

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

February 11, 2021 7:00 PM

Zoom Webinar & FB Live Stream

Meeting No.: 2021-05; Zoom Webinar/Telephonic/FB Livestream,
<https://juneau.zoom.us/j/98412004515> or Call 1-669-900-6833 or 1- 253-215-8782 and
enter Webinar ID: 984 1200 4515# NOTE: This meeting was initially scheduled for
Monday, Feb. 8 and, due to a power outage, was rescheduled to Thursday, Feb. 11.

Submitted By:

Duncan Rorie Watt, City Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. Recognition of Juneau International Airport COVID-19 Screeners/Testers

B. Instruction for Public Participation

Anyone wishing to provide public comment during the meeting is asked to call the Municipal Clerk's public testimony request phone line at 586-0215 by 3 p.m. the day of the meeting or send an email to City.Clerk@juneau.org providing their name, email address, and phone number they will be calling from. Testimony time will be limited by the Mayor based on the number of participants. The public is encouraged to send comments in advance of the meeting to BoroughAssembly@juneau.org.

If you have not notified the Clerk's Office ahead of time you may still be able to participate. When attending the zoom webinar [login info listed at top of agenda] to speak on an item up for public hearing or a non-agenda item please hit the 'raise hand' button if participating via a computer/tablet; if participating by phone press *9 on your phone; this will place a 'raised hand' icon next to your phone number and will add you to the queue.

IV. APPROVAL OF MINUTES

A. September 21, 2020 Regular Assembly Meeting #2020-44 Draft Minutes

B. December 17, 2020 Special Assembly Meeting #2020-49 Draft Minutes

C. December 22, 2020 Special Assembly Meeting #2020-50 Draft Minutes

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

- a. **Ordinance 2020-09(AN) An Ordinance Appropriating \$75,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the Alaska Mental Health Trust Authority.**

This ordinance would appropriate \$75,000 to operate a youth shelter and rapid rehousing facility at the Hurlock Street property. The Zach Gordon Youth Center (ZGYC) and Tlingit Haida Regional Housing Authority (THRHA) are partnering to help address the community need for emergency sheltering and rapid rehousing for runaway and homeless youth. This initiative is endorsed by the CBJ Assembly Taskforce on Homelessness.

Grant funding for this request would be provided by the Alaska Mental Health Trust Authority.

The Committee of the Whole reviewed this request at the November 9, 2020 meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

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

- b. **Ordinance 2021-02 An Ordinance Providing for the Issuance and Sale of General Obligation Bonds in One or More Series to Provide Not to Exceed \$22,000,000 in Net Proceeds; and Providing for the Form and Terms of the Bonds and for Unlimited Tax Levies to Pay the Bonds.**

In 2020, voters approved a \$15 million bond for maintenance and repair of schools, parks, streets, and other public infrastructure. In 2019, voters

approved a \$7 million bond for improvements to Centennial Hall. This ordinance authorizes these two general obligation bonds to be sold as one \$22 million bond through a competitive public offering. This ordinance specifies a 15-year repayment plan with interest-only payments for the first three years. Due to ongoing legal issues with the Alaska Municipal Bond Bank Authority, these bonds will be sold directly by the Borough without using the Bond Bank as a conduit.

The Assembly Finance Committee reviewed this ordinance at the February 3, 2021 meeting.

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

c. **Ordinance 2021-04 An Ordinance Related to CBJ Marijuana Licenses.**

CBJ has a business license for marijuana businesses in Title 49. This ordinance would give the Community Development Department director the authority to suspend or revoke a marijuana business license for the same reasons that the CBJ Assembly can protest the issuance of a State marijuana license, which would include taking corrective action when a marijuana business falls behind in remitting sales tax.

On January 25, 2021, the Assembly Human Resources Committee recommended the Assembly introduce this ordinance without review by the Planning Commission.

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

2. Resolutions

a. **Resolution 2939 A Resolution Amending the Assembly Rules of Procedure.**

This resolution would amend the Assembly Rules to update the name and scope of the Lands, Housing, and Economic Development Committee. The changes are on Resolution pages 4, 6, and 7. The COVID-19 related amendments to the Assembly Rules would remain until they expire on May 25, 2021 (Res 2922).

The Assembly Human Resources Committee considered this resolution at its meeting on February 8, 2021 and forwarded it to the Assembly for approval.

The City Manager recommends the Assembly adopt this resolution.

- b. **Resolution 2940 A Resolution Amending Emergency Appropriation Resolution 2915 Related to the Eligible Expenditure Period for Three Drop-In Distance Learning Centers for School-Age Youth During the COVID-19 Pandemic.**

This resolution would extend the eligible expenditure period of Emergency Appropriation Resolution 2915 for three drop-in distance learning centers for school-age youth during the COVID-19 pandemic. Of the original \$70,000 appropriation, \$13,470 remains unspent. Shepherd of the Valley Lutheran Church has requested this extension to fully expend the appropriation in order to continue operating the program through the end of May.

The Assembly Finance Committee reviewed this request at the February 3, 2021 meeting.

The City Manager recommends the Assembly adopt this resolution.

- c. **Resolution 2942 A Resolution Amending Emergency Appropriation Resolution 2906 Related to the Eligible Expenditure Period and Appropriation Amount for K-5 Rally Programing During COVID-19.**

This resolution would extend the eligible expenditure period of Emergency Appropriation Resolution 2906 to subsidize the cost of participation in RALLY during the COVID-19 pandemic. Of the original \$600,000 appropriation, \$502,829 remains unspent. The Juneau School District has requested an extension to expend an additional \$140,000 of the original appropriation in order to continue operating the program through the end of May.

The Assembly Finance Committee reviewed this request at the February 3, 2021 meeting.

The City Manager recommends the Assembly adopt this resolution.

3. Liquor License

- a. **Liquor License Renewals for Licenses: 849, 2641, 4584, 4731 & 5711**

These liquor license actions are before the Assembly to either protest or waive its right to protest the license action.

Liquor License Renewal

License Type: Package Store, License #849

Licensee: Thibodeau's Market Inc., d/b/a Percy's Liquor Store

Location: 214 Front Street, Juneau

License Type: Restaurant Eating Place, License #2641

Licensee: Saffron, LLC, d/b/a Saffron

Location: 112 N. Franklin Street, Juneau

License Type: Restaurant Eating Place, License #4584

Licensee: Genuine Ventures LLC, d/b/a Tracy's King Crab Shack

Location: Lot C1, Juneau Subport, Section 23, Township 31S, Range 67 East, Juneau

License Type: Restaurant Eating Place, License #4731

Licensee: DJ LLC, d/b/a Asiana Gardens

Location: 9116 Mendenhall Mall Rd., Juneau

License Type: Recreational Site-Grandfathered AS 04.11.210(d), License #5711

Licensee: South of the Bridge, LLC d/b/a The Old Tower Bar @ Eaglecrest

Location: 3000 Fish Creek Rd., North Douglas/Juneau

Staff from the Police, Finance, Fire, Public Works (Utilities), and Community Development departments have reviewed the above licenses and recommend the Assembly waive its right to protest the applications. Copies of the documents associated with these licenses are available in hardcopy upon request to the Clerk's office.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals.

4. Other Items for consent

a. **Crest Street Reconstruction CSP2020-0012**

Crest Street currently has two 12-foot lanes with no curb or gutter, and no sidewalks. This project is a street and underground utility maintenance and replacement project that includes installation of one new sidewalk on the west side and the addition of street lighting at intersections. Current design includes bioswale drainage treatment on the east side to treat street drainage before it enters the Jordan Creek Stream Protection Corridor. Engineers anticipate bioswale treatment of all Crest Street drainage, and possibly some drainage accepted to the system from other sources. The Planning Commission expressed its desire that as much drainage as possible be treated through the bioswale drainage treatment.

The Planning Commission recommended approval of these projects at its

meeting on January 26, 2021. The meeting materials, including Staff Report, are located at: <https://packet.cbjak.org/CoverSheet.aspx?ItemID=9381&MeetingID=1416>

The City Manager recommends the Assembly approve this project.

5. Transfers

a. **Transfer Request T-1036 A Transfer of \$90,000 from CIP A50-102 Terminal Construction to CIP A50-092 Float Pond Improvements and CIP A50-100 Land Acquisition-Planning.**

This transfer of \$90,000 from the Terminal Construction CIP consists of Airport revolving CIP funds and will be transferred to the Float Pond Improvements CIP and the Land Acquisition-Planning CIP.

The transfer of \$40,000 to the Float Pond Improvements CIP will provide for the completion of design documents and construction to raise the float pond road, place additional armor rock to a new shoulder elevation, and reset the gangway slabs on deeper concrete foundations.

The transfer of \$50,000 to the Land Acquisition-Planning CIP will provide funding to begin the airport land acquisition process to purchase the Channel Flying property. An airport property acquisition specialist will be procured to guide the airport through the required federal acquisition processes in advance of the grant application.

The Airport Revolving CIP funds were previously transferred to the Airport Terminal Reconstruction project, but are no longer needed for that project. These funds are available for use until anticipated federal grants are awarded.

The Airport Board approved this request at its January 14, 2021 meeting.

The City Manager recommends approval of this transfer.

VIII PUBLIC HEARING

A. **Ordinance 2020-09(AH) An Ordinance Appropriating \$75,000 to the Manager for Consulting Services to Explore the Joint Facility and Expansion Concept at Centennial Hall; Funding Provided by the General Fund's Fund Balance.**

This ordinance would appropriate \$75,000 for consultant services to explore the expansion of Centennial Hall into a joint facility with the Juneau Arts and Culture Center (JACC). The consultant will develop conceptual options for an expansion of Centennial Hall into a joint facility that serves as a performing arts, civic, and convention center including a professional cost estimate. The information obtained

from the consultant would enable the Assembly to make an informed decision whether to proceed with the expansion concept.

Funding for this request would be provided by the General Fund's fund balance.

The Public Works and Facilities Committee reviewed this request at the December 7, 2020 meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

B. Ordinance 2020-09(AI) An Ordinance Appropriating \$75,000 to the Manager for a Homeless Youth Navigator Position; Grant Funding Provided by the Alaska Department of Labor and Workforce Development.

This ordinance would appropriate \$75,000 for a homeless youth navigator position to assist youths struggling with housing issues, food insecurity and unemployment. This position would provide support to youths at the Zach Gordon Youth Center (ZGYC) and Hurlock youth shelter, dependent upon operational funding for the latter. This position is an expansion of existing services currently provided by ZGYC, with the added benefit of available rental assistance through a partnership with Tlingit Haida Regional Housing Authority.

Funding for this request would be provided by a grant from the Alaska Department of Labor and Workforce Development.

The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

C. Ordinance 2020-09(AJ) An Ordinance Appropriating \$325,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the U.S. Department of Health and Human Services, Juneau Community Foundation, and Friends of Zach Gordon Youth Center.

This ordinance would appropriate \$325,000 to operate a youth shelter and rapid rehousing facility at the Hurlock Street property. The Zach Gordon Youth Center (ZGYC) and Tlingit Haida Regional Housing Authority (THRHA) are partnering to help address the community need for emergency sheltering and rapid rehousing for runaway and homeless youth. This initiative is endorsed by the CBJ Assembly Taskforce on Homelessness.

Grant funding for this request would be provided by the following organizations:

U.S. HHS Family and Youth Services Bureau	\$200,000
Juneau Community Foundation	\$100,000

Friends of ZGYC

\$ 25,000

The Committee of the Whole reviewed this request at the November 9, 2020 meeting. The Assembly Finance Committee reviewed this request at the January 6, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

D. Ordinance 2020-09(AK) An Ordinance Amending Ordinance 2019-06(AI) Related to the Appropriation Fund Source for COVID-19 Testing Equipment.

This ordinance would shift the cost of COVID-19 testing equipment from CBJ's CARES Act funding to Bartlett Regional Hospital's CARES Act funding. This reappropriation of funds would increase the unobligated funds available in CBJ's CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs.

The Assembly reviewed this request at the December 22, 2020 Special Assembly meeting. The Assembly Finance Committee reviewed this request at the January 6 and February 3, 2021 meetings.

The City Manager recommends the Assembly adopt this ordinance.

E. Ordinance 2020-09(AL) An Ordinance Appropriating \$700,000 to the Manager as Supplemental Funding for the COVID-19 Emergency Individual Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

2,348 people have applied for this program. The current \$2,000,000 appropriation is estimated to provide grants for 1,070 applicants. Approximately 1,180 applicants remain eligible for Individual Assistance, but there are insufficient funds. The proposed supplemental appropriation of \$700,000 would provide awards to approximately 348 additional applicants.

The Assembly Finance Committee reviewed this request at its January 6, 2021 meeting.

The City Manager recommends the Assembly adopt this ordinance.

F. Resolution 2941 A Resolution Amending the COVID-19 Emergency Individual Assistance Program Criteria.

Upon adoption of Ordinance 2020-09(AL), this resolution would direct how that \$700,000 is granted to individuals financially harmed by COVID-19. Notably, this resolution prioritizes grants to lower income people and excludes grants to individuals that also received COVID-19 CBJ Housing Assistance.

The Assembly Finance Committee discussed this topic at its meeting on February 3, 2021.

The City Manager recommends the Assembly adopt this resolution.

G. Ordinance 2021-01(c) An Ordinance Providing for a Property Tax Abatement Program to Incentivize the Development of Housing in Downtown Juneau.

To qualify for this tax abatement program, at least four new residential units would need to be added to a parcel in the downtown Juneau area. Any condemned dwelling unit that is renovated up to current code would also qualify as a new unit. For the purposes of this ordinance, the downtown Juneau area is the same as the Title 49 Fee in Lieu of Parking map.

This topic has been reviewed by numerous Assembly committees since the spring of 2018. Most recently, the Lands and Resources Committee reviewed this topic on August 10 and December 7, 2020, and January 11, 2021. Version (c) of this ordinance corrects a reference in the first whereas clause.

The City Manager recommends the Assembly adopt this ordinance.

H. Emergency Ordinance 2021-05(b): An Emergency Ordinance Mandating COVID-19 Testing or Quarantine for Interstate, Intrastate, and International Travelers Arriving in the City and Borough of Juneau.

Currently, travelers coming into Alaska or within certain communities are required to follow State of Alaska Health Order 6 (International and Interstate Travel), Health Order 8 (Intrastate Travel), and Health Order 5 (Critical Infrastructure). However, those orders are likely to expire at midnight on Sunday (Feb. 14, 2021) because the Legislature has not enacted a bill to extend the State of Alaska public health disaster declaration. CBJ staff believes the Legislature will ultimately extend the disaster declaration. This emergency ordinance would fill the void and require travelers coming into Juneau to continue the same testing, quarantine, and isolation requirements that currently exist with Health Orders 5, 6, and 8.

Version (b) reflects changes regarding critical infrastructure workers.

The City Manager recommends the Assembly adopt this emergency ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Manager's Recommended Assembly Process for Consideration of the NCL Dock Proposal

The Committee of the Whole received a recommendation from the City Manager at the February 1, 2021, meeting on a process for considering the Norwegian Cruise Lines proposal for a dock in the vicinity of the Juneau Subport.

The City Manager recommends that the Assembly take public testimony on this recommendation and then do one of the following: accept the proposal by motion, make alterations to the proposal, provide further direction to the

Manager, or refer the issue for additional committee work.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

- A. Mayor's Report
- B. Committee Reports, Liaison Reports, Assembly Comments and Questions
- C. Presiding Officer Reports

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. 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

**THE CITY AND BOROUGH OF JUNEAU, ALASKA
REGULAR ASSEMBLY MEETING**

DRAFT Meeting Minutes - September 21, 2020

MEETING NO. 2020-44: The Regular Assembly Meeting of the City and Borough of Juneau Assembly, held virtually via Zoom webinar, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Attorney Robert Palmer, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Finance Director Jeff Rogers.

II. APPROVAL OF AGENDA

III. SPECIAL ORDER OF BUSINESS

A. Instruction for Public Participation

Ms. McEwen provided information on how to participate via Zoom webinar or telephone.

B. Proclamation: Energy Efficiency Day

Mayor Weldon proclaimed October 7, 2020 to be Energy Efficiency Day. October has been designated as National Energy Action month to encourage citizens to save energy, water, and money to strengthen U.S. energy security and build a more robust economy. A nationwide network of energy efficiency partners has designated the first Wednesday in October as National Energy Efficiency Day to emphasize the important role that energy plays in our nation.

C. Proclamation: National Drive Electric Week

Mayor Weldon proclaimed September 26 to October 4, 2020 as National Drive Electric Week. These dates have been designated as National Drive Electric Week throughout the United States to educate citizens about the benefit of plug-in electric vehicles, and to promote their adoption in which Juneau, Alaska was the first Alaska city to participate. 2020 marks the seventh year that Juneau has chosen to participate in National Drive Electric Week.

D. Census Update

Ms. Cosgrove reminded the public that the Census count is going on through September 30, 2020. She reported the overall household enumeration rate for the State of Alaska is 97%, and she said that while she did not have access to Juneau specific count numbers, Juneau currently

has a 69% self-response rate. Ms. Cosgrove explained the importance of the Census, as it provides federal funding and helps with city programs such as elections.

IV. APPROVAL OF MINUTES

- A. April 22, 2020 Special Assembly Meeting #2020-19 DRAFT Minutes (Corrected)
- B. April 27, 2020 Special Assembly Meeting 2020-21 Draft Minutes
- C. April 27, 2020 Regular Assembly Meeting 2020-22 Draft Minutes
- D. May 11, 2020 Special Assembly Meeting 2020-26 Draft Minutes

MOTION by Ms. Hale for the Assembly to approve all sets of minutes, including the corrected April 22nd Minutes, and asked for unanimous consent. *Hearing no objections, the minutes were approved by unanimous consent.*

V. MANAGER’S REQUEST FOR AGENDA CHANGES

Mr. Watt clarified the City Manager’s recommendation on Item F of the Consent Agenda Ordinance for Introduction. Since the Assembly Finance Committee is now scheduled to meet on September 30, followed by a Special Assembly meeting shortly afterward, he changed his recommendation for Item F Ordinance 2020-09 to be “set for public hearing at the next Special Assembly meeting.”

Mr. Watt also requested to change the language on the Manager’s recommendation for Ordinance 2020-48 to set it for public hearing “...the next **Regular** Assembly meeting.” So that the Assembly may address this Ordinance at the October Assembly meeting, and not at the Special Assembly meeting when they are taking up CARES Act funding items primarily.

Mr. Watt clarified that with respect to Resolution 2900, the Human Resources Committee recommends approval of the BRH Bylaws changes. The packet currently recommends the Assembly follow the HRC recommendation so he wanted to report out their recommendation.

Lastly, Mr. Watt requested moving Item K. [Ordinance 2020-43] to be taken up before Item A., in consideration of those who wished to provide public comment on the issue.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VII. CONSENT AGENDA

- A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction
None.

- B. Assembly Requests for Consent Agenda Changes

Mr. Jones asked the City Attorney if they needed to move the BRH Bylaws Resolution off the Consent Agenda since the Assembly Human Resources Committee has not yet made their official recommendation but the Manager did report out that they recommended approval.

Mr. Palmer said that the Assembly could take it as is from the Manager's report/request for Agenda Changes or if the Assembly wished to make changes to it, they could pull it from the Consent Agenda and place it for public hearing if they wished. Mr. Jones gave a nod that he was OK with it staying on the Consent Agenda as reported by the Manager.

Assemblymember Greg Smith recused himself from taking action on Consent Agenda Item 3.a. Marijuana License #11605 Always Redeye LLC, d/b/a Stoned Salmon Farms due to a conflict of interest, as advised by the City Attorney. Mr. Palmer said that if the Assembly moves the Consent Agenda, it can be noted in the record that Mr. Smith was recused from the item related to Stoned Salmon Farm.

C. Assembly Action

MOTION by Ms. Gladziszewski for the Assembly to adopt the Consent Agenda as amended, noting Mr. Smith's non-participation in one item, and asked for unanimous consent.

Hearing no objections, the Consent Agenda was adopted as amended by unanimous consent.

Mayor Weldon thanked the Juneau Human Rights Commission and the Human Resources Committee for their hard work on drafting Resolution 2899: A Resolution Recognizing and Embracing the Diversity and Cultural Values of our Community and Holding it Accountable and she expressed the Assembly's appreciation for this resolution.

1. Ordinances for Introduction

a. Ordinance 2019-06(AM) An Ordinance Appropriating to the Manager the Sum of \$5,583,367 to Fund the City and Borough of Juneau and Bartlett Regional Hospital's Fiscal Year 2020 Public Employees' Retirement System (PERS) Contribution; Funding Provided by the Alaska Department of Administration.

This ordinance would appropriate \$5,583,367 for the State of Alaska's FY2020 6.62% PERS benefit rate paid on-behalf of the CBJ and BRH, distributed as follows:

City and Borough of Juneau	\$2,865,909
Bartlett Regional Hospital	\$2,717,458

Funding is provided by the Alaska Department of Administration, authorized by passage of HB39 during the 2019 legislative session.

This is a housekeeping ordinance to properly account for these on-behalf payments and has no impact on the CBJ or BRH's finances.

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

b. Ordinance 2019-06(AN) An Ordinance Appropriating to the Manager the Sum of \$8,350,000 as Funding for the City and Borough of Juneau's Fiscal Year 2020 COVID-19 Related Costs; Funding Provided by Federal Revenue and State Revenue.

This ordinance would appropriate \$8,350,000 for the City and Borough of Juneau's FY2020 COVID-19 related costs. Funding is provided by federal and state revenue. State revenue from the Department of Health and Social Services (DHSS) is provided to cover COVID-19 screening costs at the Juneau International Airport. Federal revenue is comprised of CARES Act and FEMA funding, and is estimated to be allocated as per the following table:

	CBJ CARES	FEMA	Alaska DHSS	Total
Personnel	\$ 7,246,353	\$ 0	\$ 115,330	\$ 7,361,683
Commodities/Services	\$ 588,234	\$ 393,000	\$ 7,083	\$ 988,317
Total	\$ 7,834,587	\$ 393,000	\$ 122,413	\$ 8,350,000

The Assembly Finance Committee reviewed this request at its September 2, 2020 meeting, and recommended that the ordinance be introduced at the September 21 regular Assembly meeting.

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

c. Ordinance 2019-07(B) An Ordinance Appropriating \$1,015,700 from the Treasury for the Juneau School District's Fiscal Year 2020 COVID-19 Related Costs, Funding Provided by Federal Revenue and Miscellaneous Donations.

This ordinance would appropriate \$1,015,700 for the Juneau School District's FY2020 COVID-19 related costs. Funding is provided by federal revenue and miscellaneous donations. Federal revenue is comprised of pass-through funding from the Department of Education and Early Development (DEED) for contact tracing costs, the Department of Health and Social Services (DHSS) for childcare costs, JSD CARES Act funding, and CBJ CARES Act and FEMA funding, estimated to be allocated as per the following table:

	JSD CARES	CBJ CARES/ FEMA	Alaska DEED	Alaska DHSS	Misc. Donations	Total
Personnel	\$ 27,900	\$ 299,700	\$ 2,000	\$ 550,000	\$ 36,600	\$ 916,200
Comms/Services	\$ 56,800	\$ 6,500	\$ 0	\$ 0	\$ 36,200	\$ 99,500
Total	\$ 84,700	\$ 306,200	\$ 2,000	\$ 550,000	\$ 72,800	\$1,015,700

This request was approved at the School Board's September 8, 2020 meeting. The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that the ordinance be introduced at the September 21 regular Assembly meeting.

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

d. Ordinance 2020-10(A) An Ordinance Appropriating \$949,000 from the Treasury for the Juneau School District's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by Federal Revenue.

This ordinance would appropriate \$949,000 for the Juneau School District's FY2021 COVID-19 related costs. Funding is provided by federal revenue comprised of JSD CARES Act funding and pass-through funding from the Department of Education and Early Development (DEED) for contact tracing costs, allocated as per the following table:

	JSD CARES	Alaska DEED	Total
Personnel	\$ 187,400	\$ 24,000	\$ 211,400
Commodities/Services	\$ 737,600	\$ 0	\$ 737,600
Total	\$ 925,000	\$ 24,000	\$949,000

The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that an ordinance be drafted and introduced at the September 21 regular Assembly meeting.

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

e. Ordinance 2020-09(M) An Ordinance Appropriating \$1,653,000 to the Manager as Supplemental Funding for the Juneau School District's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would appropriate \$1,653,000 as supplemental funding for the Juneau School District's FY21 COVID-19 related costs, estimated to be spent in the following categories:

Technology	\$830,000
Supplies	\$ 36,000
Addl. Staff Time and Support	\$237,000
Transportation	\$300,000
Food Service	\$250,000
Total	\$1,653,000

In an effort to maximize the effectiveness of both JSD and CBJ potential CARES dollars, JSD is proposing to shift the expenditures of the JSD CARES Act funds to the January - June, 2021 period, and instead utilize CBJ's CARES Act funding for expenditures through the end of the calendar year, since CBJ's allocation is set to expire on December 30, 2020. JSD's CARES Act funding does not expire until 2022.

Funding for this appropriation would be provided by the CARES Act Special Revenue Fund. The Assembly Finance Committee will review this request at its September 30 meeting.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Assembly Finance Committee for review on September 30, and set it for public hearing at a Special Assembly meeting following Finance Committee review.

f. Ordinance 2020-09(L) An Ordinance Appropriating \$383,775 to the Manager as a Grant to Travel Juneau for the Juneau Cares Campaign; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance would authorize a \$383,775 grant to Travel Juneau for the Juneau Cares Campaign. This grant would support a community messaging campaign intended to demonstrate the visitor industry's commitment to the health of Juneau as a tourist destination. Building traveler confidence that the visitor industry keeps health and safety as its top priority is an important step in bringing tourists back to Juneau for the 2021 summer season.

Funding for this grant is provided by the CARES Act Special Revenue Fund.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting, then refer it to the Assembly Finance Committee for further consideration.

g. Ordinance 2020-09(I) An Ordinance Appropriating \$2,300,000 to the Manager as a Grant to The Glory Hall to Construct an Emergency Shelter, Care Center, and Meal Distribution Facility; Funding Provided by the General Fund's Fund Balance.

This ordinance would authorize a \$2.3 million grant to The Glory Hall to construct an emergency shelter, care center, and meal distribution facility. Located in the Mendenhall Valley, the facility would be a component of a new Southeast Community Services Campus aimed at serving elders, youth, and low-income community members and people experiencing disabilities.

This facility would replace The Glory Hall's current downtown location. The full cost of the project is estimated to exceed \$5.0 million. Of this amount, over \$500,000 has been raised in local contributions from more than 200 donors. Additional anticipated support from the Rasmuson Foundation and the Alaska Mental Health Trust will be based on CBJ's level of commitment. If approved, funding for this project would be provided from the general fund's fund balance.

The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that an ordinance be drafted and introduced at the September 21 Regular Assembly meeting. Information on this topic was also provided to the Assembly at its September 14 Committee of the Whole meeting.

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

h. Ordinance 2020-47 An Ordinance Regarding Disclosure of Real Estate Values in Transactions.

This ordinance would require the sales price of real estate transactions within the City and Borough of Juneau to be disclosed confidentially to the CBJ Assessor's Office. Mandatory price disclosure would increase the information available to the Assessor for the annual assessment process.

Additional information will yield more accurate property assessments, and more accurate property assessments result in more equitable taxation between taxpayers. If adopted, the required disclosure is not a public record and shall be kept confidential.

The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that an ordinance be drafted and introduced at the September 21 regular Assembly meeting.

The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next Assembly meeting, then refer it back to the Assembly Finance Committee for further consideration.

i. Ordinance 2020-48 An Ordinance Amending the Uniform Sales Tax Code to Repeal a Tax Exemption for the Sale of Goods aboard Cruise Ships.

This ordinance would repeal the tax exemption on the sale of goods and services aboard cruise ships within the City and Borough of Juneau. This exemption reduces municipal revenue, which effectively shifts the tax burden to other taxpayers. This exemption may also be a disincentive for cruise passengers to purchase similar goods and services from local small businesses. If adopted, the effective date of this ordinance would be delayed to January 1, 2022.

The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that an ordinance be drafted and introduced at the September 21 regular Assembly meeting.

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

2. Resolutions

a. Resolution 2899 A Resolution Recognizing and Embracing the Diversity and Cultural Values of Our Community and Holding it Accountable.

This resolution is a culmination of the work of several entities in response to calls to act by our community. Paired with the creation of the System Racism Review Committee, this resolution demonstrates Juneau's ongoing commitment to diversity, cultural values, and inclusion. This resolution provides a foundation and framework as we move forward.

At its meeting on September 14, 2020, the Committee of the Whole requested this resolution be forwarded to the next regular Assembly meeting. The resolution presented today reflects the edits from the September 14, 2020 meeting, which were passed without opposition.

The City Manager recommends the Assembly adopt this resolution.

b. Resolution 2900 A Resolution Approving Amendments to the Bylaws of the Board of Directors of Bartlett Regional Hospital.

CBJ 40.05.030 requires the hospital board to recommend bylaws for the administration and government of the hospital; the bylaws become effective upon Assembly approval by resolution. The hospital board bylaws were last amended in 2017. The hospital board has proposed amendments, as provided in Attachment A to Resolution 2900. This resolution would accept the hospital board's recommended amendments to its bylaws that were approved by the board at its regular meeting, August 25, 2020. A summary of the amendments are provided in the attached document prepared by Megan Costello and Charles Bill. These amendments appear straight-forward.

The Human Resource Committee reviewed this resolution at its September 21, 2020, meeting and will forward its recommendation to the Assembly for action.

The City Manager recommends Assembly action according to the recommendation of the Human Resources Committee.

3. Other Items for consent

a. Marijuana License Renewals

CBJ received notice of the following Alcohol Marijuana Control Office (AMCO) marijuana license renewal applications [Copies of all documents relating to a license are available upon request from the Municipal Clerk's Office]:

MARIJUANA LICENSE RENEWALS

License Type: Retail Marijuana Store, License #13279

Licensee: The Mason Jar LLC, d/b/a THE MASON JAR LLC

Location: 2771 Sherwood Lane Unit E, Juneau

(60-day comment period ends Sunday, October 11, 2020)

License Type: Retail Marijuana Store, License #10800

Licensee: The Fireweed Factory LLC, d/b/a The Fireweed Factory LLC

Location: 237 Front Street, Juneau
(60-day comment period ends Friday, October 16, 2020)

License Type: Standard Marijuana Cultivation Facility, License #10266
Licensee: The Fireweed Factory LLC, d/b/a The Fireweed Factory LLC
Location: 8415 Airport Blvd, Space B, Juneau
(60-day comment period ends Friday, October 16, 2020)

License Type: Standard Marijuana Cultivation Facility, License #11605
Licensee: Always Redeye LLC, d/b/a Stoned Salmon Farms
Location: 2005 Anka Street, Juneau
(60-day comment period ends Sunday, October 25, 2020)

License Type: Standard Marijuana Cultivation Facility, License #15245
Licensee: North Star Gardens, Inc., d/b/a North Star Gardens
Location: 5310 Commercial Blvd, 2A, Juneau
(60-day comment period ends Tuesday, October 13, 2020)

License Type: Limited Marijuana Cultivation Facility, License #15209
Licensee: Herb'n Legends LLC, d/b/a Herb'n Legends
Location: 2771 Sherwood Lane Unit D, Juneau
(60-day comment period ends Tuesday, October 20, 2020)

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed these applications for compliance with CBJ laws and regulations and recommends the Assembly waive its right to protest the issuance of these licenses. In the event the Assembly does protest the issuance of a license, CBJ Code 20.30 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly.

The City Manager recommends the Assembly waive its right to protest the renewal of marijuana licenses #13279, #10800, #10266, #11605, #15245 and #15209.

VIII. PUBLIC HEARING

K. Ordinance 2020-43 An Ordinance Appropriating up to \$500,000 to the Manager for a COVID-19 Juneau ArtWorks Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This ordinance appropriates \$300,000 of CARES Act funding for the purpose of supporting artists who have been substantially negatively impacted by the COVID-19 pandemic. Proposals for the creation of artworks in any media would be evaluated and selected by a review committee, and the resulting artworks would become public property.

The Assembly Finance Committee reviewed this ordinance at its August 5, 2020, meeting, and moved to amend the language in the body of the ordinance to a reduced amount of \$300,000. The Committee requested that the revised ordinance be introduced and set for public hearing at the next regular Assembly meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Bruce Simonson, a Downtown resident, encouraged the Assembly to pass Ordinance 2020-43, as he believes the Arts community plays a very important role in our community. He said that it has been a difficult time for Arts organizations who operate on shoestring budgets and rely on the revenue from each production to create the next one. He urged the Assembly to pass this ordinance, and thanked them for their time.

Assembly Action:

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-43 and asked for unanimous consent.

Objection by Mr. Jones. Mr. Jones said he found it hard to understand how this grant would be any different from a normal business grant, and expressed concern regarding commissioning artists to financially support the Art community. Mr. Jones said he felt that this was a poor way to help artists that need financial assistance, and that he cannot support was he describes as bad legislation.

Ms. Hale said that while she appreciated Mr. Jones' concerns, she acknowledged that that Assembly has heard from artists who are willing to work, but have lost work due to the pandemic. She added that the result of this ordinance will produce art that would document what this pandemic experience has been like for Juneau. Ms. Hale expressed her full support for this ordinance, and encouraged her fellow Assemblymembers to support this ordinance as well.

Roll Call Vote on Ordinance 2020-43:

Ayes: Smith, Triem, Bryson, Edwardson, Hale, Hughes-Skandijs, Gladziszewski.

Nays: Jones, Mayor Weldon.

Motion passed. Seven (7) Ayes, Two (2) Nays.

A. Emergency Appropriation Resolution 2901 An Emergency Appropriation Resolution Appropriating up to \$75,000 to the Manager for a Program to Sample and Test Wastewater for COVID-19; Funding Provided by the CARES Act Special Revenue Fund.

This emergency appropriation resolution would appropriate \$75,000 to the Manager for the purpose of sampling and testing municipal wastewater for COVID-19. This testing will provide

valuable information that can inform municipal policy. Wastewater testing won't provide perfect point in time information, but will be useful for trend analysis.

An upward trend in COVID19 results in wastewater may indicate an upward trend in undiagnosed virus spread in the community. This information, used with other information in the CBJ Risk Evaluation system will help allow more proactive community response. The sooner this information is acquired, the better for trend analysis. For this reason, this is an emergency resolution.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Resolution 2901 and asked for unanimous consent.

Objection by Mr. Bryson for the purpose of a question. Mr. Bryson asked Mr. Watt if he knew of any other cities who were using this technology, and how far advanced was this technology to test wastewater. Mr. Watt shared that the State Department of Environmental Conservation began a pilot project of this program several months ago in Palmer, Alaska. The test labs and epidemiologists have been refining the testing method to the point where they feel comfortable with the current methodology. Mr. Watt said that he has been communicating with personnel from Analytica Alaska, a local lab that has been working with labs in Seattle. He explained that while the testing methods were developed fairly recently, Juneau would not be at the front end of cities who have tested this system. Mr. Bryson thanked Mr. Watt for answering his question and removed his objection.

Ms. Hale added that this testing had been conducted in Paris, and successfully detected COVID-19 in the wastewater before it had begun to spread.

Mr. Jones asked Mr. Watt if he could clarify how many tests would be provided in this program. Mr. Watt explained that testing is rather expensive, so they would test about 4 to 8 locations every week through the end of December.

Hearing no objections, Resolution 2901 was adopted by unanimous consent.

B. Emergency Appropriation Resolution 2905 An Emergency Appropriation Resolution Appropriating up to \$700,000 to the Manager for the Juneau School District's Fiscal Year 2021 COVID-19 Related Costs; Funding Provided by the CARES Act Special Revenue Fund.

This emergency resolution would appropriate \$700,000 for the Juneau School District's FY21 COVID-19 related costs, estimated to be spent in the following categories:

Technology	\$200,000
Curriculum	\$300,000
<u>Maintenance and Facilities</u>	<u>\$200,000</u>
Total	\$700,000

Additional funding is needed as soon as possible to help the School District safely resume education curriculums and mitigate the spread of COVID-19 within local schools and offices. For this reason, this is an emergency resolution.

Funding for this appropriation would be provided by the CARES Act Special Revenue Fund.

The Assembly Finance Committee reviewed this request at its September 2 meeting, and recommended that an emergency appropriation resolution be drafted and introduced at the September 21 regular Assembly meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment:

Martin Stepetin Sr. – Douglas resident. Mr. Stepetin spoke in favor of this resolution, and shared that this funding would provide much-needed relief to families who would like to pay for childcare so that they may return to work. He encouraged the Assembly to pass this resolution, and thanked the Assembly for their consideration.

Assembly Action:

Mr. Smith had a question for Dr. Weiss, and mentioned that a few teacher have reached out to him regarding students in their classes who have trouble with internet connection and participating in an online class. He asked if she knew if this appropriation ordinance would cover the technology portion, and will it cover students who need access to internet for their classes. Dr. Weiss said that part of the technology portion is meant to cover this issue, and they are currently working with GCI on possible options as well. She said that it is a challenge that requires a variety of solutions, as one option would not fit the needs of all families who are in need of internet access. Mr. Smith thanked Dr. Weiss for answering his question.

Dr. Weiss wished to clarify that the JSD has designated an employee to work solely on liaison work with families to figure out the specific needs of each family.

MOTION by Mr. Bryson for the Assembly to adopt Emergency Appropriation Resolution 2905 and asked for unanimous consent. *Hearing no objections, Emergency Appropriation Resolution 2905 was adopted by unanimous consent.*

C. Emergency Appropriation Resolution 2906 An Emergency Appropriation Resolution Appropriating up to \$600,000 to the Juneau School District for K-5 Rally Programing During COVID-19; Funding Provided by the CARES Act Special Revenue Fund.

This emergency resolution would appropriate \$600,000 for the Juneau School District for K-5 RALLY programing. Expenditure of funds would be governed by an MOA between CBJ and JSD. The terms of the MOA would be consistent with the prioritization outlined at the September 14 Committee of the Whole meeting. In addition, child care assistance grants will be made available for low-income families.

Funding for this appropriation would be provided by the CARES Act Special Revenue Fund.

The Committee of the Whole reviewed this request at its September 14 meeting, and recommended that an emergency appropriation resolution be drafted and introduced at the September 21 regular Assembly meeting.

The City Manager recommends the Assembly adopt this emergency resolution.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Emergency Appropriation Resolution 2906 and asked for unanimous consent.

Objection by Mr. Bryson for purpose of a question. Mr. Bryson said that he recalled the Assembly deciding that they would not allocate all \$600,000 immediately, that only part of the money would be given at a time. Ms. Cosgrove said that they are working on an MOA with JSD, which will have very specific parameters about what is paid for out of the \$600,000 and what is not. Mr. Bryson removed his objection.

Hearing no objections, Emergency Appropriation Resolution 2906 was adopted by unanimous consent.

D. Emergency Appropriation Resolution 2907 An Emergency Appropriation Resolution Appropriating \$2,000,000 to the Manager as Additional Funding for Phase 2 and 3 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

This Emergency Appropriation Resolution adds funding to the existing CBJ Business Sustainability Grant program. JEDC estimates that the total amount of eligible grants may exceed available grant funds by up to \$2 million. Without additional funds, JEDC will be required to prorate all eligible grant awards to remain within the currently appropriated amount.

This process of proration delays disbursement of funds to all applicants because every application must be fully processed before any disbursements can be made. Fully funding all estimated grant applications allows JEDC to move with greatest possible speed to disburse funds to affected small businesses.

Currently, without additional funds, JEDC anticipates prorated grant amounts would be disbursed in late October. If this Emergency Appropriation Resolution passes, JEDC could begin disbursing eligible grant awards as soon as tomorrow.

If the Assembly chooses to not pass this resolution tonight, the Manager will direct JEDC to disburse 75% of full disbursements, beginning tomorrow. The remainder of the disbursements would be scheduled once proration calculations are complete.

The City Manager recommends the Assembly adopt this emergency resolution or delay action on it until the next Assembly meeting.

Public Comment:

Dan MacPhee, a Juneau resident, thanked the Assembly for their support towards Juneau businesses during this time. He said that this resolution will make a huge difference for businesses, and he encouraged the Assembly to pass this resolution.

MOTION by Ms. Triem for the Assembly to refer Emergency Appropriation Resolution 2907 to the Assembly Finance Committee meeting on September 30 and asked for unanimous consent.

Objection by Ms. Gladziszewski. Ms. Gladziszewski spoke to her objection, sharing that she felt the Assembly had not spoken about this Resolution at all. She believes a discussion on this resolution should be had at the Assembly Finance Committee meeting at the end of the month. Ms. Triem suggested moving the item to the AFC meeting, and considered changing her motion.

Mr. Bryson mentioned that timing is critical, and it would be unfair to businesses to have them wait for the slow-paced speed of governmental proceedings, which would ultimately harm the business community.

Mr. Edwardson said that Ms. Gladziszewski's request was entirely reasonable, and through he appreciated Mr. Bryson's statement, he said that having this item on the agenda was a surprise to him. He also said that the businesses who would benefit from this were not expecting to have a decision be made tonight. Mr. Edwardson also believes that the speed of government has been considerably quick, and they have dispersed a large amount of money to a large number of people in a short amount of time.

Ms. Hale expressed support for Ms. Gladziszewski's suggestion, and also supports this resolution, she would just like to see this in the context of everything else they are doing.

Mr. Smith asked Mr. Watt if he could confirm that regardless of what happens at this meeting, there will be money dispersed to businesses starting tomorrow. Mr. Watt confirmed that his intention with this was to have JEDC dispersed 75% of the grant awards tomorrow, and he wanted the Assembly to have the full ability to make choices during that timeline.

Mr. Bryson said knowing that 75% of disbursement can begin as early as tomorrow and will not be hindered by having any additional discussion, he removed his objection.

Hearing no objections, the motion to refer this Emergency Appropriation Resolution to the AFC passed by unanimous consent.

E. Emergency Appropriation Resolution 2908 An Emergency Appropriation Resolution Appropriating \$400,000 to the Manager as Funding for Bartlett Regional Hospital's Planning for and Construction of Patient Intake and Triage During the COVID-19 Pandemic; Funding Provided by the CARES Act Special Revenue Fund.

This emergency appropriation resolution would authorize \$400,000 for patient intake and triage planning during the COVID-19 pandemic at Bartlett Regional Hospital (BRH). The pandemic has caused BRH to make operational changes that require improvements to the hospital's entrances, HVAC, and infrastructure. The hospital's current patient entrances do not accommodate appropriate health guidelines for the safe admission and prioritization of patients. Temporary shelters are currently in place to aid in the assessment of individuals prior to entering the facility, but permanent solutions are required to mitigate the effects of COVID-19 on patient intake and triage throughout the remainder of the pandemic. Improvements to BRH's HVAC system are required to increase the number of isolation rooms and improve air handling systems throughout the facility. Pandemic-induced operational changes may also require enhancements such as electronic scheduling and telemedicine.

Funding for this appropriation is provided by the CARES Act Special Revenue Fund. The December 30 deadline for the expenditure of CARES Act funding is quickly approaching. For this reason, this is an emergency resolution. Alternatively, the Assembly could choose to not pass this ordinance and direct that BRH use its fund balance to pay for this work.

The Public Works and Facilities Committee reviewed this request at its August 31 meeting, and recommended that legislation be drafted and introduced at the September 21 regular Assembly meeting.

The City Manager recommends the Assembly forward this ordinance to the AFC meeting on September 30 for further discussion.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Edwardson for the Assembly to forward Emergency Appropriation Resolution 2908 to the Assembly Finance Committee meeting on September 30 and asked for unanimous consent.

Objection by Ms. Hale for purpose of clarification. Ms. Hale shared that she attended the BRH board meeting and supports this resolution, and she intends to speak on her thoughts at the AFC meeting on September 30. Ms. Hale removed her objection.

Hearing no objections, the motion to refer this Emergency Appropriation Resolution to the AFC passed by unanimous consent.

F. Ordinance 2019-06(AL) An Ordinance Appropriating to the Manager the Sum of \$88,969 as Funding for the City and Borough of Juneau's Fiscal Year 2019 and 2020 Public Employees' Retirement System (PERS) Past Service Liability Cost for Centennial Hall; Funding Provided by the General Fund's Fund Balance.

In 2018, CBJ removed a classification of Centennial Hall employees from the State of Alaska's Public Employees' Retirement System. As the employer, CBJ is obligated to pay a percentage of the withdrawn employees' salaries on an ongoing basis until the unfunded past service liability cost is satisfied. This ordinance would appropriate general funds to pay this liability for fiscal years 2019 and 2020 as follows:

Fiscal Year	Rate	Cost
FY2019	16.53%	\$43,292.34
FY2020	17.44%	\$45,675.76
Total		\$88,968.10

This request was reviewed by the Assembly Finance Committee on August 5, 2020.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Jones for the Assembly to adopt Ordinance 2019-06(AL) and asked for unanimous consent. *Hearing no objections, Ordinance 2019-06(AL) was adopted by unanimous consent.*

G. Ordinance 2020-09(D) An Ordinance Appropriating to the Manager the Sum of \$47,746 as Funding for the City and Borough of Juneau's Fiscal Year 2021 Public Employees' Retirement System (PERS) Past Service Liability Cost for Centennial Hall; Funding Provided by the General Fund's Fund Balance.

In 2018, CBJ removed a classification of Centennial Hall employees from the State of Alaska's Public Employees' Retirement System. As the employer, CBJ is obligated to pay a percentage of the withdrawn employees' salaries on an ongoing basis until the unfunded past service liability cost is satisfied. This ordinance would appropriate \$47,746 of general funds to pay this fiscal year 2021 liability at a past service cost rate of 18.23%. All future ongoing indebtedness fees will be included in the operating budget and funded with hotel bed tax receipts.

This request was reviewed by the Assembly Finance Committee on August 5, 2020.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Gladziszewski for the Assembly to adopt Ordinance 2020-09(D) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(D) was adopted by unanimous consent.*

H. Ordinance 2020-09(E) An Ordinance Appropriating to the Manager the Sum of \$196,832 as Funding for PFAS Contamination Cleanup at the Juneau International Airport; Funding Provided by the Airport Fund's Fund Balance.

