**ASSEMBLY STANDING COMMITTEE**
**COMMITTEE OF THE WHOLE**
Meeting Minutes – November 9, 2020

The Assembly Committee of the Whole meeting, held virtually via Zoom Meetings, was called to order by Deputy Mayor Loren Jones at 6:02p.m.

## I. ROLL CALL

**Assemblymembers Present:** Maria Gladziszewski, Wade Bryson, Michelle Hale, Carole Triem, Alicia Hughes-Skandijs, Greg Smith, Christine Woll, Loren Jones, and Mayor Weldon.

**Assemblymembers Absent:** None.

**Staff Present:** City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers, Public Works Director Katie Koester, Lands Manager Dan Bleidorn, Community Development Department (CDD) Director Jill Maclean, CDD Planner Laurel Christian, Senior Planner Irene Gallion, CDD Administrative Officer Brenwynne Grigg, Bartlett Regional Hospital Chief Behavioral Officer Bradley Grigg, Parks and Recreation Zach Gordon Youth Center Jorden Nigro, Bartlett Regional Chief Nursing Officer Rose Lawhorne.

## II. APPROVAL OF AGENDA

Mr. Watt asked if the Committee could present Item C, Draft Emergency Ordinance 2020-55 Mandating COVID-19 Testing and Quarantine for Interstate and Intrastate Travelers, on the agenda as informational only. He said that due to the Governor's new Emergency Declaration issued on Friday night, he did not see it necessary at this time to have a local ordinance on interstate and intrastate travel. *Hearing no objections, the agenda was approved as amended.*

## III. APPROVAL OF MINUTES

*A.* June 1, 2020 Assembly Committee of the Whole Draft Minutes
*Hearing no objections, the minutes of the June 1, 2020 COW meeting were approved.*

## IV. AGENDA TOPICS

### A. Community Development Block Grant (CDBG) Resolution 2918

Mr. Watt introduced the grant to the Assembly, presenting the draft resolution in support of a Community Development Block Grant application for the new Glory Hall project. He explained that he could go through the process and information behind the resolution if the Committee was interested, otherwise they could simply forward this resolution to the Assembly at the request of CDD.

Mr. Jones shared his understanding of the application process: For CDD to look at the application requirements and go out to community providers to see if anyone expresses any interest, to submit an abbreviated proposal which is then reviewed by staff, to pick one application to bring forward to the Assembly for approval, the chosen applicant then has until December 14, 2020 to work with CDD to draft the application in its entirety and submit it. Mr. Jones asked Ms. Maclean if his interpretation of the process was correct.

Ms. Maclean said that his understanding of the application process was spot on with the only correction being that the deadline for the grant application is Friday, December 4, 2020. She added that CDD staff has already received and chosen one application.

Mr. Jones asked Ms. Maclean when the last grant was actually awarded, mentioning that the application will be competing with others across the state. Ms. Maclean said she believes the last time an application from Juneau was awarded was in 2006.

**MOTION** by Mayor Weldon to forward Resolution 2918 to the full Assembly for adoption. *Hearing no objections, the motion passed by unanimous consent.*

**B. Hurlock Property – Ordinance 2020-53 Discussion**

Mr. Watt said that Ordinance 2020-53 was introduced at the October 26 Assembly meeting, where it was referred to tonight's Committee of the Whole meeting. He said that the Committee's task for tonight would be to review the information provided with this ordinance, which would authorize the land change at the Hurlock property.
He added that in June, the Committee discussed the availability for grant funding for emergency shelter services to youth. The Hurlock property is a likely location where emergency shelter services can be directed towards.

Mr. Watt went on to state that Bartlett Regional Hospital Behavioral Health Officer Bradley Grigg provided information in the packet on children's psychiatric health and was available to speak to the committee about the current trends in that area, especially as it speaks to the needs being addressed by this ordinance.

Mr. Jones suggested that they discuss the ordinance in two parts:
1) The use and lease of the property, and
2) Whether CBJ will accept the property back.

He asked the committee if there were any comments or statement about these parts.

