

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

September 21, 2020 7:00 PM

Zoom Webinar & FB Livestreamed

Meeting No. 2020-41 <https://juneau.zoom.us/j/99930550951> or call: 1-346-248-7799 Webinar
ID: 999 3055 0951

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. 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.

B. Proclamation: Energy Efficiency Day

C. Proclamation: National Drive Electric Week

D. Census Update

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**

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 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/Serv	\$ 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

- 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.

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
Maintenance and Facilities	<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.

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.

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.

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 adopt this emergency resolution.

- 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:

<u>Fiscal Year</u>	<u>Rate</u>	<u>Cost</u>
FY2019	16.53%	\$43,292.34
<u>FY2020</u>	17.44%	<u>\$45,675.76</u>
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.

- 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.

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.

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.

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.

- 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.

- 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.

- 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.

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.

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.

IX. UNFINISHED BUSINESS

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

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.

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.

C. Homeless Population Day Services

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.)

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

- A. **Tyson Lee v. Vertical Bridge LLC and Planning Commission**
- B. **Manager and Attorney Evaluations and Salaries**

XV. SUPPLEMENTAL MATERIALS

- A. Senior Citizen Hardship Exemption - Marvin Letter

XVI. 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