAU, ALASKA, ACQUIRED BY TAX FORECLOSURE FROM FRANCES E. AND JAMES F. WESLEY.

Administrative Report: Attached. The Manager recommended this ordinance be introduced and set for public hearing at the next regular meeting.

6. Ordinance No. 89-24
AN ORDINANCE AUTHORIZING THE MANAGER TO NEGOTIATE AND EXECUTE A LEASE CONSOLIDATING THREE EXISTING LEASES OF CITY AND BOROUGH REAL PROPERTY TO FOODLAND, INC. AND TO INCREASE THE SQUARE FOOTAGE OF THE LEASED PROPERTY FROM 52,277.80 TO APPROXIMATELY 65,477.80, FOR THE PURPOSE OF EXPANDING THE FOODLAND SUPERMARKET BUILDING.

Administrative Report: Attached. The Manager recommended this ordinance be introduced and set for public hearing at the next regular meeting.

B. Resolutions

1. Resolution No. 1375
A RESOLUTION AUTHORIZING THE MANAGER TO ACCEPT A \$90,000 GRANT FROM THE ALASKA DEPARTMENT OF FISH AND GAME FOR THE CLEANUP OF DUCK CREEK AND JORDAN CREEK.

Administrative Report: Attached. The Manager recommended the adoption of this resolution.

C. Transfer Requests

1. T-358 - Transfer \$339,241 from 1987 1/2% Sales Tax, 1989 1/2% Sales Tax, 1987 Areawide Capital

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

5. Ordinance No. 89-23

This ordinance establishes the City and Borough's determination to retain for a public purpose certain properties acquired by clerk's deed in the 1986 tax foreclosure proceedings. State law provides that the municipality must determine by ordinance whether foreclosed property deeded to the municipality is to be retained for a public purpose. The disposition of these properties has been reviewed by staff, the Planning Commission, and the Assembly Lands Committee, all of which recommended that these properties be retained for a public purpose, as follows: Lot 3, Block 101, Townsite of Juneau, is to be retained because this property is located in an area identified as a severe geophysical hazard area; Lot 5, Block 5, Juneau Indian Village, is to be retained until such time as the Juneau Indian Village adopts a redevelopment plan for this area.

A copy of the published notice of public hearing on this ordinance will be sent by certified mail to the former record owners of the properties that are the subject of this ordinance, as required by state law. The adoption of the ordinance will terminate the right of the former record owners to repurchase the properties.

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

6. Ordinance No. 89-24

This ordinance authorizes the Manager to enter into a lease with Foodland, Inc. to expand its current lease area by approximately 13,200 square feet (fractions of Lots 12 and 18, Alaska Tidelands Survey 3). The proposed lease expansion will accommodate two additions to the existing building so that Foodland's retail space can be increased and the freight dock made more efficient. Foodland, Inc. currently leases 52,277.80 square feet of municipal land for its facility. Foodland's total lease area is actually the composite of three different leases that the CBJ and Foodland entered into, the first one starting in 1963. Rather than enter a fourth lease, staff recommended and Foodland agreed to consolidate all the leases into one. The new lease would be for a term of 33 years, expiring April 1, 2022 (the expiration date of the longest of the existing leases). The area encompassed by the existing leases would continue to be leased at the rate established in those leases while the newly leased area would be leased at the current lease rate.

Comments on the proposed lease were solicited from the Parks and Recreation, Community Development, Engineering, and Public Works Departments. The comments received have been incorporated into the ordinance.

THE CITY AND BOROUGH OF JUNEAU, ALASKA

MAY 1, 1989

Meeting No. 89-14: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order by Mayor Botelho at 7:00 p.m.

I. FLAG SALUTE

The Flag Salute was led by Mayor Botelho.

II. INVOCATION

The Invocation was offered by Monsignor James Miller from St. Paul's Catholic Church.

III. ROLL CALL

Assembly Present: Campbell, Champion, Davidson, Parsons, Peterson, Robinson, Walker, Young, Botelho

A quorum was present.

Staff Present: Patty Ann Polley, City Clerk; Kevin Ritchie, City Manager; Barbara Blasco, City Attorney; Jim Dumont, Parks & Recreation Director; Mary Cook, Finance Director; Al Judson, Coordinating Fire Chief; Richard Shadduck, Public Works Department; Cynthia Johnson, Lands & Resources Officer; Gabrielle LaRoche, Planner; Murray Walsh, Planner; Tim Maguire, Planner; Laraine Glenn, School District

IV. APPROVAL OF MINUTES

04/17/89 Regular Meeting No. 89-12

04/24/89 Special Meeting No. 89-13

MOTION - by Davidson to approve the minutes of Regular Meeting No. 89-12, held April 17, 1989, as presented, and asked unanimous consent. There being no objection, it was so ordered.

ALASKA, ACQUIRED BY TAX FORECLOSURE FROM HARRY H. GRANT; AND FINDING THAT A PUBLIC NEED DOES NOT EXIST FOR THESE PROPERTIES.

Administrative Report: Attached. The Manager recommended this ordinance be adopted.

Public Hearing: No one testified at this time.

Assembly Action:

MOTION - by Davidson to adopt Ordinance No. 89-22.