The Airport Board has approved Phase 2 of Cox Environmental's PFAS contract, which has to take place and be approved by ADEC before drilling/testing can occur. Cox Environmental has prepared a lump sum budget for the plan submittal to ADEC, and a plan for perimeter wells, testing, and monitoring at a cost of \$196,831.60. The Airport requests supplemental spending authority for this work.

A PFAS update was provided at the March 2, 2020 Public Works and Facilities Committee meeting. This request was reviewed and approved by the Airport Board at its July 16, 2020, meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Smith for the Assembly to adopt Ordinance 2020-09(E) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(E) was adopted by unanimous consent.*

I. Ordinance 2020-09(F) An Ordinance Appropriating to the Manager the Sum of \$50,000 as Funding for the Manager's Office to Support the Systemic Racism Review Committee; Funding Provided by the General Fund's Fund Balance.

This ordinance would appropriate \$50,000 for the Manager's Office to support the Systemic Racism Review Committee established under Ordinance 2020-32. The Committee is charged with evaluating pending legislation and existing code and policy, and making recommendations to the Assembly to reduce the perpetuation of systemic racism.

At its meeting on August 10, 2020, the Committee of the Whole requested this appropriating ordinance be drafted and introduced at the next regular Assembly meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

Martin Stepetin Sr., a Douglas resident, said that he supported this ordinance, and encouraged the Assembly to pass this ordinance and believes that it will be money well spent.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2020-09(F) and asked for unanimous consent.

Objection by Ms. Gladziszewski for purposes of a question. Ms. Gladziszewski asked Mr. Watt to clarify if the funding for this will be appropriated from the capital budget or the operating budget. Mr. Watt explained that these funds were to be appropriated from the Manager's Office operating budget, and any leftover funds will be re-appropriated by the end of the fiscal year. He added that the Manager's Office will ensure the best use of the funds, and will report back to the Assembly in the future to provide an update on the funds.

Ms. Gladziszewski removed her objection.

Hearing no objections, Ordinance 2020-09(F) was adopted by unanimous consent.

J. Ordinance 2020-09(G) An Ordinance Appropriating to the Manager the Sum of \$600,000 as Funding for the Voice-over-Internet-Protocol (VoIP) Phone System Replacement Capital Improvement Project; Funding Provided by the Fleet Fund's Fund Balance.

CBJ's telephone system and handsets have been in continuous use for more than two decades, and modernization will bring future operational savings. CBJ Libraries have piloted new phone technology using voice-over-internet-protocol (VoIP), and the results have been very positive. Implementation of the new system is projected to save 20% annually in telephone system costs. Funding for the new system will be provided by Fleet/Equipment Reserve Fund.

Information on this topic was provided to the Assembly Finance Committee at its September 2, 2020, meeting.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2020-09(G) and asked for unanimous consent. *Hearing no objections, Ordinance 2020-09(G) was adopted by unanimous consent.*

L. Emergency Ordinance 2020-45 An Emergency Ordinance Extending the Requirement for Use of Face Coverings on Capital Transit Buses and in Certain Areas of City and Borough of Juneau Facilities Open to the Public.

Emergency Ordinance 2020-25 initially imposed a requirement that people wear a face covering when using Capital Transit and in CBJ-owned facilities that are open to the public. There are exceptions for people with disabilities and young children. Emergency Ordinance 2020-34 extended the timeframe to September 22, 2020, no other changes were made. This emergency ordinance would extend the face covering requirement for three more months unless terminated earlier by the Assembly.

The City Manager recommends the Assembly adopt this emergency ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Hale for the Assembly to adopt Ordinance 2020-45 and asked for unanimous consent. *Hearing no objections, Ordinance 2020-45 was adopted by unanimous consent.*

M. Emergency Ordinance 2020-46 An Emergency Ordinance Adopting the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

This emergency ordinance establishes mitigation strategies, provides for exemptions, and sets a penalty for violations. The mitigation strategies provide structure and certainty to the community by establishing clear and known responses to the pandemic in our community. Further, it balances the need to mitigate harm with the need to keep the economy open.

The City is currently at incident level high, after experiencing an increase in cases. This underscores the need for the adoption of this emergency ordinance.

The City Manager recommends the Assembly adopt this emergency ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Ms. Triem for the Assembly to adopt Ordinance 2020-46 and asked for unanimous consent.

Mr. Smith asked Ms. Cosgrove if there was a need at this time for higher penalties for violations, such as large gatherings with no mitigation plan. Ms. Cosgrove said that so far the EOC goes, they have tried to take an educational approach, and she believes that the majority of citizens have been compliant with the measures put in place by the EOC. She said that it is possible that they may encounter a situation in which a civil penalty for an infraction would be helpful, but does not believe that they have found a situation that would call for that result yet.

Ms. Hale said that she really appreciated the EOC and the Manager's Office for taking action, and expressed concern about the messaging that the CBJ might be expressing to the community regarding mitigation violations. *Hearing no objections, Ordinance 2020-46 was adopted by unanimous consent.*

N. Emergency Ordinance 2020-49 An Emergency Ordinance Extending Use of a Face Covering in Certain Indoor Settings and Providing a Penalty

Emergency Ordinance 2020-41 initially imposed a requirement that people wear a face covering when in a publicly accessible indoor location or an indoor communal area outside the home. There are exceptions for people with disabilities or young children. Emergency Ordinance 2020-41 expires on October 18, 2020. As the next scheduled Assembly meeting is October 26, 2020, we are asking the Assembly to extend the timeframes tonight. This emergency ordinance would extend the face covering requirement for three more months unless terminated earlier by the Assembly.

The City Manager recommends the Assembly adopt this emergency ordinance.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Edwardson for the Assembly to adopt Ordinance 2020-49 and asked for unanimous consent. *Hearing no objections, Ordinance 2020-49 was adopted by unanimous consent.*

O. Emergency Ordinance 2020-50 An Emergency Ordinance Suspending Enforcement of Witness Signatures on By-Mail Ballots for the 2020 Regular Election of the City and Borough of Juneau.

This emergency ordinance waives the requirement for a witness signature for the 2020 municipal election, provided that the Election Official is able to properly verify the voter's signature. This emergency ordinance is appropriate given the current public health emergency.

The Committee of the Whole reviewed this request at its September 14 meeting, and recommended that an emergency ordinance be introduced at the September 21 regular Assembly meeting.

The City Manager recommends the Assembly adopt this emergency ordinance.

Public Comment:

Martin Stepetin Sr., a Douglas resident, urged the Assembly to pass this ordinance, and reminded them of the history of voter suppression in Alaska against Alaskan Natives. He recalled a time in which Alaska Native votes could only be verified if they could find two white people to vouch for their vote. He believes that this ordinance would be a way to ensure that every vote is counted, and to account for the history of systemic racism against minority voters in Alaska.

Assembly Action:

MOTION by Mr. Jones for the Assembly to adopt Ordinance 2020-50 and asked for a "no" vote.

Ms. Hale agreed with Mr. Jones' "no" vote, and said that while she understood Mr. Stepetin's perspective, she finds it hard to imagine anyone who does not have someone to provide a witness signature. Ms. Hale said that she will be voting against this ordinance.

Ms. Triem spoke in favor of the ordinance. Ms. Triem said that while she understood the arguments against all of the changes that are happening, she referenced the electoral primaries back in August that had many voters who struggled to find a witness. She believes that the Assembly should err in favor for allowing people to vote, and Ms. McEwen's explanation of the process at the COW gave her confidence in this ordinance.

Ms. Hughes-Skandijs spoke in support of this ordinance, and said that she would hate for anyone who has taken the time to vote to have their vote be disqualified due to lack of a witness signature. She said that she felt reassured by the security measures already put in place against voter fraud, and wants to ensure that everyone's votes are counted.

Mr. Smith asked Ms. McEwen to explain if there is any further verification process when identifying witness signatures. Ms. McEwen explained that the witness signature is not verified due to fact that the Municipality of Anchorage ballot counter strictly captures the voter signature

for further verification. Mr. Smith thanked Ms. McEwen, and mentioned that currently 39 states do not require a witness signature for a ballot. He questioned the effectiveness of the witness signature, and said he considered it a hurdle to some voters. Mr. Smith said that for that reason, he will support this ordinance.

Ms. Gladziszewski asked Ms. McEwen to clarify if there is a process in place to verify the witness signature on the ballot. Ms. McEwen said that at this time, there is not a verification process in place to identify the signature and identify of the witness, due to the fact that the witness is not asked to provide any identifying information (such as the last four of their social security number, or their date of birth). However, Ms. McEwen explained that the witness on the ballot is effectively signing an oath that states that the voter who filled out the ballot has legally done so and that person witnessed the signing. By signing that oath, there is a potential that the witness could be prosecuted by the City Attorney's office if necessary. At this time, the Municipality of Anchorage does not require a witness signature. The MOA elections equipment does not capture the witness signature, it solely captures the voter's signature for further verification.

Ms. Gladziszewski thanked Ms. McEwen for her explanation, and shared that she will be voting in favor of this ordinance in the interest of eliminating voter disenfranchisement.

Mr. Edwardson shared that what they are proposing is not a new concept, as it has been in effect throughout 39 states and several municipalities. He also shared that the voter fraud rate has remained at a marginally low percent despite these changes.

Mr. Jones spoke to his objection, and said that he does not support this ordinance due to the fact that ballots have already been mailed out to voters. He spoke against changing the instructions of a ballot in the middle of an election. He said that he would be in favor of voting for this ordinance if they were not in the middle of an election, and that is the only reason contributing to his "no" vote.

Mr. Bryson said that he would hate for any person who took the time to vote for their vote to not count. He asked that if they passed this, if they could not overly publicize it so that they do not confuse voters, but still count ballots that do not include a witness signature.

Roll Call Vote on Ordinance 2020-50:

Ayes: Smith, Triem, Edwardson, Hughes-Skandijs, Gladziszewski, Weldon.

Nays: Jones, Bryson, Hale.

Motion passed. Six (6) Ayes, Three (3) Nays.

IX. UNFINISHED BUSINESS

A. Tyson Lee v. Vertical Bridge LLC and Planning Commission

The draft decision will be distributed to the parties and scheduled for final Assembly action at the 9/30 Special Assembly meeting at 5:30p.m. Immediately preceding the Assembly Finance Committee meeting.

Mr. Jones reported that Mr. Palmer sent out a proposed decision to the Assembly based on their previous discussion. Mr. Jones said he would like to get a general consensus from the Assembly on whether Mr. Palmer should send out his proposal to the parties, which would require those five days to respond to the proposal. *Hearing no objections, the Assembly directed Mr. Palmer to distribute a proposal to the parties.*

X. NEW BUSINESS

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

There are eight property owners that are requesting that the Assembly authorize the Assessor to consider a late-filed exemption request for their property assessment. The action required by the Assembly is to determine whether or not the late-filed exemption requests will be heard. Evidence on the assessment itself or the merit of the request is not relevant. The Assembly should consider each request separately and determine whether or not the property owner was unable to comply with the 30-day filing requirement.

The burden of proof is upon the property owner to show the inability to file a timely exemption request. In this context, the word “unable” does not include situations in which a property owner forgot about, or overlooked, the assessment notice, was out of town during the period for filing an exemption, or similar situations. Rather, it covers situations that are beyond the property owner’s control and would prevent a property owner from recognizing what is at stake and dealing with it. Examples of this would include physical or mental disability serious enough to prevent a person from dealing rationally with their private affairs. Disagreeing with the amount of the assessment does not constitute inability to submit a timely exemption request, nor does a notice of assessment being sent to a wrong address. The property owner is responsible for keeping a current, correct address on file with the assessor’s office.

If the Assembly decides to accept one or more late-filed exemption requests, those applications will be referred to the Assessor for review and action.

The City Manager recommends the Assembly act on each of these applications individually.

MOTION by Ms. Gladziszewski for the Assembly to direct the Assessor to consider the late filed appeals with the exception of the appeal from Janet Beauchamp which didn’t meet the criteria. *Hearing no objections, the late filed appeals were directed to the Assessor for approval.*

B. Hurlock Property Reacquisition and Lease Request

In 2018, the Assembly adopted Ordinance 2018-42 authorizing the sale of 9290 Hurlock Ave to Alaska Legacy Partners (ALP) with the condition that they develop the property in accordance to their proposed use as a senior care facility. ALP has decided not to proceed with its planned senior care facility and wants to sell the property.

On August 18, 2020, the Division of Lands and Resources received a joint letter from Tlingit Haida Regional Housing Authority (Housing Authority) and ALP. The letter states that THRHA proposes to use this property for vulnerable homeless youth and that they are working with ALP towards a property transfer.

At the August 31, 2020 meeting, the Lands Committee provided a motion of support and referral to the Assembly for the Attorney to draft an Ordinance that would remove the condition that ALP use the property for senior care facility (assisted living) and add a condition that the property be used for homeless youth. If the Assembly requests this Ordinance, the Planning Commission will review the proposed use by the Housing Authority to ensure that it conforms to adopted plans and the Land Use Code and consider the issuance of a Conditional Use Permit (CUP).

As the Assembly hears appeals of Planning Commission actions, I recommend that it delay discussion or consideration of the details and merits of a homeless youth facility (assisted living) until the assembly public hearing of the Ordinance that would amend the property use conditions.

The City Manager requests a motion of support to pursue reacquisition of this property as proposed by ALP and the Housing Authority for the use as a homeless youth facility (assisted living) and request a draft Ordinance that would be set for public hearing after the CUP process.

Ms. Gladziszewski asked Mr. Edwardson if Lands Committee had considered starting all over with this property, asked him to characterize the reasoning behind utilizing the property in this way.

Ms. Triem said that her understanding of the Lands Committee meeting was because the CBJ does not actually control the property, the do not have as much control over it as Alaska Legacy Partner does over the property.

Lands Chair Edwardson agreed with Ms. Triem's statement, and explained that the Lands Committee does not own the land or the property, as that is between Alaskan Legacy Partners and Tlingit and Haida. He said that currently this is the time for a potential deal between Tlingit and Haida and Alaska Legacy Partners, and the Lands Committee is not in a position to make changes to the conditions of a deal in which they are the third party.

Mr. Watt confirmed that CBJ does not own the property, however, CBJ does hold the loan. The property owners, Alaska Legacy Partners, are seeking to change the condition under which they bought the property from CBJ before the delayed payment schedule starts.

Ms. Triem mentioned that she had reviewed the purchase of sale agreement, and noticed the clause about the use of the property did not have a date in it. She asked if the owner of the property could theoretically own the land indefinitely and CBJ could not be able to own the land again to repurpose it.

Mr. Watt answered that Alaska Legacy Partners currently has multiple paths forward, and that there is not a date set within the clause of their purchase of sale agreement.

Mr. Palmer also said that there is not specific date stated within the agreement that requires the property to be use for a particular purpose. He added there is a potential that the property could remain vacant as long as ALP continued to make payments to CBJ on the property.

Mr. Edwardson mentioned that CARES Act funding is a part of this deal, which is set to expire on December 31, 2020, and said that there would be potential consequences if the Assembly were to delay their decision. Mr. Edwardson spoke in favor of the Manager's recommendation, and believes that it will keep the City's options open. He added that if they decided to go ahead with this, they would also allow for those who disagree with this a chance to voice their opinions at a public meeting.

Mr. Bryson spoke in favor of the City Manager's recommendation, and said that this is a way the City can get out of the way of economic development to allow this project to go forward. He also said that helping homeless and at-risk youth will help in taking those children out of the system, and there are few facilities in Juneau that offer this kind of assistance. Mr. Bryson said that this shelter would help strengthen Juneau, and they would not be benefitting the community by delaying this project and the resources it would provide.

MOTION by Mr. Edwardson for the Assembly to pursue the reacquisition of this property as proposed by Alaska Legacy Partners and the Tlingit and Haida Housing Authority for the use of a homeless youth facility (assisted living) request a draft ordinance that would be set for public hearing after the Conditional Use Permit (CUP) process.

Objection by Mr. Jones. While he believes that what Mr. Bryson talked about could be a good thing, he believes that if the Assembly were to move ahead before the landowner has gone before the Planning Commission, then they would remove themselves from any appeals. He said that this would most likely be appealed, given the amount of emails they have received on the issue.

Ms. Hale asked if Mr. Palmer could weigh in on Mr. Jones' comments. Mr. Palmer said that if there were an appeal that was brought to the Assembly, it would take a lot of discussion to ensure that the Assembly were acting neutral and fair in their decision. He said that another way to handle an appeal would be to assign to a hearing officer who is not part of the Assembly.

Ms. Hughes-Skandijs said that she would like to keep the Assembly's options open, and she would be fine with moving this motion forward, but is not sure if she would support the project itself. She had a question for Mr. Edwardson, and said that ALP did come to the City to request to have the conditions removed, but also asked for money back from the City.

Mr. Edwardson said that the ALP had come to the Assembly to return the property after investing money into it, although he is unsure for their reason for doing so. Mr. Palmer said that ALP is currently trying to figure out what to do with this property, however, no action the Assembly would take tonight is set in stone. This motion would set a course of potential options for the Assembly and the Planning Commission, and he said that they could discuss this tonight or refer it to another meeting.

Mayor Weldon said that she appreciated everyone's comments on this issue and the project itself, but also agreed with Mr. Jones' statements and does not know if this is the best avenue forward, and will object to this motion.

Roll Call Vote on the reacquisition of the Hurlock Property with ALP and THHC.

Ayes: Edwardson, Bryson, Hughes-Skandijs, Smith, Gladziszewski.

Nays: Hale, Jones, Triem, Mayor Weldon.

Motion passed. Five (5) Ayes, Four (4) Nays.

C. Homeless Population Day Services

Mr. Watt provided a report for the Assembly on upcoming Homeless Population Day services. Due to COVID-19, public places such as the Glory Hall and the libraries have not been open for day services. The CBJ provides a Cold Weather Shelter through the JACC, but currently there is an active discussion on day shelter services for those experiencing homelessness. The Glory Hall has not been able to provide daytime services that would adequately provide services that maintained social distancing protocols. Glory Hall and CBJ Staff have discussed if JACC or Centennial Hall campuses would be appropriate. Mr. Watt said that the alternative would be for CBJ not to host any day shelter services, which would result in those experiencing homelessness to be out on the streets when the Cold Weather Shelter is closed for the day, which would become increasingly difficult for that population as winter approaches. Mr. Watt did not anticipate for the Assembly to make any decisions tonight on this issue, rather he wanted them to be aware of the discussions that are currently taking place.

Mr. Smith said that he appreciated CBJ staff for discussing this serious issue, and mentioned that the Glory Hall does offer daytime services, however those services are limited due to capacity restrictions.

D. Shawn Wille v. CBJ Planning Commission: Notice of Appeal regarding a Conditional Use Permit 2020-0017 for Transitional Housing located at 6205 Alaway Ave.

On August 31, 2020, the Clerk's office received a timely filed appeal of a Planning Commission decision to grant a Conditional Use Permit USE#2020 0017 for Transitional Housing to be located at 6205 Alaway Ave.

In accordance with the Appeals Code, the Assembly must decide whether to accept or reject the appeal. If you determine, after liberally construing the notice of appeal in order to preserve the rights of the appellant, that there has been a failure to comply with the appellate rules, or if the notice of appeal does not state grounds upon which any of the relief requested may be granted, you may reject the appeal.

If the appeal is accepted, you must decide whether the Assembly will hear the appeal itself or if it will assign the appeal to a hearing officer. If you decide to hear the appeal yourselves, a presiding officer should be appointed.

In hearing an appeal, the Assembly would sit in its quasi-judicial capacity and must avoid discussing the case outside of the hearing process. (See CBJ 01.50.230, Impartiality.)

MOTION by Mayor Weldon for the Assembly to accept and for the Assembly to hear the appeal itself as opposed to hiring a Hearing Officer.

Objection by Mr. Edwardson for purposes of a question. He asked for Mr. Palmer to explain the details of the appeal, specifically regarding the actions of the Planning Commission.

Mr. Palmer described the notice of appeal is thin and somewhat speculative, however he said that there is probably enough there to reasonably accept the appeal and allow for the opportunity for flesh out those details through however means necessary.

Mr. Edwardson said that he would agree with Mr. Palmer's statement if he knew more details of the appeal, but he did not know what exactly was being appealed. He asked Mr. Palmer if he could tell him what the appeal was about. Mr. Palmer did not want to put arguments in the opponents' mouth, and said that the notice states that there is inadequate substantial evidence, inadequate written findings, and that the Planning Commission failed to follow due process. Mr. Palmer said he did not want to read into the notice any further, so not to give the opponent any arguments. Mr. Edwardson explained that he still did not understand the details of the appeal itself.

Mr. Bryson agreed with Mr. Edwardson, and said that he also did not understand the details of the appeal. He said that they should have appeal applicants provide reasonable evidence to the Assembly to explain why the ruling by the Planning Commission was not efficient.

Ms. Gladziszewski agreed with the previous statements regarding lack of details, but also mentioned that the appeal form itself only contains two sentences, and they have in the past agreed to two sentences. She also noted that the form states "Do not argue your case" when filling out the appeal.

Mr. Jones said that as a government entity, they allow for the public to file appeals with elected bodies, and it is not the Assembly's job to preemptively judge an appeals case that has been submitted to them. He recalled the City Attorney advising the Assembly in the past to not accept an appeal based on whether they believed it would be successful or not. Mr. Jones believes that while fully allowing the public to participate in the appeals process may take up time and money, to do otherwise would deny the public access to an appeal to their elected officials.

Mr. Edwardson stated that he is well aware of the duties of the Assembly and how to interpret appeals. He referenced the appeal submission form that states, "Concisely describe the legal and factual errors that form the basis of your appeal" simply writing that there were legal and factual errors is not a basis of an appeal. Mr. Edwardson explained that he is trying to do his job, and if someone wants their appeal to be heard then they must actually fill out the document.

Mayor Weldon believed that the Assembly should accept the appeal, agreeing with Mr. Jones' statement, and was in favor in granting an appeal to the applicant.

Mr. Edwardson removed his objection.

Hearing no objections, the accepted the appeal and for the Assembly to hear the appeal itself as opposed to assigning it to a Hearing Officer.

Mr. Bryson volunteered to serve as the Presiding Officer for this appeal. Hearing no objection, Mr. Bryson was appointed as the Presiding Officer in this appeal.

XI. STAFF REPORTS

There were no staff reports.

XII. ASSEMBLY REPORTS

A. Mayor's Report

The Mayor reminded the Assembly of the dates for upcoming meetings.

There will be an Assembly Finance Committee meeting on September 30 following the Special Assembly Meeting to discuss the Tyson Lee appeal decision.

There will be a Special Assembly Meeting on October 1 to take public hearing on emergency ordinances and resolutions related to CARES Act funding.

These proposed ordinances and ESTF recommendations include:

- Rental & Mortgage Assistance Program from CARES Act funds
- Fuel Oil and Electricity Grant from CARES Act funds
- Post-Secondary Education Assistance Grants re: COVID-19 from CARES Act funds
- Hospitality Industry Assistance Grants

Mayor Weldon also reminded the Assembly of the upcoming retreat, and listed potential dates for the retreat: Saturday, November 7; Saturday, November 14; or Saturday, November 21.

Mr. Smith said that he would prefer the retreat to be held on Saturday, November 7. Mayor Weldon asked the Assembly if that date would be acceptable for the retreat. *Hearing no objections, the Assembly Retreat was set for Saturday, November 7.*

Mayor Weldon announced that she is creating an Ad Hoc Committee on Homelessness to work on coordination of services within the community. She asked for those interested in serving to submit their names for consideration. She shared that she was looking for representation from Assemblymembers, CBJ staff, agencies and social service providers.

Mayor Weldon also asked the Assembly to approve an extension to the Economic Stabilization Task Force until December 31, 2020. *Hearing no objections, the Assembly approved the extension of the task force's termination date.*

B. Committee Reports, Liaison Reports, Assembly Comments and Questions

Committee of the Whole Chair Gladziszewski reported that the COW last met on September 14 and discussed a cold weather shelter building purchase and CARES Act timing for appropriations. They also discussed legislation related to the Systemic Racism Review Committee and the Risk Matrix and Strategies, both of which were passed at tonight's meeting. The next scheduled COW meeting was scheduled for October 25.

Assembly Finance Committee Chair Jones reported that he and Mr. Rogers will be working on the agenda for the upcoming AFC meeting on September 30.

Lands and Resources Committee Chair Edwardson shared that the Lands Committee had canceled their most recent meeting to give extra time for the COW meeting that day. Mr. Edwardson had chaired the last Lands Committee meeting of his term, and said that he appreciated all of the staff and he will miss working with them.

Public Works and Facilities Committee Chair Hale reported that PWFC last met on August 31 and discussed small cruise ship berth planning. The next PWFC meeting was scheduled for November 9.

Human Resources Committee Chair Bryson reported that the HRC met earlier today, and forwarded the following nominations for board appointments:

- **Youth Activities Board:** Elizabeth Balstad, Kristina Moore-Jager, and Tom Rutecki to be appointed to terms beginning immediately and ending August 31, 2023 and Summer Christiansen to a term beginning immediately and ending August 31, 2022.
- **Juneau Commission on Sustainability:** David Teal to be appointed to a term beginning immediately and ending June 30, 2023.

Hearing no objections, those appointments were approved by unanimous consent.

Mr. Bryson also shared that the Juneau Commission of Sustainability would like to forward to the Committee of the Whole the proposed Juneau Commission of Sustainability Awards, and asked for unanimous consent. *Hearing no objections, the motion was forwarded to the COW.*

Planning Commission Liaison Smith reported that the Planning Commission met twice since the last Regular Assembly meeting. The PC approved a transitional housing permit and modified a conditional use permit for onsite consumption of marijuana. The Title 49 Committee is working to schedule a meeting regarding parking.

Mr. Smith shared that he has been having conversations on how they can address the significant needs of the community in response to the pandemic. He believes that there is more needs than there are available funds, and encouraged the public to reach out and discuss their needs with the Assembly as they discuss further funding options.

Docks and Harbors Board Liaison Ms. Hughes-Skandijs reported that they are meeting September 24 to discuss the Visitor Industry Task Force draft recommendations, and plan to submit their revised recommendations to the Assembly. The Juneau Commission on Sustainability met on September 12 with Docks and Harbors staff to talk about the electrification of the docks, and to discuss prioritization of their goals.

Ms. Hughes-Skandijs shared that she would like to work with the City Attorney on a resolution declaring an economic disaster related to fisheries. Hearing no objections, Mayor Weldon said that she could go forth with drafting that resolution.

Ms. Hughes-Skandijs said that she enjoyed the small bit of sunshine Juneau had recently, and urged the public to be resilient in being safe and being kind towards one another. She also mentioned that today was the 21st day of September, and encouraged people to listen to the Earth, Wind, & Fire song (“September”) before the day ended.

Mr. Bryson shared that the Parks and Recreation Advisory Committee last met in the beginning of this month to discuss the Master Trail Plan and to finalize the last details of Chicken Yard Park. The Eaglecrest Board also met in the beginning of the month to discuss their COVID-19 mitigation strategies to remain open throughout the season.

Mr. Bryson also shared that he will be hosting a Voting Party on Problem Corner on September 22, and asked citizens to fill out their voting packets tomorrow.

Ms. Hale shared that the Downtown Business Association last met on September 8 to discuss homelessness and the color run. She said that the City Manager has been working with the legislature to figure out ways to conduct legislative testing and mitigation strategies. Ms. Hale said that she wanted to take some time express her gratitude for the legacy of Supreme Court

Justice Ruth Bader Ginsburg, and acknowledged that she had paved the way for women to run for elected office.

Ms. Triem reported that the Aquatics Board had met on August 25 to discuss operational changes being made for COVID-19 measures. The downtown pool is open at limited hours due to low staffing. She also mentioned that there was an ordinance in tonight's Consent Agenda related to a grant for Travel Juneau that will be discussed at the AFC meeting. Travel Juneau has been working on developing COVID-19 mitigation plans and communication strategies. Ms. Triem also noted that Juneau will be hosting the 2021 Alaska Broadcasters Association Convention, thanks to the efforts of Travel Juneau and KTOO.

Ms. Triem expressed her appreciation for Mr. Edwardson and the work he has done on the Assembly, and for the way he chairs his committees. She shared that she will miss sitting next to Mr. Edwardson in the Assembly Chambers.

Mr. Edwardson thanked Ms. Triem, and shared that he missed having in-person sessions in the Assembly Chambers. The Local Emergency Planning Committee last met on September 9, which he was not able to attend. There was an Airport Board meeting on September 10, they are currently recruiting for a Deputy Airport Manager position, for which they have received several applications. He also let the Airport Board know that this was his last meeting, and talked them through the process of appointing a new liaison.

Mr. Jones reported that the School Board met prior to their last Assembly meeting, and their next scheduled meeting is October 21, where they will swear in new members.

Ms. Gladziszewski thanked Mr. Edwardson for his service on the Assembly, saying that he has been a true public servant and appreciated his calm and rational manner. She also wished to acknowledge the passing of Supreme Court Justice Ruth Bader Ginsburg, and credited her leadership and legacy for progressing the rights of women in America. Ms. Gladziszewski assured the public that she had received their emails, and appreciated their patience and concern for members of the community during this time.

C. Presiding Officer Reports

Mr. Jones already provided his presiding officer report earlier in the meeting.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV. EXECUTIVE SESSION

There was a discussion on whether or not the Assembly should go into Executive Session. Mr. Palmer told the Assembly that if it was the will of the body to go into Executive Session, then return to the public meeting to decide on motions. The issue would be the Assembly would have to go back and forth between different Zoom meetings.

Mayor Weldon proposed that they enter a separate Zoom meeting for an Executive Session, and then return to Regular Session.

MOTION by Ms. Triem for the Assembly to move into Executive Session to discuss Manager and Attorney Evaluations and Salaries. *Hearing no objections, the Assembly adjourned into Executive Session with Unanimous Consent.*

The Assembly moved into at Executive Session at 10:30p.m and discussed the City Manager and City Attorney's compensation package.

After returning from Executive Session, the Assembly took the following action.

MOTION by Mr. Jones for the Assembly to set the City Manager's salary at \$192,296 with a \$1,600 bonus retroactive to July 1, 2020, and asked for unanimous consent. *Hearing no objections, that motion passed by unanimous consent.*

MOTION by Mr. Jones for the Assembly to set the City Attorney's salary at \$150,529 with a \$1,600 bonus retroactive to July 1, 2020, and asked for unanimous consent. *Hearing no objections, that motion passed by unanimous consent.*

Mr. Jones explained that these bonuses were awarded to the City Manager and the City Attorney, due to the fact that the Salary Committee felt that they have gone above and beyond to provide a service to the community and the Assembly during the COVID-19 pandemic. He shared that he personally felt that Mr. Watt and Mr. Palmer have both done a tremendous job at answering their questions in a calm manner.

Mayor Weldon expressed that the bonuses are one token of the Assembly's gratitude for their services.

XV. SUPPLEMENTAL MATERIALS

A. *Senior Citizen Hardship Exemption - Marvin Letter*

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 11:00p.m.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes - December 17, 2020

MEETING NO. 2020-49: The Regular Meeting of the City and Borough of Juneau Assembly held virtually via Zoom webinar, was called to order at 5:00 p.m. by Mayor Beth Weldon.

I. ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Assembly Finance Director Jeff Rogers, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart.

II. APPROVAL OF AGENDA

Ms. Hale requested that Items A & B are swapped in order of being taken up. *Hearing no objections, the agenda was approved as amended.*

III. AGENDA TOPICS

A. PUBLIC HEARING Resolution 2931 A Resolution Amending the COVID-19 Emergency Individual Assistance Program Criteria.

This resolution adds one condition to the existing individual assistance program if a person received a grant from the CBJ housing assistance program, then the person cannot also receive a grant from the individual assistance program. This change is necessary to spread out the limited CARES Act funds remaining. The \$2M appropriation from Ordinance 2020-09(Y) remains unchanged.

The City Manager recommends the Assembly adopt this resolution.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Smith for the Assembly to adopt Resolution 2931 and asked for unanimous consent.

Ms. Gladziszewski asked to receive more financial information regarding each of the programs: how many grants have been awarded, how many are left, how much money is available, etc...

Mr. Rogers said that CBJ appropriated \$3 million for the Housing Assistance grant and \$2 million for the Individual Assistance grant. There are currently 3,000 applicants for the Housing Assistance grant, and 1,800 applicants for Individual Assistance program. To date, CBJ has awarded grants to approximately 1,000 applicants from the Housing Assistance grant program, the average award being about \$2,000. The Finance Department does not have access to exact data that shows how many applicants have been awarded and how many applications have been denied.

In regards to the Individual Assistance grant program, Mr. Rogers shared that Catholic Community Services (CCS) has indicated to them that the average award will be above \$2,000. An appropriation of \$2 million would only fund about 1,000 of the 1,800 total applicants. Approximately 800 of those applicants may not receive funding. Ms. Walker Tolles is currently waiting for approximately 40% of applicants to respond to requests for additional qualifying information.

Ms. Hale mentioned that the Assembly had recently modified the Housing Assistance Grant to award an additional \$1,000, due to the lack of applicants. She asked if CCS will continue to send the extra \$1,000 awards, or if they have stopped sending those funds. She also asked if the Assembly should take action to pull back that additional award grant. Mr. Rogers responded that the extra \$1,000 award is now the law. CCS and CBJ have continued to disburse that award amount, and it would take a modification of the ordinance to be able to disburse something less than that amount.

Ms. Hale asked if the Assembly wanted to change that law, could that be done at a meeting next week. Mr. Palmer answered that changing that criteria would require a Special Assembly meeting next week, and it would only apply to applicants who had not yet been sent a check.

Mayor Weldon said that they would likely run out of money before next week, and believes that amending the Individual Assistance program would most likely be the best course of action at this time. Mr. Rogers said that the amendment they have before them would reduce the potential identified demand for the Individual Assistance program.

Mr. Smith asked if they wanted to add more money to the Individual Assistance Program, could they do so at a Special Assembly meeting next week. Mr. Rogers said that staff could draft a de-appropriating and/or re-appropriating ordinance, they just need to be directed to do so.

Ms. Gladziszewski wanted to know what was available, and how the populations that apply for these are programs different. She wanted to know who would be most directly impacted by these changes. Mr. Rogers shared that the Finance Department has limited knowledge on the applicant

populations. Ms. Walker Tolles has suggested that approximately 50% of the applicants for the Individual Assistance program have also applied for the Housing Assistance program.

Objection by Ms. Triem. She commented that this amendment will change the eligibility for Individual Assistance, which she said was targeted at a population with higher needs than the Housing Assistance program. Ms. Triem said she would rather change the eligibility requirements for the Housing Assistance program instead.

Ms. Hale agreed with Ms. Triem's statements, saying that this program will impact Juneau's lowest income population and spoke against cutting it off at this point.

Roll Call Vote on Resolution 2931:

Ayes: Smith, Woll, Bryson, Jones, Mayor Weldon

Nays: Hughes-Skandijs, Triem, Hale, Gladziszewski

Motion passed. Five (5) Ayes, Four (4) Nays.

Ms. Gladziszewski gave Notice of Reconsideration on Resolution 2931. Ms. Gladziszewski said that she wanted to preserve the Assembly's ability to move money at a later time if they need to. Mayor Weldon noted that there will not be another Assembly meeting for a while.

B. PUBLIC HEARING Resolution 2930 A Resolution Amending the COVID-19 Extreme Hardship Business Grant Program Criteria.

This resolution contains four amendments to the existing extreme hardship program. The amendments are located in the following provisions: Year-round operations, COVID-19 Extreme Hardship, Payroll pledge, and Grant amount.

The proposed amendments provide direction to questions that have arisen since the Grant Administrator started reviewing applications. The \$2.3M appropriation from Ordinance 2020-09(U) remains unchanged.

The Deputy City Manager recommends the Assembly adopt this resolution.

Public Comment:

David Summers, a Valley resident, said that the term "year-round" is a baseless and emotional term. He believed the intent was for Juneau-owned businesses to benefit from this resolution, however a small business will never be on a 941 form, and it disqualifies some Juneau-owned businesses.

Laura Martinson, a Douglas resident, asked that they clarify the term "year-round" as being year-round operational, and explained that she is working year-round even during times that do not result in profits. She asked the Assembly to expand the parameters around this amendment, to include business who are operational on a broader spectrum.

Mr. Smith noted that Ms. Martinson currently serves on the Economic Stabilization Task Force, and asked what ESTF had to say regarding this resolution.

Ms. Martinson said that their discussion centered on what it was like to be a local year-round business owner in Juneau, in comparison to businesses that do not reside in Juneau. Many of their sole proprietors own their businesses, homes, and live in the community and pay sales tax and property taxes in Juneau. She said that the way their cash flow is scheduled, the definition of “operating” they have to be very careful quantifying that. It was assumed with the ESTF that owner draws would be included within those parameters but, in her particular case, she was not paying herself in order to meet the other cash flow needs.

Ms. Gladziszewski asked Ms. Martinson to clarify if she was speaking for or against these changes. Ms. Martinson clarified that she was speaking in favor of these changes.

Mayor Weldon said she would bring this back to Assembly for consideration and to start with she asked Mr. Rogers a question regarding the change for the housekeeping clarification on sole proprietorships and LLCs being allowed to count their draws. She said there is also an Assembly desire for this to apply to businesses that have year-round operations. She asked Mr. Rogers if there was a simple way to codify that language and intent.

Mr. Rogers said he couldn’t comment on whether or not it is appropriate to require year-round operations but for purposes of this amendment, sole proprietors would qualify under this ordinance with the amendment if they have sales but they would not qualify if they did not have sales.

Mayor Weldon said she thought it was the intent of the body to ensure they had sales and were open year round.

Assembly Action:

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Resolution 2930 and asked for unanimous consent. *Hearing no objection, Resolution 2930 was adopted by unanimous consent.*

Ms. Gladziszewski asked for clarification about the previous discussion about a Special Assembly Meeting that was possibly going to be scheduled for the following week. Mayor Weldon said that they did not have one scheduled but it appears to be the will of the body that if Mr. Rogers can get some more information to provide to them, they will likely end up having another meeting the following week. Ms. Gladziszewski thanked the Mayor since they were trying to do so much in a brief 30 minute meeting prior to the Assembly meeting as the HRC.

Ms. Triem said that she thought the Finance Director should be given some specific direction to bring back an ordinance for the Assembly’s consideration at a meeting next week. Mayor Weldon asked Mr. Rogers if that was enough direction or if he needed more specific

information. Mr. Rogers responded that while he could bring back some proposed legislation based on what was remaining the pie chart and the programs the Assembly noted they wanted to apply those funds to but he would like clarity from the Assembly as to the specific accounts from which to de-appropriate and also those programs to which they wished to appropriate funds.

MOTION by Ms. Triem to draft an ordinance that would de-appropriate unused money from JSD RALLY support, Rental Assistance, Kallaco testing, Wastewater Testing Program, and also include the COVID Testing Equipment. These funds would be re-appropriated towards the Individual Assistance Grant program.

Mr. Smith expressed interest in pausing and revisiting the extra \$1,000 award for the Housing Assistance program.

Amendment #1 by Ms. Gladziszewski. Ms. Gladziszewski spoke to the intent of her amendment, which would be to separate each de-appropriation into different ordinances, including the Business Sustainability Grant so they are five separate deappropriating/appropriating ordinances so they can pick and choose.

Mayor Weldon directed Ms. Triem to work with Mr. Palmer and Mr. Rogers to draft an ordinance to bring to the Assembly.

Hearing no objections, the motion was passed as amended by unanimous consent.

C. Recess of Special Assembly Meeting to conduct HRC Meeting

The Special Assembly meeting recessed and reconvene as the Full Assembly sitting as the Human Resources Committee to interview applicants for the Planning Commission.

HRC Chair Wade Bryson requested Mayor Weldon conduct the HRC portion of the meeting as he had just received news of a family medical emergency and had to leave the meeting.

Mayor Weldon called for a brief recess between meetings.

Mayor Weldon called the Special Assembly Human Resources Committee meeting to order at 5:35 where they interviewed the following applicants for the Planning Commission: Mandy Cole, Mike Lavine, Garrett Paul, Weston Eiler, Laura Martinson, and Paul Voelckers.

MOTION by Ms. Triem to recess into Executive Session to discuss matters which may tend to prejudice the reputation or character of any persons, specifically to deliberate on applicant qualifications for the Planning Commission. There being no objection nor anyone from the public wishing to comment on the appropriateness of entering into Executive Session, the meeting recessed into Executive Session at 6:36p.m.

The HRC returned from Executive Session at 7:36p.m.

Ms. Triem reported that the HRC met in Executive Session and debated the qualifications of Planning Commission applicants.

MOTION by Ms. Gladziszewski spoke on behalf of the HRC Chair and nominates Mandy Cole, Mike Lavine, and Paul Voelckers to serve on the Planning Commission for terms beginning January 1, 2021 and expiring December 31, 2023. *Hearing no objection, the motion passed by unanimous consent.*

Mayor Weldon noted that the Special Assembly Human Resources Committee adjourned at 7:39p.m. and she reconvened the Special Assembly meeting for the purpose of making appointments to the Planning Commission.

MOTION by Ms. Gladziszewski noted that the HRC met and forwarded the nominations of Mandy Cole, Mike Lavine, and Paul Voelckers to serve on the Planning Commission for terms beginning January 1, 2021 and expiring December 31, 2023. *Hearing no objection, the motion passed by unanimous consent.*

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. OTHER BUSINESS

Mayor Weldon noted that Ms. Hale provided a correction to her about an statement that she made during the initial part of the meeting in which she incorrectly said that they would reduce the award amount for the Individual Assistance program. She noted that she got her grants confused and she had really meant to say it was a reduction of the Housing Assistance grant program. She said that she has already alerted staff to that correction as well.

Ms. Triem noted that this is the 83rd meeting of the full Assembly during 2020. Mayor Weldon noted that the members should leave Tuesday, December 22 at noon open on their calendars for the next meeting.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 7:41p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
DRAFT Meeting Minutes – December 22, 2020

Meeting No. 2020-50: The Special Assembly Meeting of the City and Borough of Juneau Assembly was held telephonically via Zoom, and was called to order by Mayor Beth Weldon at 5:00p.m.

I. CALL TO ORDER / ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, City Attorney Robert Palmer, Assistant Municipal Attorney Sherri Layne, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, Assembly Finance Director Jeff Rogers, EOC PSC/Library Director Robert Barr,

II. APPROVAL OF AGENDA

MOTION by Ms. Hale to continue Agenda Items A through G and item I and refer them to the January 6, 2021 Assembly Finance Committee meeting for discussion.

In speaking to her motion, Ms. Hale said the effect of the motion would have them speaking to Agenda Items H and J during this meeting. Ms. Hale noted that things have been late breaking and they just discussed much of these items last week. She said that since then, federal legislation was passed that would extend the CARES Act funding deadline and that was one of the driving factors for the Assembly to meet prior to December 31, 2020. She said that will provide some relief. She said that more importantly, the Assembly has just received additional information within the last hour that would help inform their decision making process and she would prefer to wait to make those decisions after they have a chance to thoughtfully consider that and any additional information that will be forthcoming in the near future. She said that items A-G and item I would benefit from that additional time for review and the time critical pieces related to the Housing Assistance program (item H) and the Individual Emergency Assistance program (item J) would be the ones they should take up at this meeting.

Objection by Mr. Jones for purposes of amendment.

Amendment #1 by Mr. Jones, that if the President does not sign the act, that the Assembly will need to meet prior to December 31, 2020. *Hearing no objections, Amendment #1 was adopted by unanimous consent.*

Additional discussion took place regarding the timing and the referral to AFC and then eventually referring matters onto the Assembly after they've had a chance to discuss the items after receiving more information.

Hearing no objections, the agenda was approved as amended.

III. SPECIAL ORDER OF BUSINESS

Municipal Clerk Beth McEwen provided instructions for public participation/testimony.

IV. AGENDA TOPICS

A. PUBLIC HEARING: Emergency Ordinance 2020-09(AF) An Emergency Ordinance Deappropriating \$28,400 of CARES Act Funding from a Program to Sample and Test Wastewater for COVID-19.

This emergency ordinance would deappropriate \$28,400 of CARES Act funding from a program to sample and test wastewater for COVID-19, which is anticipated to be underspent. This deappropriation would increase the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

The City Manager recommends the Assembly adopt this emergency ordinance.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

B. PUBLIC HEARING: Emergency Ordinance 2020-09(AE) An Emergency Ordinance Deappropriating \$90,000 of CARES Act Funding from a Grant to the Greater Juneau Chamber of Commerce to Administer a COVID-19 Detection Platform.

This emergency ordinance would deappropriate \$90,000 of CARES Act funding from a grant to the Greater Juneau Chamber of Commerce to administer a COVID19 detection platform, which is anticipated to be underspent. This deappropriation would increase the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

For this deappropriation, the Assembly should make its decisions based on the balance of needs in the community.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

C. PUBLIC HEARING: Emergency Ordinance 2020-09(AD) An Emergency Ordinance Deappropriating \$475,000 of CARES Act Funding from the Juneau School District for K-5 Rally Programing During COVID-19.

This emergency ordinance would deappropriate \$475,000 of CARES Act funding from the Juneau School District for K-5 Rally programing during COVID-19, which is anticipated to be underspent. This deappropriation would increase the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

The City Manager recommends the Assembly adopt this emergency ordinance.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

D. PUBLIC HEARING: Emergency Ordinance 2020-09(AC) An Emergency Ordinance Deappropriating \$500,000 of CARES Act Funding from Phase 1 of a COVID-19 Business Sustainability Grant Program.

This emergency ordinance would deappropriate \$500,000 of CARES Act funding from Phase 1 of the COVID-19 Business Sustainability Grant Program, which is anticipated to be underspent. This deappropriation would increase the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

The City Manager recommends the Assembly adopt this emergency ordinance.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

E. PUBLIC HEARING: Emergency Ordinance 2020-09(AG) An Emergency Ordinance Deappropriating \$700,000 of CARES Act Funding from COVID19 Testing Equipment to be Operated by Bartlett Regional Hospital.