Ms. Hale suggested they split the ordinance into two separate ordinances, and for the two ordinances to be brought back to the Assembly for consideration. She said that these issues are very complex and by forcing one piece it may have unintended consequences for another part of it.

Mayor Weldon asked for clarification about the details that would go into splitting the ordinance into two, i.e. the removal of certain sections, reintroducing each ordinance, assuring this can be done through the City Attorney, etc.  Mr. Palmer said that the ordinance was drafted in a combined way by both the applicant and the property owner. He said the Assembly has the right to bifurcate the ordinance if they choose to do so. Although, in doing so it would require the ordinances to be re-introduced under the two new ordinances at the November 23 Regular Assembly meeting. One ordinance would be to accept reconveyance of the property, without cost he is assuming. If this body today decides to do something regarding a lease of that property that would require a second ordinance and that may have to go through a separate process. Mayor Weldon asked for clarification that if they were to do an ordinance with just section 2 on it, they would be willing to accept the property back at no cost, Alaska Legacy Partners would have to agree to give property back that they may have already spent some money on developing. Mr. Palmer agreed that was true and there would be a lot of details that would need to be worked out between CBJ and Alaska Legacy Partners if it was the Assembly's goal to do that. He said that he and the City Manager would try to negotiate that.

Ms. Smith said that when they saw this in Lands Committee, there were a number of details that the price that Alaska Legacy Partners had paid for the property and they have also incurred a fair bit of other costs including utilities, etc… He said that there was the possibility that Tlingit Haida was going to pay for that work and if this gets split in two that may make the whole thing fall apart.

Mr. Bryson did not agree with splitting the ordinance into two. He asked if there was any other obstacle keeping them from just taking back the property, since the City is not obligated to have to pay anything towards it.

Mr. Watt explained that if the Assembly left the ordinance as it was written, the ordinance authorizes CBJ to take the property back and also authorizes him to negotiate a lease. He stated that he would want the Assembly to provide clear intent on what authority they wish to exercise.

Mr. Bryson said he did not see any advantage to the Assembly or the parties by delaying the process any further by splitting it into two.

Ms. Hale explained her suggestion to split the ordinance. She said that a big reason is that Alaska Legacy Partner clearly does not want this property and it is not going to work for them. She said that she likes the idea of CBJ taking it back and determining what should be done with it. She said that there is a lot of concern from the people in the neighborhood about the lack of public process that has gone into this project. She said that she understands there are many reasons why the public process might not be what it usually is such as being the in midst of a pandemic, things have been moving fast and people are trying to take care of things quickly. She said that she believes the Assembly should find a balance and address the public comments and have conversations before moving forward. She agrees with Mr. Bryson that there is a great need for youth services but she also wants to weigh the balance with public engagement.

Ms. Gladziszewski said that she wasn't on the Lands Committee so she didn't know the substance of what was discussed at the Lands Committee. She asked that someone explain what actions have been taken on the second part of the ordinance to date. She asked for a synopsis of where this has been, who has approved what, and are there CARES Act deadlines for the Tlingit & Haida Central Council (THCC) program.

Mr. Watt answered that there was a coordinated effort to apply for grant funding to see how much funding might be available to provide programs for homeless youth. A general program of $575,000 in grant funding in the amount of $470,000 annually for two to three years. He added that there is not enough grant funding to completely fund a program. He also mentioned THCC applied for a Conditional Use Permit (CUP) that went through the Planning Commission. He said that there had not been any Assembly process yet endorsing or considering that idea. He said that a large part of the public process related to this has been through the CUP process and that the Planning Commission issued a CUP for that use on this property.

Ms. Gladziszewski asked if CBJ will work with THCC in providing funds for this operation or if THCC will fund this operation independently. Mr. Watt said that there are some obstacles that may make this process challenging. The first hurdle was in identifying the property to be used for it. The Hurlock property may be one option for housing youth homelessness but there are other potential locations as well. He shared that THCC applied for CARES Act funding through the ESTF, but he was unsure if the application had been approved yet. Other obstacles included facility improvements and operational costs which would require at least additional $100,000 a year as well as identifying an operator for the program. He said that Juneau Youth Services has closed its Cornerstone program and the Juneau Coalition on Housing and Homelessness suggested Zach Gordon Youth Center staff might manage and run the program.