Mr. Davidson asked about the need to take this action at this time. Ms. Blasco responded that if the Assembly wants to dispose of the property, they must pass an ordinance and give notice to the former owners by a certified letter. If an ordinance is not passed, either retaining the property or disposing of it, the former record owner has a right to repurchase the property that goes for 10 years after the end of the redemption period.

Mr. Davidson expressed concern of disposing of this property at this time in competition with private landowners. Ms. Blasco noted that the City does not make money from such sales, but is only allowed to keep the amount of taxes owed, penalty, interest and costs of the foreclosure proceedings; the record owner is notified of any extra funds, and they have six months to claim it. Ms. Johnson commented that a decision to dispose of the property does not necessarily mean that disposal will take place immediately.

The motion passed without objection.

5. **Ordinance No. 89-23**

AN ORDINANCE ESTABLISHING THE CITY AND BOROUGH'S DETERMINATION TO RETAIN FOR A PUBLIC PURPOSE THE FOLLOWING PROPERTIES: LOT 3, BLOCK 101, TOWNSITE OF JUNEAU, JUNEAU, ALASKA, ACQUIRED BY TAX FORECLOSURE FROM DAVID E. MOUSEL; AND LOT 5, BLOCK 5, JUNEAU INDIAN VILLAGE, JUNEAU, ALASKA, ACQUIRED BY TAX FORECLOSURE FROM FRANCES E. AND JAMES F. WESLEY.

Administrative Report: Attached. The Manager recommended the ordinance be adopted.

Public Hearing: No one testified on this ordinance.

Assembly Action:

MOTION - by Peterson to adopt Ordinance No. 89-23.

Ms. Peterson asked about the redevelopment plan for the Indian Village mentioned in the Manager's report. Mr. Ritchie indicated that a redevelopment plan has not been established at this time. The lots in the Village have been divided into odd sizes and shapes, and a redevelopment plan should address that issue.

The motion passed without objection.

6. Ordinance No. 89-24

AN ORDINANCE AUTHORIZING THE MANAGER TO NEGOTIATE AND EXECUTE A LEASE CONSOLIDATING THREE EXISTING LEASES OF CITY AND BOROUGH REAL PROPERTY TO FOODLAND, INC. AND TO INCREASE THE SQUARE FOOTAGE OF THE LEASED PROPERTY FROM 52,277.80 TO APPROXIMATELY 65,477.80, FOR THE PURPOSE OF EXPANDING THE FOODLAND SUPERMARKET BUILDING.

Administrative Report: Attached. The Manager recommended this ordinance be adopted.

Public Hearing: No one testified at this time.

Assembly Action:

MOTION - by Young to adopt Ordinance No. 89-24.

Mr. Young commented that the Lands Committee did not review the final language in the ordinance in terms of access.

Ms. Walker asked why the City needs access. Mr. Ritchie responded that they use the area behind Foodland for equipment operator training. They may want to landscape the area at some time in the future.

Ms. Walker asked about the addition to the Foodland building. Tim Whiting, representing Foodland Market, stated that the intent is to build a two-story building in order to make it feasible. The project will improve the looks of the back of the building. The addition will run parallel to the existing building. Ms. Walker suggested that Mr. Whiting talk with the residents of the Parkshore Condominiums, who are concerned about the addition.

4. Ordinance No. 89-22

This ordinance establishes the City and Borough's intention to surplus certain properties which were acquired by clerk's deed in the 1986 tax foreclosure proceedings. The disposition of these properties has been reviewed by staff, and it was concluded that a public need does not exist for these properties and that it would be in the best interests of the city and borough to surplus the properties. This ordinance is required under state law in order for the municipality to surplus the tax foreclosed property. A copy of the published notice of public hearing on this ordinance will be sent by certified mail to the former record owners of the properties that are the subject of this ordinance, as required by state law. The adoption of this ordinance will terminate the right of the former record owners to repurchase the properties.

With respect to Lot 9, Serac Terrace Subdivision, the Lands Committee recommendation was to dispose of the property if the Alaska Department of Environmental Conservation (ADEC) first approved of on-lot waste disposal. Staff has investigated this issue further and has been advised by ADEC that a specific project and engineering data would be necessary in order to obtain approval on on-lot waste disposal. Therefore, it is recommended that this parcel be surplusd at this time; the issue of on-lot waste disposal will be addressed by ADEC if and when it is presented with a proposed project for the property at a later time.

I recommend that this ordinance be adopted.

5. Ordinance No. 89-23

This ordinance establishes the City and Borough's determination to retain for a public purpose certain properties acquired by clerk's deed in the 1986 tax foreclosure proceedings. State law provides that the municipality must determine by ordinance whether foreclosed property deeded to the municipality is to be retained for a public purpose. The disposition of these properties has been reviewed by staff, the Planning Commission, and the Assembly Lands Committee, all of which recommended that these properties be retained for a public purpose, as follows: Lot 3, Block 101, Townsite of Juneau, is to be retained because this property is located in an area identified as a severe geophysical hazard area; Lot 5, Block 5, Juneau Indian Village, is to be retained until such time as the Juneau Indian Village adopts a redevelopment plan for this area.