This emergency ordinance would deappropriate \$700,000 of CARES Act funding from COVID-19 testing equipment to be operated by Bartlett Regional Hospital.

This funding was originally appropriated from the CARES Act Special Revenue Fund, however the Assembly will have the opportunity to reappropriate the funds for the purchase of the testing equipment from Bartlett Regional Hospital's CARES Act funding with Emergency Appropriation Resolution 2933. This deappropriation would increase the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

For this deappropriation, the Assembly should make its decisions based on the balance of needs in the community.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

F. PUBLIC HEARING: Resolution 2933 An Emergency Appropriation Resolution Appropriating \$700,000 for COVID-19 Testing Equipment to be Operated by Bartlett Regional Hospital; Funding Provided by Bartlett Regional Hospital's CARES Act Funding.

This emergency appropriation resolution would appropriate \$700,000 for the purchase of testing equipment to expand the capacity of local testing for COVID19. The purchase of equipment was already authorized under Ordinance 201906(AI), however this resolution would reappropriate the funds for the equipment from CBJ's CARES Act funding to Bartlett Regional Hospital's CARES Act funding. Emergency Ordinance 2020-09(AG) would deappropriate the funds from CBJ's CARES Act funding, increasing the balance of unobligated funds available in the CARES Act Special Revenue Fund.

This ordinance is necessary to maximize CBJ's allocation of CARES Act funding for utilization in other programs with need.

The City Manager recommends the Assembly adopt this emergency resolution.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

G. PUBLIC HEARING, Resolution 2934: An Emergency Appropriation Resolution Appropriating up to \$2,000,000 to the COVID-19 Housing Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

In light of the deappropriation action taken at tonight's meeting, the Assembly has financial capacity to approve a supplemental appropriation for the Housing Assistance Program. If federal legislation extends the December 30 CARES Act deadline, then the Grant Administrator likely has capacity to process a supplemental appropriation. Approximately 3000 people have applied for this program, and the existing \$3M appropriation is likely to provide grants to 1049 applicants. With every additional \$100,000, approximately 39 more applicants receive a grant. Staff has proposed a supplemental appropriation of \$1.2M, which would provide grants for about 468 more households.

The Assembly should make this appropriation in accordance with its determination on community needs.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

H. PUBLIC HEARING: Resolution 2932 A Resolution Amending the COVID-19 Housing Assistance Grant Program Criteria.

In response to the high demand for both the Housing Assistance Program and the Individual Assistance Program, this resolution would repeal the \$1000 grant increase authorized by Resolution 2925. This change is necessary to spread out the limited CARES Act funds remaining for both programs. The \$3M appropriation from Emergency Appropriation Resolution 2912(b) remains unchanged.

The City Manager does not have a recommendation for Assembly Action on this resolution.

Public Comment:

None.

Assembly Action:

MOTION by Mr. Woll for the Assembly to adopt Resolution 2932 and asked for a “No” vote.

Objection by Ms. Gladyszewski for purposes of a question. Ms. Gladyszewski asked if any changes made to the resolution would only apply to the remaining undisbursed funds.

Mr. Rogers was having some technical difficulties so Ms. Cosgrove answered that any changes would only apply to grant payments that have not yet been disbursed and that she believes the remaining amount is just under \$700,000. Mr. Rogers confirmed that approximately \$2.3 million has been disbursed, which represents roughly 1,000 to 1,200 applications which have received grant awards.

Mayor Weldon asked Ms. Walker-Tolles if it would be helpful for CCS if the Assembly were to repeal the additional \$1,000 award or if they would prefer to leave it. Ms. Walker-Tolles said that she felt it was a little late in the game to change that. She expressed concern about changing the award amount for the remaining 200 applicants, and shared that members of the public feel that doing so would be inequitable and unfair. She said that it is possible to make those changes if the Assembly chose to do it.

Mr. Smith asked if the Assembly were to make this change, how many more households would be able to receive awards as a result. Ms. Walker-Tolles said that approximately 134 additional people would be able to receive awards, however that number can vary based on the size of the benefits and how many people apply for both housing and utility benefits.

Ms. Triem asked for Ms. Walker-Tolles to clarify if the \$1,000 award had been disbursed yet to applicants. Ms. Walker-Tolles clarified that every applicant that has already received the Housing Assistance benefit so far has also received the additional \$1,000 award. Ms. Triem said that she does not want to change the rules halfway through the process, and shared that she will be voting against this resolution.

Mr. Smith asked Ms. Walker-Tolles to explain what the scenario would look like if the Assembly chose to limit the extra \$1,000 award to extend benefits to more households.

Ms. Walker-Tolles explained that CCS has authorized Housing Assistance benefits for 834 households, and said that if they were to expand the Housing Assistance to other households, it would then disqualify those applicants from receiving Individual Assistance benefits. If the Assembly did not make any changes to the Housing Assistance program, Ms. Walker-Tolles said that the Individual Assistance program currently has enough funds to provide benefits for approximately 975 applicants. If the Assembly were to reduce the amount of the Housing Assistance benefit from \$2,500 to \$1,500, she said that approximately \$18,000 would not be expended. She also shared that 928 applicants would receive a benefit despite the funds not being entirely expended.

Ms. Hale spoke to the frustration expressed by the public regarding the potential change in the process, and the early closure of applications. She described her intent as wanting to watch this process play out before making a definitive decision, and appreciated the numbers and estimates provided by Ms. Walker-Tolles.

Ms. Gladziszewski shared that she felt this process was going really fast, and noted that there is more demand for assistance than what the Assembly had initially thought. She said that if the goal is to get more money to more people, then her understanding is that they should reduce the amount to allow for 220 more families to receive benefits. Ms. Gladziszewski said that she understood that this process would not be as fair as they would have hoped, but explained that the Assembly makes decisions based on the information provided to them. She spoke in favor of this resolution, given the information she has been given at this moment.

Mayor Weldon referenced Ms. Gladziszewski's comment that without this change, 220 people would not receive benefits from the Housing Assistance program; and asked Ms. Walker-Tolles if there is still \$700,000 available to go towards providing benefits to those applicants.

Ms. Walker-Tolles said that CCS has issued 834 grants so far, amounting to a total of \$2,647,000. They have 135 grants ready to be issued. If the program is capped at a \$3,000 maximum that would amount to \$376,000, to which CCS would add 80 additional grants after that. If there is no change to the program, Ms. Walker-Tolles said there would be 210 applicants who would receive a benefit. According to her calculations, they could potentially add another 220 applicants to spread the money out. She said that the grand total would be 1,269 people who would receive a benefit, as opposed to 1,049 applicants.

Ms. Woll spoke to her "No" vote, saying that while she wants to see the largest amount of people receive benefits, she said that this is an arbitrary decision on who receives an additional \$1,000 over who does not. Ms. Walker-Tolles clarified that CCS is addressing applications within a "first come, first served" basis, and said that doing so is one of the challenges of administering this program.

Mayor Weldon shared that this is a tough decision, and spoke in support of keeping the \$1,000 in place and asked the Clerk to proceed with the roll call vote.

Ms. Hughes-Skandijs noted that she was bumped off the meeting due to technical difficulties and asked for clarification on the vote. Mayor Weldon noted that they are voting on the motion to adopt Resolution 2932 and the effect of a yes vote would be to repeal the \$1,000 additional amount and a no vote would leave it in place.

Roll Call Vote on Resolution 2932:

Ayes: Bryson, Hughes-Skandijs, Gladziszewski, Smith.

Nays: Woll, Hale, Jones, Triem, Mayor Weldon.

Motion failed. Four (4) Ayes, Five (5) Nays.

I. PUBLIC HEARING, Resolution 2935: An Emergency Appropriation Resolution Appropriating up to \$2,000,000 to the COVID-19 Emergency Individual Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

In light of the deappropriation action taken at tonight's meeting, the Assembly has financial capacity to approve a supplemental appropriation for the Individual Assistance Program. If federal legislation extends the December 30 CARES Act deadline, then the Grant Administrator likely has capacity to process a supplemental appropriation. Approximately 1800 people have applied for this program, and approximately 50% also applied for the Housing Assistance Program.

The current \$2 million appropriation is estimated to provide grants for 975 applicants. Approximately 33 applicants remain eligible for Individual Assistance, but there are insufficient funds. Staff has proposed a supplemental appropriation of \$100,000, which should cover the grants for those 33 applicants.

The Assembly should make this appropriation in accordance with its determination on community needs.

This item was referred to the January 6, 2021 Assembly Finance Committee during Agenda Changes.

J. Potential Reconsideration, Resolution 2931: A Resolution Amending the COVID-19 Emergency Individual Assistance Program Criteria.

The Assembly adopted this resolution on December 17, 2020. However, during that meeting, notice of reconsideration was given, which suspended the adoption of this resolution until the next regular Assembly meeting (1/4/21). If desired, the Assembly may take up reconsideration tonight or it could wait until the next regular Assembly meeting.

Ms. Gladziszewski said that when she gave notice of reconsideration, she was moving to reconsider her previous vote on this resolution. She said that she doesn't know that this being brought up is proper at this time and she and the attorney don't entirely agree on the procedural rules for this. She said that the rules state that the matter will be brought up at the next regular Assembly meeting and it is up to her discretion to bring it up prior to the end of the next regular Assembly meeting and if she doesn't move it to the Assembly for action, it sits in limbo until then.

Additional discussion took place to provide clarification regarding the resolution itself and Mr. Palmer provided a brief synopsis of what had occurred at the December 17 Special Assembly meeting about this resolution. An at-ease was taken and the meeting resumed at 5:47p.m.

MOTION by Ms. Gladziszewski for the Assembly to take up reconsideration of the action on Resolution 2931 which would determine if an applicant would be eligible to receive funding from both the Housing Assistance grant and the Individual Assistance grant.

Mayor Weldon stated that a reconsideration vote requires six votes to go forward. Mr. Palmer provided correction that in this instance, the motion for reconsideration would only require five Assembly votes to pass. He also noted that if the motion to reconsider passes, they would pick up

the discussion at the point just prior to taking the vote on the motion as it was before the Assembly at the December 22 Special Meeting on Thursday of the previous week.

Ms. Gladziszewski spoke to her motion to reconsider the resolution. She spoke in favor of revisiting the discussion of the issue due to the fast paced action that was taking place last week. She explained that there will be two votes: one vote to reconsider the motion, and one vote on the topic itself.

Ms. Hughes-Skandijs spoke in favor of reconsideration. She agreed with Ms. Gladziszewski's comment of multiple fast-moving meetings, and would like to take some time to revisit this resolution.

Ms. Triem spoke in support of reconsideration, saying that it would allow for more time to discuss and refer to AFC.

Ms. Hale asked if the Assembly were to reconsider this, would they bring it up at tonight's meeting or would they refer it to AFC meeting.

Mr. Palmer said that if the reconsideration vote passed, the Assembly have the option to refer it to the AFC meeting or to take it up for action at this meeting.

Objection by Mr. Bryson.

Roll Call Vote on Reconsideration of Resolution 2931:

Ayes: Woll, Smith, Hughes-Skandijs, Hale, Triem, Gladziszewski, Mayor Weldon.

Nays: Bryson, Jones.

Motion passed. Seven (7) Ayes, Two (2) Nays.

Ms. Gladziszewski asked Mr. Palmer to provide an explanation of exactly where in the process this vote put them with respect to the vote on the resolution at the previous meeting. Mr. Palmer explained that by voting in favor of reconsideration, it nullified the previous vote on the adoption of Resolution 2931 and it took the process back to just before the vote on the motion was taken but the motion remained on the floor.

Mayor Weldon asked him to clarify if they can take up a discussion on whether to act on this tonight or to refer it to the AFC on January 6. Mr. Palmer explained that they Assembly has those options. He went on to explain the consequences of those two options. Unless the Assembly chooses to do something different, the program could start dolling out grants tomorrow or whenever. If the Assembly wanted to move this to the AFC, someone would need to make that motion to refer it to AFC and indicate whether or not they want the program to be active or not.

Additional discussion took place from members about process and potential options.

Mr. Palmer said that what makes this process a little unusual is that the underlying program has already been adopted, it has criteria and it is ready to go so the motion to amend the program through this resolution is what they are considering.

Mr. Smith asked if he could make a motion to refer this to AFC and pause the program until January. Mr. Palmer explained that Mr. Smith could make a motion to stay the program and refer this to AFC. Additional discussion took place regarding the process as well as what the effect of referring it to committee or to take action would look like with respect to the numbers of individual awards and whether the program would be paused or it would be able to move forward.

Mayor Weldon asked the Clerk read the motion that was on the table from the December 17, 2020 Special Assembly meeting. Ms. McEwen read the motion before the body as follows: **MOTION by Mr. Smith for the Assembly to adopt Resolution 2931 A Resolution Amending the COVID-19 Emergency Individual Assistance Program Criteria.**

She noted that motion passed on a vote of 5 Ayes and 4 Nays.

Mayor Weldon asked Mr. Palmer to explain the easiest way for the Assembly to go through this process. Mr. Palmer suggested one of the ways the Assembly could process was to have Mr. Smith withdraw his original motion, if it is the will of the Assembly. Another option would be to leave his motion, and have one of the Assemblymembers make amendments to it as needed. Mayor Weldon asked Mr. Smith if he wanted to leave his motion on the floor and if anyone had amendments, they could make those. Mr. Smith agreed to that approach. Mayor Weldon noted the following motion was on the floor for Assembly action and she asked that Ms. Walker-Tolles be brought over for questions and to provide any additional information members were asking.

MOTION by Mr. Smith for the Assembly to adopt Resolution 2931.

Objection by Ms. Hale. Ms. Hale spoke to her objection, saying that CBJ staff have identified potential additional funding sources that could cover the Individual Assistance grant program. She said that the Assembly does have the money available, it just would take some time to rearrange that funding, which she said they could do at the AFC meeting. Ms. Hale addressed the need in the community for assistance, and advocated for providing benefits for those who receive the lowest income, and objected against adding conditions to dispersing those benefits.

Mr. Smith asked Ms. Walker-Tolles to clarify how many total applications had been received for the Individual Assistance Grant Program. Ms. Walker-Tolles reported that the Individual Assistance Grant program received over 2,000 applications to date, with potentially more.

Mr. Smith asked if the \$2 million appropriated to the program would be able to provide benefits to 975 applicants, as she previously stated. Ms. Walker-Tolles confirmed that \$2 million would be able to award grants to approximately 975 applicants. Mr. Smith asked that with 2,000 applicants, CCS would need another \$2 million to provide assistance to the remaining applicants. Ms. Walker-Tolles confirmed that was correct.

Mayor Weldon asked Ms. Walker-Tolles if the Assembly were to vote for this amendment that disqualified applicants from receiving both grants, how would that affect both programs. Ms. Walker-Tolles said that would result in half of those 975 applicants who received Individual Assistance benefits would be those who did not receive Housing Assistance benefits.

Mr. Smith asked Ms. Walker-Tolles when CCS would be able to process all of the Housing Assistance applications. Ms. Walker-Tolles said that CCS would be ready to disperse benefits within the next two days, and they will be immediately ready to process Individual Assistance grants.

Ms. Woll referenced Ms. Hale's comment that the Individual Assistance Program is targeting the neediest in the community. She asked Ms. Walker-Tolles if she feels that there are more lower-income applicants to the Individual Assistance Program compared to the Housing Assistance Program. Ms. Walker-Tolles explained that is difficult to define, as the Housing Assistance Program is not divided into income thresholds like the Individual Assistance Program.

Mr. Smith said that the Individual Assistance Program was closed after six days. He asked Ms. Walker-Tolles if there was still demand after the closure, and if members of the public had reached out to her regarding the closure. Ms. Walker-Tolles said that there was far more demand after the program closed, and that people continue to submit their applications via email and at drop-box locations. CCS currently has a message on their website that states, "Due to high demand, we have closed the application period as per the City and Borough of Juneau". She shared that there was continued interest, and they could have taken many more applications. Those who applied afterwards were deemed ineligible for the program due to applying past the application date.

Ms. Gladziszewski asked if the Assembly decided to take action in January action to appropriate more funds to the Individual Assistance Program, would she have a pile of applications that the Assembly could award benefits to. Ms. Walker-Tolles said it would depend on whether or not the Housing Assistance Program would disqualify applicants to the Individual Assistance Program.

Ms. Woll asked Ms. Walker-Tolles what her recommendation would be if the Assembly's goal was to provide assistance to the largest amount of people possible. Ms. Walker-Tolles said her recommendation depends entirely on the Assembly's intent to add more funding at a later point in time. If the Assembly wanted to add more funding towards the program in January, she urged that they do not prohibit Housing Assistance exclusion, so that lower-income applicants can be eligible for benefits. If the Assembly is not confident that they would want to add money to the Individual Assistance Program at a later point in time, Ms. Walker-Tolles would urge them to pass the Housing Assistance exclusion so that they can ensure that more lower-income applicants can receive some assistance.

Ms. Walker-Tolles had a request for the Assembly. If this program needs to be closed out by December 30, 2020, she requested the Assembly to make a modification reducing the length of time that applicants have to respond to questions from CCS. Currently applicants are given five days to respond, and including winter holidays, that pushes the response time past January 1, 2021. Ms. Walker-Tolles asked the Assembly shorten the response time to three calendar days.

Mr. Smith withdrew his original motion.

MOTION by Mr. Smith to discuss a resolution potentially limiting the Individual Assistance program to those who have received Housing Assistance grants until the AFC meeting on January 6, 2021. He also moved to pause the Individual Assistance Program until the Assembly has had a chance to discuss it further at AFC.

Objection by Ms. Hale. Ms. Hale argued that the Assembly has discussed this endlessly, and they have people in the community who are in need of assistance right now, and Assembly needs to take a vote on it.

Mr. Bryson shared that his initial vote on this motion was to split the programs and deny applicants from receiving both grants. However, over the last week he has seen more stress and heartache in the most vulnerable population, particularly during Christmastime, and said that his position has changed. Mr. Bryson said that he wants to help those people immediately, and described withholding these funds to the neediest members of our community until after Christmas would be a mean thing for the Assembly to do.

Ms. Gladziszewski spoke against this motion for similar reasons stated by Ms. Hale and Mr. Bryson, and would rather the Assembly decide now.

Mr. Smith spoke to his motion. Mr. Smith explained that this motion would allow the Assembly to actually receive information, analyze it, develop a good program, and figure out where it should go before acting fast. He also believes that they have artificially capped the need by closing the program after six days, and that there is a lot of people who should have applied but were excluded by the closure. Mr. Smith said that they could create a well thought-out program that could benefit the most people who have the most need, but moving too quickly could exclude many people in need.

Ms. Hughes-Skandijs spoke against the motion, specifically against making people wait. She said that the Assembly has left applicants to wait until the last minute to have their needs addressed, and is now considering having them wait even longer. For all of those reasons, she spoke in support of letting this program continue.

Roll Call Vote on Referring Resolution 2931 to AFC and Pausing the Program:

Ayes: Smith, Woll.

Nays: Bryson, Hughes-Skandijs, Gladziszewski, Hale, Jones, Triem, Weldon.

Motion failed. Two (2) Ayes, Seven (7) Nays.

MOTION by Ms. Gladziszewski for the Assembly to adopt Resolution 2931, and asked for a “No” vote.

Ms. Gladziszewski spoke to her request for a “No” vote, saying that she hoped that more money would be available in January to put towards this program and provide assistance to lower-income members in our community.

Ms. Woll asked Ms. Walker-Tolles to verify that they need \$2 million to fund the program. Ms. Walker-Tolles said if the Assembly choose to exclude those who received funding from the Housing Assistance Program, \$2 million would be adequate to cover the funds of awarding

grants to all applicants. If the Assembly decides not to exclude those who applied to Housing Assistance Program, the Individual Assistance Program would need an additional \$2 million to fund for the awards for remaining applicants.

Objection by Mayor Weldon for purposes of an amendment.

Amendment #1 by Mayor Weldon to change Page 2 of the resolution the language stating “five working days to cure” to “three working days to cure”. This amendment is in response to Ms. Walker-Tolles’ request.

Ms. Hughes-Skandijs spoke to Ms. Walker-Tolles regarding the application deadline and the procurement period. She asked Ms. Walker-Tolles when CCS would resume contacting applicants to request for information. Ms. Walker-Tolles said that CCS would resume contacting applicants as early as tomorrow morning.

Objection by Mr. Jones. Mr. Jones said he does not feel that it is the will of the Assembly to pass this resolution.

Ms. Walker-Tolles shared that she received direction from City Management today to stick to the December 31, 2020 deadline. Mr. Watt said that CBJ staff did send an email of that nature to CCS, as well as a number of other entities.

Ms. Gladziszewski mentioned that she would consider making an amendment to reflect that date change to December 31, 2020.

Mayor Weldon asked Mr. Palmer if there would be a way to cure the five working days to three working days if this resolution were to fail to pass. Mr. Palmer said that there will need to be another amendment to remove the disqualification language.

Objection by Ms. Hughes-Skandijs. She shared that she would rather give applicants five days to respond, considering the holiday season.

Objection by Ms. Triem.

Roll Call Vote on Amendment #1:

Ayes: Woll, Bryson, Hale, Jones, Mayor Weldon.

Nays: Smith, Gladziszewski, Hughes-Skandijs, Triem.

Motion passed. Five (5) Ayes, Four (4) Nays.

Amendment #2 by Ms. Gladziszewski to delete “...or until December 30, 2020.” at the end of Section (G) to where the language ends at “...exhausted.”

Objection by Mayor Weldon. Mayor Weldon said that the Assembly should let this program play out to accurately understand the data involved, and not let it go on indefinitely.

Ms. Gladziszewski spoke to her motion. She agreed with the Mayor that they should let the program play out, but she did not want the program to play out until December 30. She would

like for this to play out until funds are expended, which she hoped will still be sometime in January 2021.

Roll Call Vote on Amendment #2:

Ayes: Bryson, Hughes-Skandijs, Gladziszewski, Hale, Jones, Smith, Triem, Woll.

Nays: Mayor Weldon.

Motion passed. Eight (8) Ayes, One (1) Nay.

Amendment #3 by Ms. Gladziszewski to delete Section (C)(5) from Page 2 of the Resolution.

Ms. Gladziszewski spoke to her amendment. She said that they have imperfect information, and argued that they should avoid making drastic changes during the middle of the process.

Objection by Mayor Weldon. Mayor Weldon said that if there were to remove this piece of the resolution, then they would not be providing as many funds as they possibly could to the largest amount of people in need.

Roll Call Vote on Amendment #3:

Ayes: Bryson, Hughes-Skandijs, Gladziszewski, Hale, Jones, Triem, Woll.

Nays: Smith, Mayor Weldon.

Motion passed. Seven (7) Ayes, Two (2) Nays.

Mayor Weldon called for the vote on the motion to adopt Resolution 2931 as amended.

Objection by Ms. Hale for purposes of a question. She asked Mr. Palmer to clarify that if this resolution as amended was adopted if the previous Assembly action would still be viable. Mr. Palmer confirmed that was correct.

Hearing no objections, Resolution 2931, as amended, was adopted by unanimous consent.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

With no further business to come before the Assembly, the meeting was adjourned at 6:57p.m.

Signed: _____

Elizabeth J. McEwen
Municipal Clerk

Signed: _____

Beth A. Weldon
Mayor

Presented by: The Manager
Introduced: February 8, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AN)

An Ordinance Appropriating \$75,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the Alaska Mental Health Trust Authority.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$75,000 to operate a youth shelter and rapid rehousing facility.

Section 3. Source of Funds

Alaska Mental Health Trust Authority	\$75,000
--------------------------------------	----------

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



3745 Community Park Loop, Suite 200
Anchorage, AK 99508
Tel 907.269.7960
www.mhtrust.org

February 1, 2021

Jorden Nigro, Deputy Director
City and Borough of Juneau
155 S Seward St
Juneau, Alaska 99801-1332

RE: Runaway and Homeless Youth Shelter and Rapid Rehousing (FY21)

Dear Ms. Nigro,

Congratulations! Your proposal to the Alaska Mental Health Trust Authority (the Trust) was approved for funding on January 31, 2021. The Trust approved the grant amount of \$75,000.00 for the Runaway and Homeless Youth Shelter and Rapid Rehousing project.

We will be sending you a grant agreement to review by Monday February 22 which will include the project performance measures, reporting requirements, and payment schedules. Please use this letter with other funding sources as confirmation of the Trust's commitment.

Again, congratulations. On behalf of the Trustees, thank you for taking the time to develop this proposal to assist beneficiaries of the Trust.

Please contact me by email at lucas.lind@alaska.gov or by phone at 907-269-7999 with any questions regarding this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lucas Lind".

Lucas Lind
Grants Administrator
Alaska Mental Health Trust Authority

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
GENERAL OBLIGATION BONDS, 2021

Serial No. 2021-02

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES TO PROVIDE NOT TO EXCEED \$22,000,000 IN NET PROCEEDS; AND PROVIDING FOR THE FORM AND TERMS OF THE BONDS AND FOR UNLIMITED TAX LEVIES TO PAY THE BONDS.

Approved: March 1, 2021

Prepared by:

K&L GATES LLP
Seattle, Washington

City and Borough of Juneau, Alaska
Ordinance Serial No. 2021-02
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* This Table of Contents and the cover page are provided for convenience only and are not a part of this ordinance.

Presented by: The Manager
Introduced: 02/08/21
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-02

An Ordinance Providing for the Issuance and Sale of General Obligation Bonds in One or More Series to Provide Not to Exceed \$22,000,000 in Net Proceeds; and Providing for the Form and Terms of the Bonds and for Unlimited Tax Levies to Pay the Bonds.

WHEREAS, at the regular municipal election held on October 1, 2019, pursuant to Ordinance Serial No. 2019-35(c)(am), the Home Rule Charter of the City and Borough, and other resolutions and ordinances of the City and Borough, the qualified electors approved the issuance of general obligation bonds in the principal amount of not to exceed \$7,000,000 (the “Centennial Hall Bond Authorization”); and

WHEREAS, at the regular municipal election held on October 6, 2020, pursuant to Ordinance Serial No. 2020-40(b)(am), the Home Rule Charter of the City and Borough, and other resolutions and ordinances of the City and Borough, the qualified electors approved the issuance of general obligation bonds in the principal amount of not to exceed \$15,000,000 (the “Municipal Infrastructure Bond Authorization,” and together with the Centennial Hall Bond Authorization, the “Bond Authorizations”); and

WHEREAS, it is deemed necessary and advisable and in the best interests of the City and Borough and its inhabitants that the City and Borough issue the Bond Authorizations in one or more series in the principal amount of not to exceed \$22,000,000; and

WHEREAS, the Assembly finds that it is in the best interest of the City and Borough to sell the bonds herein authorized to RBC Capital Markets, LLC (the “Underwriter”) on the terms and conditions set forth herein and in the bond purchase agreement(s) between the City and Borough and the Underwriter, as authorized by this ordinance;

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Definitions. As used in this ordinance, the following words shall have the following meanings:

Assembly means the Assembly of the City and Borough of Juneau, Alaska as the same shall be duly and regularly constituted from time to time or any successor body.

Beneficial Owner means the beneficial owner of all or a portion of a Bond while such Bond is in fully immobilized form.

Bond Authorizations means the Centennial Hall Bond Authorization and the Municipal Infrastructure Bond Authorization.

Bond Fund means the “Debt Service Fund” of the City and Borough maintained pursuant to this ordinance.

Bond Purchase Agreement means the purchase agreement relating to each series of Bonds between the City and Borough and the Underwriter authorized to be entered into pursuant to Section 13 of this ordinance.

Bond Register means the registration books for the Bonds, maintained by the Bond Registrar, for the purpose of complying with the requirements of Section 149 of the Code and listing, inter alia, the names and addresses of all registered owners of the Bonds.

Bond Registrar means the financial institution selected by the City Manager or his/her designee as provided in Section 4 of this ordinance, for the purposes of registering and authenticating the Bonds, maintaining the Bond Register, and paying the principal of and interest on the Bonds.

Bonds means the City and Borough of Juneau, Alaska General Obligation Bonds, 2021[A/B] authorized to be issued pursuant to this ordinance in one or more series.

Bond Year means each one-year period that ends on the date selected by the City and Borough. The first and last Bond Years may be a shorter period. If no day is selected by the City and Borough before the earlier of the final maturity date of the Bonds or the date that is five years after the date of issuance of the Bonds, Bond Years end on each anniversary of the date of issue and on the final maturity date of the Bonds.

Centennial Hall Bond Authorization means the \$7,000,000 principal amount of bonds authorized to be issued by the City and Borough pursuant to Ordinance Serial No. 2019-35(c)(am).

City and Borough means City and Borough of Juneau, Alaska, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska.

City and Borough Representative means the City Manager or such other official or employee of the City and Borough designated in writing by the City Manager.

City Manager means the city manager or interim city manager of the City and Borough.

Code means the federal Internal Revenue Code of 1986, as amended from time to time, and the applicable regulations thereunder.

Construction Funds means the funds maintained pursuant to Section 10 of this ordinance, into which shall be deposited the Bond proceeds, other than accrued interest.

DTC means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, as depository for the Bonds pursuant to Section 4 hereof.

Finance Director means the director or interim director of the finance department of the City and Borough.

Financial Advisor means PFM Financial Advisors LLC.

Government Obligations means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America and bank certificates of deposit secured by such obligations.

Letter of Representations means a blanket issuer letter of representations from the City and Borough to DTC.

MSRB means the Municipal Securities Rulemaking Board or any successor to its functions.

Municipal Infrastructure Bond Authorization means the \$15,000,000 principal amount of bonds authorized to be issued by the City and Borough pursuant to Ordinance Serial No. 2020-40(b)(am).

Net Proceeds, when used with reference to a series of Bonds, means the principal amount of such series of Bonds, plus accrued interest and original issue premium, if any, and less original issue discount.

Official Statement means the Official Statement of the City and Borough pertaining to the sale of such series of Bonds, in either preliminary or final form.

Private Person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company or corporation.

Private Person Use means the use of property in a trade or business by a Private Person if such use is other than as a member of the general public. Private Person Use includes ownership of the property by the Private Person as well as other arrangements that transfer to the Private Person the actual or beneficial use of the property (such as a lease, management or incentive payment contract or other special arrangement) in such a manner as to set the Private Person apart from the general public. Use of property as a member of the general public includes attendance by the Private Person at municipal meetings or business rental of property to the Private Person on a day-to-day basis if the rental paid by such Private Person is the same as the rental paid by any Private Person who desires to rent the property. Use of property by nonprofit community groups or community recreational groups is not treated as Private Person Use if such use is incidental to the governmental uses of property, the property is made available for such use by all such

community groups on an equal basis and such community groups are charged only a de minimis fee to cover custodial expenses.

Projects means the capital improvements which are specified in Section 3 of Ordinance Serial No. 2019-35(c)(am) and Section 3 of Ordinance Serial No. 2020-40(b)(am) of the City and Borough.

Record Date means the close of business on the 15th day prior to each day on which a payment of interest on the Bonds is due and payable.

Registered Owner means the person in whose name ownership of a Bond is identified in the Bond Register. For so long as the Bonds are held in book-entry only form, DTC shall be deemed to be the sole Registered Owner.

Registrar Agreement means the agreement between the City and Borough and the Bond Registrar entered into pursuant to Section 4 of this ordinance.

Rule means the SEC's Rule 15c2-12 under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SEC means the United States Securities and Exchange Commission.

Term Bonds mean the portion of such series of Bonds, if any, designated as "Term Bonds" in the Bond Purchase Agreement for such series of Bonds.

Underwriter means RBC Capital Markets, LLC.

Interpretation and Rules of Interpretation.

(a) Unless the context otherwise indicates, words expressed in the singular shall include the plural and vice versa and the use of the neuter, masculine, or feminine gender is for convenience only and shall be deemed to mean and include the neuter, masculine or feminine gender, as appropriate.

(b) Headings of articles and sections herein and the table of contents hereof are solely for convenience of reference, do not constitute a part hereof and shall not affect the meaning, construction or effect hereof.

(c) All references herein to "Articles," "Sections" and other subdivisions are to the corresponding Articles, Sections or subdivisions of this ordinance; the words "herein," "hereof," "hereby," "hereunder" and other words of similar import refer to this ordinance as a whole and not to any particular Article, Section or subdivision hereof.

Section 3. Authorization of Bonds. For the purpose of financing the Projects as authorized by the Centennial Hall Bond Authorization and the Municipal Infrastructure Bond Authorization and paying the costs of issuance of such bonds, the City and Borough shall issue its general obligation bonds in the aggregate principal amount of not to exceed \$22,000,000 but in any event providing no more than \$22,000,000 in net proceeds (principal amount plus premium, if any, less costs of issuance) (the “Bonds”). The Bonds shall be dated as of the date of initial delivery, shall be fully registered as to both principal and interest, shall be in denominations of \$5,000 each, or any integral multiple thereof, provided that no Bond of any series shall represent more than one maturity, shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification, and shall bear interest from their date payable on the dates and rates set forth in the respective approved Bond Purchase Agreement, and shall come due on the dates set forth in the Bond Purchase Agreement of the following years in the following estimated aggregate principal installments:

Maturity Year	Principal Amount*
2025	\$ 190,000
2026	675,000
2027	740,000
2028	985,000
2029	1,075,000
2030	1,165,000
2031	1,600,000
2032	1,725,000
2033	1,850,000
2034	2,090,000
2035	2,685,000
2036	2,835,000

Total: \$17,615,000*

* Principal maturities do not add to \$22,000,000, in anticipation of selling Bonds with original issue premium, generating not more than \$22,000,000 in net proceeds.

If the Bonds are sold in more than one series, the principal maturities of a series shall be applied to reduce the foregoing schedule as provided in the resolution approving the sale of that series; provided that in the aggregate the foregoing estimated principal amounts in any year are increased or decreased by no more than 15%, and *provided, further*, in the aggregate, the Bonds shall be issued in principal amounts that provide no more than \$22,000,000 (principal amount plus premium, if any, less costs of issuance) in net proceeds or \$22,000,000 in principal amount, whichever is less.

Section 4. Registration, Exchange and Payments.

(a) *Bond Registrar/Bond Register.* The City Manager or his/her designee is hereby authorized and directed to solicit proposals from and select a financial institution to act as authenticating agent, paying agent and bond registrar for each series of Bonds (the “Bond Registrar”) and to enter into a Registrar Agreement with the Bond Registrar pursuant to which the Bond Registrar will perform the duties specified for the Bond Registrar under this ordinance and hold and invest certain funds (Bond proceeds and debt service money) from time to time. The form of the Registrar Agreement shall be subject to the approval of the City and Borough Representative, which approval shall be presumed upon the execution thereof by the City and Borough Representative. So long as any Bonds of a series remain outstanding, the Bond Registrar shall make all necessary provisions to permit the exchange or registration of transfer of such series of Bonds at its principal corporate trust office. The Bond Registrar may be removed at any time at the option of the City and Borough Representative upon prior notice to the Bond Registrar, DTC, each entity entitled to receive notice pursuant to Section 14, and a successor Bond Registrar appointed by the City and Borough Representative. No resignation or removal of the Bond Registrar shall be effective until a successor shall have been appointed and until the successor Bond Registrar shall have accepted the duties of the Bond Registrar hereunder. The Bond Registrar is authorized, on behalf of the City and Borough, to authenticate and deliver such series of Bonds transferred or exchanged in accordance with the provisions of such series of Bonds and this ordinance and to carry out all of the Bond Registrar’s powers and duties under this ordinance. The Bond Registrar shall be responsible for its representations contained in the Certificate of Authentication on such series of Bonds.

(b) *Registered Ownership.* The City and Borough and the Bond Registrar, each in its discretion, may deem and treat the Registered Owner of each Bond of a series as the absolute owner thereof for all purposes (except as provided in Section 14 of this ordinance), and neither the City and Borough nor the Bond Registrar shall be affected by any notice to the contrary. Payment of any such Bond of a series shall be made only as described in Section 4(h) hereof, but such Bond may be transferred as herein provided. All such payments made as described in Section 4(h) shall be valid and shall satisfy and discharge the liability of the City and Borough upon such Bond to the extent of the amount or amounts so paid.

(c) *DTC Acceptance/Letter of Representations.* To induce DTC to accept the Bonds as eligible for deposit at DTC, the City and Borough has executed and delivered to DTC a Letter of Representations.

Neither the City and Borough nor the Bond Registrar will have any responsibility or obligation to DTC participants or the persons for whom they act as nominees (or any successor depository) with respect to the Bonds in respect of the accuracy of any records maintained by DTC (or any successor depository) or any DTC participant, the payment by DTC (or any successor depository) or any DTC participant of any amount in respect of the principal of or interest on Bonds of a series, any notice which is permitted or required to be given to Registered Owners under this ordinance (except such notices as shall be required to be given by the City and Borough to the Bond Registrar or to DTC (or any successor depository), or any consent given or other action taken by DTC (or any successor depository) as the Registered Owner. For so long as any Bonds

of a series are held in fully-immobilized form hereunder, DTC or its successor depository shall be deemed to be the Registered Owner for all purposes hereunder (except as provided in Section 14), and all references herein to the Registered Owners shall mean DTC (or any successor depository) or its nominee and shall not mean the owners of any beneficial interest in such Bonds.

If any Bond shall be duly presented for payment and funds have not been duly provided by the City and Borough on such applicable date, then interest shall continue to accrue thereafter on the unpaid principal thereof at the rate stated on such Bond until such Bond is paid.

(d) *Use of Depository.*

(1) The Bonds shall be registered initially in the name of “CEDE & Co.”, as nominee of DTC, with one Bond maturing on each of the maturity dates for each series of Bonds in a denomination corresponding to the total principal therein designated to mature on such date. Registered ownership of such immobilized Bonds, or any portions thereof, may not thereafter be transferred except (A) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (B) to any substitute depository appointed by the City and Borough Representative pursuant to subsection (2) below or such substitute depository’s successor; or (C) to any person as provided in subsection (4) below.

(2) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by the City and Borough Representative to discontinue the system of book-entry transfers through DTC or its successor (or any substitute depository or its successor), the City and Borough Representative may hereafter appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(3) In the case of any transfer pursuant to clause (A) or (B) of subsection (1) above, the Bond Registrar shall, upon receipt of all outstanding Bonds of a series, together with a written request from the City and Borough Representative, issue a single new Bond for each maturity of such series then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the City and Borough Representative.

(4) In the event that (A) DTC or its successor (or substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (B) the City and Borough Representative determines that it is in the best interest of the Beneficial Owners of the Bonds of such series that such owners be able to obtain such Bonds in the form of Bond certificates, the ownership of such Bonds may then be transferred to any person or entity as herein provided, and shall no longer be held in fully-immobilized form. The City and Borough Representative shall deliver a written request to the Bond Registrar, together with a supply of definitive Bonds of such series, to issue Bonds of such series as herein provided in any authorized denomination. Upon receipt by the Bond Registrar of all then outstanding Bonds of such series together with a written request on behalf of the Assembly to the Bond Registrar, new

Bonds of such series shall be issued in the appropriate denominations and registered in the names of such persons as are requested in such written request.

(e) *Registration of Transfer of Ownership or Exchange; Change in Denominations.* The transfer of any Bond of a series may be registered and Bonds of such series may be exchanged, but no transfer of any such Bond shall be valid unless such Bond is surrendered to the Bond Registrar with the assignment form appearing on such Bond duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Bond Registrar. Upon such surrender, the Bond Registrar shall cancel the surrendered Bond of such series and shall authenticate and deliver, without charge to the Registered Owner or transferee therefor, a new Bond (or Bonds at the option of the new Registered Owner) of the same series, date, maturity, redemption provisions and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Bond, in exchange for such surrendered and cancelled Bond. Any Bond may be surrendered to the Bond Registrar and exchanged, without charge, for an equal aggregate principal amount of Bonds of the same series, date, maturity, redemption provisions and interest rate, in any authorized denomination. The Bond Registrar shall not be obligated to register the transfer or to exchange any Bond during the 15 days preceding the date any such Bond is to be redeemed.

(f) *Bond Registrar's Ownership of Bonds.* The Bond Registrar may become the Registered Owner of any Bond with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as member of, or in any other capacity with respect to, any committee formed to protect the right of the Registered Owners of Bonds.

(g) *Registration Covenant.* The City and Borough covenants that, until all Bonds of a series have been surrendered and cancelled, it will maintain a system for recording the ownership of each Bond of such series that complies with the provisions of Section 149 of the Code.

(h) *Place and Medium of Payment.* Both principal of and interest on each series of Bonds shall be payable in lawful money of the United States of America. Interest on each series of Bonds shall be calculated on the basis of a 360-day year and twelve 30-day months. For so long as all Bonds of a series are in fully immobilized form, payments of principal and interest shall be made as provided to the parties entitled to receive payment as of each Record Date in accordance with the operational arrangements of DTC referred to in the Letter of Representations.

In the event that such series of Bonds are no longer in fully immobilized form, interest on such series of Bonds shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Bond Register as of the Record Date, and principal of such series of Bonds shall be payable upon presentation and surrender of such Bonds by the Registered Owners at the principal office of the Bond Registrar; provided, however, that if so requested in writing by the Registered Owner of at least \$1,000,000 principal amount of such series of Bonds, interest will be paid by wire transfer on the date due to an account with a bank located within the United States.

Section 5. Redemption and Purchase of Bonds.

(a) *Optional Redemption.* Each series of Bonds may be subject to optional redemption on the dates, at the price of par, and under the terms set forth in the Bond Purchase Agreement for such series of Bonds approved by the City and Borough Representative pursuant to Section 13.

(b) *Mandatory Redemption.* Each series of Bonds may be subject to mandatory redemption to the extent, if any, set forth in the Bond Purchase Agreement for such series of Bonds and as approved by the City and Borough Representative pursuant to Section 13.

(c) *Purchase of Bonds for Retirement.* The City and Borough reserves the right to purchase any of the Bonds of a series offered to the City and Borough at any price deemed reasonable to the City and Borough Representative.

(d) *Effect of Optional Redemption/Purchase.* To the extent that the City and Borough shall have optionally redeemed or purchased any Term Bonds prior to their scheduled mandatory redemption of such Term Bonds, the City and Borough may reduce the principal amount of the Term Bonds to be redeemed in like aggregate principal amount. Such reduction may be applied in the year specified by the City and Borough Representative.

(e) *Selection of Bonds for Redemption.* As long as the Bonds are held in book-entry only form, the selection of Bonds within a series and maturity to be redeemed shall be made in accordance with the operational arrangements in effect at DTC. If the Bonds are no longer held in uncertificated form, the selection of such Bonds within a series and maturity to be redeemed shall be made as provided in this subsection (e). If the City and Borough redeems at any one time fewer than all of the Bonds having the same series and maturity date, the particular Bonds or portions of Bonds of such series and maturity to be redeemed shall be selected by lot (or in such other manner determined by the Bond Registrar) in increments of \$5,000. In the case of a Bond of a denomination greater than \$5,000, the City and Borough and Bond Registrar shall treat each Bond as representing such number of separate Bonds each of the denomination of \$5,000 as is obtained by dividing the actual principal amount of such Bond by \$5,000. In the event that only a portion of the principal sum of a Bond is redeemed, upon surrender of the such Bond at the principal office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then unredeemed balance of the principal sum thereof, at the option of the Registered Owner, a Bond or Bonds of like series, maturity and interest rate in any of the denominations herein authorized. If Bonds are called for optional redemption, portions of the principal amount of such Bonds, in installments of \$5,000 or any integral multiple of \$5,000, may be redeemed. If less than all of the principal amount of any Bond is redeemed, upon surrender of such Bond at the principal office of the Bond Registrar there shall be issued to the registered owner, without charge therefor, for the then unredeemed balance of the principal amount thereof, a new Bond or Bonds, at the option of the Registered Owner, of like series, maturity and interest rate in any denomination authorized by this ordinance.

(f) *Notice of Redemption.*

(1) Official Notice. Unless waived by any owner of Bonds to be redeemed, official notice of any such redemption (which notice may be conditional) shall be given by the Bond Registrar on behalf of the City and Borough by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All official notices of redemption shall be dated and shall state:

- (A) the redemption date,
- (B) the redemption price,
- (C) if fewer than all outstanding Bonds are to be redeemed, the identification by series, maturity (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,
- (D) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (E) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar.

On or prior to any redemption date, the City and Borough shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

(2) Effect of Notice; Bonds Due. If an unconditional notice of redemption has been given, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City and Borough shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Registered Owner a new Bond or Bonds of the same series and maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be canceled and destroyed by the Bond Registrar and shall not be reissued.

(3) Additional Notice. In addition to the foregoing notice, further notice shall be given by the City and Borough as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the maturity date of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed. Each further notice of redemption may be sent at least 25 days before the redemption date to the insurer, if any, the party entitled to receive notice pursuant to Section 14, and to the Underwriter for such series of Bonds or to its business successor, if any, and to such persons and with such additional information as the City and Borough Representative shall deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Bonds.

(4) Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(5) Amendment of Notice Provisions. The foregoing notice provisions of this Section 5, including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

Section 6. Form of Bonds. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____ \$ _____

STATE OF ALASKA

CITY AND BOROUGH OF JUNEAU
GENERAL OBLIGATION BOND, 2021[A/B]

INTEREST RATE: MATURITY DATE: CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

THE CITY AND BOROUGH OF JUNEAU, ALASKA (the "City and Borough"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount indicated above and to pay interest thereon from _____, 2021, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, commencing on _____ 1, 20__ and semiannually thereafter on the first

day of each _____ and _____. Both principal of and interest on this bond are payable in lawful money of the United States of America. For so long as the bonds of this issue are held in fully immobilized form, payments of principal and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company (“DTC”) referred to in the Blanket Issuer Letter of Representations (the “Letter of Representations”) from the City and Borough to DTC. _____ is acting as the registrar, authenticating agent and paying agent for the bonds of this issue (the “Bond Registrar”).