Ms. Hughes-Skandijs said that when this topic was discussed at the Lands Committee, Alaska Legacy Partnership was not interested in giving the land back without getting some kind of reimbursement. She asked if the Assembly was not interested in taking this in a bundle, would Alaska Legacy Partnership still be under the legal requirement to run a senior services center in accordance with the conditions negotiated with the initial sales agreement.

Mr. Watt responded that Alaska Legacy Partners essentially owns the property with a condition for a specific use and CBJ served as the bank for the property purchase. To that end, this makes CBJ the former owner, contractual restrictor of the use, and the bank for the property.  Ms. Hughes-Skandijs asked if Alaska Legacy Partners cannot find a partner to recoup the expenses they put in, would they still be bound by the condition of the sale set by CBJ. Mr. Palmer confirmed that they are still bound by the condition of the sale that requires them to develop that property for use as a senior assisted living facility.

Mr. Palmer said if they adopt the ordinance as is, it does not require them to provide any financial commitment for CBJ to provide operational expenses.

Ms. Triem thanked Mr. Palmer and said that while she is aware that the ordinance does not require it, the Assembly would have a hard time saying they would not fund this.

Mayor Weldon suggested that there could be a potential third option, to allow Alaska Legacy Partners to sell the land for the same amount with which they purchased it from CBJ. Mr. Palmer said that Alaska Legacy Partners could sell the property to someone else, provided the new buyer would also have to follow the same condition for providing senior services.

Mayor Weldon asked if the only way for the condition to be removed would be if the property was given back to CBJ. Mr. Palmer said that if CBJ gets the property back, the condition disappears. The Assembly also has the power to pass another ordinance to remove that condition, although Mr. Palmer clarified that he was not suggesting the Assembly take that action.

Ms. Gladziszewski said she was in favor of bifurcating this ordinance and in favor of having the land revert back, but she would like more information before she would be willing to do the second part.

Mr. Bryson cautioned about throwing road blocks in private, public partnerships. He mentioned that the Homeless Task Force recently discussed youth homelessness as the #1 unaddressed issue that is causing large problems that need to be addressed right now. He believes this ordinance is a win-win situation and no one benefits from dragging this out. He would like to make a motion to move this forward.

Ms. Hale said that this is a complex project and they don't know all the pieces. It has been moving along outside much of the Assembly's understanding. She wants to support the youth and THCC but she also wants to take into consideration the concerns of the neighbors. She said that she does not feel comfortable moving forward with the second part right now until some of these issues have been discussed and addressed.

Mr. Smith suggested having a public hearing session, and then another COW meeting so that they can get many of the Assembly's questions answered. He said there is a potential way forward but it is complicated and he is concerned that taking any action tonight could potentially jeopardize the whole plan. He asked for a way forward to learn more, hear from the neighbors, and get some of the questions answered as well.

Mr. Bryson said that he will not push this forward if the body is not ready at the moment. He added that this had been a youth facility for years, and having a building vacant is much more dangerous than having a youth facility.

Ms. Gladziszewski noted that the CUP process has already happened before the Planning Commission which is the proper venue for that process and unless someone appeals that permit, it would not be coming to the Assembly. Mr. Jones noted that the time in which to file an appeal for the CUP has expired and no one had appealed by the deadline.

**MOTION** by Ms. Gladziszewski to have two ordinances introduced at the next Assembly meeting. One would be to accept the property back and the second ordinance would be to address the youth homelessness project.

Ms. Gladziszewski said that prior to this meeting, she was not aware that there was a CBJ financial support component involved with the youth homelessness project and this is new information to her and she would prefer these two issues be split apart and dealt with separately.

Objection from Ms. Hale, Mr. Jones, and Mr. Smith for purposes of comments and questions.

Ms. Hale stated that she objected for a comment saying that there had been a very lengthy process three years ago trying to figure out what to do with this property. She said that all of a sudden, there was an end run by an entity applying for a CUP for a property they don't even own and that very lengthy public process was set aside because of that CUP. She said that she didn't object to bifurcating the question but stressed that she did not feel that the process has been adequate for the people in the neighborhood.

