ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-13

An Ordinance Authorizing the Manager to Convey City and Borough Property Located in the Mendenhall Valley to the Alaska Department of Transportation and Public Facilities.

WHEREAS, the Manager received an application for a negotiated sale under CBJ 53.09.260 from the Alaska Department of Transportation and Public Facilities (ADOT&PF) for a fraction of Block A, Field Acres Subdivision located at the Northwest corner of the intersection of Stephen Richards Memorial Drive and Mendenhall Loop Road and for a fraction of Lot 1A, U.S.S. 2084 located at the intersection of Mendenhall Loop Road and Floyd Dryden Middle School; and

WHEREAS, the Alaska Department of Public Transportation and Public Facilities is implementing a road reconstruction project along Mendenhall Loop Road; and

WHEREAS, the project includes resurfacing the pavement, improving intersections, and upgrading intersection and pedestrian facilities; and

WHEREAS, in order to complete the project the ADOT&PF needs the subject parcels, permanent easements, and temporary construction easements; and

WHEREAS, the ADOT&PF is required to identify the fair market value of any property interest that must be acquired in relation to projects and has included an appraisal report; and

WHEREAS, the Parks and Recreation Advisory Committee (PRAC) passed a recommendation that the Assembly approve this conveyance at its meeting on January 10, 2020, and included the following four conditions in their recommendation:

1. Any fill placed in this area will be placed at a 1:1 slope to minimize the fill footprint and loss of habitat.

2. Construct a shallow wetland pond area to provide rearing and overwintering juvenile Coho and other fish habitat adjacent to the creek with surface connection to the creek. This pond can be on CBJ property and it will serve to mitigate the loss of habitat in impacted areas.

3. Remove pavement and fill in the road corridor along the north end of the property in the area where the permanent easement is being requested. A six-foot wide gravel trail can be maintained. Topsoil shall be placed in the remaining disturbed areas and native vegetation appropriate for the anadromous stream corridor shall be planted and maintained for a calendar year to establish growth.
4. Implement green infrastructure for stormwater control along this park property. No piped stormwater shall enter the property from the road; and

WHEREAS, the ADOT&PF has provided an updated construction plan to include conditions 1 and 4 from the PRAC and will provide an additional administrative settlement to cover the costs of completing conditions 2 and 3; and

WHEREAS, the Lands Committee unanimously passed a motion of support for the disposal, and for granting the permanent and temporary construction easements to the DOT&PF at the meeting on February 10, 2020, which included the four conditions from the PRAC; and

WHEREAS, the Planning Commission, at its meeting on June 11, 2019, recommended that the City and Borough Assembly approve the project with the following condition:

1. Applicant shall make all reasonable efforts during construction to alleviate the economic impact on businesses and residents affected by construction activities. (Notice of Recommendation CSP2019 0004); and

WHEREAS, an appraisal was complete on October 3, 2019, which calculated the fair market value of the acquisitions to be $53,191.00.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Authorization to Convey. The Manager is authorized to negotiate and execute the sale of a fraction of Block A, Field Acres Subdivision and a fraction of Lot 1A, U.S.S. 2084, totaling approximately 25,050 square feet as depicted in Exhibit A.

Section 3. Purchase Price. The purchase price of the property shall be the fair market value, which has been determined by appraisal to be $53,191.00.

Section 4. Other Terms and Conditions.

A. A fraction of Block A, Field Acres Subdivision is designated Duck Creek greenbelt in the 2016 Land Management Plan as part of this acquisition the ADOT&PF is providing the City and Borough with an additional administrative settlement of $24,175.00 in order for the City and Borough to meet the conditions requested by the PRAC. The ADOT&PF will also provide $15,000.00 for the Juneau School District to move the electric sign at the entrance to the Floyd Dryden Middle School. These amounts will in addition to the fair market value of the land.

B. The Manager may include such other terms and conditions as may be in the public interest and in accordance with CBJ Title 53.
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 16th day of March, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk
City Property

Temp Construction Easement
1,543 square feet

Acquisition
7,878 square feet

Easement
459 square feet

Parcel 6 - ADOT&FP Mendenhall Loop Road and Stephen Richards Road Land Acquisition Request

Temp Construction Easement
414 square feet

Acquisition
17,172 square feet

City Property

Temp Construction Easement
4,253 square feet

Floyd Dryden Middle School

Parcel 14 - ADOT&FP Mendenhall Loop Road and Floyd Dryden Middle School Land Acquisition Request

Exhibit A - Ordinance No. 2020-13