This bond is one of an authorized issue of bonds of like date and tenor, except as to number, amount, rate of interest and date of maturity, in the aggregate principal amount of \$_____ (the “Bonds”), and is issued pursuant to elections authorizing the same for the purpose of making capital improvements to facilities of the City and Borough.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under Ordinance Serial No. 2021-02 of the City and Borough (the “Bond Ordinance”) until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar. Capitalized terms used in this bond and not otherwise defined herein have the meanings given such terms in the Bond Ordinance.

The bonds of this issue are issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Alaska and ordinances duly adopted by the Assembly, including the Bond Ordinance.

The bonds of this issue are subject to redemption as stated in the Bond Purchase Agreement dated _____ for the Bonds.

The City and Borough has obligated and bound itself to make annual levies of ad valorem taxes upon all the taxable property within the City and Borough, without limitation as to rate or amount, in amounts sufficient, together with such other moneys of the City and Borough available for such purposes as the Assembly of the City and Borough may, from time to time, appropriate and make available to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the City and Borough are hereby irrevocably pledged for the levy of such taxes and the prompt payment of such principal and interest. The pledge of tax levies for payment of principal of and interest on the bond may be discharged prior to maturity of the bond by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

The bonds of this issue are not “private activity bonds” as such term is defined in the Internal Revenue Code of 1986, as amended (the “Code”). The City and Borough has not designated the bonds of this issue as “qualified tax-exempt obligations” under Section 265(b) of the Code for investment by banks, thrift institutions and other financial institutions.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Alaska to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of

this bond and the bonds of this issue does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City and Borough may incur.

IN WITNESS WHEREOF, the City and Borough of Juneau, Alaska has caused this bond to be executed by the manual or facsimile signature of its City Manager or his/her designee and attested by the manual or facsimile of the Clerk, and the official seal of the City and Borough to be impressed, imprinted or otherwise reproduced hereon, as of this ____ day of _____, 2021.

CITY AND BOROUGH OF
JUNEAU, ALASKA

By _____ /s/ manual or facsimile
City Manager or Designee

ATTEST:

_____/s/ manual or facsimile
Clerk

The Certificate of Authentication for the Bonds shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the General Obligation Bonds, 2021[A/B] of the City and Borough of Juneau, Alaska, dated _____, 2021, and described in the within-mentioned Bond Ordinance.

_____, as Bond Registrar

By _____
Authorized Signer

Section 7. Execution of Bonds. The Bonds shall be executed on behalf of the City and Borough with the manual or facsimile signature of the City Manager or his/her designee, shall be attested by the manual or facsimile signature of the City and Borough Clerk, and the seal of the City and Borough shall be impressed or a facsimile thereof imprinted or otherwise reproduced thereon.

Only such Bonds as shall bear thereon a Certificate of Authentication in the form hereinbefore recited, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate of Authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

In case either of the officers who shall have executed the Bonds shall cease to be officer or officers of the City and Borough before the Bonds so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City and Borough, such Bonds may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City and Borough as though those who signed the same had continued to be such officers of the City and Borough. Any Bond may also be signed and attested on behalf of the City and Borough by such persons who are at the actual date of delivery of such Bonds the proper officers of the City and Borough although at the original date of such Bonds any such person shall not have been such officer of the City and Borough.

Section 8. Lost, Stolen, Destroyed or Mutilated Bonds. In case any Bonds shall at any time become mutilated or be lost, stolen or destroyed, the City and Borough in the case of such mutilated Bonds shall, and in the case of such lost, stolen or destroyed Bonds in its discretion may, execute and deliver a new Bond of like tenor and effect in exchange or substitution for and upon the surrender and cancellation of such mutilated Bonds, or in lieu of or in substitution for such destroyed, stolen or lost Bonds, or if such stolen, destroyed or lost Bonds shall have matured, instead of issuing a substitute therefor, the City and Borough at its option pay the same without the surrender thereof. Except in the case where a mutilated Bonds is surrendered, the applicant for the issuance of a substitute Bond shall furnish to the City and Borough evidence satisfactory to it of the theft, destruction, or loss of the original Bonds, and of the ownership thereof, and also such security and indemnity as may be required by the City and Borough, and no such substitute Bond shall be issued unless the applicant for the issuance thereof shall reimburse the City and Borough for the expenses incurred by the City and Borough in connection with the preparation, execution, issuance, and delivery of the substitute Bonds, and any such substitute Bond shall be equally and proportionately entitled to the security of this ordinance with all other bonds issued hereunder, whether or not the Bonds alleged to have been lost, stolen or destroyed shall be found at any time or be enforceable by anyone.

Section 9. Pledge of Taxes and Credit. The City and Borough hereby irrevocably covenants that, unless the principal of and interest on the Bonds are paid from other sources, it will make annual levies of taxes without limitation as to rate or amount upon all of the property in the City and Borough subject to taxation in amounts sufficient to pay such principal and interest as the same shall become due. The full faith, credit and resources of the City and Borough are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest. There is maintained in the office of the Finance Director a special fund of the City and Borough known as the "Debt Service Fund" (the "Bond Fund"), for the sole purpose of paying the principal of and interest on the Bonds and all other general obligation bonds of the City and Borough. Accrued interest, if any, received at the time of delivery of the Bonds shall be paid into the Bond Fund.

The City and Borough hereby irrevocably covenants and pledges for as long as the Bonds are outstanding that it will make provision for the payment of the principal of and interest on the Bonds in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into the Bond Fund, upon all the property within the City and Borough subject to taxation, without limitation as to rate or amount, in amounts sufficient, with such other moneys available for such purposes as the Assembly from time to time may appropriate and order

transferred to the Bond Fund, to pay the principal of and interest on the Bonds as the same shall be come due and payable.

Section 10. Construction Funds for Proceeds of the Bonds. There has heretofore been created in the office of the Finance Director of the City and Borough certain funds and accounts (the “Construction Funds”), into which shall be paid the proceeds of the Bonds (other than accrued interest which shall be deposited in the Bond Fund), and any and all other moneys which the City and Borough may now or later have on hand which are necessary and legally available to pay the costs authorized by Ordinance Serial No. 2019-35(c)(am) and Ordinance Serial No. 2020-40(b)(am) and paying the costs of issuance of the Bonds. The Finance Director shall maintain records sufficient to account for the investment and expenditure of the Bond Authorizations.

Said funds shall be drawn upon for paying the costs authorized by Ordinance Serial No. 2019-35(c)(am) and Ordinance Serial No. 2020-40(b)(am), for repaying any other funds or accounts of the City and Borough that may have advanced moneys for such purposes and for paying all expenses incidental to such purposes and the expenses incidental to the issuance of the Bonds. Bond proceeds in the Construction Funds may be invested in any legal investment for City and Borough funds and the proceeds thereof and earnings thereon shall be deposited in the Construction Funds or at the option of the Finance Director in the Bond Fund. In the event there are any proceeds of the Bonds left remaining in the Construction Funds after the payment of all of such costs and expenses, the same may be used for any purpose permitted under Ordinance Serial No. 2019-35(c)(am) and Ordinance Serial No. 2020-40(b)(am) or may be transferred to the Bond Fund or may be used for any purpose permitted under Section 10.10 of the Home Rule Charter of the City and Borough.

Section 11. Defeasance. In the event that money and/or noncallable Government Obligations maturing or having guaranteed redemption prices at the option of the holder at such time or times and bearing interest to be earned thereon in amounts (together with such money, if any) sufficient to redeem and retire part or all of the Bonds in accordance with the its terms, are hereafter irrevocably set aside in a special account and pledged to effect such redemption and retirement, then no further payments need be made into the Bond Fund or any account therein for the payment of the principal of and interest on the Bonds or portion thereof so provided for and the Bonds or portion thereof shall then cease to be entitled to any lien, benefit or security of this ordinance, except the right to receive the accounts so set aside and pledged, and the Bonds or portion thereof shall no longer be deemed to be outstanding hereunder.

Section 12. Tax Covenants.

(a) *Arbitrage Covenant.* The City and Borough hereby covenants that it will not make any use of the proceeds of sale of the Bonds or any other funds of the City and Borough which may be deemed to be proceeds of the Bonds pursuant to Section 148 of the Code and the applicable regulations thereunder which, if such use had been reasonably expected on the dates of delivery of the Bonds to the initial purchasers thereof, would have caused such Bonds to be “arbitrage bonds” within the meaning of said section and said regulations. The City and Borough will comply with

the requirements of Section 148 of the Code and the applicable regulations thereunder throughout the term of the Bonds.

(b) *Private Person Use Limitation for Bonds.* The City and Borough covenants that for as long as the Bonds is outstanding, it will not permit:

(1) More than 10% of the Net Proceeds of the Bonds to be used for any Private Person Use; and

(2) More than 10% of the principal or interest payments on the Bonds in a Bond Year to be directly or indirectly (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City and Borough) in respect of property, or borrowed money, used or to be used for any Private Person Use.

The City and Borough further covenants that, if:

(3) More than five percent of the Net Proceeds of the Bonds is to be used for any Private Person Use; and

(4) More than five percent of the principal or interest payments on the Bonds in a Bond Year are (under the terms of this ordinance or any underlying arrangement) directly or indirectly: (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City and Borough) in respect of property, or borrowed money, used or to be used for any Private Person Use, then, (i) any Private Person Use of the projects described in subsection (3) hereof or Private Person Use payments described in subsection (4) hereof that is in excess of the five percent limitations described in such subsections (3) or (4) will be for a Private Person Use that is related to the state or local governmental use of the projects funded by the Bonds, and (ii) any Private Person Use will not exceed the amount of Net Proceeds of the Bonds used for the state or local governmental use portion of the project to which the Private Person Use of such portion of the project relates. The City and Borough further covenants that it will comply with any limitations on the use of the projects by other than state and local governmental users that are necessary, in the opinion of its bond counsel, to preserve the tax status of the Bonds. The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the Bonds. To that end, the provisions of this section may be modified or eliminated without any requirement for formal amendment thereof upon receipt of an opinion of the City and Borough's bond counsel that such modification or elimination will not adversely affect the tax status of the Bonds.

Section 13. Sale of Bonds.

(a) *Bond Sale.* The City and Borough Representative is authorized to negotiate and complete the sale of the Bonds to the Underwriter on terms and conditions consistent with this ordinance and the Bond Purchase Agreement for the Bonds. Such terms and conditions, including the final principal amount, date, principal amounts of each maturity, final interest rates, maturity dates and redemption provisions, all as provided for in this ordinance, shall be set forth in the Bond Purchase Agreement, all subject to the Assembly's approval by resolution, which resolution may, at the option of the Assembly, provide for delegation within parameters approved by the Assembly.

Subject to the terms and conditions set forth in this Section 13, the City and Borough Representative is hereby authorized to execute the final form of a Bond Purchase Agreement, upon his or her approval of the final interest rates, maturity dates, aggregate principal amount, principal maturities and redemption rights set forth therein. Following the sale of the Bonds, the Designated Representative shall provide a report to the Assembly, describing the final terms of the Bonds approved pursuant to the authority delegated in this section.

The City and Borough Representative is further authorized and directed to take such other actions to publicize or facilitate the sale as he/she may deem desirable or necessary, including, but not limited to, securing a rating on the Bonds from one or more of the established rating services.

(b) *Delivery; Documentation.* Upon the passage of this ordinance, the proper officials of the City and Borough, including the City and Borough Representative, are authorized and directed to undertake all other actions necessary for the prompt execution and delivery of the Bonds to the Underwriter thereof and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the Bond Purchase Agreement.

The City and Borough Representative and other City and Borough officials, agents, and representatives are hereby authorized and directed to do everything necessary for the prompt issuance, execution and delivery of the Bonds to the Underwriter and for the proper application and use of the proceeds of sale of the Bonds. In furtherance of the foregoing, the City and Borough Representative is authorized to approve and enter into agreements for the payment of costs of issuance, including Underwriter's discount, the fees and expenses specified in the Bond Purchase Agreement, including fees and expenses of Underwriter and other retained services, including Bond Counsel, Financial Advisor, rating agent, Bond Registrar, and other expenses customarily incurred in connection with issuance and sale of bonds.

(c) *Preliminary and Final Official Statements.* The City and Borough Representative is authorized to ratify and to approve for purposes of the Rule, on behalf of the City and Borough, the Official Statement (and any preliminary Official Statement) and any supplement thereto relating to the issuance and sale of the Bonds and the distribution of the Bonds pursuant thereto with such changes, if any, as may be deemed by him/her to be appropriate.

Section 14. Undertaking to Provide Ongoing Disclosure.

(a) *Contract/Undertaking.* This section constitutes the City and Borough's written undertaking for the benefit of the owners of the Bonds as required by Section (b)(5) of the Rule.

(b) *Financial Statements/Operating Data.* The City and Borough agrees to provide or cause to be provided to the Municipal Securities Rulemaking Board ("MSRB"), the following annual financial information and operating data for the prior fiscal year (commencing June 30, 2022 for the fiscal year ending June 30, 2021):

1. Annual financial statements, which may or may not be audited prepared in accordance with generally accepted accounting principles;
2. The assessed valuation of taxable property in the City and Borough;
3. Property taxes due and property taxes collected;
4. Property tax levy rate per \$1,000 of assessed valuation; and
5. Outstanding general obligation debt of the City and Borough.

Items 2-5 shall be required only to the extent that such information is not included in the annual financial statements.

Such annual information and operating data described above shall be provided on or before nine months after the end of the City and Borough's fiscal year. The City and Borough's current fiscal year ends June 30. The City and Borough may adjust such fiscal year by providing written notice of the change of fiscal year to the MSRB. In lieu of providing such annual financial information and operating data, the City and Borough may cross-reference to other documents available to the public on the MSRB's internet website.

If not provided as part of the annual financial information discussed above, the City and Borough shall provide the City and Borough's audited annual financial statement prepared in accordance generally accepted accounting principles when and if available to the MSRB.

(c) *Listed Events.* The City and Borough agrees to provide or cause to be provided, in a timely manner to the MSRB notice of the occurrence of any of the following events with respect to the Bonds not in excess of ten business days after the occurrence of the event:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;

5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material or events affecting the tax status of the Bonds;
7. Modifications to rights of owners, if material;
8. Optional, contingent or unscheduled Bond calls other than scheduled sinking fund redemptions for which notice is given pursuant to Exchange Act Release 34-23856, if material, and tender offers;
9. Defeasances;
10. Release, substitution or sale of property securing the repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the City and Borough;
13. The consummation of a merger, consolidation, or acquisition of the City and Borough or the sale of all or substantially all of the assets of the City and Borough, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement to undertake such an action, other than pursuant to its terms, if material;
14. Appointment of a successor or additional trustee or the change of name of the trustee, if material;
15. Incurrence of a financial obligation of the City and Borough, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City and Borough, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City and Borough, any of which reflect financial difficulties.

The term “financial obligation” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or

planned debt obligation; or (iii) guarantee of (i) or (ii). The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

Solely for purposes of information, but without intending to modify this agreement, with respect to the notice regarding property securing the repayment of the Bonds, the City and Borough will state in its preliminary and Final Official Statements that there is no property securing the repayment of the Bonds.

(d) *Notice Upon Failure to Provide Financial Data.* The City and Borough agrees to provide or cause to be provided, in a timely manner, to the MSRB notice of its failure to provide the annual financial information described in subsection (b) above on or prior to the date set forth in subsection (b) above.

(e) *EMMA; Format for Filings with the MSRB.* Until otherwise designated by the MSRB or the SEC, any information or notices submitted to the MSRB in compliance with the Rule are to be submitted through the MSRB’s Electronic Municipal Market Access system (“EMMA”), currently located at www.emma.msrb.org. All notices, financial information and operating data required by this undertaking to be provided to the MSRB must be in an electronic format as prescribed by the MSRB. All documents provided to the MSRB pursuant to this undertaking must be accompanied by identifying information as prescribed by the MSRB.

(f) *Termination/Modification.* The City and Borough’s obligations to provide annual financial information and notices of material events shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. Any provision of this section shall be null and void if the City and Borough (1) obtains an opinion of nationally recognized bond counsel to the effect that the portion of the Rule that requires that provision is invalid, has been repealed retroactively or otherwise does not apply to the Bonds and (2) notifies the MSRB of such opinion and the cancellation of this section.

The City and Borough may amend this section with an opinion of nationally recognized bond counsel in accordance with the Rule. In the event of any amendment of this section, the City and Borough shall describe such amendment in the next annual report, and shall include a narrative explanation of the reason for the amendment and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the City and Borough. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (1) notice of such change shall be given in the same manner as for a material event under Subsection (c), and (2) the annual report for the year in which the change is made shall present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

(g) *Bond Owner’s Remedies Under this Section.* A Bond owner’s right to enforce the provisions of this section shall be limited to a right to obtain specific enforcement of the City and Borough’s obligations hereunder, and any failure by the City and Borough to comply with the provisions of this undertaking shall not be a default with respect to the Bonds under this ordinance.

(h) *Additional Information.* Nothing in this Section 14 shall be deemed to prevent the City and Borough from disseminating any other information, using the means of dissemination set forth in this Section 14 or any other means of communication, or including any other information in any annual financial statement or notice of occurrence of a material event, in addition to that which is required by this Section 14. If the City and Borough chooses to include any information in any annual financial statement or notice of the occurrence of a material event in addition to that specifically required by this Section 14 the City and Borough shall have no obligation under this ordinance to update such information or to include it in any future annual financial statement or notice of occurrence of a material event.

Section 15. Severability. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bonds.

Section 16. Effective Date. This ordinance shall become effective thirty days after adoption.

ADOPTED this 1st day of March, 2021.

Beth Weldon, Mayor

ATTEST:

Beth McEwen, Clerk

CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the “City and Borough”), Do HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance Serial No. 2021-02 (the “Ordinance”) of the City and Borough as finally passed at a regular meeting of the Assembly of the City and Borough (the “Assembly”) held on the 1st day of March, 2021, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such special meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of March, 2021.

Beth McEwen, Clerk
City and Borough of Juneau

MEMORANDUM



DATE: January 29, 2021

TO: Assembly Finance Committee

FROM: Jeff Rogers, Finance Director

SUBJECT: 2021 Bond Issuance

155 Municipal Way
Juneau, AK 99801
Phone: (907) 586-5215
Fax: (907) 586-0358

Introduction

Juneau voters have approved two bond ordinances in recent years. First was a [\\$7 million bond for improvements to Centennial Hall, approved in October 2019](#). Second was a [\\$15 million bond for improvements to schools, parks, streets, and energy efficiency of public buildings, approved in October 2020](#). This memo lays out the approach for selling these bonds in the spring of 2021.

One Issuance of Two Bond Approvals

The transactional cost of selling a bond is quite significant, but many of the costs of selling a bond are fixed per issuance—which means that two bonds can be sold together for far less than selling them separately. Hence, it reduces CBJ cost to sell fewer bonds, which is why I recommend that the two approved bonds be sold together as one \$22 million issuance. Additionally, large bond issuances tend to enjoy more preferential market interest rates. Selling the bonds separately, at separate times, remains an option but it increases the total transactional and interest cost considerably.

CBJ to Proceed with Public Bond Sale without Alaska Municipal Bond Bank Authority

Direct placement of the bond with a private bank had been considered as an alternative to a public offering, but CBJ Financial Advisor has advised that a public offering is most likely to offer more competitive pricing, and hence lower borrowing costs. Additionally, direct bank placement generally come with maximum terms of 10 to 12 years.

The Alaska Supreme Court's decision in *Forrer v. State of Alaska* has temporarily suspended the activity of the Alaska Municipal Bond Bank Authority (AMBBA), pending further legal review. As such, CBJ will proceed to issue this bond through a public offering without using the AMBAA as a conduit. This approach will require CBJ to seek an independent credit rating. CBJ intends to use RBC Capital Markets as the underwriter for the sale. The underwriter plays a key role in selling the bond into the public market and will assist CBJ with obtaining a suitable credit rating.

Timing of Legislation and Sale

It appears that some of the school, park, and street projects will be ready to go out to bid as early as April 2020 with construction to begin as soon as the bid is awarded. Delaying the bond issuance would prevent those projects from advancing in the community. The current plan for Centennial Hall is not as time sensitive, but some of project components (HVAC improvements, for example) could go out to bid and be ready for construction this summer. Hence, I recommend that the Assembly target the following schedule for the bond issuance:

- | | | |
|---|---------------------|---|
| 1. Introduction of the Bond Ordinance | February 8 | |
| 2. Public Hearing of the Bond Ordinance | March 1 | |
| 3. Interest Rate Resolution | March 22 or April 5 | |
| 4. Market Pricing/Sale | Mid-April | |
| 5. Closing | Mid-May | <i>funds available shortly thereafter</i> |

Debt Structure and Term

The Assembly has expressed a desire to limit the impact of these debt issuances on the Debt Service Mill Rate in the near term. As the Assembly is aware, CBJ's total indebtedness declines precipitously between FY2022 and FY2026. Hence, a significant amount of "debt capacity" exists in the following years after FY2025. But the near term picture is less attractive—particularly considering the unpredictable burden of the state's failure to reimburse school bond debt.

I have worked with our Financial Advisor on options for a debt repayment structure that would have CBJ pay *interest only* on the bond debt for the first three to four years of the repayment period. These strategies delay principal payment until later in the repayment schedule. Effectively, CBJ would pay less today and more tomorrow. One of these options may be a sweet spot to take advantage of CBJ's growing debt capacity in future years while limiting the near-term impact. Note that longer term bonds and interest-only arrangements will result in higher interest costs over the life of the bond repayment. Our Financial Advisor has modeled the debt service costs of 10-year, 15-year, and 20-year terms with interest only payments for the first three to four years.

	10 Year Term	15 Year Term	20 Year Term
Total Principal Payments	22,000,000	22,000,000	22,000,000
Total Interest Payments	1,911,439	4,539,994	7,608,950
Total Debt Service	23,911,439	26,539,994	29,608,950
All-in True Interest Cost %	1.23%	1.98%	2.47%

The impact on the forecast Debt Service Mill Rate is captured on the attached table and chart. CBJ's Financial Advisor continues to refine this approach, and they will make adjustments as necessary.

2% Increase to Hotel Bed Tax Intended to Pay Cost of Centennial Hall Debt

The preceding discussion of the \$7 million Centennial Hall bond ignores an important nuance of the originally intended repayment strategy.

Juneau voted in October 2019 on three ballot measures:

- 1.) Temporary 2% increase to the Hotel Bed Tax
- 2.) \$7 million general obligation bond for Centennial Hall
- 3.) \$4.5 million grant for a new Juneau Arts and Culture Center (JACC)

Measures #1 and #2 both passed, and #3 failed. Hence, Hotel Bed Tax was temporarily increased from 7% to 9% starting January 1, 2020. At the time, it was estimated that the additional 2% would generate approximately \$440,000 annually. This amount of collections was estimated to be sufficient to fund the majority of the debt service on the \$7 million bond repayment. However, that increase to the tax went into effect just months before the pandemic decimated Hotel Bed Tax receipts overall. This [memo from the April 8, 2020 Assembly Finance Committee meeting](#) discussed how the Assembly could balance the demand for Hotel Bed Tax receipts in the FY2021 budget. The Assembly accepted staff recommendations, and no Hotel Bed Tax funds were allocated in FY2021 for Centennial Hall debt or renovation.

It is likewise unlikely that sufficient Hotel Bed Tax receipts will be generated in FY2022 to allow the temporary 2% receipts to be expended on Centennial Hall debt. However, Hotel Bed Tax receipts will eventually normalize. One might reasonably forecast that the full recovery of Juneau visitation (and overnight lodging) will be slow, but should occur within the next several years. Eventually, as visitation normalize, the Assembly will be able to use the temporary 2% tax to subsidize the Debt Service Fund, which would reduce the required Debt Service Mill Rate.

For the purpose of the simplicity of the attached calculations, I have excluded any consideration of this subsidy from the 2% temporary increase to the Hotel Bed Tax. Just know that in future years, some amount of these receipts will be available to assist with debt repayment, which can effectively reduce the required Debt Service

Mill Rate.

Recommendation

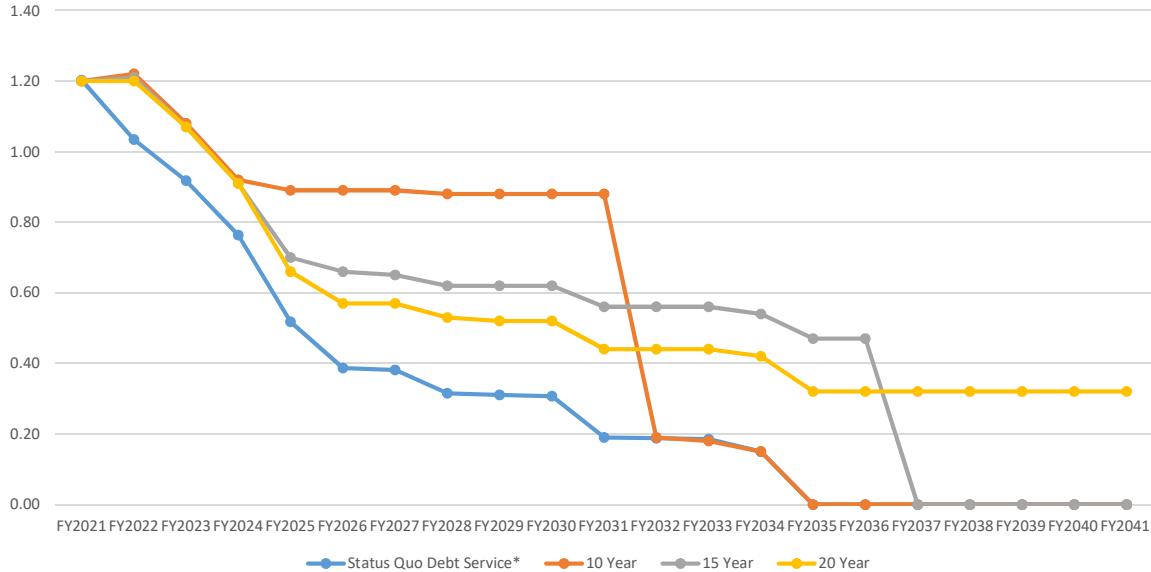
I recommend that the Assembly Finance Committee refer Ordinance 2021-02 to the full Assembly for introduction on February 8 and set it for public hearing on March 1st. Based on feedback from the Finance Committee at its meeting on February 3, staff will adjust the debt structure and term as needed.

2021 Bond Issuance
Analysis of Loan Term based on Impact on Debt Service Mill Rate

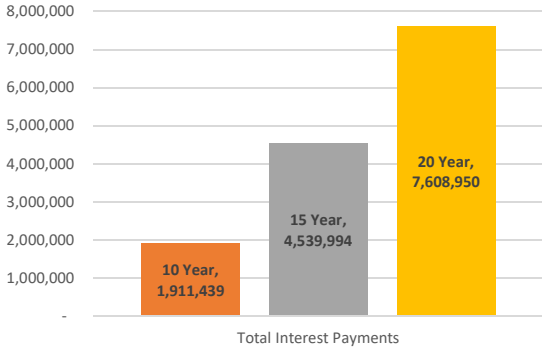
Status Quo Forecast				10 Year			15 Year			20 Year		
Fiscal Year	Forecast Valuation	Status Quo Debt Service*	Forecast DS Mill Rate	New Debt Service	Add. DS Mill Rate	Total DS Mill Rate	New Debt Service	Add. DS Mill Rate	Total DS Mill Rate	New Debt Service	Add. DS Mill Rate	Total DS Mill Rate
FY2021	5,120,417,119	6,155,501	1.20		0.00	1.20		0.00	1.20		0.00	1.20
FY2022	5,120,417,119	5,295,848	1.03	929,389	0.18	1.22	884,444	0.17	1.21	856,000	0.17	1.20
FY2023	5,197,223,376	4,769,037	0.92	836,450	0.16	1.08	796,000	0.15	1.07	770,400	0.15	1.07
FY2024	5,275,181,726	4,026,410	0.76	836,450	0.16	0.92	796,000	0.15	0.91	770,400	0.15	0.91
FY2025	5,354,309,452	2,770,285	0.52	2,011,450	0.38	0.89	986,000	0.18	0.70	770,400	0.14	0.66
FY2026	5,434,624,094	2,101,885	0.39	2,719,450	0.50	0.89	1,463,400	0.27	0.66	1,005,400	0.18	0.57
FY2027	5,516,143,456	2,101,760	0.38	2,787,250	0.51	0.89	1,501,400	0.27	0.65	1,031,000	0.19	0.57
FY2028	5,598,885,607	1,766,135	0.32	3,183,500	0.57	0.88	1,709,400	0.31	0.62	1,177,500	0.21	0.53
FY2029	5,682,868,891	1,765,385	0.31	3,254,750	0.57	0.88	1,750,150	0.31	0.62	1,201,000	0.21	0.52
FY2030	5,768,111,925	1,770,885	0.31	3,326,000	0.58	0.88	1,786,400	0.31	0.62	1,227,250	0.21	0.52
FY2031	5,854,633,604	1,114,135	0.19	4,026,750	0.69	0.88	2,163,150	0.37	0.56	1,486,000	0.25	0.44
FY2032	5,942,453,108	1,116,135	0.19		0.00	0.19	2,208,150	0.37	0.56	1,515,500	0.26	0.44
FY2033	6,031,589,904	1,115,635	0.18		0.00	0.18	2,246,900	0.37	0.56	1,541,500	0.26	0.44
FY2034	6,122,063,753	914,850	0.15		0.00	0.15	2,394,400	0.39	0.54	1,644,000	0.27	0.42
FY2035	6,213,894,709	-	0.00		0.00	0.00	2,905,800	0.47	0.47	1,995,000	0.32	0.32
FY2036	6,307,103,130	-	0.00		0.00	0.00	2,948,400	0.47	0.47	2,025,200	0.32	0.32
FY2037	6,401,709,677	-	0.00		0.00	0.00		0.00	0.00	2,056,800	0.32	0.32
FY2038	6,497,735,322	-	0.00		0.00	0.00		0.00	0.00	2,084,600	0.32	0.32
FY2039	6,595,201,352	-	0.00		0.00	0.00		0.00	0.00	2,118,600	0.32	0.32
FY2040	6,694,129,372	-	0.00		0.00	0.00		0.00	0.00	2,148,400	0.32	0.32
FY2041	6,794,541,313	-	0.00		0.00	0.00		0.00	0.00	2,184,000	0.32	0.32
Total Principal Payments				22,000,000			22,000,000			22,000,000		
Total Interest Payments				1,911,439			4,539,994			7,608,950		
Total Debt Service				23,911,439			26,539,994			29,608,950		
All-in True Interest Cost %				1.23%			1.98%			2.47%		

**Status Quo Debt Service amount assumes that School Bond Debt will be reimbursed at 100% or Assembly will fund any unreimbursed school debt with general funds*

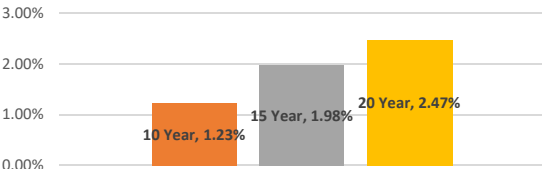
Debt Service Mill Rate Forecast Status Quo vs. New \$22 million Bond (10, 15, 20 year terms)



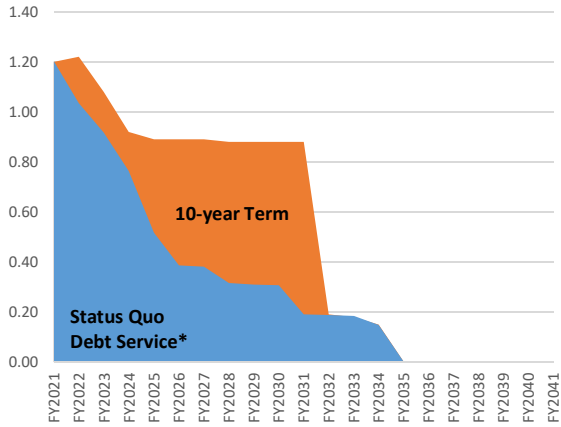
Total *New* Interest Payments



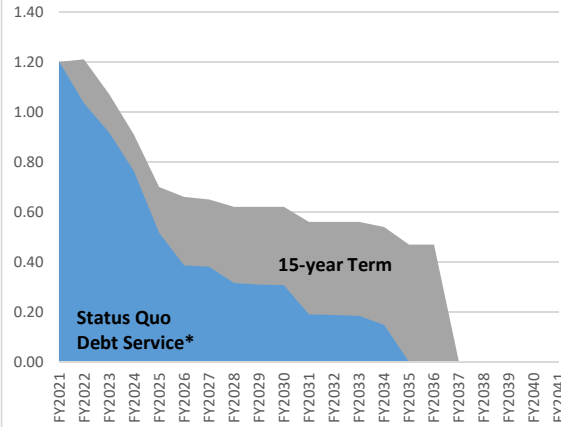
All-in True Interest Rate %



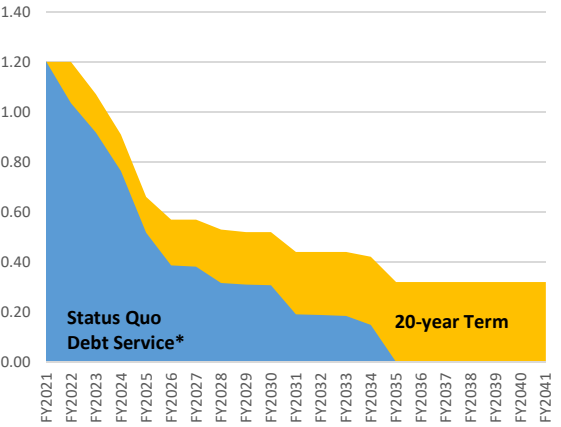
Forecast DS Mill Rate - 10 year term



Forecast DS Mill Rate - 15 year term



Forecast DS Mill Rate - 20 year term



City and Borough of Juneau Historical General Government Debt Service FY98 - FY20

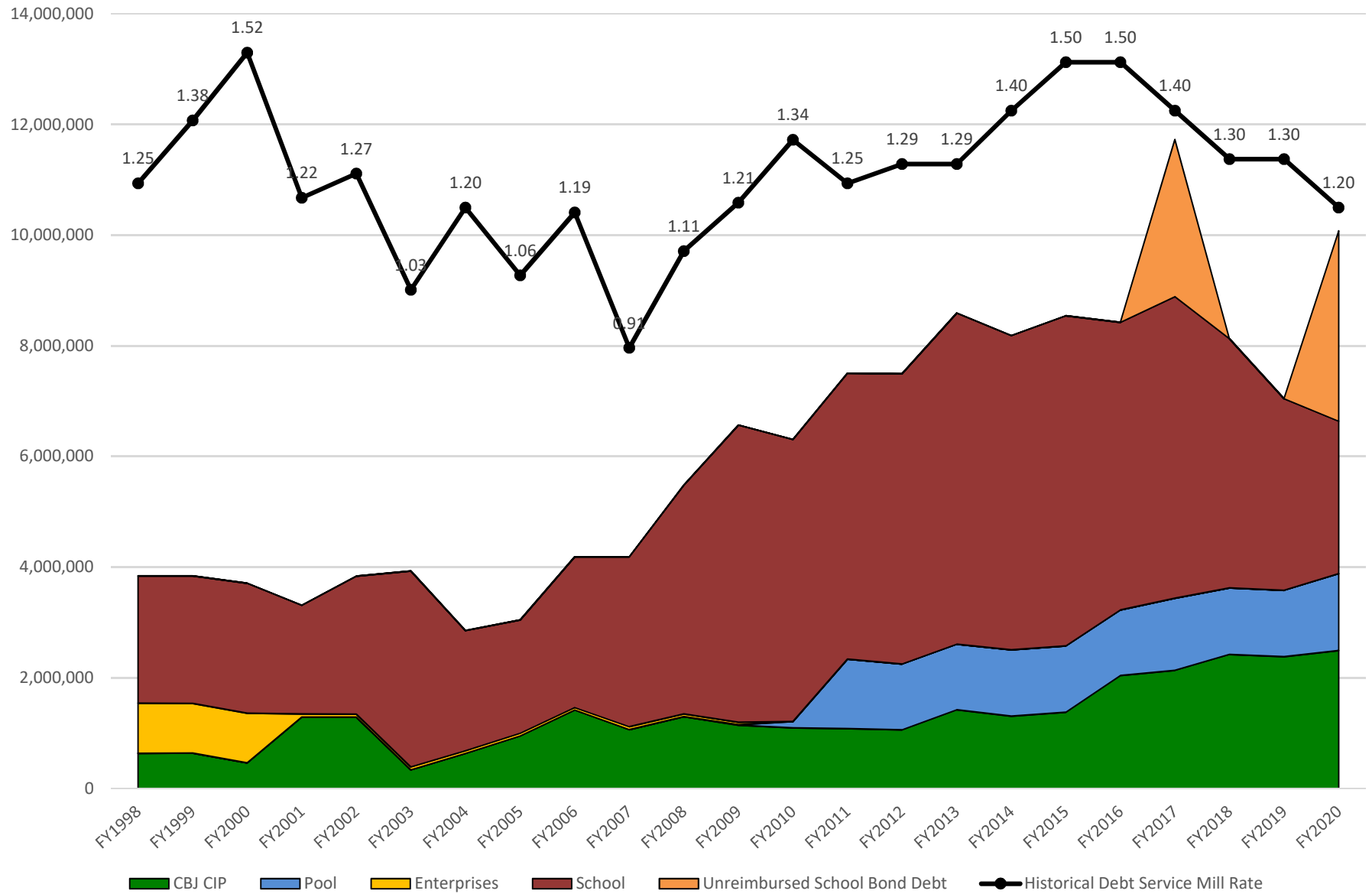


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Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

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SOURCES AND USES OF FUNDS

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

Sources:

Bond Proceeds:	
Par Amount	17,615,000.00
Premium	4,574,887.45
	22,189,887.45

Uses:

Project Fund Deposits:	
Project Fund	22,000,000.00
Delivery Date Expenses:	
Cost of Issuance	100,000.00
Underwriter's Discount	88,075.00
	188,075.00
Other Uses of Funds:	
Additional Proceeds	1,812.45
	22,189,887.45

BOND PRICING

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

<i>Bond Component</i>	<i>Maturity Date</i>	<i>Amount</i>	<i>Rate</i>	<i>Yield</i>	<i>Price</i>	<i>Yield to Maturity</i>	<i>Call Date</i>	<i>Call Price</i>	<i>Premium (-Discount)</i>
Bond Component:									
	06/01/2025	190,000	4.000%	0.630%	113.654				25,942.60
	06/01/2026	675,000	4.000%	0.710%	116.484				111,267.00
	06/01/2027	740,000	5.000%	0.810%	124.932				184,496.80
	06/01/2028	985,000	5.000%	0.950%	127.783				273,662.55
	06/01/2029	1,075,000	5.000%	1.100%	130.182				324,456.50
	06/01/2030	1,165,000	5.000%	1.230%	132.398				377,436.70
	06/01/2031	1,600,000	5.000%	1.340%	134.499				551,984.00
	06/01/2032	1,725,000	5.000%	1.430%	133.495 C	1.682%	06/01/2031	100.000	577,788.75
	06/01/2033	1,850,000	5.000%	1.500%	132.720 C	1.953%	06/01/2031	100.000	605,320.00
	06/01/2034	2,090,000	4.000%	1.740%	120.869 C	2.163%	06/01/2031	100.000	436,162.10
	06/01/2035	2,685,000	4.000%	1.800%	120.253 C	2.310%	06/01/2031	100.000	543,793.05
	06/01/2036	2,835,000	4.000%	1.840%	119.844 C	2.424%	06/01/2031	100.000	562,577.40
17,615,000									4,574,887.45

Dated Date 04/21/2021
Delivery Date 04/21/2021
First Coupon 12/01/2021

Par Amount 17,615,000.00
Premium 4,574,887.45

Production 22,189,887.45 125.971544%
Underwriter's Discount -88,075.00 -0.500000%

Purchase Price 22,101,812.45 125.471544%
Accrued Interest

Net Proceeds 22,101,812.45

BOND SUMMARY STATISTICS

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

Dated Date	04/21/2021
Delivery Date	04/21/2021
First Coupon	12/01/2021
Last Maturity	06/01/2036
Arbitrage Yield	1.507532%
True Interest Cost (TIC)	1.933177%
Net Interest Cost (NIC)	2.208356%
All-In TIC	1.982197%
Average Coupon	4.440909%
Average Life (years)	11.409
Weighted Average Maturity (years)	11.357
Duration of Issue (years)	9.346
Par Amount	17,615,000.00
Bond Proceeds	22,189,887.45
Total Interest	8,924,994.44
Net Interest	4,438,181.99
Total Debt Service	26,539,994.44
Maximum Annual Debt Service	2,948,400.00
Average Annual Debt Service	1,756,323.16
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	5.000000
Total Underwriter's Discount	5.000000
Bid Price	125.471544

<i>Bond Component</i>	<i>Par Value</i>	<i>Price</i>	<i>Average Coupon</i>	<i>Average Life</i>	<i>PV of 1 bp change</i>
Bond Component	17,615,000.00	125.972	4.441%	11.409	17,423.40
	17,615,000.00			11.409	17,423.40

	<u>TIC</u>	<u>All-In TIC</u>	<u>Arbitrage Yield</u>
Par Value	17,615,000.00	17,615,000.00	17,615,000.00
+ Accrued Interest			
+ Premium (Discount)	4,574,887.45	4,574,887.45	4,574,887.45
- Underwriter's Discount	-88,075.00	-88,075.00	
- Cost of Issuance Expense		-100,000.00	
- Other Amounts			
Target Value	22,101,812.45	22,001,812.45	22,189,887.45
Target Date	04/21/2021	04/21/2021	04/21/2021
Yield	1.933177%	1.982197%	1.507532%

BOND DEBT SERVICE

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>
06/30/2022			884,444.44	884,444.44
06/30/2023			796,000.00	796,000.00
06/30/2024			796,000.00	796,000.00
06/30/2025	190,000	4.000%	796,000.00	986,000.00
06/30/2026	675,000	4.000%	788,400.00	1,463,400.00
06/30/2027	740,000	5.000%	761,400.00	1,501,400.00
06/30/2028	985,000	5.000%	724,400.00	1,709,400.00
06/30/2029	1,075,000	5.000%	675,150.00	1,750,150.00
06/30/2030	1,165,000	5.000%	621,400.00	1,786,400.00
06/30/2031	1,600,000	5.000%	563,150.00	2,163,150.00
06/30/2032	1,725,000	5.000%	483,150.00	2,208,150.00
06/30/2033	1,850,000	5.000%	396,900.00	2,246,900.00
06/30/2034	2,090,000	4.000%	304,400.00	2,394,400.00
06/30/2035	2,685,000	4.000%	220,800.00	2,905,800.00
06/30/2036	2,835,000	4.000%	113,400.00	2,948,400.00
	17,615,000		8,924,994.44	26,539,994.44

BOND DEBT SERVICE

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
12/01/2021			486,444.44	486,444.44	
06/01/2022			398,000.00	398,000.00	
06/30/2022					884,444.44
12/01/2022			398,000.00	398,000.00	
06/01/2023			398,000.00	398,000.00	
06/30/2023					796,000.00
12/01/2023			398,000.00	398,000.00	
06/01/2024			398,000.00	398,000.00	
06/30/2024					796,000.00
12/01/2024			398,000.00	398,000.00	
06/01/2025	190,000	4.000%	398,000.00	588,000.00	
06/30/2025					986,000.00
12/01/2025			394,200.00	394,200.00	
06/01/2026	675,000	4.000%	394,200.00	1,069,200.00	
06/30/2026					1,463,400.00
12/01/2026			380,700.00	380,700.00	
06/01/2027	740,000	5.000%	380,700.00	1,120,700.00	
06/30/2027					1,501,400.00
12/01/2027			362,200.00	362,200.00	
06/01/2028	985,000	5.000%	362,200.00	1,347,200.00	
06/30/2028					1,709,400.00
12/01/2028			337,575.00	337,575.00	
06/01/2029	1,075,000	5.000%	337,575.00	1,412,575.00	
06/30/2029					1,750,150.00
12/01/2029			310,700.00	310,700.00	
06/01/2030	1,165,000	5.000%	310,700.00	1,475,700.00	
06/30/2030					1,786,400.00
12/01/2030			281,575.00	281,575.00	
06/01/2031	1,600,000	5.000%	281,575.00	1,881,575.00	
06/30/2031					2,163,150.00
12/01/2031			241,575.00	241,575.00	
06/01/2032	1,725,000	5.000%	241,575.00	1,966,575.00	
06/30/2032					2,208,150.00
12/01/2032			198,450.00	198,450.00	
06/01/2033	1,850,000	5.000%	198,450.00	2,048,450.00	
06/30/2033					2,246,900.00
12/01/2033			152,200.00	152,200.00	
06/01/2034	2,090,000	4.000%	152,200.00	2,242,200.00	
06/30/2034					2,394,400.00
12/01/2034			110,400.00	110,400.00	
06/01/2035	2,685,000	4.000%	110,400.00	2,795,400.00	
06/30/2035					2,905,800.00
12/01/2035			56,700.00	56,700.00	
06/01/2036	2,835,000	4.000%	56,700.00	2,891,700.00	
06/30/2036					2,948,400.00
	17,615,000		8,924,994.44	26,539,994.44	26,539,994.44

BOND SOLUTION

City and Borough of Juneau
New Money GO Bonds - Series 2021 (Wrap Around Existing DS)
Rates as of 1/27/2021 + 25 bps cushion
15 Year Term

<i>Period Ending</i>	<i>Proposed Principal</i>	<i>Proposed Debt Service</i>	<i>Total Adj Debt Service</i>	<i>Revenue Constraints</i>	<i>Unused Revenues</i>	<i>Debt Serv Coverage</i>
06/30/2021						
06/30/2022		884,444	884,444		-884,444	
06/30/2023		796,000	796,000		-796,000	
06/30/2024		796,000	796,000		-796,000	
06/30/2025	190,000	986,000	986,000	2,102,137	1,116,137	213.19844%
06/30/2026	675,000	1,463,400	1,463,400	2,843,623	1,380,223	194.31618%
06/30/2027	740,000	1,501,400	1,501,400	2,917,931	1,416,531	194.34731%
06/30/2028	985,000	1,709,400	1,709,400	3,328,851	1,619,451	194.73797%
06/30/2029	1,075,000	1,750,150	1,750,150	3,406,026	1,655,876	194.61336%
06/30/2030	1,165,000	1,786,400	1,786,400	3,478,097	1,691,697	194.69866%
06/30/2031	1,600,000	2,163,150	2,163,150	4,213,582	2,050,432	194.78915%
06/30/2032	1,725,000	2,208,150	2,208,150	4,291,497	2,083,347	194.34809%
06/30/2033	1,850,000	2,246,900	2,246,900	4,373,112	2,126,212	194.62868%
06/30/2034	2,090,000	2,394,400	2,394,400	4,656,228	2,261,828	194.46325%
06/30/2035	2,685,000	2,905,800	2,905,800	5,654,644	2,748,844	194.59853%
06/30/2036	2,835,000	2,948,400	2,948,400	5,739,464	2,791,064	194.66368%
06/30/2037				5,825,556	5,825,556	
06/30/2038				5,912,939	5,912,939	
06/30/2039				6,001,633	6,001,633	
06/30/2040				6,091,658	6,091,658	
06/30/2041				6,183,033	6,183,033	
	17,615,000	26,539,994	26,539,994	77,020,009	50,480,014	

Presented by: HRC
Presented: 02/08/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-04

An Ordinance Related to CBJ Marijuana Licenses.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 49.65.1220 Term of license; renewal, is amended to read:

49.65.1220 Term of license; renewal.

- (a) No license granted or issued under any of the provisions of this title shall be in any manner assignable or transferable.
- (b) Licenses are valid only as long as the applicant holds a current license from the state and is in compliance with the applicable conditional use permit.
- (c) Licenses issued under this chapter are effective from the date of issuance through December 31 of the same year.
- (d) In order to be eligible for renewal, a licensee must submit proof of inspection by the department or the department's designees for compliance with this chapter and any applicable permit. The licensee shall schedule the inspection no later than 60 days prior to the annual expiration of the license.