Mr. Smith objected for purposes of a question. He asked if these don't move forward together, will anything happen at all or will the whole thing just collapse. Mr. Watt said that he would venture a guess. He said that Alaska Legacy Partners had an amortization schedule such that they had not be required to make payments until recently. They have recently started paying their loan and they may choose to sell the property.

Mr. Jones said that Alaska Legacy Partners and have expressed a desire to return the property with certain conditions. Mr. Jones said that he supports bifurcating the ordinance. He provided a synopsis of the actions that have taken with both the Alaska Legacy Partners as well the THCC homelessness program since the summer. He said that if they do divide the ordinance into two, he would suggest they could take public testimony and he would be willing to make an exception and take public testimony during a Committee of the Whole meeting.

Mr. Smith said he had a potential amendment. He asked if a motion would be needed to have a special COW meeting with public testimony. Mr. Jones said he would schedule that if it was the will of the Assembly. It was the consensus of the Assembly to allow public testimony to be taken at an Assembly COW meeting. Mr. Jones then asked there were any further objections to the motion to bifurcate Ordinance 2020-53. *Hearing no objections, the motion to bifurcate Ordinance 2020-53 passed by unanimous consent.*

Mr. Jones said that public testimony will be taken on the two new ordinances at the upcoming Assembly COW meeting scheduled for December 7.

Mr. Watt mentioned that he had included in the packet information that Bradley Grigg provided to the Bartlett Regional Hospital Board and Mr. Grigg was available to answer questions.

Mr. Jones called for a recess before hearing from Mr. Grigg.

The COW took a break from 7:00-7:10 p.m.

Mr. Grigg thanked the Assembly for inviting him to speak at the meeting. Mr. Grigg went through the data provided by the three charts provided in the packet. He said that since COVID began, BRH has been seeing a noticeable increase of youth and families experiencing a mental health crisis that resulted in a visit to the emergency room.

The first chart compares the quarters in FY20 and FY21. These charts compare the amount of children (age 17 and under) who visited the ER due to a behavioral health crisis: thoughts of suicide, homicide, self-harm, depression, and suicide attempts. Mr. Grigg shared the first nine months of FY20 (July 2019 – March 2020) had 39 children total – six of which were 13 and younger, and thirty-three of which were ages 14-17. Mr. Grigg said that this number is consistent with typical quarters from previous years.

Comparing that to Quarter 4 of FY20 and Quarter 1 of FY21, he says that there has been a dramatic increase in the utilization of the Psychiatric Emergency Department at BRH. Mr. Grigg said that in the first nine months of FY20, only 4% of the patients seen at the Psychiatric Emergency Department were children, the remaining 96% were all adults. Comparatively, in Quarter 1 of FY21 (July 2020 – September 2020) that percentage has increased with 20% of the patients being children. Mr. Grigg said the most common age group they have seen are children who are about 13-14 years old.

The second chart Mr. Grigg provided compared the number of patients who are receiving outpatient psychiatric treatment this year vs. last year's numbers. He said that there has been an increase in children who are receiving outpatient treatment: the first nine months of FY20 admitted 37 new patients, whereas for the period April 2020 – September 2020, they had 85 children admitted as patients.

The third chart Mr. Grigg provided detailed suicide attempts by children under the age of 18. In July 2019 – March 2020, a total of three children were admitted into the Emergency Department due to a suicide attempts. Two of those children were between the ages of 14-17 and one child was under the age of 13. During the period April 2020 – September 2020, thirteen children attempted suicide, five of which were between the ages of 14-17, and seven were 13 years and under.

Mr. Grigg said that he understands that the statistics are sobering, but felt that it was important to make this information known to the Assembly and to the community.

Mr. Smith asked Mr. Grigg if there were any groups currently working on this issue. Mr. Grigg shared that one of the things they were looking at is how to better equip families and caretakers to recognize when children are truly struggling, and not to mistake it as just having a bad day. He said he is working with Superintendent Weiss and they are going to try to come up with some ways to address this issue, and help children and families. They plan to communicate these ideas with teachers, coaches, and JSD staff.