- (e) Licenses shall automatically renew on January 1, conditional upon the timely remittance of the annual license fee, no outstanding corrective orders or enforcement actions, and proof of inspection. Failure to timely remit proof of inspection or the annual license fee shall result in the license expiring and will require a new license application.

Section 3. Amendment of Section. CBJ 49.65.1225 Corrective orders, is amended to read:

49.65.1225 Corrective orders.

- (a) The director may issue a corrective order whenever a licensee:
- (1) Has violated any provision of this chapter;
 - (2) Has relinquished legal control of the licensed establishment to any other person;
 - (3) Has failed, refused or neglected to comply with any provision of the license issued under this chapter, any conditional use permit issued for the marijuana establishment, or any provision of Alaska Statute Chapter 17.38 or regulations adopted pursuant to that chapter;
 - (4) Is delinquent in the remittance of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
 - (5) Has delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;

(6) Has a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;

(7) Is in violation of state or local fire, health, or safety codes; or

(8) Any reason identified by state statute or regulation as appropriate grounds to protest a license.

(b) A corrective order shall be served on the licensee by hand-delivery or certified mail and shall specify:

(1) The provision of the license, state law, or CBJ code that has been violated;

(2) The corrective action, if any, the licensee may take to prevent suspension or revocation of the license, and the time limited for such corrective action, which shall be no earlier than seven days following date of issuance of the corrective order;

(3) Notification of the penalties provided by this title; and

(4) That the licensee may request an informal meeting before the director prior to suspension or revocation of the license in order to allow the licensee to contest the grounds for issuance of the corrective order and to provide the licensee the opportunity to provide information to the director relevant to the grounds for the corrective order.

(c) Based on information timely received from the licensee, or from any other source, the director may amend the terms or conditions of the corrective order, or after consideration of the information provided by the licensee, affirm the corrective order as issued.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: HRC
Introduced: 02/08/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2939

A Resolution Amending the Assembly Rules of Procedure.

WHEREAS, it is necessary for the orderly conduct of business that rules of procedure be adopted for the Assembly.

WHEREAS, since adoption of the current Assembly Rules of Procedure, Resolution 2862, the Assembly has temporarily adopted rules due to COVID-19, which would remain in effect after adoption of this resolution consistent with Resolution 2922.

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

Section 1. Rules of Procedure. The Assembly Rules of Procedure in Resolution 2862 are amended as follows:

RULE 1. AGENDA.

A. Order of Business. At all regular meetings the order of business shall be:

I. Flag Salute

II. Roll Call

III. Approval of Minutes

IV. Manager's Requests for Agenda Changes

V. Public Participation on Non-agenda Items (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)

VI. Consent Agenda

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

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

VII. Ordinances for Public Hearing

A. Administrative or Committee Reports

- 1 B. Public Hearing
- 2 C. Assembly Action
- 3 VIII. Unfinished Business
- 4 A. Administrative or Committee Reports
- 5 B. Public Hearing
- 6 C. Assembly Action
- 7 IX. New Business
- 8 A. Administrative or Committee Reports
- 9 B. Public Hearing
- 10 C. Assembly Action
- 11 X. Staff Reports
- 12 XI. Assembly Reports
- 13 A. Mayor's Report
- 14 B. Committee Reports
- 15 C. Liaison Reports
- 16 D. Presiding Officer Reports
- 17 XII. Assembly Comments and Questions
- 18 XIII. Continuation of Public Participation on Public Participation on Non-
- 19 agenda Items
- 20 XIV. Executive Session
- 21 XV. Adjournment
- 22 B. Agenda Preparation. The agenda shall be prepared by the Manager subject
- 23 to review and revision by the Mayor. The Mayor or the Manager shall brief the
- 24 Assembly as to any revisions. Other matters may be considered under
- 25 administrative reports, unfinished business, or new business as applicable.
- 26 C. Consent Agenda. The Manager shall include under the consent agenda:
- 27 1. Ordinances for introduction;
- 28 2. Resolutions;
- 29 3. Bid awards requiring Assembly concurrence; and
- 30 4. Other items requiring Assembly action which do not involve substantial
- 31 public policy questions.
- 32 The Manager shall include with the agenda such supplemental material or reports
- 33 as may be necessary to explain each item on the consent agenda and shall include a
- 34 specific recommendation for Assembly action on each item. Material, reports, and
- 35 recommendations submitted in writing to each member present and which are

1 available for public inspection prior to the Assembly meeting need not be read aloud,
 2 but the minutes shall reflect the Manager's recommendation on each consent agenda
 3 item adopted. Upon adoption of a motion to adopt the consent agenda, all consent
 4 agenda items subject to the motion are adopted as recommended by the Manager.
 5 The motion to adopt may not be amended; provided, upon the request of any
 6 member, an item on the consent agenda shall be removed from the consent agenda
 7 and placed under the appropriate regular agenda item for Assembly action. A notice
 8 or motion for reconsideration or a motion to rescind a consent agenda motion shall
 9 contain reference to the specific consent agenda item which is the subject of the
 10 notice or motion and only that item shall be affected by the notice or motion.

11

12 **RULE 2. MEETINGS.**

13 A. Date and Time of Regular Meetings. The Assembly shall regularly meet at
 14 7:00 p.m. every third Monday according to a schedule approved by the Assembly and
 15 published by the Clerk's office. The Assembly may by motion or otherwise change
 16 the date of a meeting as may be necessary or convenient.

17 B. Place of Regular Meetings. Regular Assembly meetings shall be held in the
 18 Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau,
 19 Alaska, unless the Assembly, at a preceding regular or special meeting has, by
 20 motion or otherwise, designated a different place for a particular meeting.

21 C. Special Meetings. Special meetings may be called and held as provided by
 22 the Charter.

23 D. Time of Adjournment. Meetings will adjourn at 11:00 p.m. unless extended
 24 by a vote of at least six members.

25

26 **RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.**

27 A. Excused Absences. Any absence of an Assemblymember from a regular
 28 meeting of the Assembly shall be deemed to be unexcused unless the
 29 Assemblymember is absent from the meeting as a result of attending to official
 30 business on behalf of the City and Borough of Juneau, for extenuating medical
 31 reasons, or for other significant cause, in which case the absence shall be deemed to
 32 be excused.

33 B. Attendance Report. Upon request of the Human Resources Committee, the
 34 Manager shall direct the Clerk to provide to the Assembly quarterly reports on
 35 attendance at regular Assembly meetings.

36

37 **RULE 4. LEGISLATION.**

38 A. Drafting. The Attorney shall draft ordinances and resolutions

39 1. For presentation to the Assembly only

40 (a) by vote or consensus of the Assembly,

- 1 (b) by vote of a standing or ad hoc Assembly committee,
- 2 (c) by request of the Mayor, the Manager, or any member, or
- 3 (d) on the Attorney's own initiative to correct errors not otherwise
- 4 correctable in any section or to make amendments to Title 01.45
- 5 the Conflict of Interest Code, Title 01.50 the Appellate Code, Title
- 6 01.60 the Regulation Procedures Code, Title 03.30 the Code
- 7 Enforcement Code, Title 42 the Penal Code, or any section imposing
- 8 duties on the Attorney.

- 9 2. For presentation to a standing or ad hoc Assembly committee only by
- 10 vote of the committee, request of its chair, or by direction of the
- 11 Assembly.

12 B. Procedure. Upon presentation of an ordinance, any member may move that
 13 it be introduced and set for public hearing, referred to committee, deferred, or
 14 rejected as provided in Charter section 5.3. If the motion is for referral to committee,
 15 the Mayor shall refer the ordinance to the appropriate committee. The Mayor's
 16 referral may be changed by a majority vote of the members of the Assembly. If the
 17 motion is for introduction, the motion shall set a date for the public hearing. All
 18 such motions may be amended.

19

20 **RULE 5. COMMITTEES.**

21 A. Standing Committees. The Assembly shall have the following standing
 22 committees:

- 23 1. Committee of the Whole
- 24 2. Finance Committee
- 25 3. Human Resources Committee
- 26 4. Lands, Housing, and Economic Development Committee
- 27 5. Public Works and Facilities Committee

28 Any member of the Assembly may sit with any committee at all times; such member
 29 shall have the right to participate in committee discussion except that members of
 30 the committee shall have priority in obtaining the floor and only committee
 31 members may vote. Reasonable opportunity for the public to be heard shall be
 32 allowed at committee meetings other than those designated as work sessions.

33 B. Special Committees. The Assembly shall have such special committees as
 34 may be considered necessary. Special committees automatically terminate upon
 35 completion of the committee's assignment.

36 C. Selection, Process and Duties of Committees of the Assembly.

- 37 1. Standing Committees.

- 38 (a) With the exception of the Committee of the Whole, the Finance
- 39 Committee, and the Human Resources Committee in proceedings

- 1 pursuant to Rule 5(C)(2)(f), there shall be not more than four
2 Assemblymembers appointed to each standing committee of the
3 Assembly. Each Assemblymember will be appointed to at least one,
4 but not more than three, standing committees, in addition to the
5 Finance Committee and the Committee of the Whole.
- 6 (b) Nominations for standing committee appointments and for the
7 position of chair of each such committee shall be made by the
8 Mayor, and shall be subject to ratification by the Assembly. In
9 making nominations for committee appointments, the Mayor shall
10 strive to ensure, to the extent reasonably possible, that there is a
11 balance and diversity of opinion, viewpoints, and perspective
12 among the Assemblymembers nominated for committee
13 membership, and that there is at least one Assemblymember
14 nominated for appointment to each committee who has expertise in
15 the areas assigned to the committee.
- 16 (c) Each year following the regular municipal election, all
17 Assemblymembers will be given an opportunity to indicate in
18 writing which of the standing committees they request to serve on.
19 At least two of the nominations for appointment for each standing
20 committee shall be made from those Assemblymembers, if any, who
21 have requested to serve on the committee for which the
22 appointments are to be made. The nomination for membership and
23 chair positions shall be made by the Mayor and ratified by the
24 Assembly within seven days of the first meeting after the
25 certification of the regular municipal election each year. All
26 committee members shall be appointed to serve for a term expiring
27 upon ratification by the Assembly of the committee appointments
28 following the next regular municipal election. All committee
29 members serve at the pleasure of the Assembly.
- 30 (d) A standing committee may at the call of its chair or the vote of its
31 membership take up any matter within the scope of its charge
32 established by these rules and not pending as legislation authorized
33 by the Assembly. Matters not within the scope of any standing
34 committee, or within the scope of more than one standing
35 committee shall be assigned by the Mayor.
- 36 (e) Each committee shall refer information to and coordinate activities
37 with other appropriate committees. Issues referred to another
38 committee and any directions to the Manager must have the
39 concurrence of a majority of the committee members.
- 40 2. Human Resources Committee. The Human Resources Committee may
41 take up issues relating to the health and well-being of Juneau citizens
42 and their participation in local government. The duties of the Human
43 Resources Committee shall include:

- 1 (a) Nominating citizens to all CBJ boards and commissions.
2 Appointment to such bodies shall be made by the full Assembly;
- 3 (b) Making recommendations to the full Assembly regarding the
4 issuance, renewal or transfer of liquor licenses, restaurant
5 designation permits, and marijuana licenses;
- 6 (c) Reviewing and proposing amendments to these Rules;
- 7 (d) *Reserved.*
- 8 (e) Overseeing Juneau's relations with its sister cities;
- 9 (f) Membership for Certain Appointments. The Human Resources
10 Committee shall meet as needed to recommend appointments to the
11 Planning Commission, the Hospital Board, the Ski Area Board, the
12 Docks and Harbors Board, and the Airport Board. The Mayor and
13 all Assemblymembers shall serve as members of the Committee
14 and the Human Resources chair shall serve as chair at these
15 meetings.
- 16 3. Finance Committee. The Finance Committee may take up issues
17 relevant to the fiscal status of the CBJ. The Mayor and all
18 Assemblymembers shall serve as members of the Finance Committee.
19 The duties of the Finance Committee shall include:
20 (a) Review of the Manager's proposed budget and recommendations to
21 the Assembly for a final budget;
- 22 (b) Review of the fiscal policies of the CBJ as deemed necessary by the
23 committee.
- 24 4. Committee of the Whole. The Committee of the Whole may take up
25 those issues within the jurisdiction of multiple committees and those
26 warranting detailed review prior to consideration by the Assembly. The
27 Mayor and all Assemblymembers shall serve as members of the
28 Committee of the Whole. Generally, the rules of the Assembly shall be
29 followed in the Committee of the Whole, provided that, at the discretion
30 of the chair, the rules may be relaxed and the rules relating to
31 participation by the presiding officer and the number of times a member
32 may speak shall not be in effect unless otherwise ordered by a majority
33 of the committee. In preparing the committee agenda the chair shall
34 consult with the Mayor.
- 35 5. Lands, Housing, and Economic Development Committee. The Lands,
36 Housing, and Economic Development Committee may take up issues
37 relevant to the lands, housing, economic development, water or air
38 within the City and Borough. The duties of the Lands Committee shall
39 include recommendations to the Assembly regarding:
40 (a) The preparation and revision of a land management plan and the
41 acquisition and disposal of CBJ lands;

- 1 (b) The administration of the lands fund and the mineral holdings of
2 the CBJ;
- 3 (c) Implementation of the Long Range Waterfront Development Plan,
4 and issues relating to use and development of the CBJ waterfront;
- 5 (d) Promotion of improved housing availability in the City and
6 Borough; and
- 7 (e) Promotion of a vibrant and diverse local economy.
8
- 9 6. Public Works and Facilities Committee. The PWFC may take up issues
10 relevant to the infrastructure of CBJ, including transportation and
11 utilities. The duties of the PWFC shall include:
 - 12 (a) Making recommendations to the Assembly regarding the capital
13 improvement program required by Charter section 9.2 and other
14 capital improvement plans and lists;
 - 15 (b) Advising each newly elected Assembly of unfinished capital projects
16 to be continued;
 - 17 (c) Making recommendations to the Assembly regarding the
18 preparation and revision of an areawide transportation plan;
 - 19 (d) Making recommendations related to energy efficiency, renewable
20 resources, waste reduction and recycling, global warming and green
21 building.
- 22 7. Special Committees. Nominations for special committee appointments
23 and the chair position of each special committee shall be made by the
24 Mayor, and shall be subject to ratification by the Assembly. In making
25 nominations for special committee appointments, the Mayor shall strive
26 to ensure, to the extent reasonably possible, that there is a balance of
27 opinion, viewpoints, and perspective among the Assemblymembers
28 nominated for committee membership, and that there is at least one
29 Assemblymember nominated for appointment to each such committee
30 who has expertise in the areas assigned to the committee. All members
31 shall serve at the pleasure of the Assembly.
- 32 D. *Reserved.*
- 33 E. Quorum of Committees. For the Committee of the Whole and the Finance
34 Committee, a majority of the membership shall constitute a quorum. For committees
35 with seven or eight members, four of the membership shall constitute a quorum, for
36 committees with five or six members, three of the membership shall constitute a
37 quorum. For committees with four or fewer members, two of the membership shall
38 constitute a quorum for the transaction of business.

F. Voting. The minimum vote required to take official action shall be the same as that constituting a quorum; provided, however, that in the case of a tie vote, the action fails.

RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.

A. Appointment of Liaisons. The Mayor shall nominate one member of the Assembly to serve as the liaison to each of the following City and Borough boards and commissions:

- Planning Commission
- Hospital Board
- Docks and Harbors Board
- Airport Board
- School Board
- Ski Area Board
- Aquatics Board

The nominations shall be subject to ratification by the Assembly. Liaisons to other entities may be appointed from time to time.

B. Role of Liaison. Assembly liaisons serve as a link between the Assembly and the board or commission to establish and maintain communication between the bodies on issues, projects, and other matters of mutual concern and interest. Assembly liaisons are not required to regularly attend board or commission meetings; but if they do, they shall not have the power to vote on the board or commission, and are not to be counted in determining whether a quorum of the board or commission is present.

C. Other Meetings. The Assembly encourages its members to attend meetings of other boards, commissions, and citizen groups and inform the Assembly on the activities of those bodies and the issues before them, as appropriate.

RULE 7. DEBATE.

A. Speaking on the Question. A member or the Manager may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.

B. Asking Questions. After obtaining recognition from the chair, a member may ask direct questions of another member of the Assembly or to a person appearing before the Assembly. The questions may not be argumentative.

1 C. Decorum. Members shall not question the motives, competency or integrity
2 of any person except as necessary to decide an appeal, personnel evaluation, contract
3 award, or other matter in which such issues are clearly relevant. The chair shall
4 admonish any member violating this rule and if violations are severe or repeated,
5 may without a vote declare a recess not to exceed ten minutes.

6
7 **RULE 8. RULES OF PUBLIC PARTICIPATION.**

8 When permitted by Rule 14, public participation during hearings on ordinances
9 and matters other than appeals will be conducted according to the following rules,
10 which will be posted in the Assembly Chambers:

11 A. The hearing will be conducted by the Mayor as chair.

12 B. The Mayor will open the hearing by summarizing its purposes and
13 reemphasizing the rules of procedure.

14 C. The Mayor may set a time limit for public testimony, for individual
15 speakers, or both if it appears necessary to gain maximum participation and
16 conserve time, and may for the same reason disallow all questions from the
17 Assembly to members of the public. The time limit may be extended by a majority of
18 the Assembly. The time limit for individual speakers shall be uniform for all
19 speakers, and shall be strictly enforced. Speakers shall not have the right to
20 transfer their unused time to other speakers, but the Mayor may grant additional
21 time to a person speaking on behalf of a group present in the chambers.

22 D. Citizens will be encouraged to submit written presentations and exhibits.
23 Material submitted to the Manager's office more than three business days before a
24 meeting and comprising ten pages or less will be eligible for copying for that
25 meeting. Material submitted less than three days before a meeting will be
26 distributed by the Clerk at the meeting provided that the submission includes at
27 least 15 copies.

28 E. The Mayor will set forth the item or subject to be discussed and will rule
29 non germane comments out of order.

30 F. All speakers, public, and members of the Assembly will be recognized by the
31 chair by surname.

32 G. Members of the public will precede their remarks by stating their names
33 and, unless otherwise allowed by the Mayor, their place of residence.

34 H. Members of the Assembly will not direct questions to each other or to the
35 chair during public participation except as to the conduct of the hearing.

36 I. Members of the Assembly may direct questions to members of the public
37 only to obtain clarification of material presented. The questions may not be
38 argumentative, nor may they have the purpose or effect of unreasonably extending
39 any time limit applicable to public speakers.

J. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.

K. The public may direct questions to the chair only as it pertains to the conduct of the hearing.

L. The Manager may participate in the same manner as the members of the Assembly.

M. There shall be an opportunity for public participation on non-agenda items at each regular meeting of the Assembly. Such public participation shall be limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed five minutes. Assemblymembers may ask questions of the speaker, but shall not deliberate at that time on matters raised, or answer questions directed to the members.

RULE 9. MOTIONS.

A. Seconds. Seconds to motions are not required.

B. Renewal of Defeated Motions. Defeated motions may be renewed only under suspension of the rules.

C. Priority of Privileged Motions. Privileged motions shall have the following priority:

1. Fix time to adjourn
2. Give notice of reconsideration
3. Adjourn
4. Recess
5. Question of privilege of the body
6. Question of personal privilege

RULE 10. CLERICAL ERRORS.

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or errors in spelling, may be corrected by the Attorney upon discovery of the error.

RULE 11. VOTE REQUIRED.

The affirmative vote of five members of the Assembly shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances, which require the affirmative vote of at least six members:

A. Limiting, extending, or closing debates

- 1 B. Suspension of the rules
- 2 C. Setting of or postponement of special orders
- 3 D. Objection to consideration of question
- 4 E. Motion for immediate vote (previous question)
- 5 F. Rescind
- 6 G. To take up a motion for reconsideration at the meeting at which the action
- 7 to be reconsidered was taken

8

9 **RULE 12. PARLIAMENTARIAN.**

10 The Attorney shall act as the parliamentarian.

11

12 **RULE 13. SESSIONS.**

13 Each regular or special meeting of the Assembly constitutes a session for

14 purposes of the rules.

15

16 **RULE 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM.**

17 No person except a member or the Manager may participate in Assembly

18 proceedings except as provided in the agenda item for public participation and

19 except that the Attorney or Clerk may comment on professional or procedural

20 aspects. Public participation shall be permitted on a motion to recess into executive

21 session prior to the vote on such a motion. Public participation shall be permitted on

22 all items on the agenda, except for meetings advertised as work sessions only, but

23 shall not be permitted on items before the body for information or scheduling

24 purposes except to the extent such public participation concerns scheduling only.

25

26 **RULE 15. RECONSIDERATION.**

27 A. What May Be Reconsidered. Main motions, amendments to main motions,

28 privileged motions involving substantive questions, and appeals are subject to

29 reconsideration. Procedural motions may not be reconsidered.

30 B. Who May Reconsider. Any member, whether or not that member voted on

31 the prevailing side, may give notice of or move for reconsideration.

32 C. Effect of Notice. The effect of giving notice of reconsideration is to suspend

33 all action on the subject of the notice until a motion for reconsideration is made and

34 acted upon or until the time within which the motion for reconsideration may be

35 made and acted upon has expired.

36 D. Time in Which Notice Must Be Taken Up. A notice of reconsideration

37 expires unless a motion for reconsideration is made and acted upon prior to

1 adjournment of the next regular meeting succeeding the meeting at which the action
2 to be reconsidered occurred.

3 E. Successive Reconsideration. There may be only one reconsideration even
4 though the action of the Assembly after reconsideration is opposite from the action of
5 the Assembly before reconsideration.

6 F. Precedence. A motion for reconsideration has precedence over every main
7 motion and may be taken up at any time during the meeting when there is no other
8 motion on the floor.

9 G. Effect. A motion for reconsideration completely cancels the previous vote
10 on the question to be reconsidered as though the previous vote had never been
11 taken.

12

13 **RULE 16. TELEPHONIC PARTICIPATION.**

14 A. A member may participate via telephone in an Assembly meeting, or an
15 Assembly Committee meeting, if the member declares that circumstances prevent
16 physical attendance at the meeting. If the Mayor chooses to participate via
17 telephone, the Deputy Mayor shall preside.

18 B. No more than the first three members to contact the Clerk regarding
19 telephonic participation in a particular meeting may participate via telephone at any
20 one meeting.

21 C. The member shall notify the Clerk and the presiding officer, if reasonably
22 practicable, at least four hours in advance of a meeting which the member proposes
23 to attend by telephone and shall provide the physical address of the location, the
24 telephone number, and any available facsimile, email, or other document
25 transmission service.

26 D. At the meeting, the Clerk shall establish the telephone connection when the
27 call to order is imminent.

28 E. A member participating by telephone shall be counted as present for
29 purposes of quorum, discussion, and voting.

30 F. The member participating by telephone shall make every effort to
31 participate in the entire meeting. From time to time during the meeting the
32 presiding officer shall confirm the connection.

33 G. The member participating by telephone may ask to be recognized by the
34 presiding officer to the same extent as any other member.

35 H. To the extent reasonably practicable, the Clerk shall provide backup
36 materials to members participating by telephone.

37 I. If the telephone connection cannot be made or is made then lost, the
38 meeting shall commence or continue as scheduled and the Clerk shall attempt to
39 establish or restore the connection, provided that if the member participating by
40 telephone is necessary to achieve a quorum, the meeting shall be at ease, recess, or

1 adjourn as necessary until the telephone connection is established or restored.

2 J. Meeting times shall be expressed in Alaska time regardless of the time at
3 the location of any member participating by telephone.

4 K. Participation by telephone shall be allowed for regular, special, and
5 committee meetings of the Assembly.

6 L. Remarks by members participating by telephone shall be transmitted so as
7 to be audible by all members and the public in attendance at the meeting, provided
8 that in executive session the remarks shall be audible only to those included in the
9 executive session.

10 M. Any member of the public present with the member participating by
11 telephone shall be allowed to speak to the same extent he would if physically present
12 at the meeting.

13 N. As used in these rules, "telephone" means any system for synchronous two-
14 way voice communication. "Mayor" includes the Acting Mayor or any other member
15 serving as chair of the meeting.

16
17 **RULE 17. ADOPTION OF ROBERT'S RULES OF ORDER.**

18 The conduct of the meetings of Assembly shall be governed by the Mayor
19 according to Robert's Rules of Order, 11th Edition, except as otherwise provided by
20 Charter, law, or these rules.

21 **Section 2. Effective Date.** This resolution shall be effective immediately
22 after its adoption.

23 Adopted this ____ day of _____, 2021.

24
25
26 _____
Beth A. Weldon, Mayor

27 Attest:

28
29
30 _____
31 Elizabeth J. McEwen, Municipal Clerk

Presented by: COW
Presented: 11/23/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2922

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

WHEREAS, a local emergency disaster was declared due to COVID-19 initially with Resolution 2884; and

WHEREAS, Resolution 2887 temporarily provided rules to prevent the spread of COVID-19 and balance the community's needs related to public meetings but Resolution 2887 expires on November 24, 2020; and

WHEREAS, since March, 2020, more than 600 people in the community have had COVID-19, community members have been hospitalized and died due to COVID-19, people are wearing masks and socially distancing to minimize spread of COVID-19; and

WHEREAS, Alaska is currently experiencing a second significant wave of COVID-19 positive cases in which multiple communities are in High or Very High alert levels; and

WHEREAS, while public health mitigation measures have helped minimize the spread of COVID-19 and medical care of patients has improved since the SARS-CoV-2 virus was detected earlier this year, vaccine development and distribution is still underway; and

WHEREAS, COVID-19 continues to pose an imminent threat to human health, safety, and welfare to the residents of the City and Borough of Juneau; and

WHEREAS, the boards, commissions, and committees of the City and Borough of Juneau normally host multiple public meetings a week; and

WHEREAS, consistent with Resolution 2686 Rule 9, the Assembly Rules of Procedure govern nearly all of the Assembly's advisory boards, commissions, and committees; and

WHEREAS, upon balancing the health risks of COVID-19 and transparent government principles, the Assembly finds it necessary to temporarily change how City and Borough of Juneau public meetings are conducted; and

WHEREAS, public comment opportunities still exist at public meetings, and members of the public are encouraged to submit comments in writing, like by emailing BoroughAssembly@juneau.org or by filling out the online Assembly Contact Form, <https://beta.juneau.org/assembly/assembly-contact-form>; and

WHEREAS, Resolution 2862 Rule 16. N. defines telephone or telephonic as “any system of synchronous two-way voice communication,” which could include traditional telephones and internet-based internet audio or video applications.

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

Section 1. Telephonic Participation. Rule 16 (A. through C.) of Resolution 2862 is amended as follows:

RULE 16. TELEPHONIC PARTICIPATION.

- A. Up to nine members may participate via telephone in an Assembly meeting or an Assembly Committee meeting.
- B. Reserved.
- C. Reserved.

...

Section 2. COVID-19 Public Meeting Prevention and Mitigation. Resolution 2862 is amended by adding a new Rule 18 as follows:

RULE 18. COVID-19 PUBLIC MEETING PREVENTION AND MITIGATION.

- A. **Public seating area.** People in a meeting room must comply with all public health requirements including, social distancing, and face covering requirements (e.g., Ordinances 2020-52 and 2020-45). Staff should participate remotely if possible. Members of the public are also encouraged to participate remotely and submit comments in writing.
- B. **Alternative public broadcasting.** This provision applies to public meetings of the City and Borough of Juneau Assembly and its committees, boards, and commissions. In addition to regular Assembly meeting broadcasts, meetings with substantial public interest should be live broadcast in a manner that is reasonably calculated to provide meaningful public observance of the public meeting. The chair of a committee, board, or commission has discretion, unless overruled by majority vote, if and how a meeting should be broadcast. Broadcast can include but is not limited to video conferencing, conference call, listen only conference call, and radio broadcasting.

Section 3. Sunset Provision. This resolution shall automatically expire and no longer have effect after May 25, 2021.

Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this 23rd day of November, 2020.

A handwritten signature in black ink, appearing to read "Beth A. Weldon", written over a horizontal line.

Beth A. Weldon, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Elizabeth J. McEwen", written over a horizontal line.
Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: February 8, 2021
Drafted by: Finance

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2940

A Resolution Amending Emergency Appropriation Resolution 2915 Related to the Eligible Expenditure Period for Three Drop-In Distance Learning Centers for School-Age Youth During the COVID-19 Pandemic.

WHEREAS, the Assembly appropriated \$70,000 for three drop-in distance learning centers for school-age youth during the COVID-19 pandemic with Emergency Appropriation Resolution 2915 (October 26, 2020); and

WHEREAS, on December 27th, President Trump extended the CARES Act eligible expenditure period from December 30, 2020 to December 31, 2021.

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

Section 1. Amendment of Emergency Appropriation Resolution 2915. The last whereas clause of Emergency Appropriation Resolution 2915 is amended by inserting “December 31, 2021” and deleting “December 30, 2020”.

Section 3. Effective Date. This resolution shall be effective immediately after adoption.

Adopted this ____ day of _____, 2021.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Update for Safe Space for Schooling at Shepherd of the Valley January 7-30

Thank you all for your support; I wanted to give an update after completing four weeks in the new schedule.

1. We are running the program from 7:30 am - 3:30 pm with three staff members based on the need from families. We were not able to cut back on hours or staff.
2. Volunteers from National Honor Society and the library come in throughout the week to read or tutor. That's been incredibly helpful.
3. Mondays are full (over 20) with youth ranging from kindergarten through high school. We are at the point that we need to turn youth away on Mondays. The other days average 15 youth for at least part of the day.

The program is going amazingly well and we have a great working relationship with the schools and families now.

Here is where we stand financially:

1. We have spent \$5600 on payroll in less than four weeks
2. Close to \$1300 in utilities + food (internet is \$450 a month plus electricity, water, oil & plowing)
3. We plan on operating until May unless the model for in person schooling radically changes

The budget to run into May:

Payroll	\$26,242
Internet	\$2250
Utilities/Food	\$6908
Insurance	\$908
Total	\$36,308

We have been promised \$7840 from JCF (haven't received check yet)

We are requesting \$15,000 from Rasmuson Foundation at their March meeting

That leaves us with a \$13,468 deficit.

We had \$13,470 from CARES funding leftover and I would like to request the assembly allow us to use those funds to keep operating through May.

Thank you for your consideration.

Peace

Pastor Tari Stage-Harvey

Presented by: The Manager
Presented: February 8, 2021
Drafted by: Finance

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2942

A Resolution Amending Emergency Appropriation Resolution 2906 Related to the Eligible Expenditure Period and Appropriation Amount for K-5 Rally Programing During COVID-19.

WHEREAS, the Assembly appropriated \$600,000 to the Juneau School District for K-5 Rally programing during COVID-19 with Emergency Appropriation Resolution 2906 (September 21, 2020); and

WHEREAS, on December 27th, President Trump extended the CARES Act eligible expenditure period from December 30, 2020 to December 31, 2021.

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

Section 1. Amendment of Emergency Appropriation Resolution 2915. Emergency Appropriation Resolution 2906 is amended as follows:

- (a) The resolution title is amended by inserting "\$237,171" and deleting "\$600,000".
- (b) The last whereas clause is amended by inserting "May 31, 2021" and deleting "December 30, 2020".
- (c) Section 1 is amended by inserting "two hundred thirty seven thousand one hundred and seventy one dollars (\$237,171.00)" and deleting "six hundred thousand dollars (\$600,000.00)".
- (d) Section 2 is amended by inserting "237,171.00" and deleting "\$600,000.00".
- (e) Section 3 (d) is amended by inserting "May 31, 2021" and deleting "December 30, 2020".

Section 3. Effective Date. This resolution shall be effective immediately after adoption.

Adopted this ____ day of _____, 2021.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 18, 2020

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Numb	DBA	Type	City	Borough	Community Council
849	Percy's Liquor Store	Package Store	Juneau	Juneau	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 31, 2020

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Numb	DBA	Type	City	Borough	Community Council
2641	Saffron	Restaurant/Eating Place	Juneau	Juneau	NONE
4584	Tracy's King Crab Shack	Restaurant/Eating Place	Juneau	Juneau	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 31, 2020

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Numb	DBA	Type	City	Borough	Community Council
2641	Saffron	Restaurant/Eating Place	Juneau	Juneau	NONE
4584	Tracy's King Crab Shack	Restaurant/Eating Place	Juneau	Juneau	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

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To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 8, 2021

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Number	DBA	Type	City	Borough	Community Council
4731	Asiana Gardens	Restaurant or Eating Place	Juneau	Juneau	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 15, 2021

City and Borough of Juneau

Via Email: beth.mcewen@juneau.org ; city.clerk@juneau.org

Re: Notice of Liquor License Renewal Applications

License Numb	DBA	Type	City	Borough	Community Council
5711	The Old Tower Bar @ Eaglecrest	Recreational Site-Seasonal Grandfathered AS 04.11.210(d)	Juneau	Juneau	None

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: January 27, 2021
File No.: CSP2020 0012

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Complete street and underground utility maintenance and addition of sidewalk to one side (and replacements as necessary) on Crest Street.

Property Address: Crest Street

ROW Name: Crest Street

Hearing Date: January 26, 2021

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 19, 2021. The Planning Commission recommended that the City and Borough Assembly **APPROVE** the project.

Attachments: January 19, 2021 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2020 0012.

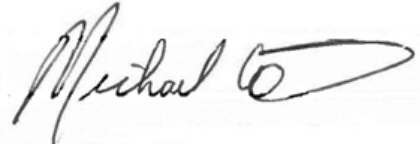
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020(b).

City and Borough Assembly

File No.: CSP2020 0012

January 27, 2021

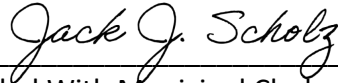
Page 2 of 2



Michael LeVine, Chair
Planning Commission

February 2, 2021

Date



Filed With Municipal Clerk

February 2, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The State Government and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Presented by: The Manager
 Introduced: February 8, 2021
 Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,
 ALASKA

SERIAL NUMBER T-1036

It is hereby ordered by the Assembly of the City and Borough of Juneau,
 Alaska, that \$90,000 be transferred:

From: CIP

A50-102	Terminal Construction	\$90,000
---------	-----------------------	----------

To: CIP

A50-100	Land Acquisition-Planning	\$50,000
A50-092	Float Pond Improvements	\$40,000

The \$90,000 consists of:

Airport Revolving CIP Funds	\$90,000
-----------------------------	----------

Moved and Approved this _____ day of _____, 2021.

 D. Rorie Watt, City Manager

Attest:

 Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AH)

An Ordinance Appropriating \$75,000 to the Manager for Consulting Services to Explore the Joint Facility and Expansion Concept at Centennial Hall; Funding Provided by the General Fund's Fund Balance.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$75,000 for consulting services to explore the joint facility and expansion concept at Centennial Hall.

Section 3. Source of Funds

General Fund's Fund Balance	\$75,000
-----------------------------	----------

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AI)

An Ordinance Appropriating \$75,000 to the Manager for a Homeless Youth Navigator Position; Grant Funding Provided by the Alaska Department of Labor and Workforce Development.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$75,000 for a homeless youth navigator position.

Section 3. Source of Funds

Alaska Department of Labor and Workforce Development	\$75,000
--	----------

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AJ)

An Ordinance Appropriating \$325,000 to the Manager to Operate a Youth Shelter and Rapid Rehousing Facility; Grant Funding Provided by the U.S. Department of Health and Human Services, Juneau Community Foundation, and Friends of Zach Gordon Youth Center.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$325,000 to operate a youth shelter and rapid rehousing facility.

Section 3. Source of Funds

U.S. Department of Health and Human Services	\$200,000
Juneau Community Foundation	\$100,000
Friends of Zach Gordon Youth Center	\$ 25,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AK)

An Ordinance Amending Ordinance 2019-06(AI) Related to the Appropriation Fund Source for COVID-19 Testing Equipment.

WHEREAS, the Assembly appropriated \$700,000 for COVID-19 testing equipment to be operated by Bartlett Regional Hospital with Ordinance 2019-06(AI) (June 29, 2020);

WHEREAS, during 2020, Bartlett Regional Hospital received approximately \$13,200,000 of federal funds due to the COVID pandemic.

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. Amendment of Ordinance 2019-06(AI). Section 3 of Ord. 2019-06(AI), Source of Funds, is amended by inserting "Bartlett Regional Hospital Fund Balance" and deleting "CARES Special Revenue Fund."

Section 3. Effective Date. This ordinance shall be effective immediately after adoption.

Adopted this ____ day of _____, 2021.

Attest:

Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: January 25, 2021
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AL)

An Ordinance Appropriating \$700,000 to the Manager as Supplemental Funding for the COVID-19 Emergency Individual Assistance Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19, which was extended with Resolution 2921; and

WHEREAS, Ordinance 2020-09(Y)(b) appropriated \$2,000,000 and created the COVID-19 Emergency Individual Assistance Grant Program; and

WHEREAS, there is substantial demand for the Emergency Individual Assistance Program, which is best met with this appropriation; and

WHEREAS, the COVID-19 Emergency Individual Assistance Grant Program costs are necessary due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the COVID-19 Emergency Individual Assistance Grant Program costs were not accounted for in the FY20 budget.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. In addition to the \$2,000,000 appropriated by Ordinance 2020-09(Y)(b), there is appropriated to the Manager the sum of seven hundred thousand dollars (\$700,000) for the COVID-19 Emergency Individual Assistance Grant Program.

Section 3. Source of Funds:
CARES Act Special Revenue Fund \$ 700,000

Section 4. Effective Date. This ordinance shall become effective immediately after adoption.

Adopted this ____ day of _____, 2021.

Attest: _____
Beth A. Weldon, Mayor

Elizabeth J. McEwen, Municipal Clerk

Presented by: AFC
Presented: 2/8/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution Serial No. 2941

A Resolution Amending the COVID-19 Emergency Individual Assistance Program Criteria.

WHEREAS, the Assembly established the COVID-19 Emergency Individual Assistance Program with Ordinance 2020-09(Y)(b) on November 23, 2020; and

WHEREAS, the Assembly amended the COVID-19 Emergency Individual Assistance Program with Resolution 2931 on December 22, 2020; and

WHEREAS, upon consideration of the supplemental appropriation in Ordinance 2020-09(AL), this resolution is necessary to ensure that limited financial resources are spread throughout the community; and

WHEREAS, the COVID-19 Emergency Individual Assistance Program, as amended, is necessary due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).

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

Section 1. COVID-19 Emergency Individual Assistance Grant Program Criteria. The program is subject to the following terms and conditions:

- (a) **Intent.** The intent of this grant program is to provide a simple application for financial support to people residing in the City and Borough of Juneau who have been financially harmed by COVID-19 and need assistance paying for basic needs like food, healthcare, nondiscretionary transportation, utilities, and housing from March 1 through December 30, 2020.
- (b) **Administration.** The Grant Administrator is Catholic Community Services. The Manager is authorized to execute an agreement with the Grant Administrator for disbursement of program funds. The Grant Administrator is responsible for assuring the program funds are disbursed only to eligible applicants. The Grant Administrator shall be provided a reasonable administration fee based on actual expenses, which are anticipated to be around \$40,000.00. The Grant Administrator shall provide the Manager with program status reports at

reasonable intervals. The Manager shall provide updates to the Finance Committee or Assembly. The Grant Administrator shall review applications, make eligibility determinations, and request grant disbursement from the City and Borough of Juneau for the eligible recipients.

(c) **Eligible Applicants.**

- (1) **Individuals residing in the CBJ.** This program is only open to individuals and not businesses. An applicant must be eighteen years of age or older and reside in the CBJ. An applicant applying for or with a dependent must be a parent or guardian with legal custody of the dependent. Residence in the CBJ may be established by voter registration in the CBJ, an Alaska driver's license with an address in the CBJ, or similar documentation.
- (2) **COVID-19 financial hardship.** The applicant must describe how the applicant has been financially harmed by COVID-19.
- (3) **Income and livability costs.** The applicant must provide sufficient proof of income and proof basic needs expenses, which may be self-attested.
- (4) **Additional information.** The Grant Administrator may request additional information from applicants when the application contains insufficient or contradictory information or the Grant Administrator may deem the application incomplete. The Grant Administrator shall not keep a copy of any income verification. The Grant Administrator shall notify applicants of incomplete applications. Incomplete applications have three working days to cure to keep the original application filing date; otherwise the application is deemed complete on the date it is cured.

(d) **Grants.**

- (1) **Amount.** The grant amount is determined by the following income levels:

Index	Income limit	Grant Amount
50% Area Median Income (AMI)	\$58,900	\$1000
40% AMI	\$47,120	\$1500
30% AMI	\$29,450	\$2000

- (2) **Dependent Grant Amount.** In addition to the grant amount identified in subsection (d)(1), each dependent of the applicant that is less than 18 years old qualifies for a \$300 grant. A dependent is only eligible for one \$300 grant even if more than one parent or guardian applies.
- (3) **Payment Process.** The Grant Administrator shall send, or instruct the City and Borough of Juneau to send, the grant payments to applicants. A grant for a dependent must be paid to the parent or guardian applicant.

- (e) **Exceptions.** The Grant Administrator, after receiving direction from the Manager or designee, has the authority to make reasonable exceptions that match the intent of this grant program.
- (f) **Confidentiality.** Except as provided in this ordinance, all application material submitted for this grant and all information contained therein shall be kept confidential except for inspection by:
 - (1) Employees, auditors, and agents of the City and Borough, including the Grant Administrator, whose job responsibilities are directly related to such applications and information;
 - (2) The applicant; and
 - (3) Court order.

However, nothing in this ordinance shall be construed to provide confidentiality to summary information about program status and effectiveness. Upon balancing the public's right to know and privacy of disadvantaged individuals, this confidentiality provision is intended to provide the same level of confidentiality as provided in A.S. 47.05.020 and 7 AAC 37.030 (prohibition on disclosure of public assistance records).

- (g) **Priority.** Applications are processed on a first-come, first-served basis. The Grant Administrator will continue to expend funds until funds are fully exhausted.

Section 2. Phase 2 of the COVID-19 Emergency Individual Assistance Grant Program Criteria.

- (a) **Commencement of Phase 2.** Upon adoption of Ordinance 2020-09(AL), the COVID-19 Emergency Individual Assistance Grant Program shall enter Phase 2.
- (b) **Phase 2 Criteria.** Phase 2 of the COVID-19 Emergency Individual Assistance Grant Program follows the provisions of the existing Program (Section 1) except as provided below:
 - (1) Insert the following exclusion into the Eligible Applicant criteria:
“(5) **CBJ Housing Assistance Exclusion.** An individual who received a grant from the City and Borough of Juneau COVID-19 Housing Assistance Grant Program (Res. 2912(b)(am) and Ordinance 2020-09(Y)(b), as the same may be amended) is not eligible for a grant under Phase 2 of this Program.”
 - (2) Amend the Grant Amounts provision (Section 1(d)(1)) as follows:

Index	Income limit	Grant Amount
50% Area Median Income (AMI)	\$58,900	\$500 1000
40% AMI	\$47,120	\$750 1500
30% AMI	\$29,450	\$1000 2000

(3) Amend the Priority provision (Section 1(g)) as follows:

“Priority. The Grant Administrator must only consider applications received prior to December 15, 2020, that did not receive grants with the prior appropriation. The Grant Administrator must review and categorize the applications by the three income tiers in subsection (d)(1). The Grant Administrator shall award grants by tier in the following order: 30% or less AMI, between 30.1% AMI and 40% AMI, and then between 40.1% AMI and 50% AMI. Within each tier, the Grant Administrator shall award the grants in the order in which the applications were received. Applications are processed on a first come, first served basis. The Grant Administrator will continue to expend funds until funds are fully exhausted.”

Section 3. Effective Date. This resolution shall become effective immediately after its adoption.

Adopted this ____ day of February, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Presented: 01/25/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-01(c)

An Ordinance Providing for a Property Tax Abatement Program to Incentivize the Development of Housing in Downtown Juneau.

WHEREAS, A.S. 29.45.050(m) gives municipalities the option of providing tax exemptions for economic development property and requires a statement that if this ordinance is adopted, it may be repealed by the voters through referendum; and

WHEREAS, the Housing Action Plan and Juneau Economic Development Plan identify tax abatement incentives to encourage development of workforce, senior, and downtown housing; and

WHEREAS, a 2020 Assembly Goal is to develop downtown housing incentives including tax abatement.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 69.10.023 Property tax incentives for economic development property, is amended to read:

69.10.023 Property tax incentives for economic development property.

(a) *Purpose.* This section authorizes property tax exemptions for the following on a property that meets the definition of economic development property in A.S. 29.45.050(m):

(1) At least 15 new residential units of assisted living for senior citizens. The term residential units includes the assisted living residential units for senior citizens and only those building spaces that are necessary and incidental to the assisted living of senior citizens that qualify for inclusion in the exemption like common space, support space, and shared facilities. A residential unit qualifies for the exemption even if a non-senior citizen resides in the unit with a senior citizen. The property is located entirely within the urban service area as defined by Title 49.

(2) At least four new residential units in the Downtown Juneau Residential Tax Abatement Map, dated January 20, 2021.

(b) ~~Reserved. Location. The property is located entirely within the urban service area as defined by Title 49.~~

(c) *Exclusions.* Repair and rehabilitation property as defined in CBJC 69.10.025 for which an exemption application has been filed or granted is not eligible for this housing tax incentive. Submission of an application for exemption pursuant to this section shall automatically terminate any existing CBJC 69.10.025 application or designation for the property.

(d) *Application.* An application for an exemption under this section shall be made in writing to the assessor's office prior to issuance of a building permit for the residential units. Applications made after issuance of a building permit for the residential units shall not be accepted, or rejected if accepted. The application shall at a minimum contain the following:

- (1) *Name.* The name of the applicant;
- (2) *Address.* The legal description and street address of the property for which the application is made;
- (3) *New residential units.* Drawings of the residential units that the applicant will construct, including a floor plan that includes approximate square footages;
- (4) *Existing structures.* Drawings showing the square footage of all existing structures and structures to be constructed on the property;
- (5) *Increase in residential units.* Plans showing the construction will increase the total number of residential units on the property;
- (6) *Acknowledgement of liability.* Applicant acknowledges that the residential units will be taxable if and when the residential units are no longer eligible for tax exemption under this section;
- (7) *Economic development property justification.* A narrative describing how the application qualifies as economic development property consistent with A.S. 29.45.050(m); and
- (8) *Other information.* Other information as may be required by the assessor.

(e) *Provisional approval.* The assessor shall provisionally approve an application for tax exemption if:

- (1) The applicant submitted a complete application; and
- (2) The applicant acknowledges it must

- (i) Construct not less than the required residential units in accordance with the plans and drawings submitted with its application; and
- (ii) Increase the total number of residential units on the property in order to receive final approval under this section.

(f) *Final approval of exemption.* The assessor shall finally approve an application for tax exemption if:

- (1) The applicant has completed construction of residential units in accordance with the plans and drawings submitted with its application and a Certificate of Occupancy has been issued pursuant to Title 19 for each structure that contains a residential unit described in the application; and
- (2) The total number of residential units on the property has increased.

(g) *Magnitude of exemption.* Consistent with this subsection, the total potential exemption shall not reduce the amount of taxes below the amount levied on other property for the school district's required local contribution under A.S. 14.17.410(b)(2). The taxes eligible for exemption under this section are those attributable only to the newly constructed residential units exclusive of previously existing residential units (whether remodeled or not), all non-residential improvements, and land. Except as provided by subsection (m), the magnitude of exemption shall be determined on a spatial basis as follows: the square footage of the newly constructed residential units shall be divided by the square footage of all structures on the property, then multiplied by the assessed value of all improvements on the property and by the mill rate applicable to the property.

(h) *Duration of tax exemption.* Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.

(i) *Recording of exemption.* The assessor shall memorialize the terms of an exemption granted under this section in a memorandum recorded in the Juneau Recording District and kept on file in the assessor's office.

(j) *Termination of exemption upon reduction in number of residential units.* An exemption granted under this section shall terminate immediately if and when the number of residential units on the property is less than the number existing at the time of final approval of the application under this section. An exemption granted under this section does not terminate if the property or residential unit is sold and the new owner continues to comply with this section.

(k) *Appeal.* Any decision of the assessor under this section may be appealed to the assembly in accordance with CBJC 01.50.

(l) *Annual compliance and status report.* Not later than March 31 of each year, the owner of the property for which an exemption has been granted, shall file with the assessor a report with the following information:

- (1) *Occupancy.* A statement of occupancy and vacancy of the residential units for the prior 12 months;

(2) *Residential units remain as described.* A certification that the newly constructed residential units described in the application continue to exist and have not been converted to a non-residential use;

(3) *Further changes.* A description of physical changes or other improvements constructed since the last report or, on first report, since the filing of the application; and

(4) *Additional information.* Any additional information requested by the assessor.

(m) *Late-file penalty.* The failure for the owner to file the annual compliance and status report by March 31 shall result in ten percent reduction of the taxes exempted in the prior year.

(n) *Definitions.* In this section, the following definitions apply:

New residential unit means new construction and a condemned or uninhabitable existing dwelling unit that is renovated to current code for a residential dwelling unit according to CBJC Title 19.

Previously exempt property means real or personal property exempt under CBJC Title 69 in the prior calendar year but taxable in the next calendar year.

Residential unit means a dwelling unit as defined by CBJC 49.80.120 and is either owner-occupied or only leased for periods of at least one month.

Senior citizen means a person who is:

- (1) Sixty-five years or older; or
- (2) At least 60 years of age and the widow or widower of a senior citizen who qualified for an exemption under AS 29.45.030(e) and CBJC 69.10.020(1)(A)(i) and (ii).

Widow or widower means a person whose spouse has died and who has not remarried.

Assisted living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services.

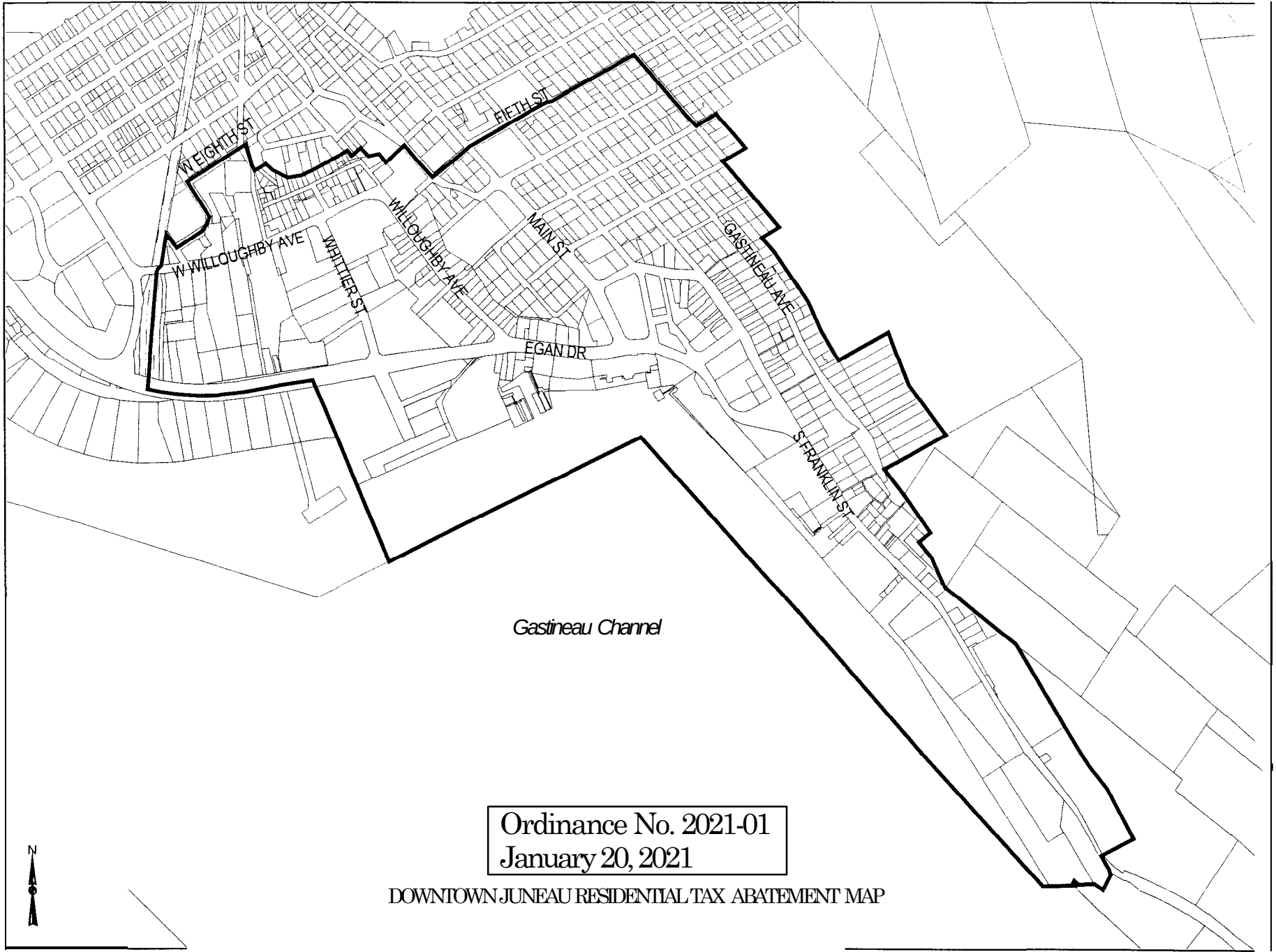
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Ordinance No. 2021-01
January 20, 2021

DOWNTOWN JUNEAU RESIDENTIAL TAX ABATEMENT MAP

Ord 2021-01 Smith Amendment ____

Intent: Make new residential units available for workforce housing and long-term rentals instead of short-term rentals.

Amend Section 2 as follows (Smith Amendment depicted with underlining):

69.10.23 Property tax incentives for economic development property.

(a) *Purpose.*

...

- (2) At least four new residential units in the Downtown Juneau Residential Tax Abatement Map, dated January 20, 2021, Such units must not be used as short-term rentals during the property tax abatement period.

...

(d) *Application.*

...

- (9) Application requirements specific to the Downtown Juneau Residential Tax Abatement. In an application for CBJC 69.10.023(a)(2), the property owner must agree not to rent any new residential units as short term rentals while receiving the tax abatement. A property owner who breaches this provision forfeits the remaining property tax abatement and must reimburse the City and Borough of Juneau for the property tax abatement received since first granted plus interest at the legal maximum rate of interest allowed by state law. If the property owner does not reimburse the City and Borough within 30 calendar days of notice being mailed or served, a lien shall be recorded against the property with the new residential units.

(n) *Definitions.* In this section, the following definitions apply:

...

Short Term Rental means a dwelling unit that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days.

...

Presented by: Mayor Weldon
Presented: 02/11/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Emergency Ordinance Serial No. 2021-05(b)

An Emergency Ordinance Mandating COVID-19 Testing or Quarantine for Interstate, Intrastate, and International Travelers Arriving in the City and Borough of Juneau.

WHEREAS, CBJ Charter 5.4(a) provides the Assembly may adopt an emergency ordinance to meet a public emergency by an affirmative vote of at least six assembly members; and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus ("virus"), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19; and

WHEREAS, on March 22, 2020, the City and Borough of Juneau ("CBJ") received its first positive case of COVID-19; and

WHEREAS, the Juneau International Airport and the Juneau ferry terminal are the primary point-of-entries for persons traveling into Juneau; and

WHEREAS, as of February 3, 2021, there have been more than 1200 confirmed cases in the City and Borough of Juneau, of which a substantial percentage are travel related and attributable to community spread; and

WHEREAS, Alaska continues to experience a substantial increase in COVID-19 cases with multiple community regions currently at a high alert level, including Juneau vacillating between the high and moderate level; and

WHEREAS, the State of Alaska initially issued Health Alert 10 on March 13, 2020 (interstate and international travel), and initially issued Health Mandate 18 on June 5, 2020 (intrastate travel); and

WHEREAS, such travel mandates have been revised since initially adopted but remained in effect, most recently as Health Order 6 (International and Interstate Travel) and Health Order 8 (Intrastate Travel); and

WHEREAS, the State of Alaska declaration of a public health disaster emergency in response to COVID-19 expires on February 14, 2021, and there is great uncertainty whether the Legislature will adopt legislation to extend it (i.e. S.B. 56); and

WHEREAS, the City and Borough of Juneau has the authority to implement temporary local travel orders relating to air and sea travel to Juneau to protect the health of all people living in and traveling to the community.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Intrastate Travel Order. (Previously known as Health Order 8) The purpose of Section 2, Intrastate Travel Order is to provide clear guidance and requirements for travel between communities located off the Road System or the Alaska Marine Highway System. All travel from a community on the Road System or the Alaska Marine Highway System is subject to the following:

(A) **Less than or equal to 72 hours** – If the traveler is in a community on the Road System or the Alaska Marine Highway System for less than or equal to 72 hours:

- (1) Recommend testing for SARS-CoV-2 using a molecular test 5 days after arrival at final destination.
- (2) Follow strict social distancing until negative test results are received.
- (3) If the traveler does not get a molecular test for SARS-CoV-2, they must follow strict social distancing for 14 days at final destination.

(B) **Greater than 72 hours** – If the traveler is in a community on the Road System or the Alaska Marine Highway System for greater than 72 hours:

- (1) Get a molecular test for SARS-CoV-2 within 72 hours prior to travel to a community off the Road System or the Alaska Marine Highway System.
- (2) The traveler should not commence travel until a negative test result is received.
- (3) If return travel cannot be delayed until the test result is available, the traveler must follow strict social distancing until they receive a negative result.
- (4) Five days after arrival at final destination, recommend testing for SARS-CoV-2 using a molecular test, and follow strict social distancing until negative test results are received.

(5) If the traveler does not get a molecular test for SARS-CoV-2, they must follow strict social distancing for 14 days at their final destination.

(C) Anyone who is currently infected with SARS-CoV-2 virus ***must not*** travel until they are cleared from isolation by a medical professional.

(D) Asymptomatic people who have recovered from a documented SARS-CoV-2 infection within the past 90 days are exempt from travel testing.

Section 3. International and Interstate Travel Order. (Previously known as Health Order 6)

(A) **Applicability.** This Order applies to all persons entering the City and Borough of Juneau from outside Alaska, whether resident, worker, or visitor. This Order applies to all forms of travel (land, sea, and air). Children age 10 and under are exempt from the testing requirement. However, untested children traveling with a parent or guardian must remain in the same status for the same duration as the parent/guardian (self-quarantine and/or strict social distancing).

(B) All international and interstate travelers:

(1) Must complete a Travel Declaration Form and a Self-Isolation Plan in the Alaska Travel Portal at www.alaska.covidsecureapp.com.

(2) Any person currently positive with COVID-19 cannot travel to the City and Borough of Juneau until they have been released from isolation, or cleared for travel, by a medical provider or public health agency.

(C) Requirements for All Travelers Entering the City and Borough of Juneau: All travelers, Alaska resident and non-residents alike, who are arriving in the City and Borough of Juneau from outside Alaska ~~the City and Borough of Juneau~~ must comply with one of the following options, with special considerations for Alaska residents outlined in subsection 3(d) ~~Section IV~~:

(1) Pre-travel molecular-based test for SARS-CoV2 with negative results:

The traveler must submit negative test results from a test taken within 72 hours of departure into the Alaska Travel Portal or have proof of a negative test available to show screeners at the airport upon arrival.

(a) All travelers with negative results from tests taken within 72 hours of departure must follow strict social distancing for five days after arrival into Alaska, or until they leave Alaska, whichever occurs first.

(b) A second test taken between five and 14 days after arrival is recommended, but not required

(2) Pre-travel molecular-based test for SARS-CoV2 without results:

The traveler must submit proof of a test taken within 72 hours of departure into the Alaska Travel Portal, or have proof available of having taken a test to show screeners at the airport.

(a) The traveler must follow strict social distancing until test results arrive.

(b) The traveler must upload test results to the Alaska Travel Portal when received, regardless if negative or positive.

(c) All travelers with negative results from tests taken within 72 hours of departure must follow strict social distancing for five days after arrival into City and Borough of Juneau or until they leave City and Borough of Juneau, whichever occurs first.

(d) A second test taken between five and 14 days after arrival is recommended, but not required.

(e) If the molecular-based test for SARS-CoV2 result is **positive**, the traveler must remain in self-isolation at their own expense. They must contact the State of Alaska COVID Reporting Hotline (1-877-469-8067) and cannot travel until cleared by Public Health.

(3) No pre-travel molecular-based test for SARS-CoV2: If a non-resident traveler (age 11 or older) arrives in the City and Borough of Juneau without proof of a negative test result or proof of a test taken within 72 hours of departure, they will be required to pay \$250 per test at the airport. Residents may obtain a **molecular-based test for SARS-CoV2 upon arrival** in the City and Borough of Juneau at no cost.

(a) All travelers must follow strict social distancing until test results are available.

(b) All travelers with negative results from the arrival test must follow strict social distancing for five days after arrival into the City and Borough of Juneau or until they leave the City and Borough of Juneau, whichever occurs first.

(c) A second test taken between five and 14 days after arrival is recommended, but not required.

(D) Special Considerations for Alaska Residents:

(1) Quarantine for 14 days after arrival into the City and Borough of Juneau.

(a) No test is required; and

(b) The resident traveler must self-quarantine, at their own expense.

(2) Travel outside of the State of Alaska for less than 72 hours.

(a) No test or quarantine is required.

(b) Resident traveler will self- monitor for 14 days after arrival for any symptoms, even mild ones.

(E) Prior confirmed positive results within 90 days of departure – All Travelers:

(1) No molecular-based test for SARS-CoV2 is required for any traveler, either immediately before travel or upon arrival, if all three of the following conditions are met:

(a) The traveler provides proof of a previously positive result of a molecular-based test for SARS-CoV2 within 90 days of departure; and

(b) The traveler is currently asymptomatic; and

(c) The traveler can provide documentation of recovery from a medical provider or a public health official indicating the traveler has been released from isolation.

(F) Requirements for Critical Infrastructure Workforce (CI) travel:

(1) All workers arriving in the State of Alaska from outside the state as part of the critical infrastructure workforce, as is defined in the Cyber and Infrastructure Security Agency (CISA) “Guidance on the Essential Critical Infrastructure Workforce.”

https://www.cisa.gov/sites/default/files/publications/Version_4.0_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers_FINAL%20AUG%2018v3.pdf, fall under this section and do not qualify for the options listed in subsections (B)-(E).

(2) Arrive with a letter from the employer that:

(a) Identifies the employer and employee by name; and

(b) Details instructions on how the employee must travel to their job site in accordance with the employer’s Community Workforce Protective Plan; and

(c) Confirms the traveler is following the employer’s Community Workforce Protective Plan on file with the State of Alaska that includes testing and/or quarantine provisions.

(3) The categories for the protective plans are below:

(a) Protective Plans pursuant to the *Alaska Essential Services and Critical Infrastructure Order*: Critical infrastructure is vital to keeping Alaska safe, and, as a result, businesses and employees of critical infrastructure industries must take special care to protect their staff and operations during this pandemic.

If your business is included in the Cyber and Infrastructure Security Agency (CISA) “Guidance on the Essential Critical Infrastructure Workforce,” and your workers must travel to enter Alaska, you must submit a plan or protocol for maintaining critical infrastructure to the akcovidplans@ak-

prepared.com. This plan must outline how you will avoid the spread of COVID-19 and not endanger the lives of the communities in which you operate, of others who serve as a part of that infrastructure, or the ability of that critical infrastructure to function.

Companies that have previously submitted plans do not need to submit another; they can proceed under their current plans that have been reviewed by the State.

(b) Arriving commercial fishing vessel crewmembers, independent harvesters, and arriving seafood processing workers, must follow the procedures ~~Section 5 in State of Alaska COVID-19 Outbreak Health Order No 5.~~

(G) Protocol. The City and Borough of Juneau hereby orders that prior to arrival to Juneau, Alaska, from another state or nation, you must do all of the following:

- (1) Read the available information about safely traveling to Alaska.
- (2) Complete the State of Alaska Travel Declaration Form and the Self-Isolation Plan via the Alaska Travel Portal at www.alaska.covidsecureapp.com.
- (3) Resident travelers and non-resident travelers who choose to take a test prior to travel must submit their results or proof of a test taken within 72 hours or have proof available to show airport screeners.
- (4) Travelers who indicate in the Alaska Travel Portal that they will be in Alaska for five days or more will receive a voucher within the Alaska Travel Portal that can be used for an optional second test five to 14 days after arrival. The voucher allows for a free follow up test at airport testing sites.

Section 4. Definitions. The following definitions apply to terms in this ordinance: “Alaska Marine Highway” is defined as any community served by the Alaska Marine Highway System or the Inter-Island Ferry System. All travelers on Alaska Marine Highway System vessels will follow the travel testing requirements.

“Alaska Resident” *means* providing one of the following accepted forms of proof of Alaska residency for testing at airport:

- (i) Alaska driver’s license or state-issued ID card.
- (ii) Federally recognized Alaska tribal identification card.
- (iii) Active duty military ID card or active duty dependent ID card.
- (iv) Employment verification letter on employer letterhead or school verification letter for in-person schooling stating traveler is moving to Alaska for employment or school.

“Critical Personal Needs” is defined as those needs that are critical to meeting a person’s individual or family needs. Those needs include buying, selling, or delivering groceries and home goods; obtaining fuel for vehicles or residential needs;

transporting family members for out-of-home care, essential health needs, or for purposes of child custody exchanges (to include child travelers); receiving essential health care; providing essential health care to a family member; obtaining other important goods; engaging in subsistence activities; pursuing formal (primary, secondary or collegiate) education or educational research; applying for a job; traveling for voting; and the inspection and maintenance of personal property.

“Critical Infrastructure Workforce” is defined in the Cyber and Infrastructure Security Agency (CISA) “Guidance on the Essential Critical Infrastructure Workforce.” <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

“Isolation” means self-quarantining after you have a positive test result.

“Road System” is defined as any community connected by a road to the Steese, Elliot, Dalton, Seward, Parks, Klondike, Richardson, Sterling, Glenn, Haines, or Top of the World Highways.

“Self-Isolation Plan” means every non-resident traveler entering the state of Alaska will be required to complete a Self-Isolation Plan within the Alaska Travel Portal. This allows travelers to consider their plan for what they will do if their test results return positive while in Alaska.

“Self-quarantine”:

- (i) Self-quarantine is required while waiting for the results of your first molecular-based test for SARS-CoV2.
- (ii) Comply with all rules or protocols related to your self-quarantine as set forth by your hotel or rented lodging (if more restrictive than State of Alaska requirements), if applicable.

“Strict Social Distancing” means:

- (i) Strict social distancing is allowed after you have one negative test result from a test taken within 72 hours of departure or on arrival into Alaska.
- (ii) You may be in an outdoor public place, but you must remain six feet away from anyone not in your immediate household, and you must wear a face covering. You may arrange curbside shopping or have food delivery.
- (iii) You cannot enter restaurants, bars, gyms, community centers, sporting facilities (i.e., ice rinks, gymnasiums, and sports domes), office buildings, and school or daycare facilities. Do not participate in any group activities, including sporting events and practices, weddings, funerals, or other gatherings.
- (iv) This 14-day window can be shortened by receiving a negative result from an optional second molecular-based test for SARS-CoV2 taken between five and 14 days after arrival into Alaska.

Section 5. Critical Infrastructure Order. (Previously known as Health Order 5).
The following provisions only apply to critical infrastructure workforce traveling into the City & Borough of Juneau for work.

(A) **Critical Infrastructure Workforce Definition.** See Section 4.

(B) **Community/Workforce Protective Plans.** All private sector Critical Infrastructure Businesses that have staff arriving from outside the State of Alaska, or have staff traveling to or between communities off the road system or Alaska Marine Highway System, are required to submit a Community/Workforce Protective Plan (CWPP) to the Alaska COVID-19 Unified Command. If the Alaska COVID-19 Unified Command lacks authority to receive and process the plan, the protection plan must be submitted to the CBJ Emergency Operation Center.

(1) Detailed instructions for developing and submitting CWPPs can be found at:
<https://covid19.alaska.gov/unified-command/protective-plans/>.

(2) Private sector Critical Infrastructure Businesses, which do not meet the travel definitions above, are still strongly encouraged to develop a CWPP using the posted instructions, but are not required to submit those plans to the Alaska COVID-19 Unified Command.

(3) All Federal, State, local, and tribal government entities are expected to establish internal policies for travel, testing and quarantine, but they are not required to submit those policies to the Alaska COVID-19 Unified Command. Government agencies may elect to develop protective plans for contracted businesses to follow. If contracted companies have not been directed to follow a plan developed by the government agency that they are contracted with, they must develop and submit their own plan if they have workers arriving to the State or moving between Alaskan communities.

(4) School districts must follow the guidance published by the Alaska Department of Education and Early Development (DEED), and submit any required protective plans to DEED at: AKsmartstart2020@alaska.gov. If DEED lacks authority to receive and process the plan, the protection plan must be submitted to the CBJ Emergency Operation Center.

(5) Arriving or transiting aircrew members employed by interstate or international passenger and cargo air carriers must follow the procedures in the Federal Aviation Administration (FAA) Safety Alert for Operators (SAFO) 20009, dated 29 Sep 2020, and all future revisions. In lieu of a CWPP, interstate and international air carriers are required to submit an affidavit to the Unified Command stating that they will follow the FAA SAFO. Alaska-based air carriers are required to develop and submit a CWPP to the Unified Command. If

the Alaska COVID-19 Unified Command lacks authority to receive and process the affidavit or plan, such documents must be submitted to the CBJ Emergency Operation Center.

(C) **Appendix 5-01, Enhanced Protective Measures for Seafood Processing**

Workers. Appendix 5-01 to this Order applies to all resident employees and all workers traveling into Alaska to work in a shore-based seafood processing plant or onboard a processor or catcher-processor vessel.

- (1) Seafood processing companies are still required to develop and submit CWPPs using the posted instructions. The protective measures enacted by the company CWPP must meet or exceed the requirements of Appendix 5-01.

(D) **Appendix 5-02, Protective Plan for Independent Commercial Fishing Vessels.**

Appendix 5-02 of this Order applies to all independent commercial fishing vessels operating in Alaskan waters and ports.

- (1) For the purposes of this Order, “independent commercial fishing vessels” are defined as all catcher and tender vessels that have not agreed to operate under a fleet-wide plan submitted by a company, association, or entity that represents a fleet of vessels.
- (2) Independent commercial fishing vessels operating in Alaskan waters and ports must enact the protective measures and procedures described in Appendix 5-02, the Alaska Protective Plan for Commercial Fishing Vessels. Vessels are not required to develop or submit a stand-alone Community/Workforce Protective Plan. Appendix 5-02 serves as their CWPP.
- (3) Vessel captains must enact controls on their vessel to ensure crewmember compliance with this Health Order and the Appendixes.

(E) **Appendix 5-03, Protective Plan for Independent Commercial Fishing**

Harvesters. Appendix 5-03 of this Order applies to all independent commercial fishing harvesters who are harvesting catch from Alaskan waters.

- (1) For the purposes of this Order, “independent commercial fishing harvesters” are defined as all commercial fishing harvesters who do not meet the definition for independent commercial fishing vessels above, and that have not agreed to operate under a fleet-wide plan submitted by a company, association, or entity that represents a fisheries sector.
- (2) Independent commercial fishing harvest operations in Alaskan waters must enact the protective measures and procedures described in Appendix 5-03, the Alaska Protective Plan for Independent Commercial Fishing Harvesters. Harvesting sites are not required to develop or submit a stand-alone Community/Workforce Protective Plan. Appendix 5-03 serves as their CWPP.
- (3) Site Managers must enact controls at their harvesting operation to ensure harvester compliance with this Health Order and the Appendixes.

(E) **Appendix 5-04, Acknowledgement Form for Commercial Fishing Vessels and Harvesting Sites.** For the 2021 season, each commercial fishing vessel captain and/or owner and each harvesting site manager must sign a copy of Appendix 5-04, Acknowledgement Form, prior to actively participating in the 2021 commercial fishing season. This is required for all vessels, even those operating under a fleet or association protective plan.

(1) Prior to accepting any fish, or making any payment for fish to an independent fishing vessel, a tender or processor must receive and confirm a signed copy of the vessel's Acknowledgement Form. The vessel captain must submit a copy of the Acknowledgement Form the first time they sell fish to a tender or processor. Electronic copies of pictures or scans of the signed hard copy of the Acknowledgement Form are acceptable. Subsequent sales to the same tender or processor do not require submission of another copy of the Acknowledgement Form (e.g., the form only needs be submitted once per fishing season per tender or processor), but every tender or processor that a commercial fishing vessel sells to must have, and retain until December 31, 2021, a signed copy of the Acknowledgement Form. This form shall be provided to the Alaska Department of Fish and Game upon request.

(2) By accepting the Acknowledgement Form, the tender or processor may rely upon the submission of the Acknowledgement Form as proof of compliance of this Health Order. The tender or processor is not required to confirm compliance with this Health Order, other than to collect the Acknowledgment Form, and assumes no liability for any failure to comply by any commercial fishing vessels or harvesting sites.

Section 6. Severability. If any provision of this ordinance, or the application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 75. Effective Date. This ordinance shall be effective immediately upon the expiration of the State of Alaska declaration of a public health disaster emergency in response to COVID-19, which is scheduled to occur on February 14, 2021. This ordinance expires at 12:01 a.m. on May 26, 2021, unless terminated earlier by the Assembly by motion or upon the State of Alaska adopting a superseding order.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

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3 Elizabeth J. McEwen, Municipal Clerk
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Appendix 5-01

ENHANCED PROTECTIVE MEASURES FOR SEAFOOD PROCESSING WORKERS

This Appendix will establish general guidance for seafood processing workers. Due to the wide variation of conditions between geographic regions, additional guidance may be passed by local governments and regional fisheries associations. This order establishes the minimum standard for protective measures.

Many lessons have been learned since the original issuance of this Appendix. As more is known about the virus that causes COVID-19, protective measures have correspondingly needed to evolve. Additionally, outbreaks of COVID-19 at seafood processing facilities in Alaska have caused illness and disruption to the lives of workers, considerable concern in communities that are home to processing plants, and significant impact to the seafood processing industry. These outbreaks have provided learning opportunities and made clear a number of additional actions that are required to protect the health and welfare of seafood processing employees and the surrounding communities. This revision of the Appendix includes necessary changes to further reduce the risk of COVID-19 to Alaskans and seafood processing workers. The State of Alaska is directing the following Enhanced Protective Measures for Seafood Processing Workers.

I. Applicability.

- a. This Appendix applies to all resident employees and all workers traveling into Alaska to work in a shore-based seafood processing plant or onboard a processor or catcher-processor vessel.
 - i. Workers arriving from out of state to a shore-based processing plant will follow one of the three travel/quarantine options in Section VI.
 - ii. Crewmembers arriving from out of state to a catcher-processor vessel, which averages 5,000 pounds or less of processed product per day, will follow the travel/quarantine guidance in Appendix 02 to Emergency Ordinance 2021-05, Section 5.
 - iii. Crewmembers arriving from out of state to a processor vessel or a catcher-processor vessel, which averages more than 5,000 pounds of processed product per day, will follow the travel/quarantine guidance in Section VII.

- iv. All on-site employees of seafood processing plants, processor or catcher-processor vessels will be subject to daily symptom screening and Continuous Screening Testing guidance in Section IX.
- v. All employees of seafood processing plants, processor or catcher-processor vessels will be subject to the immediate actions in response to a confirmed case in the workplace, contained in Section X.
- b. Sections VI and VII of this Appendix do not apply to seafood processing workers who are permanent residents of the community their plant is in, and have not traveled outside Alaska for 14 days or more, or non-residents who have been living in the community and working at the processing plant or onboard their vessel for longer than 14 days prior to the issuance of this Appendix, unless transferring between plants or vessels (see Sections VI.e below).
- c. Workers beginning Entry Quarantine or travel after the date of issuance of this Appendix must comply with one of the options in Sections VI or VII.
- d. Workers who have completed Entry Quarantine and are transferring from one shore-based location in Alaska to another must follow the guidelines in Section VI.e below.
- e. Crewmembers who have completed Entry Quarantine and are transferring from one vessel to another must follow the guidelines in Section VII.c below.

II. Definitions.

- a. **Close Contact** means being within six feet of a known, or suspected, COVID-19 positive case for 15 minutes or greater, or having had direct contact with the infectious secretions of a positive COVID-19 case. This determination is irrespective of whether or not either person was wearing a face covering. Public Health officials will make a determination in the event that either person was wearing respiratory Personal Protective Equipment (PPE). The 15-minute time period does not have to be continuous, it may be cumulative over a 24-hour period.
- b. **Closed Campus** is a shore-based processing facility that meets all of the following criteria:
 - i. Has protective measures enacted to ensure non-contact completion of all business transactions, to include vendors, provisioning deliveries, and purchase or sale of catch or product.
 - ii. All members of the fish processing staff live in employer-controlled housing and any commuting support staff is completely isolated from non-commuting staff including working, eating, and interacting in separate spaces, as well as subject to daily pre-shift screening that meets or exceeds the requirements outlined in Section IX.d below.
 - iii. Conducts business transactions in a manner that allows for social distancing and does not allow Social Mixing with the local population (shore leave).

- c. **Isolation** is the separation of people infected with the virus (those who are sick with COVID-19 and those with no symptoms) from people who are not infected. Anyone with a positive test result (that has not recently recovered from the virus), or who is diagnosed by a medical professional through symptoms, must isolate. Isolation is monitored by medical professionals and is discontinued upon receipt of a clearance letter from a medical provider.
- d. **Movement Cohort** refers to a group of employees who are all in the same stage of their quarantine and testing process. Seafood processing companies will separate their traveling workers into Movement Cohorts of manageable size depending on their capacity and mode of travel, and stagger the arrival dates of Cohorts over time to ensure they do not overwhelm their screening, testing, and monitored quarantine capacity.
- e. **Non-Safe Transit** is a mode of transportation on which some passengers have not completed entry quarantine and testing requirements, or their quarantine and testing status is unknown. This can also apply when social distancing and/or appropriate PPE cannot be, or is not, used to isolate the travelers from the vehicle crew. Unless verified by the air carrier, all non-chartered commercial air travel is considered Non-Safe Travel.
- f. **Onward Travel** refers to the leg of travel from the quarantine location to the final destination facility or port for a worker or crewmember who is conducting pre-travel or mid-travel entry quarantine.
- g. **Open Campus** is a shore-based processing facility that meets one or more of the following criteria:
 - i. Conducts regular interactions with members of the local community or other populations.
 - ii. Has any portion of its processing staff or its support staff, which live in the local community, in housing where access is not controlled by the employer.
 - iii. Allows social mixing and/or business transactions between the plant staff and local community where six-foot social distancing is not maintained.
- h. **Quarantine** is the separation of individuals whose medical status is unknown, in order to prevent the possible spread of the virus to others. For the purposes of this order, there are two primary types of quarantine, Close Contact Quarantine and Entry Quarantine:
 - i. **Close Contact Quarantine** is a quarantine process where an individual is suspected of infection after being exposed to a positive case. Close Contact Quarantine is monitored by a medical professional or designated representative of the employer to ensure compliance and daily health checks. Section X.d provides detailed guidance for the observation of close contact quarantine.
 - ii. **Entry Quarantine** is a sequestering process that occurs when an individual arrives to the State of Alaska, or returns after being away for longer than 24 hours. Section IV provides detailed guidance for the

observation of entry quarantine. The three methods of supervision for Entry Quarantine are:

1. **Monitored Quarantine** is supervised directly by a representative of the employer.
 2. **Controlled Quarantine** is conducted by the employee based on instructions from the employer, but without direct supervision.
 3. **Self-Quarantine** is conducted by the employee based on the guidance for all travelers in Disaster Outbreak Health Order No. 6, International and Interstate Travel.
- i. **Quarantine Group** - any group of workers that are living or working in close proximity will be assigned to a Quarantine Group and complete the remainder of their quarantine and travel together. All workers sleeping in one room must be assigned to the same Quarantine Group. Quarantine Groups must be kept as small as possible to prevent multiple workers from being exposed at once, and may not exceed ten individuals. Should any member of the Quarantine Group develop symptoms, or have a positive PCR test, all other members of the Group must start Close Contact Quarantine.
 - j. **Safe Transit** is a mode of transportation where all employees have completed quarantine and testing requirements, and are not mixing with any populations whose quarantine and testing status is unknown. This can be a chartered aircraft, a ground vehicle, or a vessel. Social distancing and/or appropriate PPE will be used to isolate the travelers from the vehicle crew, particularly in chartered aircraft and taxis.
 - k. **Social Mixing** refers to being within six feet of an individual whose medical status is unknown for 15 minutes or greater. This determination is irrespective of whether or not either person was wearing a face covering. The 15-minute time period does not have to be continuous, it may be cumulative over a 24-hour period.
 - l. **Testing.** There are three purposes for COVID-19 testing: Diagnostic Testing, Entry Testing, and Continuous Screening Testing. Section III provides further guidance on testing.
 - i. **Diagnostic Testing** is intended to identify current infection in individuals, and is performed when a person has signs or symptoms consistent with COVID-19, or when a person is asymptomatic but has recent known or suspected exposure to a confirmed case. This testing should be conducted as soon as possible once the individual is identified as a close contact. The individual must be kept separate from all others while test results are pending.
 - ii. **Entry Testing** is conducted during a worker's Entry Quarantine process (See Sections VI and VII below) to determine if it is safe for the worker to travel and enter the designated Entry Quarantine site, or be released from quarantine.
 - iii. **Continuous Screening Testing (CST)** is performed to identify persons who may be contagious so that measures can be taken to prevent further

transmission. Screening testing will be conducted on asymptomatic workers after completion of Entry Quarantine, and without known exposure to a confirmed case, in accordance with the requirements of Section IX.e below.

III. Testing.

- a. Testing methods.
 - i. Polymerase chain reaction (PCR) tests, also referred to as Molecular tests or Nucleic Acid Amplification Tests (NAATs), are presently the most accurate tests for determining whether someone is currently infected with COVID-19. Testing required under this Appendix can be accomplished with any available PCR method, FDA-approved, or allowable under an FDA Emergency Use Authorization. This includes molecular-based rapid testing such as the Abbott ID-NOW.
 - ii. A full list of FDA authorized tests is available at: <https://www.fda.gov/medical-devices/coronavirus-disease-2019-covid-19-emergency-use-authorizations-medical-devices/vitro-diagnostics-euas>).
 - iii. Use of antigen testing is still under consideration by the State of Alaska Department of Health and Social Services (DHSS). Separate guidance will be issued if, and when, antigen testing may be used in lieu of PCR testing to conduct CST in congregate living settings.
 - iv. Antibody testing may not be used for compliance with this Appendix.
- b. Seafood processing companies must utilize private collection and processing sources to complete entry testing for all non-residents.
- c. Seafood processing companies are encouraged to maximize the use of self-collection, mail-in testing, to support entry and screening testing for shore-based processing plants and to prioritize the use of rapid testing for diagnostic testing and shipboard use. A list of FDA-authorized home-collection COVID tests is available on the DHSS Testing website: <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/testing.aspx>).
- d. If testing resources become temporarily limited, and sufficient testing capacity is not available to support all testing requirements of this Appendix, the priority of testing resources should be: 1) Diagnostic Testing, 2) Entry Testing in Sections VI and VII, and then 3) CST in Section IX.
- e. Unless required by a medical provider or a state public health official, individuals who have previously tested positive for, or been diagnosed with, COVID-19 are exempt from the screening testing requirements in this Appendix for a period of 90 days beginning from the date of their first positive test, or the onset of their symptoms, whichever is first.
- f. Workers with a previously positive result using a PCR or molecular-based test (not an antibody test) for SARS-CoV2 within the last 90 days, who are currently asymptomatic and have clearance from a medical provider or a public health official indicating release from isolation, should not be tested during Entry

Quarantine and are able to work if allowed by the employer's return to work strategy.

- g. Any company performing COVID testing is required by federal and state regulations to submit testing data to the State of Alaska Section of Epidemiology. All results, both positive and negative, should be reported daily. Electronic reporting is the most efficient and preferred method, and can be arranged by contacting Megan Tompkins at megan.tompkins@alaska.gov. All positives should be immediately called in (1-877-469-8067) or faxed (907-563-7868) to Epidemiology as described in the testing guidance. Further guidance can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/lab/reporting-lab-data.html>.
- h. Employers are required to maintain records of all testing for employees while they are under contract to the company. If an employee conducts Entry Testing at a testing site that does not report the results to their employer, the employee must retain and submit records of the test to their employer.
- i. Implementation of Continuous Screening Testing (CST).
 - 1. Dependent upon the local availability of testing resources (manpower, equipment and materials), CST must commence in accordance with the CST Requirements Chart in Section IX.e for all shore-based processing plants and vessels immediately upon the publication of this Appendix
 - 2. In coordination with local medical providers, and subject to availability of staffing and testing material and equipment, seafood processing facilities may utilize State-provided test equipment and materials for sample collection and the State Public Health Laboratory for sample processing in order to commence CST, until they have a privatized testing strategy in place. Local clinics may elect to charge private sector businesses for the collection and/or processing of samples.
 - 3. Seafood processing companies must develop a plan to utilize private collection and processing sources to complete screening testing.
 - 4. Privatized testing strategies must be implemented as soon as resources can be obtained.
 - 5. State support for CST will be provided for as long as possible after the deadlines established above, depending on the availability of State-funded resources. Priority and timeliness of test results at collection sites and laboratories funded by the State of Alaska cannot be guaranteed.

IV. Entry Quarantine.

- a. Entry Quarantine Options. Entry Quarantine may be conducted prior to commencing travel into the State of Alaska (Pre-Travel), during a scheduled travel stop at a large city (Mid-Travel), or in the bunkhouse at the destination

- facility or a temporary lodging at the destination port prior to boarding a vessel (Post-Travel).
- b. Entry Quarantine Methods. There are three methods of supervision which may be used to conduct entry quarantine: Monitored Quarantine, Controlled Quarantine and Self-Quarantine:
 - i. Monitored Quarantine. This refers to a sequestering process that is monitored by the employer to ensure compliance and daily health checks. This must be done at a facility away from the workers' home and family, in an environment where the opportunity for social mixing is limited, either because the worker is quarantined alone or because others in their quarantine location are also following the same quarantine requirements.
 - ii. Controlled Quarantine. This refers to a sequestering process that is controlled by the employee with appropriate guidance from the employer to ensure compliance and daily health checks. This may be completed at the employee's home, provided that appropriate safety measures are followed to limit social mixing.
 - iii. Self-Quarantine. This refers to a sequestering process where a traveler follows the guidelines in EO 2021-05, under their own recognizance. For the purposes of this Appendix, self-quarantine should only be used during travel layovers of less than 24 hours, and during unplanned travel delays, such as inclement weather.
 - c. Procedures for Entry Quarantine.
 - i. Workers will be educated by the employer on the requirements for quarantine.
 - ii. Workers will be screened (see Section VIII below) prior to entering the quarantine location by the employer or a designated medical provider.
 - iii. During Entry Quarantine, the preferred method is for workers to observe quarantine in single rooms with food delivered. If single rooms and food delivery are not available, employees will be assigned into Quarantine Groups.
 - iv. Quarantined workers may not leave their quarantine facility except to receive medical treatment.
 - v. Workers will have temperature checks twice a day. Should fever or symptoms of COVID-19 develop, follow the Identification Protocol in the seafood processing company's Community/Workforce Protective Plan. Seek testing and medical treatment immediately if symptoms are suspected to be caused by COVID-19.
 - vi. The employer will retain records of each worker's completion of Entry Quarantine, including the dates and location of quarantine, the names of other individuals quarantining at the same location for contact tracing purposes, records of twice daily temperature readings, and daily observations of COVID-19 symptoms as identified by the CDC.

V. Entry Travel.

- a. All workers will be screened (see Section VIII) for new symptoms prior to commencing travel to Alaska.
- b. All workers and crewmembers in transit on commercial aircraft must wear a face covering that meets the recommendations contained in Health Alert 010. This face covering must be worn while transiting air terminals (to be temporarily removed for security screening, eating, and drinking), while on the plane, and any follow-on ground transportation until they reach their quarantine facility.
- c. Workers in transit must carry documentation from their employer indicating that they are an essential Critical Infrastructure Worker as defined under State Health Orders, and listing the travel and quarantine requirements of the employer's protective plan that the employee must follow. Examples of such letters can be found at:
[https://ready.alaska.gov/Covid19/Documents/CWPP/Travel%20Critical Infrastructure Letter-Employee Instructions Template.docx](https://ready.alaska.gov/Covid19/Documents/CWPP/Travel%20Critical%20Infrastructure%20Letter-Employee%20Instructions%20Template.docx).