Mr. Bryson shared that depression and mental illnesses not only affect the individual, but the entire family as well. He asked Mr. Grigg to explain what is happening to children in crisis, and if they are being sent to a mental health facility out of town. Mr. Grigg said that in the past, the children who needed to be hospitalized were sent to a facility in Anchorage or Seattle. The families generally did not have the resources to go with them, which separated the two and caused more challenges. Mr. Grigg said that BRH now has a safe room in the mental health unit where they can admit children when necessary. He said when that child is admitted, they incorporate the family in the care plan and require that the family be part of that process.

Often BRH will assess the child and choose not to admit them, the child gets sent back home, the family and the child do not receive much support after the crisis.
The state has given BRH funds to expand their psychiatric services to be able to provide community-based services. With these services, in the event a child is assessed but not admitted, they will be referred to a Masters-level therapist as well as a youth and family advocate that will provide 5-7 days of services. He said that these services will help keep the child with their family here in Juneau, instead of being "shipped" to Seattle or Anchorage. As of today, there are over 300 Alaskan children receiving in-patient psychiatric services out of state. Mr. Grigg said that BRH will be able to implement this

program within a matter of weeks, and they have already identified the staff that will be a part of this program.

Mr. Bryson thanked Mr. Grigg for his service and for sharing this information.

**C. Draft Emergency Ordinance 2020-55 An Emergency Ordinance Mandating COVID-19 Testing or Quarantine for Interstate and Intrastate Travelers Arriving in the City and Borough of Juneau and Providing for a Penalty.**

Mr. Jones said that the Governor has implemented his order, no one has gone to court and we need to accept the fact that the Governor's order stands as is for the moment.

Mr. Palmer clarified that the Governor has the authority to implement an emergency order. He mentioned there are some Assemblymembers who asked to have this ordinance prepared and he said there may need to be some amendments to it if they choose to make amendments. He wanted to get this into draft form should the Assembly want to enact it or something significantly similar with amendments.

Ms. Gladziszewski asked if there was any reason they would not want move forward with it now, whether or not there is a legal challenge to the governor's orders. Mr. Palmer said that they could adopt this as an emergency ordinance, but he would be cautious putting something like this in place now due to conflicting messaging.

As this ordinance was changed during agenda changes to an informational item only, no further action was taken on it by the committee.

**D. Draft Resolution 2921 A Resolution of the City and Borough of Juneau Extending the Local Emergency Declaration in Response to COVID-19 and a Request for State and Federal Assistance**

Mr. Palmer said that this is an identical draft of the emergency declaration made back in March, which is due to expire on November 24. He believes it is good practice to have another one ready, so that it allows the City Manager and the EOC the authority to make quick changes to the mitigation strategy levels when needed.

Mr. Palmer said that it could go up for public hearing on either November 16 or November 23.

**MOTION** by Mayor Weldon to forward Resolution 2921 vCOW to the Assembly for adoption. *Hearing no objection, motion passed by unanimous consent.*

**E. Draft Resolution 2922 A Resolution Temporarily Amending Resolution 2862 Related to the Assembly Rules of Procedure and COVID-19.**

Mr. Palmer explained this resolution allows for the Assembly to meet telephonically, and continues the modified Assembly rules that were implemented due to safety measures to mitigate COVID-19.

Mr. Bryson said that Paragraph C is already not being enforced by several boards and committees. Ms. Triem suggested deleting Paragraph C from the ordinance entirely.

**MOTION** by Ms. Triem to amend Resolution 2922 vCOW by striking Paragraph C. *Hearing no objection, the motion passed by unanimous consent.*

**MOTION** by Mayor Weldon to refer Resolution 2922 vCOW to the Assembly as amended. *Hearing no objection, the motion passed by unanimous consent.*

## VI. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,
Beth McEwen, Municipal Clerk

*Clerk's Note: Special Thanks to Lacey Davis, Admin. Assistant for her work in preparing these minutes for approval.*