VI. Travel and Quarantine Options for Shore-Based Processing Plant Workers.

Seafood processing companies will make every effort to prevent a potentially infectious worker from exposing other workers or community members in their final destination community in Alaska. Companies will arrange for their arriving workers to follow one of the following three options:

- a. **Option 1: Pre-Travel Quarantine** – Workers will observe a 14-day Monitored or Controlled Quarantine period outside of Alaska and receive a PCR test within 72 hours prior to beginning travel to Alaska.
 - i. Entry Quarantine. It is strongly encouraged that pre-travel Entry Quarantine be monitored by a representative of the employer. If the employer does not have a physical staff presence at the quarantine facility, workers may observe Controlled Quarantine with the understanding that this will trigger additional screening testing in accordance with Section IX.e.
 - ii. Testing. Upon completion of Entry Quarantine, all workers will receive a PCR test within 72 hours prior to commencing travel to Alaska, or as close as possible to the end of their Entry Quarantine, to receive results prior to commencing travel.
 - iii. Onward Travel. All travel to the shore-based processing plant or quarters in the destination community must be accomplished via Safe Transit. Onward Travel may be accomplished onboard a processor or catcher-processor vessel.
 - iv. Integration. Upon arrival in the destination community, workers may immediately enter the non-quarantine quarters and commence work alongside other workers who have completed Entry Quarantine. However, it is our strong recommendation to continue having workers live, eat, and work in small, consistent groups

- following Entry Quarantine. If the virus is introduced in the facility, this will greatly reduce the number of potential contacts.
- b. **Option 2: Mid-Travel Quarantine;** Workers will travel to Alaska and observe a 14-day Monitored Quarantine period in temporary lodging in a large community that has a General Acute Care or Critical Access Hospital (*i.e.*, Anchorage or Juneau) and receive a PCR test within 72 hours prior to beginning Onward Travel to their final destination community.
 - i. Initial Travel. Travel to Alaska may be by non-Safe Transit.
 - ii. Entry Quarantine. It is strongly encouraged that pre-travel quarantine be monitored by a representative of the employer. If the employer does not have a physical staff presence at the quarantine location, workers may observe controlled quarantine with the understanding that this will trigger additional screening testing in accordance with Section IX.e.
 - iii. Testing. Upon completion of quarantine, all workers will receive a PCR test within 72 hours prior to commencing onward travel to their destination community, or as close as possible to the end of their quarantine, to receive results prior to commencing onward travel.
 - iv. Onward Travel. All travel from the quarantine location to the processing facility in the destination community must be accomplished via Safe Transit. Workers should travel by Movement Cohort.
 - v. Integration. Upon arrival in the destination community, workers may immediately enter the non-quarantine quarters and commence work alongside other workers who have completed quarantine. However, it is our strong recommendation to continue having workers live, eat, and work in small, consistent groups following mid-travel quarantine. If the virus is introduced in the facility, this will greatly reduce the number of potential contacts.
 - c. **Option 3: Post-Travel Quarantine:** Workers will travel to their final destination community in Alaska, and will be screened (see Section VIII) and receive a PCR test upon arrival at their destination community.
 - i. Planning. If the following details are not already specified in their submitted Community/Workforce Protective Plan (CWPP). Seafood processing companies utilizing Option 3 will modify their plan to reflect:
 - 1. How they will segregate their lodging facilities to separate workers under Monitored Quarantine from those that have completed quarantine.
 - 2. How they will provide dedicated facilities or adjust hours to maintain separation in dining, shower, and bathroom facilities.
 - 3. How they will conduct PCR testing for workers under Monitored Quarantine.
 - ii. Travel. Travel to the destination community may be by non-Safe Transit. Arriving workers must proceed directly to their designated quarantine facility, must practice social distancing and avoid interaction with the

- community, and may not stop at any location between arrival at the local airport and transport to the quarantine facility.
- iii. Monitored Entry Quarantine.
 - 1. Upon arrival at their final destination community, workers will be assigned to lodging in their quarantine facility. If possible, arriving workers will quarantine in single rooms. If single rooms are not available, all workers sleeping together in a room will be in the same Quarantine Group.
 - 2. **Arriving processing workers are not permitted to work during their 14-day Entry Quarantine period.** The only allowable exceptions to this may be made for mission-critical specialists such as electricians, heavy equipment operators, or refrigeration mechanics who must maintain strict social distancing while working and continue to quarantine during their non-work times. Workers may not actively engage in seafood processing during quarantine.
 - 3. Quarantined workers must wear a face covering at all times when outside of their assigned sleeping quarters, except when eating and performing personal hygiene.
 - 4. Quarantine Groups must maintain six-foot social distancing measures from all workers outside of their Quarantine Group.
 - 5. Common spaces must be cleaned between use by different Quarantine Groups and before use by workers who have completed Entry Quarantine.
 - 6. If a new worker joins a Quarantine Group, the 14-day clock will re-start for the entire Quarantine Group.
 - 7. To the greatest extent possible, members of multiple Quarantine Groups should not use shower or toilet facilities at the same time, and bathrooms should be disinfected at least twice per day.
 - 8. To the greatest extent possible, members of multiple Movement Cohorts should not use dining facilities at the same time. Six-foot social distancing measures must be maintained between Quarantine Groups in dining facilities.
 - iv. Testing. All arriving workers must receive a PCR test within 48 hours of arrival at their destination community, preferably prior to entering their monitored quarantine lodging. The initial test may be conducted in route to their destination community. Depending upon the local availability of testing capacity, workers should receive a PCR test six days into their quarantine period. Workers must receive a test within 48 hours before being released from quarantine.
 - v. Integration. Workers who have completed quarantine may immediately enter the non-quarantine quarters and commence work alongside other workers who have completed quarantine. However, it is our strong recommendation to continue having workers live, eat, and work in small,

- consistent groups following post-travel quarantine. If the virus is introduced in the facility, this will greatly reduce the number of potential contacts.
- d. Each employer will be responsible for appropriately isolating any employee with a positive PCR test result, ensuring that the employee has access to necessary healthcare, and will be responsible for arranging transport to a hospital, if needed.
- e. **Mid-season Transfer:** Workers who have been working in one location and need to transfer to another location must follow the following guidelines:
 - i. If workers are leaving a facility that has experienced onsite transmission of SARS-CoV-2, pre-departure PCR testing of all departing workers is required. This testing must be conducted if it has been less than 28 days since the last positive case was released from isolation.
 - ii. All transfer-related travel should be accomplished via Safe Transit. If Safe Transit is not available and transferring workers are required to be in Close Contact with people whose quarantine status is not known, this will trigger additional CST in accordance with Section IX, similar to Monitored Quarantine followed by Non-Safe Transit.
 - iii. It is strongly recommended that workers traveling from one processing facility to another live, eat, and work in the same group they traveled with or in small, consistent groups throughout the season.

VII. Travel and Quarantine Options for Processor Vessel Crewmembers. Seafood processing-vessels and catcher-processor vessels will make every effort to prevent a potentially infectious crewmember from exposing other crewmembers or community members in their destination port in Alaska.

- a. **Pre-Season Quarantine:** The preferred method of quarantine for processor and catcher-processor vessels is for the entire vessel crew to observe Monitored or Controlled Quarantine and testing in the Lower 48 prior to boarding the vessel, and sail as a Movement Cohort with the vessel as a means of Safe Transit. All crewmembers will be screened (see Section VIII) for new symptoms prior to boarding.
- b. **Mid-Season Crew Changes** – For crewmembers who must join the vessel after the rest of the crew has completed quarantine, companies will arrange for their arriving workers to follow one of the following three options:
 - i. **Option 4: Pre-Travel Quarantine for Crewmembers.** Crewmembers will observe a 14-day quarantine period outside of Alaska and receive a PCR test within 72 hours prior to beginning travel to Alaska.
 - a. Entry Quarantine. It is strongly encouraged that pre-travel quarantine be Monitored by a representative of the employer. If the employer does not have a physical staff presence at the quarantine facility, crewmembers may observe Controlled Quarantine with the understanding that this will trigger additional CST in accordance with Section IX.

- b. Testing. Upon completion of Entry Quarantine, all crewmembers will receive a PCR test within 72 hours prior to commencing travel to Alaska, or as close as possible to the end of their quarantine to receive results prior to commencing travel.
 - c. Travel. It is strongly encouraged that all travel from the quarantine location to the vessel be accomplished via Safe Transit. Non-Safe Transit may increase risk of exposure to populations whose quarantine and testing status is unknown. Using Non-Safe Transit after completion of quarantine will trigger additional CST in accordance with Section IX.
 - d. Arriving crewmembers who have completed Entry Quarantine must proceed directly to their vessel, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and the vessel. In the event of either delay in transit or that their vessel is unavailable for boarding when they arrive, crewmembers shall be transported to a hotel or other accommodation where they will Self-Quarantine until they are able to continue travel or board their vessel.
- ii. **Option 5: Mid-Travel Quarantine for Crewmembers.** Crewmembers will travel to Alaska and observe a 14-day quarantine period in temporary lodging in a large community that has a General Acute Care or Critical Access Hospital (*i.e.*, Anchorage or Juneau) and receive a PCR test within 72-hours prior to beginning Onward Travel to their final destination community.
 - a. Travel. Travel to Alaska may be by Non-Safe Transit.
 - b. Entry Quarantine. It is strongly encouraged that mid-travel quarantine be Monitored by a representative of the employer. If the employer does not have a physical staff presence at the quarantine facility, crewmembers may observe Controlled Quarantine with the understanding that this will trigger additional CST in accordance with Section IX.e.
 - c. Testing. Upon completion of Entry Quarantine, all crewmembers will receive a PCR test within 72-hours prior to commencing onward travel to their destination community or as close as possible to the end of their Entry Quarantine to receive results prior to commencing onward travel.
 - d. Onward Travel. It is strongly encouraged that all travel from the quarantine facility to the vessel be accomplished via Safe Transit. Non-Safe Transit may increase risk of exposure to populations whose quarantine and testing status is unknown. Using Non-Safe Transit after completion of quarantine will trigger additional CST

in accordance with Section IX. Crewmembers should travel by Movement Cohort.

- e. Integration. Arriving crewmembers who have completed Entry Quarantine must proceed directly to their vessel, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and the vessel. In the event of either delay in transit or that their vessel is unavailable for boarding when they arrive, crewmembers shall be transported to a hotel or other accommodation where they will Self-Quarantine until they are able to continue travel or board their vessel.

iii. **Option 6: Post-Travel Quarantine for Crewmembers.** Crewmembers will observe a 14-day quarantine period on shore at their destination port and receive a PCR test within 72 hours prior to boarding the vessel.

- a. Travel to the destination port may be by Non-Safe Transit.
- b. Arriving crewmembers quarantining on shore must proceed directly to their designated quarantine facility, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and transport to the quarantine facility.
- c. Entry Quarantine. To the greatest extent possible, quarantine for arriving crewmembers will be Monitored by the employer. If the employer has no staff physically present at the quarantine facility so that the arriving crewmembers must observe Controlled Quarantine or are forced to Self-Quarantine due to a weather delay, that will trigger additional CST in accordance with Section IX. If crewmembers must Self-Quarantine before the vessel arrives, employers will require crewmembers to sign an affidavit stating that they have not broken Self-Quarantine guidance.
- d. Testing. All crewmembers will receive a PCR test within 72 hours prior to boarding the vessel, or as close as possible to receive results prior to boarding.
- e. Boarding. All crewmembers will be screened (see Section VIII) for new symptoms prior to boarding.

c. **Cross-decking.** Crewmembers transferring from one vessel to another vessel after completing Entry Quarantine may do so immediately if the vessels are in the same port and the crewmember does not have Social Mixing with members of the local community while on shore.

- i. If crewmembers are leaving a vessel that has experienced any on-board transmission of SARS-CoV-2, pre-departure PCR testing of all cross-decking workers is required. This testing must be conducted if it has been less than 28 days since the last positive case was released from Isolation.

- ii. If this testing cannot be completed prior to departure, the transferred crewmembers must take the test in transit and Self-Quarantine on shore until receiving negative test results prior to beginning travel or boarding the new vessel.
- iii. All transfer-related travel should be accomplished via Safe Transit.
- iv. If Safe Transit is not available and transferring crewmembers are required to be in Close Contact with people whose quarantine status is not known, this will trigger additional CST in accordance with Section IX, similar to Monitored Quarantine followed by Non-Safe Transit.

VIII. Symptom Screening of Personnel. All workers will be screened individually for symptoms upon arrival to the quarantine facility and/or final destination facility or vessel, using the following procedures or an equivalent medically-vetted procedure. Seafood processing companies must arrange for dedicated spaces to conduct private, symptom screening in a space that can be disinfected should an arriving worker fail the screening. Answering “yes” to any one of the following questions should prompt testing. Employers must ensure that questions are presented in a manner and/or language that the employee can understand. Arrival symptom screening will include all of the following:

- a. Verbal Symptom Screening Questions
 - i. Have you experienced any cough, difficulty breathing, shortness of breath, loss of smell or taste, sore throat, unusual fatigue or symptoms of acute respiratory illness in the last 72 hours?
 - ii. Have you experienced a fever (100.4° F [38° C] or greater using an oral thermometer) within the last 72 hours?
 - iii. Have you experienced signs of a fever such as chills, aches and pains, etc., within the last 72 hours?
 - iv. In the past 14 days, have you traveled in an area or country with widespread COVID-19 transmission without practicing social distancing?
 - v. Have you had close contact (within six feet for longer than 15 minutes) within the past 14 days with a lab-confirmed or suspected COVID-19 case patient or had direct contact with infectious secretions of a positive COVID-19 case?
- b. Physical Symptom Screening
 - i. Each worker should demonstrate a measured temperature < 100.4° F [38° C]. (This reference is for oral temperature, a forehead (temporal) scanner is usually 0.5°F (0.3°C) to 1°F (0.6°C) lower than an oral temperature. An ear (tympanic) temperature is 0.5°F (0.3°C) to 1°F (0.6°C) higher than an oral temperature.)
 - ii. Anyone performing a physical screening should wear appropriate PPE. If PPE is not available, the worker may take their own temperature.
- c. Prior to being allowed to enter the facility or vessel, each worker must be free of fever or respiratory symptoms. A possible exception would be if the worker has

- mild symptoms that are clearly attributable to another source (e.g., allergies or other recurring medical issues).
- d. If a worker fails verbal or physical symptom screening, they will be immediately separated from other individuals and should not be allowed to enter a worksite or board a vessel until appropriate testing, quarantine, and/or isolation is complete in compliance with the employer's CWPP.
- e. Symptomatic individuals who receive negative test results or who are positively diagnosed with another disease which is causing their symptoms will follow the treatment and/or return to work policy of the employer's infectious disease protocol upon the recommendation of the medical professional (on-site, local clinic or telemedicine) making the determination.
- f. If a worker has positive results to a PCR test or is diagnosed through symptoms to have COVID-19 they must be immediately isolated in accordance with Section X.c.
- g. Employers will maintain documentation of arrival screening for all employees.

IX. Workplace Protective Measures, Daily Symptom Screening and Continuous Screening Testing.

- a. The CDC has published interim guidance for [Protecting Seafood Processing Workers from COVID-19](#). Seafood processing companies will review the interim guidance and, to the greatest extent possible, will enact the recommended protective measures that are appropriate and suitable for their processing plant or vessel.
- b. **Masks and Cloth Face Coverings in the Workplace.** Masks or cloth face coverings must be worn at all times when staff are at the work place. This includes offices, working areas and outside. The mask must cover the nose and mouth and may only be removed when eating, drinking, performing personal hygiene, or when they are in their personal quarters.
 - i. During processing work, a clear face shield may be worn as PPE in lieu of a cloth face covering, in order to facilitate communication between workers, however masks are preferred.
 - ii. While outdoors or on deck, masks may be temporarily removed as needed to facilitate communication.
 - iii. While operating heavy machinery or shipboard systems, masks may be temporarily removed if wearing a mask will impede the safe operation of the equipment or create unsafe conditions, based on a safety assessment by the work supervisor.
 - iv. The company must supply all needed PPE for their workers and replace it as needed
- c. **Visitors, Third-Part Auditors and Inspectors.**
 - i. Visitors touring the plant and/or interacting with plant staff present a risk of introducing the virus to a facility or vessel. Non-essential visitors should not be permitted.

- ii. Essential visitors within the company staff must follow the travel, testing and quarantine guidelines listed in the company's CWPP. Third party auditors should be informed prior to travel of the company's testing and quarantine requirements. Regulatory inspectors may not be barred from the facility for COVID-19 related reasons, but should follow reasonable testing and quarantine requirements established by the company prior to their inspection.
 - iii. Visitors, Third-Party Auditors and Inspectors to shore-based processing plants which observe proper travel and social distancing guidelines will not trigger additional CST for the facility staff.
 - iv. Boarding parties on vessels which observe proper social distancing guidelines will not trigger additional CST for the vessel crew.
- d. **Daily Pre-Shift Symptom Screening.** Conducting daily symptom screening of all employees throughout the season helps ensure outbreaks are detected early.
 - i. All employees must be screened by a supervisor or designated screener.
 - ii. Screening should be conducted near the start of the employee's work shift, prior to prolonged Close Contact with other workers.
 - iii. Before entering the work area or mixing with other workers, every employee should be asked:

"Since your last pre-shift screening, have you experienced any of the following symptoms: Fever/shivering, persistent cough, shortness of breath, loss of smell/taste, sore throat, diarrhea or nausea, headache, muscle/joint aches or runny nose?"
 - iv. To the greatest extent possible, all workers will have daily temperature checks, using the temperature thresholds in Section VIII.b.
 - v. Workers who have a fever or other symptoms of COVID-19 should immediately be separated from the rest of the workforce for testing. A possible exception would be if the worker has mild symptoms that are clearly attributable to another source (e.g., allergies or other recurring medical issues).
 - vi. A daily log of screening for each worker should be maintained and made available to the Alaska Division of Public health upon request.
- e. **Continuous Screening Testing (CST).** Testing asymptomatic workers in the absence of a confirmed case (outside the arrival period) periodically throughout the season is a useful strategy to detect asymptomatic cases and prevent further spread of the virus throughout the facility/vessel and the local community.
 - i. Facilities and vessels will continuously evaluate their Alert Level throughout the season, guided by the chart below. Companies may elect to test larger sample sizes or at a shorter interval if conditions warrant additional caution.
 - ii. Sample testing should be a rolling sample to ensure all members of the population are eventually tested. No one may be exempted from

- screening testing unless they are a prior positive, as defined in Section III.f above.
- iii. Shore-based processing plants and vessels may also use self-collection kits such as the LabCorp Pixel or rapid testing capabilities such as the Abbott ID Now machines to meet CST requirements.
 - iv. The Alert Level conditions for shore-based processing plants with Open Campuses will be based on the current Alert Level for the local community or local school zone.
 - 1. If the local municipal or tribal government is maintaining an official Alert Level for the community, that level will be used to set the Alert Level for the shore-based processing plant.
 - 2. If the local community is not maintaining an updated Alert Level, the facility Alert Level will be based on the Alert Level being used at the local public schools, based on local and regional conditions.
 - v. Vessels without testing capability on board will ensure that the test samples will be collected for the designated population within 48 hours prior to reaching port (if using self-collection) or are collected and shipped during the next port call following the specified testing interval.
 - vi. If using mail-in testing, vessels are strongly encouraged to delay departure from port until they receive negative results back, to minimize the risk of getting underway with an infectious crewmember on board.
 - vii. Shore-based processing plants with less than ten workers at a time active in the processing space during all shifts, and vessels with less than 30 total crew on board, are recommended, but not required, to conduct CST. Processing facilities and vessels that are not required to conduct CST must still comply with all other requirements of this Appendix.
 - viii. A log of all testing must be maintained and provided to Public Health officials or other healthcare authorities upon request.
 - ix. Staff or crew changes when the arriving personnel have completed documented, **Monitored** Quarantine, followed by testing and travel via Safe Transit from the quarantine facility to the destination facility or vessel, will not trigger a change to High Alert level.
 - x. Staff or crew changes with personnel departing the facility with no replacements arriving will not trigger a change in alert level.
 - xi. Arriving prior positives within 90 days (as defined in Section III.f, with documentation) will not trigger a change in Alert Level.
 - xii. New Workers at Shore-Based processing plants. A change in alert level for Shore-Based processing plants will be triggered by: workers arriving from out-of-state to complete Post-Travel Entry Quarantine (Option 3), and workers who had completed Option 1 (Pre-travel) or Option 2 (Mid-travel) with **Controlled** Quarantine.
 - 1. A change to High Alert level will not be triggered by arriving workers who had completed Option 1 (Pre-travel) or Option 2

- (Mid-travel) with **Monitored** Quarantine and traveled via Safe Transit, prior positives within 90 days (documentation required), or short-term visitors who do not have Close Contact with workers.
2. Facilities that only employ local workers need only follow their local alert level. New hires that have been resident in the community for longer than 14 days are not included as changing the risk category for these facilities.
 3. Workers who are in the process of their Post-Travel Entry Quarantine do not need to be tested as part of this strategy and should adhere to the plan for testing during Entry Quarantine.
- xiii. Consult with Public Health to determine if contact meets definition of “Social Mixing.” Exceptions may also be made, in consultation with Public Health, for crew seeking medical care at a local facility so long as all appropriate precautions are taken.
- xiv. CST Requirements for Vessels at High Alert Level.
1. If all crew on (in the case of initial sailing) or joining (in the case of crew change) the vessel have completed **Monitored** Quarantine followed by **Safe Transit** from the quarantine facility to the vessel, no additional testing is required outside of Entry Quarantine requirements for the arriving crewmembers.
 2. If any crew joining the vessel have completed **Monitored** Quarantine then traveled by **Non-Safe Transit** from the quarantine facility to the vessel, Option A, B, or C may be used.
 3. If any new crew joining the vessel completed **Controlled** Quarantine, Option A or B must be used.
 4. Testing Options for Vessels at High Alert Level.

Option A. Test all new crewmembers at Day five and Day eight with onboard testing.

Option B. Test all new crewmembers within 8–21 days of arrival (safest option) or test 100 percent of crewmembers at the next port of call (less safe option). Swabs may be tested locally or sent for testing elsewhere. The vessel may return to sea while results are pending.

Option C. Within 8–21 days of arrival of new crew (safest option) or at next port of call (less safe option): Coordinate with local clinic or other external medical provider to conduct an anonymous symptom screen of crew and test: 1) (Only if crew change) All new crew, 2) All crew who report symptoms, and 3) A sample of other crew so that at least 25 percent of the crew are tested.

Figure 1. Continuous Screening Testing Requirements Chart

Risk Category		Shore-Based, Open Campus >10 workers in the processing space	Shore-Based, Closed Campus >10 workers in the processing space	Processor or Catcher-Processor Vessel > 30 total crew
High	Conditions	High alert level at local jurisdiction (if available), or high alert level at community school, or arrival of new workers* within 14 days.	Arrival of new workers* within 28 days	Initial sailing or arrival of new crew [‡]
	Testing Sample and Frequency	<i>If high alert level</i> , test 100% of commuting workers, 25% of onsite workers every 7 days** <i>If arrival of new workers</i> , test 50% of workers 21 days after new workers* arrive.	Test each worker at least once every 14 days**	<u>Option A.</u> Test all new crew at Day 5 and Day 8 with onboard testing. OR <u>Option B.</u> Within 8–21 days of arrival of new crew (safest option) or at next port of call (less safe option): Test 100% of crew. Swabs may be tested locally or sent for testing elsewhere. The vessel may return to sea while results are pending. OR <u>Option C.</u> Within 8–21 days of arrival of new crew (safest option) or at next port of call (less safe option): Coordinate with local clinic or other external medical provider to conduct an anonymous symptom screen of crew and test: 1) (Only if crew change) All new crew and 2) All crew who report symptoms, and 3) A sample of other crew so that at least 25% of the crew are tested.
Medium	Conditions	Medium alert category at local jurisdiction (if available) or medium alert level at community school	<i>Special circumstance outside risk category:</i> Social Mixing with local community members [†]	<i>Special circumstance outside risk category:</i> Social mixing with shore-based workers or local community members during port call [†]
	Testing Sample and Frequency	Test 100% of commuting workers and 50% of onsite workers every 14 days**	Test 100% of workers who had contact with local community, 7–10 days after contact. Other workers should continue to follow the testing strategy for whatever risk category (low or high) is currently in effect.	Test 100% of crewmembers who had contact with shore-based workers or local community, collected 7–10 days after contact using onboard testing or 100% of the crew during the next port call if onboard testing is not available. The vessel may return to sea while results are pending.
Low	Conditions	Low alert category at local jurisdiction (if available) or low alert category at community school	More than 28 days since the arrival of workers	More than 21 days since the arrival of new crew
	Testing Sample and Frequency	Test each worker at least once every 28 days	Test each worker at least once every 28 days	No screening testing required

* See Section IX.e.xii for a definition of “New Workers” for Shore-Based Processing Plants

** See Section IX.e.xii.3 for clarification of testing requirements for workers in Post-Travel quarantine

† See Section IX.e.xiii for a definition of Social Mixing which would trigger a change to Medium Alert Level.

‡ See Section IX.e.xiv for clarification of vessel testing requirements.

X. Immediate Actions Required in Response to a Confirmed Case.

- a. Under AS 18.15.375, the Alaska Division of Public Health (DPH) is responsible for investigating both single cases and outbreaks of certain infectious diseases, such as COVID-19.
 - i. The primary goal of these investigations is to prevent additional cases by: (1) identifying ill or infected persons and their contacts, (2) describing relevant exposures, and (3) implementing prevention strategies.
 - ii. Private Sector businesses have the responsibility to provide a safe working environment for their employees.
 - iii. To the greatest extent possible, DPH will allow private sector businesses to assist with outbreak response efforts within their facilities and workforce. DHSS may use the powers and provisions set out in AS 18.15.355 - 18.15.395 to override risk decisions in situations that pose a threat to public health or when business risk decisions may have an impact on public capabilities or infrastructure.
 - iv. Employers are responsible for coordinating and funding actions taken within their facility and workforce in response to a COVID-19 case or outbreak.
- b. **Notification.** Employers should notify the nearest Public Health Nursing Center or the DHSS Section of Epidemiology at 907-269-8000 in the event of a positive clinical diagnosis or positive test result in their workplace. A full list of Public Health Nursing Centers is available here:
<http://dhss.alaska.gov/dph/Nursing/Pages/locations.aspx>.
 - i. Employers may also be required by local ordinances to contact the local or borough government authorities or Emergency Operations Center (EOC).
 - ii. The information that must be provided when notifying Public Health of a case includes the name of the case and their date of birth, current address, state or country of permanent residence, telephone number, and the date of test result.
 - iii. Persons on vessels underway who exhibit symptoms consistent with COVID-19 must be reported to the U.S. Coast Guard (USCG) Captain of the Port (COTP). For Southeast Alaska north to Yakutat, the COTP is USCG Sector Juneau. For Prince William Sound around to the Chukchi Sea, the COTP is USCG Sector Anchorage.
 - iv. Vessels that departed from a foreign port and are destined for a U.S. port must report to the closest Center for Disease Control and Prevention (CDC) Quarantine Station any sick or deceased crew/passengers during 15 days prior to arrival at the U.S. port. Guidance for vessels to report deaths and illnesses to the CDC can be found here:
<https://www.cdc.gov/quarantine/cruise/reporting-deaths-illness/guidance-how-report-onboard-death-illness.html>.

- v. Vessels will follow the contact process from the State of Alaska Maritime Communicable Disease Emergency Response Plan.
- c. **Isolation of Positive Individuals.** *Anyone who is diagnosed with COVID-19, or tests positive for the virus that causes COVID-19 must be immediately placed into Isolation.*
 - i. Individuals who receive positive test results or who are diagnosed through symptoms with COVID-19 may only be released from Isolation by a medical provider or Public Health official.
 - ii. Several hotels across the State have established protocols to house isolated and/or quarantined people. If a positive case or Close Contact is going to be moved into a hotel, the hotel staff and local jurisdiction must be notified of the person's status and the person must follow all hotel and local protective measures.
 - iii. The preferred method is for positive patients to Isolate individually, if facilities are not available then positive patients can Isolate in a shared facility with other positive patients.
 - iv. Commuting workers may be permitted to Isolate in their home. If an individual is Isolating at home, all other members in the household should follow Close Contact Quarantine. Their quarantine period will continue for 14 days after the Isolation period of the positive household member ends or as directed by a Public Health Nurse. If a commuting worker lives with other household members who are at an elevated risk for COVID-19 infection, the employer may consider offering temporary lodging as an isolation or quarantine facility.
 - v. Companies may choose one of the CDC-established strategies (test-based, or time/symptom-based) for discontinuing staff from Isolation; selecting a strategy to discontinue Isolation should be made in consultation with Public Health staff and in the context of local circumstances. The time/symptom-based strategy is currently recommended by the Section of Epidemiology for most cases.
 - vi. If previously positive individuals are displaying COVID-like symptoms and evaluation fails to identify a diagnosis other than SARS-CoV-2 infection (e.g., influenza), then the person may warrant evaluation for SARS-CoV-2 reinfection in consultation with an infectious disease or infection control expert. Isolation may be warranted during this evaluation, particularly if symptoms developed after Close Contact with an infected person.
- d. **Close Contact Quarantine.** *All workers who have been identified by public health staff as Close Contacts to a COVID-19 case are required to remain in monitored quarantine for 14 days.*
 - i. Workers should be placed into Close Contact Quarantine immediately upon being identified as Close Contacts through contact tracing. Additionally, workers who are clearly Close Contacts (for example: roommates, significant others or family members) should be put into

- Close Contact Quarantine immediately; coordinating with Public Health should not delay that process. Individuals who have previously tested positive for or been diagnosed with COVID-19 are exempt from quarantine requirements for a period of 90 days beginning from the date of their first positive test, or the onset of their symptoms, whichever is first. Any symptomatic recent former positive may need retesting and/or quarantine; consult with a medical provider.
- ii. While the CDC Guidance for [Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](#) does allow for Critical Infrastructure Workers to continue work during quarantine following specific testing requirements, recent events here in Alaska have shown that the safety measures recommended are not adequate to prevent the spread of the virus in a congregate work setting such as a seafood processing plant. Seafood processing companies will only allow Close Contacts to continue working under Close Contact Quarantine if the worker can maintain strict social distancing, *and* the worker's function is critical to the Minimum Basic Operations of the facility (payroll, safety and sanitation, facility maintenance, etc.). Receiving catch, processing seafood, and delivering product are *not* considered Minimum Basic Operations.
 - iii. If the facility has enough remaining workers who are not under isolation and/or quarantine to safely continue processing operations, the facility may restart operations once the workspace occupied by the positive case(s) has been completely sanitized.
 - iv. Procedures for Close Contact Quarantine.
 - 1. Close Contact Quarantine should be done in an environment with no opportunity for Social Mixing. If an individual is quarantining at home, all other members in the household who cannot maintain social distancing should also be following the same Close Contact Quarantine requirements.
 - 2. During Close Contact Quarantine following a confirmed case in the workplace, workers must be quarantined separately in single rooms unless otherwise directed by a Public Health Nurse or other medical professional assigned to handle the case by the State, with food delivered. Persons at higher risk for COVID-19 infection due to underlying medical conditions must be quarantined individually
 - 3. Commuting workers may be permitted to complete Close Contact Quarantine in their home. If an individual is quarantining at home, all other members in the household should maintain social distancing to the maximum extent possible throughout the quarantine period. If a commuting worker lives with other household members who are at an elevated risk for

- COVID-19 infection, they should consult with Public Health Nursing for recommended protective measures.
4. Individuals under quarantine will be screened for symptoms and have temperature checks twice a day. Temperature checks may be self-administered.
5. Quarantined workers may not leave their quarantine facility except to receive medical treatment.
6. Should any symptom of COVID-19 develop including a fever, follow the identification protocol in the seafood processing company's Community/Workforce Protective Plan. Seek testing and medical treatment immediately if symptoms are suspected to be caused by COVID-19. Of note: you do not need more than one symptom to be considered at risk of having COVID-19.
7. The employer will retain records of a worker's completion of Close Contact Quarantine, including the dates and location of quarantine, records of twice daily temperature readings, and daily observations of COVID-19 symptoms as identified by the CDC.

XI. Response to Large Outbreaks. An employer's projected strategies for managing reasonable numbers of positive cases should be detailed in the company's CWPP. If the number of positive cases grows beyond the strategies planned for in the company's CWPP, the employer must work with State and local government officials to conduct contingency planning.

- a. **Outbreak Contingency Plans.** For large outbreaks, which exceed the normal capacity of the company to manage easily, State and local government authorities may request that the company develop and submit an Outbreak Contingency Plan, detailing in writing how the company will conduct their response.
 - i. An Outbreak Contingency Plan is not a standing document, it is only developed once the situation exceeds the company's CWPP, and is customized to manage the unforeseen incident.
 - ii. Companies should plan to Isolate and Close Contact Quarantine affected workers on-site if it is safe to do so, locally within the community if it is possible, or to move affected workers to a larger community if no safe options are locally available.
 - iii. Movement of positive workers or Close Contacts between communities for Isolation and Close Contact Quarantine will require an Outbreak Contingency Plan.
 - iv. Elements of an Outbreak Contingency Plan may include:
 1. Movement plans for positives cases and Close Contacts.
 2. Lodging, dining and wrap-around services for Isolated and quarantined workers.
 3. Medical monitoring plans for Isolated workers.
 4. Security considerations at the worksite and lodging site.

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5. Any agreements with local authorities.
 6. Any contractual agreements with other private sector businesses for monitoring, testing, transport or security.
 7. Discontinuation and Return to Work Strategies.
 8. Cleaning procedures for the workplace and any vehicles used for transport.
- b. **Public Messaging.** It is highly recommended that employers work with the local government authorities to discuss options for public messaging in the event of a large number of positive cases from a single facility or cases that may be of concern to the local population.

This Appendix supersedes the travel, testing, screening, continuous monitoring, and immediate action procedures for all shore-based processing plant Community/Workforce Protective Plans. All other procedures in previously finalized Community/Workforce Protective Plans remain in effect.

Processor or catcher-processor vessels will follow this Appendix for travel, testing, screening, continuous monitoring, immediate action procedures, and all other procedures in Appendix 5-02 to EO 2021-05 or their previously submitted fleet or association Protective Plan.

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Appendix 5-02

PROTECTIVE PLAN FOR INDEPENDENT COMMERCIAL FISHING VESSELS

This Appendix will establish general guidance for commercial fishing vessels. Due to the wide variation of conditions between geographic regions, additional guidance may be passed by local governments and regional fisheries associations. This order establishes the minimum standard for protective measures.

I. Applicability.

- a. This Appendix applies to all catcher and tender vessels that have not agreed to operate under a fleet-wide plan submitted by a company, association, or entity that represents a fleet of vessels. This Appendix alleviates the requirement for independent commercial fishing vessels to submit a Community/Workforce Protective Plan to the Alaska COVID-19 Unified Command.

II. Documentation. Vessel captains are required to maintain a ship's log as a written or time-stamped electronic document covering, at a minimum, the following information:

- a. For the 2021 season, each independent vessel captain must sign EO 2021-05, Appendix 04, Acknowledgement Form, prior to actively participating in the 2021 commercial fishing season. This form is an acknowledgement of the requirements of this Appendix and an explicit description of which protective plan (State or fleet-wide plan) they are enacting and enforcing on the vessel.
- b. Certification that crew members have been screened upon arrival in accordance with Section V.
- c. Certification that arriving crew members have completed Entry Quarantine in accordance with Section IV.

III. Definitions.

- a. **Close Contact** means being within six feet of a known or suspected COVID-19 positive case for 15 minutes or greater or having had direct contact with the infectious secretions of a positive COVID-19 case. This determination is irrespective of whether or not either person was wearing a face covering. The 15-minute time period does not have to be continuous, it may be cumulative over a 24-hour period.
- b. **Isolation** is the separation of people infected with the virus (those who are sick with COVID-19 and those with no symptoms) from people who are not infected. Anyone with a positive test result (that has not recently recovered from the virus)

or who is diagnosed by a medical professional through symptoms must isolate. Isolation is monitored by medical professionals and is discontinued upon receipt of a clearance letter from a medical provider.

- c. **Non-Safe Transit** is a mode of transportation on which some passengers have not completed entry quarantine and testing requirements, or their quarantine and testing status is unknown. This can also apply when social distancing and/or appropriate PPE cannot or is not used to isolate the travelers from the vehicle crew. Unless verified by the air carrier, all non-chartered commercial air travel is considered Non-Safe Travel.
- d. **Onward Travel** refers to the leg of travel from the quarantine location to the final destination port for a crewmember who is conducting pre-travel or mid-travel entry quarantine.
- e. **Quarantine** is the separation of individuals whose medical status is unknown, in order to prevent the possible spread of the virus to others. For the purposes of this Appendix, there are two primary types of quarantine, Close Contact Quarantine and Entry Quarantine:
 - i. **Close Contact Quarantine** is a quarantine process where an individual is suspected of infection after being exposed to a positive case. Close Contact Quarantine is monitored by a medical professional or designated representative of the employer to ensure compliance and daily health checks. Section VIII.e provides detailed guidance for the observation of close contact quarantine.
 - ii. **Entry Quarantine** is a sequestering process that occurs when an individual arrives to the State of Alaska, or returns after being away for longer than 72 hours. Section IV.a provides detailed guidance for the observation of entry quarantine.
- f. **Quarantine Group** is any group of crewmembers that are living or working in close proximity during Entry Quarantine. These crewmembers will be assigned to a Quarantine Group and complete the remainder of their quarantine and travel together. All crewmembers sleeping in one room must be assigned to the same Quarantine Group. Quarantine Groups must be kept as small as possible to prevent multiple crewmembers from being exposed at once, and may not exceed 10 individuals. Should any member of the Quarantine Group develop symptoms or have a positive PCR test, all other members of the Group must start Close Contact Quarantine.
- g. **Safe Transit** is a mode of transportation on which all travelers have completed quarantine and testing requirements, and are not mixing with any populations whose quarantine and testing status is unknown. This can be a chartered aircraft, a ground vehicle, or a vessel. Social distancing and/or appropriate PPE will be used to isolate the travelers from the vehicle crew, particularly in chartered aircraft and taxis.
- h. **Strict Social Distancing** is a limited form of Entry Quarantine. While observing Strict Social Distancing (SSD), an individual:

- i. May be in an outdoor public place, but must remain six feet away from anyone not in their immediate household or workgroup, and must wear a face covering.
 - ii. May arrange curbside shopping or have food delivery, but may not enter restaurants, bars, gyms, community centers, sporting facilities, retail stores, office buildings, and school or daycare facilities.
 - iii. May not participate in any group activities, including sporting events and practices, weddings, funerals, or other gatherings.
- i. **Testing.** There are three purposes for COVID-19 testing: Diagnostic Testing, Entry Testing, and Continuous Screening Testing.
 - i. Diagnostic Testing is intended to identify current infection in individuals and is performed when a person has signs or symptoms consistent with COVID-19, or when a person is asymptomatic but has recent known or suspected exposure to a confirmed case. This testing should be conducted as soon as possible once the individual is identified as a close contact. The individual must be kept separate from all others while test results are pending.
 - ii. Entry Testing is conducted during a crewmember's Entry Quarantine process to determine if it is safe for the crewmember to travel and enter the designated entry quarantine site, or be released from quarantine.
 - iii. Continuous Screening Testing (CST) is performed to identify persons who may be contagious so that measures can be taken to prevent further transmission. Screening testing will be conducted on asymptomatic crewmembers after completion of Entry Quarantine and without known exposure to a confirmed case.

IV. Travel Procedures

- a. **Out-of-State Travel and Entry Quarantine Options.** All arriving crewmembers are required to observe a 14-day Entry Quarantine period. Vessel crews may begin work during their Entry Quarantine period under the protective measures enacted by this order, but *are not permitted to shorten or modify quarantine using a test-based strategy*. Vessel captains will arrange for their crewmembers arriving to the State to follow one of the following methods:
 - i. **Pre-Season Quarantine –**
 - 1. The preferred method of Entry Quarantine for arriving vessels is for the entire vessel crew to observe a 14-day Entry Quarantine and testing in the Lower 48 prior to boarding the vessel and sail as a Movement Cohort with the vessel as a means of Safe Transit. All crewmembers will be screened for new symptoms prior to boarding.
 - 2. Alternately, the crew could choose to quarantine at sea. To do so, all crewmembers must be tested within 48 hours prior to boarding the vessel and be screened for new symptoms prior to boarding. The quarantine period will start upon departure from the last out-of-State port. The time spent in transit, demonstrated through a

- ship's log or equivalent record, will count toward the 14-day Entry Quarantine period if all protective measures are followed. The vessel may not have face-to-face interactions with other vessel crews or shore-based personnel until all crewmembers on board have completed their quarantine period, which will be documented in the ship's log.
- ii. **Mid-Season Quarantine** – Crewmembers who need to travel to Alaska to join a vessel must observe a 14-day self-quarantine period after arriving, either in temporary lodging or on board the vessel.
 - iii. **Travel Procedures.** All crewmembers in transit on commercial or chartered aircraft must wear a cloth face covering that meets the recommendations contained in Ord. 2020-45. This face covering must be worn while transiting air terminals (to be temporarily removed for security screening), while on the plane, and any follow-on ground transportation until they reach their self-quarantine facility (*e.g.*, bunkhouse, vessel or private lodging). Crewmembers should clean or dispose of face coverings in accordance with Ord. 2020-45. Crewmembers in transit should carry documentation from the vessel or company indicating that they are an essential Critical Infrastructure Crewmember. Arriving crewmembers must proceed directly to the vessel or their designated self-quarantine location, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and transport to the vessel or Entry Quarantine location.
 - iv. **Entry Quarantine.** All crewmembers will comply with the protective measures set by EO 2021-05, International and Interstate Travel, the local government, and their lodging facility during Entry Quarantine. Crewmembers' temperature should be taken twice daily during self-quarantine. Should fever symptoms develop, follow the **Isolation** protocol in Section VIII.b; seek testing and medical treatment immediately if symptoms are suspected to be caused by COVID-19.
 - 1. To the greatest extent possible, arriving crewmembers should observe Entry Quarantine at their final destination in Alaska.
 - 2. Arriving crewmembers should be aware that some local communities, boatyards, or harbormasters may have enacted additional protective measures, and must comply with those measures.
 - 3. If arriving crewmembers must work or the vessel must get underway while some crewmembers are still within their 14-day self-quarantine period, they must not have contact with local populations during the 14-day period.
 - 4. If a new crewmember joins a quarantined worksite or vessel, they must practice social distancing and take all steps to minimize contact with other crew for 14 days. If this is not possible, an alternative would be to restart the 14-day clock for the entire crew.

5. For crewmembers who live locally or return to port daily, crewmembers, families, or roommates should practice social distancing for the duration of the season.
 6. If Entry Quarantine is not being observed on the vessel, crewmembers should only travel between their designated quarantine lodging and worksite.
 7. Quarantined crewmembers may not enter public spaces, to include retail stores, for any reason other than to seek medical attention.
 8. The vessel must report that it is undergoing quarantine or has a quarantined crewmember on board if it has any contact with another vessel, a processor, or a harbormaster. Vessels are required to fly a “Lima” flag or similar yellow and black pennant if they have any crew on board still under quarantine.
- v. **Testing.** To the greatest extent possible, arriving crewmembers should receive a PCR test within 48 hours of commencing travel, or as close to commencing travel as possible in order to have results prior to traveling. Individuals with positive test results may not travel. If a pre-travel test is not possible, crewmembers must test at their own or the employer’s expense immediately upon arrival in Alaska. The initial test may be conducted en route to their destination port, but must be completed prior to entering their Entry Quarantine lodging or boarding the vessel. Crewmembers should retain documentation of test results.
- vi. **Arrival Screening.** All crewmembers will be screened (see Section V) for symptoms upon arrival at the destination port prior to being allowed to board the vessel.
- b. **Initial In-State Travel and Strict Social Distancing (SSD) Options.** Crewmembers who are already resident in the State for longer than 14 days prior to joining a vessel crew will follow EO 2021-05, International and Intrastate Travel when traveling to a community off of the road system or Alaska Marine Highway System to join a vessel crew.
- c. **Vessel Transit Between Alaskan Ports.** During the course of the fishing season, it is expected that vessels will transit between Alaskan ports and communities. If the vessel intends to remain at the destination port for less than 72 hours before returning to the port of embarkation, the entire crew will observe strict social distancing measures while in the temporary port, and will not disembark the vessel while in port for non-essential purposes. If the vessel intends to remain in the vicinity of the destination port for longer than 72 hours, or plans to transit to additional ports, they will observe the following protective measures:
- i. To the greatest extent possible, all crewmembers should receive a PCR test within 48 hours of commencing transit.
 - ii. Upon arrival at the destination port, the entire crew will observe strict social distancing measures for the first five days, and will not disembark the vessel for non-essential purposes.

- iii. Once the initial Entry Quarantine period after arriving in the State has been observed, there is no State requirement to repeat the Entry Quarantine period when moving between Alaskan communities.
- d. Fisheries Observers must complete their travel and quarantine in accordance with their employer's submitted Community/Workforce Protective Plan. Once they report to a vessel, they will be screened by the vessel captain before boarding, and follow the safety measures in the vessel's protective plan while on board.
- e. Compliance with this Appendix does not constitute a right to travel or access into any areas. It is incumbent upon the individual traveler to ensure that any proposed travel itinerary is still possible and to adhere to any and all additional restrictions enacted by air carriers and lodging facilities or by small communities.

V. Arrival Screening of Personnel. All crewmembers will be screened upon arrival to the vessel, using the following procedures. Vessel captains may wish to arrange for dedicated spaces to conduct arrival screening.

- a. Verbal Screening Questions
 - i. Have you experienced any cough, difficulty breathing, shortness of breath, loss of smell or taste, sore throat, unusual fatigue or symptoms of acute respiratory illness in the last 72 hours?
 - ii. Have you experienced a fever (100.4° F [38° C] or greater using an oral thermometer) within the last 72 hours?
 - iii. Have you experienced signs of a fever such as chills, aches & pains, etc. within the last 72 hours?
 - iv. In the past 14 days, have you traveled in an area or country with widespread COVID-19 transmission without practicing social distancing?
 - v. Have you had contact within the past 14 days with a lab-confirmed or suspected COVID-19 case patient? (Contact defined as being within 6 feet of a COVID-19 case for a prolonged period of time (10 minutes) or having direct contact with infectious secretions of a COVID-19 case).
- b. Physical Screening
 - i. Each crewmember should demonstrate a measured temperature < 100.4°F. (This reference is for oral temperature, a forehead (temporal) scanner is usually 0.5°F (0.3°C) to 1°F (0.6°C) lower than an oral temperature. An ear (tympanic) temperature is 0.5°F (0.3°C) to 1°F (0.6°C) higher than an oral temperature.)
 - ii. Anyone performing a physical screening should wear appropriate PPE. If PPE is not available, the crewmember may take their own temperature.
 - iii. Each crewmember must be free of fever or respiratory symptoms. A possible exception would be if crewmember has mild symptoms that are clearly attributable to another source (i.e. allergies).
- c. If a crewmember fails verbal or physical screening, or is displaying viral symptoms, they will not be allowed to board.
- d. Additionally, vessel captains should assess each crewmembers' individual risk factors (*e.g.*, older age; presence of chronic medical conditions, including

immunocompromising conditions) and enact additional protective measures as needed to minimize their risk.

- VI. Protecting the Public.** It is anticipated that catcher and tender vessels may have local community contact for the following reasons: offload, resupply, and maintenance; planned shipyard work at the beginning of the season; vessels that return to port daily or frequently as part of their fishery; medical or other unforeseen emergencies. Vessel captains and crewmembers must use the following procedures to limit contact with members of the public to the greatest extent possible:
- a. Once all members of the crew have completed Entry Quarantine or transit SSD requirements, crewmembers should keep their interactions with the local community to a minimum. Many municipal and tribal governments have enacted local Emergency Ordinances, which will govern the conduct of crewmembers while in port.
 - b. For crewmembers who live locally or return to port daily, crewmembers and families or roommates must follow social distancing guidelines.
 - c. All face-to-face interaction between crew and shore-based workers will be kept to an absolute minimum, such as receiving for supplies, off-loading catch, fish tickets, and refueling. Those interactions that cannot be conducted remotely must follow social distancing guidelines.
 - d. When contracting for services, vessel captains should ensure that vendors providing services to or onboard vessels in port follow appropriate safety precautions.
 - e. Vessel captains should check in with the harbormaster prior to any port of call, and follow the directives of harbormasters while in their ports.
 - f. Private sector businesses such as retailers, hotels and air carriers may also enact additional measures as a part of their protective plans, which must be followed in order to obtain their services.
- VII. On Board Protective Measures.** All crewmembers must receive training on the requirements of this Appendix. Vessel captains should enact protective measures as appropriate to their vessel size and design in order to limit proximity of persons while onboard or underway.
- a. All crewmembers should be screened daily for:
 - i. New signs of fever, cough, difficulty breathing, loss of smell or taste, unusual fatigue, or shortness of breath
 - ii. If there is a respiratory illness identified on board, take temperature twice daily of each crewmember
 - iii. If there are symptoms presenting, repeat the screening from Section V.
 - b. Vessel captains should consider limiting the number of crewmembers allowed in operational spaces such as the wheelhouse and engine room, and staggering meal times to reduce the number of crew in the mess area. These social distancing measures are not required if the entire vessel crew is comprised of members of a single-family unit. These social distancing measures may not be possible on smaller vessels.

- c. Vessel captains should consider enacting additional protective measures for galleys and mess areas. Additionally, vessels should implement enhanced cleaning procedures for common surfaces and spaces. Detailed recommended procedures for cleaning, sanitizing, and disinfecting a vessel and disposal of PPE can be found at: <https://discoveryhealthmd.com/coronavirus-corner/>
- d. Vessel captains should encourage basic common hygiene practices, such as: frequent and thorough hand washing; respiratory etiquette, including covering coughs and sneezes; discouraging crewmembers from using others' personal property, work tools, and equipment.
- e. Crewmembers should be required to stay in their assigned accommodations if they are sick.
- f. For any material (e.g., lines, fish tickets) that must be passed between vessels or to shore, crewmembers should wear gloves and face coverings when handling material and perform hand hygiene after transfer. Crewmembers must disinfect any new supplies that arrive on board. After handling material, crew should remove and discard or wash gloves, immediately wash hands with soap and water or use hand sanitizer, and then disinfect any personal items they may have touched, such as radios.
- g. If the crew will be completing the 14-day self-quarantine on-board, it is acceptable to continue to fish during this time. Restrict contact with tenders or shore-personnel as much as possible. If contact with other vessels or personnel must occur, adhere to the safety plans set up by tender or port facilities, and utilize the following precautions:
 - i. Restrict personnel from boarding the vessel, any communication should be done by phone or radio instead of in person if possible
 - ii. Wipe down rails, door handles, and surfaces frequently with disinfecting wipes.
 - iii. Vessels are required to fly a "Lima" flag or similar yellow and black pennant if they have any crew on board under quarantine.
- h. Vessel captains should consider implementing a schedule of Continuous Screening Testing (CST) so that every crewmember is tested for COVID-19 at least once every two months while on board.
- i. To the greatest extent possible, vessels should discourage cross-decking or adding crewmembers once the crew is formed and all members have completed Entry Quarantine.

VIII. Procedures for Crewmembers who Become Ill. Vessels must follow the following procedures for identification, isolation and notification of crewmembers who begin to show symptoms of infection:

- a. **Identification.** Screen crew daily for:
 - i. New signs of fever, cough, difficulty breathing, loss of smell or taste, unusual fatigue or shortness of breath.
 - ii. If there is a respiratory illness identified on board, take temperature twice daily of each crewmember.
 - iii. If there are symptoms presenting, repeat the screening from Section V.

- iv. If a crewmember screens “yes” to any of the symptom questions (1-3), place a surgical mask on if tolerated.
- v. If a crewmember screens “yes” to BOTH: (1) any of the symptom questions (1-3); AND (2) an epidemiological risk factor questions (4 or 5), place a surgical mask on crewmember and isolate them per the **Isolation** protocol below.
- vi. Evaluating provider must don appropriate PPE and begin to document who has had exposure to the crewmember within the last two days.
- vii. If available, or as soon as practicable, obtain a rapid influenza swab. If positive, and no other reason to suspect COVID-19, treat crewmember as an influenza case, not a COVID-19 case. There can be co-infection with COVID-19 and influenza, if there is any suspicion for COVID-19 exposure in the prior 14 days, continue to treat as a suspected COVID-19 case.
- viii. If a crewmember screens “yes” to fever and respiratory symptoms, but does not clearly have an exposure that would qualify for a COVID-19 suspect case, seek medical evaluation and, at a minimum, recommend isolation for 72 hours AFTER the fever ends without the use of fever-reducing medications AND an improvement in initial symptoms (i.e. cough, shortness of breath) before returning to work.

b. Isolation. Isolation separates sick people with a contagious disease from people who are not sick. When possible, isolate sick crewmembers in a separate stateroom and designate a head that is only for isolated crew. In vessels that cannot accommodate isolation, consider the entire vessel under quarantine for 14 days.

- i. If a crewmember is identified as a potential COVID-19 case, immediately ask them to wear a facemask (a surgical mask, not N-95), unless they are having difficulty breathing. If there are no face masks available, a cloth face covering may be used as a last resort.
- ii. Place the crewmember in a private room with the door closed, ideally an airborne infection isolation room if available. Place a label on the door indicating no one is to enter the room without proper PPE. This room should have separate toilet and bathing facilities.
- iii. Any staff entering the room should use Standard Precautions, Contact Precautions, and Airborne Precautions, and use eye protection such as goggles or a face shield. If N-95 masks are not available, a surgical mask may be considered an acceptable alternative at this time.
- iv. Access to the room should be limited to personnel involved in direct care. Meals should be delivered to the room and dishes and utensils cleaned separately. Anyone with exposure to the crewmember should document the date and time of exposure, nature of exposure (close contact, same room, secretions), and PPE worn. Meticulous hand hygiene MUST be performed immediately after doffing PPE.
- v. Maintain a distance of six feet from the sick crewmember and keep interactions with them as brief as possible.

- vi. Limit the number of people who interact with sick people. To the extent possible, have a single person give care and meals to the sick person.
- vii. Provide tissues and access to soap and water, and ask the sick crewmembers to cover their mouth and nose with a tissue (or facemask) when coughing or sneezing.
- c. **Notification.** Vessel captains should notify the nearest Public Health Nursing Center or the DHSS Section of Epidemiology at 907-269-8000 in the event of a positive clinical diagnosis or positive test result in their workplace. A full list of Public Health Nursing Centers is available here:
<http://dhss.alaska.gov/dph/Nursing/Pages/locations.aspx>.
 - i. Vessel captains may also be required by local ordinances to contact the local or Borough government authorities or Emergency Operations Center (EOC).
 - ii. The information that must be provided when notifying Public Health of a case includes the name of the case and his/her date of birth, current address, state or country of permanent residence, telephone number, and the date of test result.
 - iii. Persons on vessels underway who exhibit symptoms consistent with COVID-19 must be reported to the U.S. Coast Guard Captain of the Port (COTP). For Southeast Alaska north to Yakutat, the COTP is USCG Sector Juneau. For Prince William Sound around to the Chukchi Sea, the COTP is USCG Sector Anchorage.
 - iv. Vessels that departed from a foreign port and are destined for a U.S. port must report to the closest Center for Disease Control and Prevention (CDC) Quarantine Station any sick or deceased crew/passengers during 15 days prior to arrival at the U.S. port. Guidance to vessels to report deaths and illnesses to the CDC can be found at:
<https://www.cdc.gov/quarantine/cruise/reporting-deaths-illness/guidance-how-report-onboard-death-illness.html>.
 - v. Vessels will follow the contact process from the State of Alaska Maritime Communicable Disease Emergency Response Plan.
- d. **Transportation.** Procedures for transportation of suspected COVID-19 cases at disembarkation:
 - i. Vessel captains must contact the harbormaster and local clinic prior to disembarking a crewmember who suspected of having COVID-19.
 - ii. For the crewmember with suspected COVID-19: A facemask should be worn by the patient for source control. If a nasal cannula is in place, a facemask should be worn over the nasal cannula. Alternatively, an oxygen mask can be used if clinically indicated. If the patient requires intubation, see: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-for-ems.html> for aerosol-generating procedures.
 - iii. If ambulance transportation is required, local EMS should be notified that this is a potential COVID-19 case so that responders may use appropriate PPE and follow their protocols.

- iv. If private vehicle transportation is utilized: Anyone who will be driving a crewmember with suspected COVID-19 should maintain as much distance from the crewmember as possible, wear a mask if available, and avoid unnecessary contact with the ill person and their belongings. If the driver will provide direct care to the ill person (*e.g.*, moving patients onto stretchers), they should wear recommended PPE. After transportation is complete and before reentering a driver's compartment, the driver should remove and dispose of any PPE in sealed plastic bag and perform hand hygiene. Windows should be down to allow for air exchange if possible.
 - v. The receiving healthcare facility must be notified that a patient with suspected COVID-19 is being brought in so that they may take appropriate infection control precautions.
- e. **Close Contact Quarantine.** Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick. If separate staterooms with designated bathrooms are available, this procedure may be considered for individual crew. Otherwise, consider for the entire vessel under Close Contact Quarantine following a positive case.
- i. Crew members who have had high-risk exposures to a person suspected of having COVID-19 should be quarantined in their cabins. All potentially exposed crew members should avoid leaving the vessel and self-monitor under supervision of ship medical staff or telemedicine providers until 14 days after the last possible exposure (if the ill crewmember remained on the vessel and could not be fully separated from healthy crew, consider the entire vessel under quarantine for 14 days after the case is determined by public health to no longer need isolation). If an entire vessel is under quarantine, they may continue to work.
 - ii. If personnel develop fever, cough, difficulty breathing, or other symptoms of COVID-19 while in quarantine, they should be isolated and undergo medical assessment, notification and transportation as per the other relevant sections of this Appendix.
 - iii. Vessel management and telemedicine providers should remain in contact with personnel through the self-monitoring period to oversee self-monitoring activities.
 - iv. If the vessel returns to port with a sick crewmember, remaining crewmembers are not permitted to leave the vessel except to receive medical care or to move directly to a suitable quarantine location. No off-vessel work is permitted. The vessel must coordinate delivery of food or other necessities. Vessels are required to fly a "Lima" flag or similar yellow and black pennant if they have any crew on board under quarantine.
 - v. The remaining exposed crewmembers must complete a 14-day Close Contact Quarantine period, from the time the sick crewmember is transported, on the vessel or in a suitable quarantine location.

IX. Continuity of Fisheries Operations.

- a. Vessel captains should consider the impact that this pandemic will have on the fishing industry as a whole, their suppliers and wrap-around services such as fuel, groceries and lodging.
- b. Vessel captains should consider the potential impact to their operations that may arise as a result of outbreaks or increased rates of crewmember absenteeism, and enact plans for cross-training crewmembers to the greatest extent possible.
- c. Vessel captains must cease operations and return to port if they do not have enough healthy crewmembers remaining to safely operate the vessel.

Appendix 5-03

PROTECTIVE PLAN FOR INDEPENDENT COMMERCIAL HARVESTERS

This Appendix will establish general guidance for commercial fishing harvesters operating from shore, open skiffs, and other means where the crew is not living on board a vessel for multiple days at sea. Due to the wide variation of conditions between geographic regions, additional guidance may be passed by local governments and regional fisheries associations. This Appendix establishes the minimum standard for protective measures.

- I. Applicability.**
 - a. This Appendix applies to all commercial fishing harvesters who do not meet the applicability definition for independent commercial fishing vessels contained in EO 2021-05, and that have not agreed to operate under a fleet-wide plan submitted by a company, association, or entity that represents a fisheries sector.
- II. Documentation.** Harvesting Site Managers are required to maintain a ship's log as a written or time-stamped electronic document covering, at a minimum, the following information:
 - a. For the 2021 season, each Site Manager must sign the EO 2021-05, Appendix 4-04 Acknowledgement Form prior to actively participating in the 2021 commercial fishing season. This form is an acknowledgement of the requirements of this Appendix.
 - b. Certification that crew members have been screened upon arrival in accordance with Section V.
 - c. Certification that arriving crew members have completed Entry Quarantine in accordance with Section IV.
- III. Definitions.**
 - a. **Close Contact** means being within six feet of a known or suspected COVID-19 positive case for 15 minutes or greater or having had direct contact with the infectious secretions of a positive COVID-19 case. This determination is irrespective of whether or not either person was wearing a face covering. The 15-minute time period does not have to be continuous, it may be cumulative over a 24-hour period.

- b. **Harvesting Operation.** Multiple harvesters working at the same site in close proximity will be considered a Harvesting Operation. They may be in shared accommodations or separate facilities, but using the same equipment and selling their catch collectively.
- c. **Isolation** is the separation of people infected with the virus (those who are sick with COVID-19 and those with no symptoms) from people who are not infected. Anyone with a positive test result (that has not recently recovered from the virus) or who is diagnosed by a medical professional through symptoms must isolate. Isolation is monitored by medical professionals and is discontinued upon receipt of a clearance letter from a medical provider.
- d. **Non-Safe Transit** is a mode of transportation on which some passengers have not completed entry quarantine and testing requirements, or their quarantine and testing status is unknown. This can also apply when social distancing and/or appropriate PPE cannot or is not used to isolate the travelers from the vehicle crew. Unless verified by the air carrier, all non-chartered commercial air travel is considered Non-Safe Travel.
- e. **Onward Travel** refers to the leg of travel from the quarantine location to the final destination port for a crewmember who is conducting pre-travel or mid-travel entry quarantine.
- f. **Quarantine** is the separation of individuals whose medical status is unknown, in order to prevent the possible spread of the virus to others. For the purposes of this Appendix, there are two primary types of quarantine, Close Contact Quarantine and Entry Quarantine:
 - i. **Close Contact Quarantine** is a quarantine process where an individual is suspected of infection after being exposed to a positive case. Close Contact Quarantine is monitored by a medical professional or designated representative of the employer to ensure compliance and daily health checks. Section VIII.e provides detailed guidance for the observation of close contact quarantine.
 - ii. **Entry Quarantine** is a sequestering process that occurs when an individual arrives to the State of Alaska, or returns after being away for longer than 72 hours. Section IV.a provides detailed guidance for the observation of entry quarantine.
- g. **Quarantine Group** is any group of crewmembers that are living or working in close proximity during Entry Quarantine. These crewmembers will be assigned to a Quarantine Group and complete the remainder of their quarantine and travel together. All crewmembers sleeping in one room must be assigned to the same Quarantine Group. Quarantine Groups must be kept as small as possible to prevent multiple crewmembers from being exposed at once, and may not exceed ten individuals. Should any member of the Quarantine Group develop symptoms or have a positive PCR test, all other members of the Group must start Close Contact Quarantine.
- h. **Safe Transit** is a mode of transportation on which all travelers have completed quarantine and testing requirements, and are not mixing with any populations whose quarantine and testing status is unknown. This can be a chartered aircraft, a ground vehicle, or a vessel. Social distancing and/or appropriate PPE will be used to isolate the travelers from the vehicle crew, particularly in chartered aircraft and taxis.

- i. **Site Manager.** Though there may be several individual permit holders in a Harvesting Operation, the senior permit holder who conducts business transactions on behalf of the Harvesting Operation will be considered the Site Manager, and be responsible for enacting and enforcing this order within his or her Harvesting Operation.
- j. **Strict Social Distancing** is a limited form of Entry Quarantine. While observing Strict Social Distancing (SSD), an individual:
 - i. May be in an outdoor public place, but must remain six feet away from anyone not in their immediate household or workgroup, and must wear a face covering.
 - ii. May arrange curbside shopping or have food delivery, but may not enter restaurants, bars, gyms, community centers, sporting facilities, retail stores, office buildings, and school or daycare facilities.
 - iii. May not participate in any group activities, including sporting events and practices, weddings, funerals, or other gatherings.
- k. **Testing.** There are three purposes for COVID-19 testing: Diagnostic Testing, Entry Testing, and Continuous Screening Testing.
 - i. **Diagnostic Testing** is intended to identify current infection in individuals and is performed when a person has signs or symptoms consistent with COVID-19, or when a person is asymptomatic but has recent known or suspected exposure to a confirmed case. This testing should be conducted as soon as possible once the individual is identified as a close contact. The individual must be kept separate from all others while test results are pending.
 - ii. **Entry Testing** is conducted during a crewmember's Entry Quarantine process to determine if it is safe for the crewmember to travel and enter the designated entry quarantine site, or be released from quarantine.
 - iii. **Continuous Screening Testing (CST)** is performed to identify persons who may be contagious so that measures can be taken to prevent further transmission. Screening testing will be conducted on asymptomatic crewmembers after completion of Entry Quarantine and without known exposure to a confirmed case.

IV. Travel Procedures

- a. **Out-of-State Travel and Entry Quarantine Options.** Harvesting Operations will make every effort to prevent a potentially infectious harvester from exposing other harvesters or community members during travel and in their final destination community in Alaska. Harvesting Operations will arrange for their arriving harvesters to follow one of the following methods:
 - i. **Mid-Travel Quarantine** – Harvesters will travel to Alaska and observe a 14-day self-quarantine period in temporary lodging in a large community that has a General Acute Care or Critical Access Hospital (*i.e.*, Anchorage or Juneau) prior to beginning onward travel to their final destination community. This method will allow harvesters to immediately begin provisioning and operating under the protective measures in Section VI below upon arrival to their destination community.

1. Testing. To the greatest extent possible, arriving harvesters should receive a PCR test within 48 hours of commencing travel to Alaska, or as close to commencing travel as possible in order to have results prior to traveling. Individuals with positive test results may not travel. If a pre-travel test is not possible, harvesters must test at their own or the employer's expense immediately upon arrival in Alaska. The initial test must be completed prior to entering their Entry Quarantine lodging. Harvesters should retain documentation of test results.
2. Travel. All harvesters in transit on commercial aircraft must wear a cloth face covering that meets the recommendations contained in EO 2020-61. This face covering must be worn while transiting air terminals (to be temporarily removed for security screening), while on the plane, and any follow-on ground transportation until they reach their quarantine facility. Harvesters in transit should carry documentation indicating that they are an essential Critical Infrastructure Worker as defined under State Health Orders. Arriving harvesters must proceed directly to their designated quarantine location, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the airport and transport to the Entry Quarantine location, unless it is to receive a PCR test.
2. Entry Quarantine. All crewmembers will comply with the protective measures set by EO 2021-05, International and Interstate Travel, the local government, and their lodging facility during Entry Quarantine. Crewmembers' temperature should be taken twice daily during self-quarantine. Should fever symptoms develop, follow the **Isolation** protocol in Section VIII.b. Seek testing and medical treatment immediately if symptoms are suspected to be caused by COVID-19.
3. Arrival Screening. All harvesters will be screened (see Section V) for symptoms upon arrival at the worksite prior to being allowed to enter the lodging facility.
- ii. **Post-Travel Quarantine** – Harvesters will travel to their final destination community in Alaska and observe a 14-day self-quarantine period prior to any interaction with harvesters from other Harvesting Operations or members of the local community. This method will require harvesters to follow stricter protective measures in Section IV.b.ii.4 after arrival to their destination community while in their 14-day self-quarantine period.
 1. Testing. To the greatest extent possible, arriving harvesters should receive a PCR test within 48 hours of commencing travel to Alaska, or as close to commencing travel as possible in order to have results prior to traveling. Individuals with positive test results may not travel. If a pre-travel test is not possible, harvesters must test at their own or the employer's expense immediately upon arrival in Alaska. The initial test may be conducted en route to their destination port, but must be

- completed prior to entering their Entry Quarantine lodging. Harvesters should retain documentation of test results.
2. Travel. All harvesters in transit on commercial aircraft must wear a cloth face covering that meets the recommendations contained in Health Alert 10. This face covering must be worn while transiting air terminals (to be temporarily removed for security screening), while on the plane, and any follow-on ground transportation until they reach their quarantine facility. Harvesters in transit should carry documentation indicating that they are an essential Critical Infrastructure Worker. Arriving harvesters must proceed directly to their designated quarantine location, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and transport to the Entry Quarantine location.
 3. Arrival Screening. All harvesters will be screened (see Section V) for symptoms upon arrival at the worksite prior to being allowed to enter the lodging facility.
 4. Entry Quarantine. Arriving harvesters must proceed directly to their designated quarantine location, must practice social distancing and avoid interaction with the community, and may not stop at any location between arrival at the local airport and transport to the worksite or self-quarantine location unless it is to receive a PCR test.
 - a. If possible, arriving harvesters will quarantine in single rooms and practice social distancing from other members of the Harvesting Operation. If single rooms are not available and/or social distancing is not feasible, the entire Harvesting Operation will observe quarantine together.
 - b. If a new harvester joins a quarantined Harvesting Operation and social distancing is not feasible, the 14-day clock will re-start for the entire Harvesting Operation.
 - c. Quarantined harvesters must maintain social distancing measures from all people outside of their Harvesting Operation, regardless of their quarantine status.
 - d. Harvesting Operations must arrange for provisioning via delivery services, curbside pick-up, or supply runners.
 - e. Quarantined harvesters may not enter public spaces, to include retail stores, for any reason other than to seek medical attention.
 - f. If the lodging facility is not adjacent to the worksite, quarantined harvesters may only travel between their designated self-quarantine lodging and worksite.
 - g. Harvesting Operations may commence work and begin fishing during quarantine, provided they can maintain social distancing measures from all people outside of their Harvesting Operation.

If they need to off-load catch during this time, they must inform the tender, processor, or transporting agent of their quarantine status.

- b. **Initial In-State Travel and Strict Social Distancing (SSD) Options.** Harvesters who are already resident in the State for longer than 14 days prior to joining a harvesting site will follow EO 2021-05, International and Intrastate Travel, when traveling to a community off the road system or Alaska Marine Highway System to join a harvesting site.
- c. Compliance with this Appendix does not constitute a right to travel or access into any areas. It is incumbent upon the individual traveler to ensure that any proposed travel itinerary is still possible and to adhere to any and all additional restrictions enacted by air carriers and lodging facilities or by small communities.

V. Screening of Personnel. All harvesters will be screened upon arrival to the worksite or lodging facility, using the following procedures or an equivalent medically vetted procedure. Site Managers may wish to arrange for dedicated spaces to conduct arrival screening in a space that can be disinfected should an arriving harvester fail the screening.

- a. Verbal Screening Questions
 - i. Have you experienced any cough, difficulty breathing, shortness of breath, loss of smell or taste, sore throat, unusual fatigue, or symptoms of acute respiratory illness in the last 72 hours?
 - ii. Have you experienced a fever (100.4° F [38° C] or greater using an oral thermometer) within the last 72 hours?
 - iii. Have you experienced signs of fever such as chills, aches & pains, etc. within the last 72 hours?
 - iv. In the past 14 days, have you traveled in an area or country with widespread COVID-19 transmission without practicing social distancing?
 - v. Have you had contact within the past 14 days with a lab-confirmed or suspected COVID-19 case-patient? (Contact defined as being within 6 feet of a COVID-19 case for a prolonged period of time (10 minutes) or having direct contact with infectious secretions of a COVID-19 case).
- b. Physical Screening
 - i. Each harvester should demonstrate a measured temperature of < 100.4° F [38° C]. (This reference is for oral temperature, a forehead (temporal) scanner is usually 0.5°F (0.3°C) to 1°F (0.6°C) lower than an oral temperature. An ear (tympanic) temperature is 0.5°F (0.3°C) to 1°F (0.6°C) higher than an oral temperature.)
 - ii. Anyone performing a physical screening should wear appropriate PPE. If PPE is not available, the harvester may take their own temperature.
 - iii. Each harvester must be free of fever or respiratory symptoms. A possible exception would be if harvester has mild symptoms that are clearly attributable to another source (i.e. allergies).

- c. If a harvester fails verbal or physical screening or is displaying viral symptoms they will immediately be isolated in accordance with Section VIII.b.
- d. Additionally, site managers should assess each harvesters' individual risk factors (e.g., older age; the presence of chronic medical conditions, including immunocompromising conditions) and enact additional protective measures as needed to minimize their risk.

VI. Protecting the Public. After all members of a Harvesting Operation have completed quarantine, it is anticipated that harvesters may have local community contact. Harvesters must use the following procedures to limit contact with members of the public to the greatest extent possible:

- a. Harvesters should adhere to any and all additional protective measures enacted by municipal or tribal governments through local Emergency Ordinances.
- b. For harvesters who live locally or return to port daily, harvesters and families or roommates must comply social distancing guidelines.
- c. Travel to high-traffic areas in communities such as retail stores will be kept to an absolute minimum. Harvesting Operations should take advantage of delivery services, curbside pick-up, and supply runners as much as possible.
- d. All face-to-face interaction between harvesters and other fisheries industry workers will be kept to an absolute minimum, such as receiving for supplies, off-loading catch, fish tickets, and refueling. Those interactions that cannot be conducted remotely must follow social distancing guidelines.
- e. Private sector businesses such as retailers, hotels, and air carriers may also enact additional measures as a part of their protective plans which must be followed in order to obtain their services.

VII. Worksite/Campsite Protective Measures.

- a. Harvesting Operations should encourage basic common hygiene practices, such as frequent and thorough hand washing; respiratory etiquette, including covering coughs and sneezes; discouraging harvesters from using others' personal property, work tools, and equipment.
- b. Harvesters are required to stay in their assigned accommodations if they are sick.
- c. Harvesting Operations should confine harvesters to their own campsite and practice social distancing with neighbors as much as possible.

VIII. Procedures for Harvesters who Become Ill. Harvesting Operations must follow the following procedures for identification, isolation, and assessment of harvesters who begin to show symptoms of infection:

- a. **Identification.** Screen all harvesters daily for:
 - i. New signs of fever, cough, difficulty breathing, loss of smell or taste, unusual fatigue or shortness of breath.
 - ii. If there is a respiratory illness identified, take temperature twice daily of each harvester.
 - iii. If symptoms are presenting, repeat the screening from Section V.

- iv. If a harvester screens “yes” to any of the symptom questions (1-3), place a surgical mask on if tolerated.
- v. If a harvester screens “yes” to BOTH: (1) any of the symptom questions (1-3); AND (2) an epidemiological risk factor questions (4 or 5), place a surgical mask on harvester and isolate them per the **Isolation** protocol below.
- vi. Evaluating provider must don appropriate PPE and begin to document who has had exposure to the harvester within the last 2 days.
- vii. If available, or as soon as practicable, obtain a rapid influenza swab. If positive, and no other reason to suspect COVID-19, treat harvester as an influenza case, not a COVID-19 case. There can be co-infection with COVID-19 and influenza, if there is any suspicion for COVID-19 exposure in the prior 14 days, continue to treat as a suspected COVID-19 case.
- viii. If a harvester screens “yes” to fever and respiratory symptoms, but does not clearly have an exposure that would qualify for a COVID-19 suspect case, seek medical evaluation and, at a minimum, recommend isolation for 72 hours AFTER the fever ends without the use of fever-reducing medications AND an improvement in initial symptoms (i.e. cough, shortness of breath) before returning to work.

b. Isolation. Isolation separates sick people with a contagious disease from people who are not sick. When possible, isolate sick harvesters in a separate room and designate a head that is only for the isolated crew. For Harvesting Operations that cannot accommodate isolation, consider all members of the Harvesting Operation under Close Contact Quarantine for 14 days.

- i. If a harvester is identified as a potential COVID-19 case, immediately ask them to wear a facemask (a surgical mask, not N-95), unless they are having difficulty breathing. If there are no facemasks available, a cloth face covering may be used as a last resort.
- ii. Place the harvester in a private room with the door closed, ideally an airborne infection isolation room if available. Place a label on the door indicating no one is to enter the room without proper PPE. This room should have a separate toilet and bathing facilities.
- iii. Any staff entering the room should use Standard Precautions, Contact Precautions, and Airborne Precautions, and use eye protection such as goggles or a face shield. If N-95 masks are not available, a surgical mask may be considered an acceptable alternative at this time.
- iv. Access to the room should be limited to personnel involved in direct care. Meals should be delivered to the room and dishes and utensils cleaned separately. Anyone with exposure to the harvester should document the date and time of exposure, nature of exposure (close contact, same room, secretions), and PPE worn. Meticulous hand hygiene must be performed immediately after doffing PPE.

- v. Maintain a distance of six feet from the sick harvester and keep interactions with them as brief as possible.
 - vi. Limit the number of people who interact with sick people. To the extent possible, have a single person give care and meals to the sick person.
 - vii. Provide tissues and access to soap and water, and ask the sick harvesters to cover their mouth and nose with a tissue (or facemask) when coughing or sneezing.
- c. **Notification.** Site managers should notify the nearest Public Health Nursing Center or the DHSS Section of Epidemiology at 907-269-8000 in the event of a positive clinical diagnosis or positive test result in their workplace. A full list of Public Health Nursing Centers is available here: <http://dhss.alaska.gov/dph/Nursing/Pages/locations.aspx>.
- i. Site managers may also be required by local ordinances to contact the local or Borough government authorities or Emergency Operations Center (EOC).
 - ii. The information that must be provided when notifying Public Health of a case includes the name of the case and his/her date of birth, current address, state or country of permanent residence, telephone number, and the date of test result.
 - iii. For a person ill or injured and not suspected of COVID-19 follow an established process to evaluate for requesting healthcare.
 - iv. If the ill harvester is not directed to a medical facility, the Harvesting Operation may continue to fish and complete a 14-day Close Contact Quarantine. If unloading to a tender/processor is necessary during this time, the Harvesting Operation must tell the tender/processor it has a sick harvester. During the unloading, all crew must wear gloves and face coverings.
- d. **Transportation.** Procedure on transportation of suspected COVID-19 cases at disembarkation
- i. For the harvester with suspected COVID-19: A facemask should be worn by the patient for source control. Alternatively, an oxygen mask can be used if clinically indicated. If the patient requires intubation, *see*: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-for-ems.html> for aerosol-generating procedures.
 - ii. If ambulance transportation is required: Local EMS should be notified that this is a potential COVID-19 case so that responders may use appropriate PPE and follow their protocols.
 - iii. If private vehicle transportation is utilized: Anyone who will be driving a harvester with suspected COVID-19 should maintain as much distance from the harvester as possible, wear a mask if available, and avoid unnecessary contact with the ill person and their belongings. If the driver will provide direct care to the ill person (*e.g.*, moving patients onto stretchers), they should wear recommended PPE. After transportation is complete and before reentering a driver's compartment, the driver should remove and dispose of any PPE in a

- sealed plastic bag and perform hand hygiene. Windows should be down to allow for air exchange if possible.
- iv. The receiving healthcare facility must be notified that a patient with suspected COVID-19 is being brought in so that they may take appropriate infection control precautions.

e. **Close Contact Quarantine.** Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick. If separate accommodations with designated bathrooms are available, this procedure may be considered for the individual crew. Otherwise, consider for the entire Harvesting Operation under Close Contact Quarantine.

- i. Harvesters who have had exposure to a person suspected of having COVID-19 should be quarantined in their assigned accommodations. All potentially exposed members should avoid leaving the worksite or lodging facility and self-monitor under the supervision of the site manager or telemedicine providers until 14 days after the last possible exposure. If an entire Harvesting Operation is under quarantine, they may continue to work.
- ii. If personnel develop fever, cough, difficulty breathing, or other symptoms of COVID-19 while in quarantine, they should be isolated and undergo a medical assessment, reporting, and transportation as per the other relevant sections of this order.
- iii. The site manager and telemedicine providers should remain in contact with personnel through the self-monitoring period to oversee self-monitoring activities.
- iv. The remaining exposed harvesters must complete a 14-day quarantine period, from the time the sick harvester is transported, in a suitable quarantine location.

IX. Continuity of Fisheries Operations.

- a. Site managers should consider the impact that this pandemic will have on the fishing industry as a whole, their suppliers, and wrap-around services such as fuel, groceries, and lodging.
- b. Site managers should consider the potential impact on their operations that may arise as a result of outbreaks or increased rates of harvester absenteeism, and enact plans for cross-training harvesters to the greatest extent possible.
- c. Site managers must temporarily cease operations if they do not have enough healthy harvesters remaining to safely run the Harvesting Operation.

Emergency Ordinance 2021-05
INDEPENDENT FISHING VESSEL AND
SHORE-BASED FISHING OPERATION PROTECTIVE MEASURES
ACKNOWLEDGMENT FORM – APPENDIX 5-04

The State of Alaska acknowledges the importance of our commercial fishing fleets to our economy and our lifestyle as Alaskans. In order to ensure a safe and productive fishing season this year, while protecting Alaskan communities to the maximum extent possible from the spread of the coronavirus, protective measures are necessary for independent commercial fishing vessels and shore-based harvesting operations operating within Alaskan waters and ports in order to prevent, slow, and disrupt the spread of the virus that causes COVID-19.

Vessel Name		USCG or ADFG #	
Home Port			
Shore-based Location		CFEC/Setnet Number(s)	
Vessel Captain or Site Manager Name(s)			
Total Onboard / On Site			

I, _____, have read and understand all of the requirements of Emergency Ordinance 2021-05. As the person responsible for the above-named vessel or shore-based fishing operation, I hereby acknowledge and agree to: (initial one)

_____ Comply with the protective plan in EO 2021-05 Appendix 5-02 for my vessel for the 2021-fishing season.

_____ Comply with the fleet or association protective plan submitted by _____ for the 2021-fishing season.

_____ Comply with the protective plan in EO 2021-05 Appendix 5-03 for my harvesting operation for the 2021-fishing season.

I agree to comply with all other Health Orders issued by the State of Alaska and any local community mandates, ordinances, or directives that are not in direct conflict with Health Order No. 5 or EO 2021-05. I agree to keep a copy of this form and any other documentation required under this Mandate and the Appendixes for the entirety of the 2021-fishing season. I shall produce this form and any other required documentation upon request to the United States Coast Guard, the State of Alaska, Department of Fish and Game, Department of Health and Social Services, and/or the Alaska State Troopers.

CERTIFICATE: I swear or affirm, under penalty of perjury, that the above information I provided on this document is true and correct. I swear or affirm I will comply with all of the requirements set out in EO 2021-05 and the Appendixes.

SIGNATURE: _____

DATE: _____

PRINTED NAME: _____



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801

Telephone: 586-5240 | Facsimile: 586-5385

TO: Deputy Mayor Jones and Assembly Committee of the Whole

DATE: January 20, 2021

FROM: Rorie Watt, City Manager

RE: Subport Development - Assembly Consideration Process, Discussion & Draft Approach

The Assembly has decisions to make on how it wishes to proceed with consideration of the proposed Norwegian Cruise Lines development at the site commonly known as the Juneau Subport. Equally importantly, the public should be clearly advised on how and when they may participate in this process. NCL has hosted several well attended community meetings, but to date CBJ has been silent on its process.

Issues:

1. Long Range Waterfront Plan (LRWP)

- a. The Visitor Industry Taskforce report to the Assembly advised against updating the entire LRWP. I believe that their recommendation was based on two beliefs. First, that the LRWP is still a valid and useful document and that the effort of developing or updating the entire plan is not warranted. Second, their support of consideration of a dock at the Subport indicates that they believe that a dock could be allowed at that location under the Plan.
- b. It is less than perfectly clear whether a cruise ship dock at the Subport would be found in conformance with the LRWP; there appear to be arguments in support and against a finding of conformance. Attachments to this memo illustrate some relevant portions of the Plan.
 - i. Area B of the plan shows an extended wharf along the alignment of the USCG Dock and a small boat harbor. The extended wharfage is long enough to accommodate a large ship and the Plan does not explicitly prohibit a cruise ship dock. This diagram is also consistent with the 2003 Subport Vicinity Revitalization Plan, which is referenced in the LRWP.
 - ii. The extended wharfage in Area B is shown with smaller vessels and does not explicitly show a cruise ship dock, like the Plan shows in Areas C, D and E. Moreover, contemporary public polling that was completed at the time the LRWP was intentionally included in the Plan. The Plan shows that at the time of adoption, unsupported initiatives included majority opposition against one or two cruise ships at the Subport.

2. CBJ is the owner of the adjacent tidelands.

- a. In order to develop the current proposal (or components or other variations), NCL would need to lease municipally owned tidelands.
- b. Per the Land Management Plan (Map 22 to Ordinance 2016-18), the tidelands adjacent to the Subport are managed by Docks & Harbors. However, the Assembly has verbally advised D&H that the Assembly intends to take active control of management decisions with regard to the proposed NCL development.
- c. In accordance with 53.09, municipal tidelands may be leased for not less than fair market value. Upon receipt of an application, code requires that:

"the proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land."

- d. These municipal tidelands are categorized in the CBJ Land Management Plan as properties that the CBJ should "Retain."

3. Conditional Use Permitting.

- a. The proposed development will require a Conditional Use Permit. When an application has been submitted to the Community Development Department, staff will review the application, make findings regarding conformance with code and adopted plans and make a recommendation for or against the proposal (with or without conditions) to the Planning Commission. The public will have the opportunity to comment to the Planning Commission on the permit.
- b. In the event of an appeal of the decision of the Planning Commission, the Assembly can choose to appoint a member as the Presiding Officer and hear such an appeal, or it may choose to hire an independent Hearing Officer. In the event that the Assembly cannot find that it would be impartial to hearing such an appeal, the Assembly may be advised by the Attorney to hire an independent Hearing Officer.

4. Adjacent or Coordinated Development.

- a. Docks & Harbors is currently working on the "Small Cruise Ship Berthing Plan." That plan has preliminarily identified a preferred development option that is adjacent to and coordinates with the proposed NCL development.
- b. Engineering Department staff have been working on developing a waterfront seawalk from the bridge to the rock dump, in conformance with the Long Range Waterfront Plan.

5. Negotiations with Federal Government.

- a. The NCL proposal would impact federal facilities and would require negotiation and agreement with the US Coast Guard and possibly NOAA.
- b. The D&H planning effort would require negotiation and agreement with NOAA and possibly the USCG.

- c. Neither negotiation is likely to be successful unless the CBJ Assembly firmly supports the proposed developments.

Draft Approach:

The Assembly should choose a process that affords it the decision-making capacity that is most important to the body and that also allows the public to participate at various stages in the process. I believe that the fundamental decision is whether or not a cruise ship dock at this location is in the best interests of the citizens of Juneau. In order to adequately answer that question, a significant level of detail is necessary and that detail must developed through a public process. I recommend the Assembly approach the proposed development in the following order:

- A. Consider amending the LRW Plan to explicitly state that a large cruise ship dock at the Subport could be in conformance with adopted plans and codes. This accomplishes two objectives.

First, it shifts the conversation from "is a dock allowed in the LRWP" to "should a dock be permitted at this location."

Second, it removes likely debate that could lead to an appeal. Ultimately, this debate would be distracting from better questions.

The LRWP original process was heavily informed by the public, amending the plan can be the first step for citizens to participate in Assembly process in a meaningful way.

- B. Decide that in the event of an appeal of a Conditional Use Permit for this proposed development, that such an appeal should be heard by an independent Hearing Officer (and not the Assembly as is common practice). This decision would allow the Assembly greater latitude to direct the Manager to pursue negotiations with NCL, and federal agencies, receive updates, ask questions and give direction on the planning of closely related developments for seawalks and small cruise ships. By planning for a Hearing Officer (as needed), the Assembly may most fully participate in development discussions.
- C. Upon receipt of application for a land lease of the municipal tidelands, direct the Manager to commence negotiations for a lease with the "original proposer", and wait for the completion of Conditional Use Permit process prior to considering an Ordinance that would authorize a land lease.

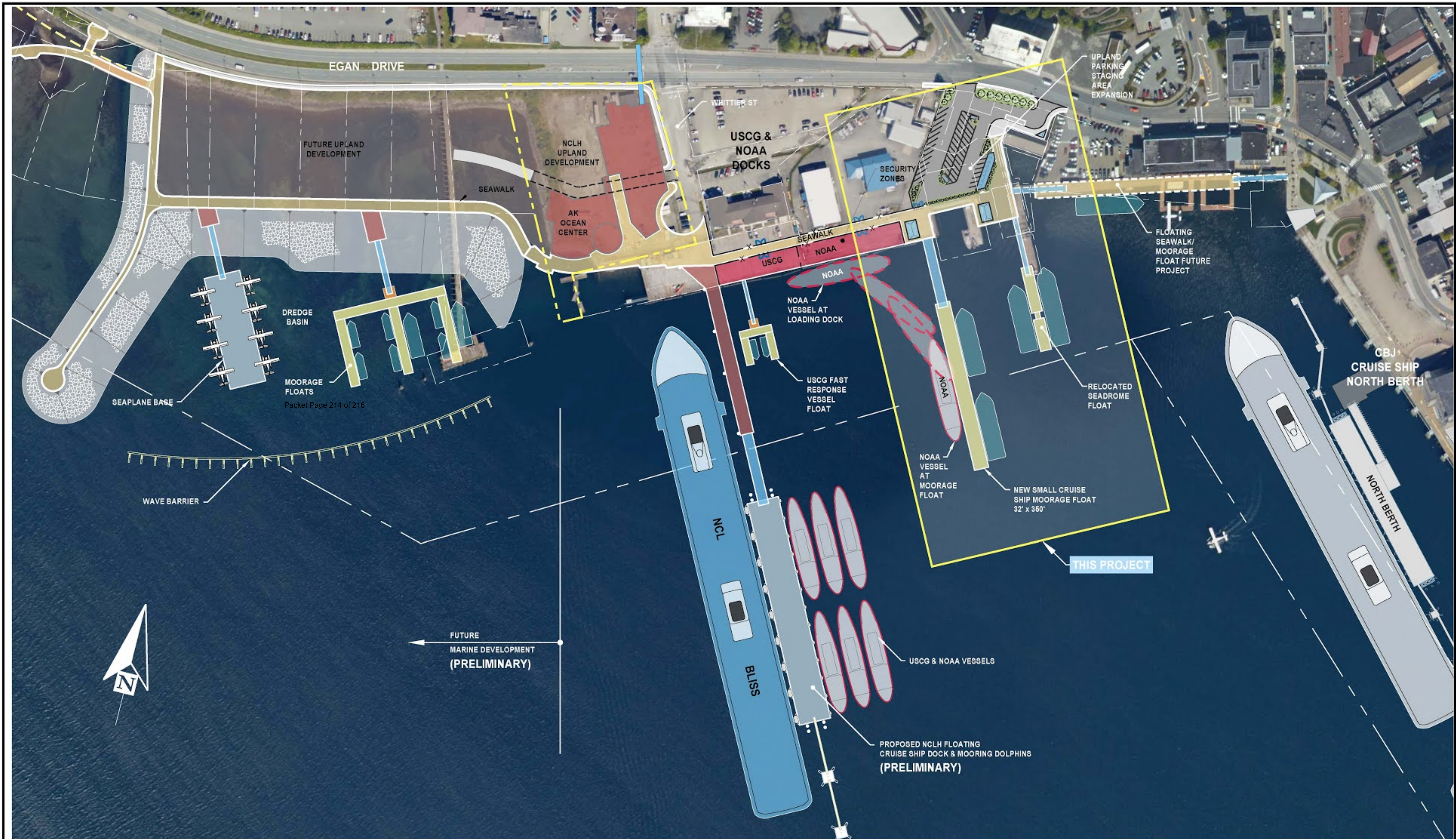
This process (likely are other good ones) would allow the Assembly, Planning Commission, and the public to sequentially address three questions:

1. Should a dock at the Subport be considered?
2. Should a dock at the Subport be permitted, and if so, under what conditions?
3. Once the full details of the proposal are known, should the Assembly lease land for the development of a cruise ship dock at the Subport?

I recommend that the Assembly consider and accept or modify this approach; clarity of process will benefit both the applicant and the public. As it would represent a major policy decision, I further recommend that you provide the public an opportunity to comment before a final decision is made.

Attachments:

- 1. NOAA Seadrome Site Concepts**
- 2. 2004 Long Range Waterfront Plan excerpts**
 - A. Figure 23: Area B (Support) Alternative Concepts
 - B. Figure 28: Juneau's Downtown Waterfront Plan 2025 Concept PlanThe entire LRWP can be found [HERE](#)
 - i. Support design guidelines can be found on Pages 47-50
 - ii. Public survey results can be found in Appendix A, pages 73-76



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DESIGN: CRS CHECKED: CRS
DRAWN: PJD APPROVED: CRS

SCALE: SCALE IN FEET
0 100 200 FT.

DATE: SEPT. 2020

CBJ DOCKS AND HARBORS SMALL CRUISE SHIP MASTER PLAN

SHEET TITLE: NOAA / SEADROME
CONCEPT

PND PROJECT NO.: 192044.01

Area B: Subport

Alternatives prepared for the Subport redevelopment area contemplate similar upland organization as illustrated in the Draft 2003 Subport Vicinity Revitalization Plan coupled with waterside development schemes ranging from a marina to a twin cruise ship pier. Each alternative presents a large public park and recreation area east of Gold Creek and preservation of operations found at the U.S. Coast Guard and NOAA facilities.

Figure 23: Area B (Subport) Alternative Concepts



Figure 28: Juneau's Downtown Waterfront 2025 Concept Plan

