

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

June 29, 2020 7:00 PM

Zoom Webinar & FB Live Stream

Meeting No. 2020-34 webinar: <https://juneau.zoom.us/j/93713252168> or call: 1-346-248-7799
webinar: 937 1325 2168

Submitted By:

Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **COVID-19 Update**

B. **Special Recognition: Denise Guizio**

C. **Census Update**

D. **Special Recognition: CBJ's 50th Anniversary**

IV. APPROVAL OF MINUTES

A. **March 31, 2020 Special Assembly Meeting #2020-13 DRAFT Minutes**

B. **May 18, 2020 Regular Assembly Meeting #2020-27 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 2020-32 An Ordinance Establishing a Systemic Racism Review Committee.**

At the request of Assemblymember Edwardson, this ordinance would create a 7-member committee to advise the Assembly if proposed legislation likely includes a systemic racism policy and options to cure such legislation. The Systemic Racism Review Committee would review ordinances between introduction and public hearing and review resolutions before public hearing. As presented, the Assembly would not be able to act on legislation until the Committee completed its review and transmitted it to the Assembly.

As this ordinance would represent a major process change, the City Manager recommends the Assembly refer this ordinance to the Committee of the Whole prior to introduction.

b. **Ordinance 2020-28 An Ordinance Amending the Land Use Code to Extend the Sunset Dates for the Alternative Development Overlay Districts.**

The purpose of the alternative development overlay district is to provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This extension provides adequate time for the review and adoption of new zoning for the downtown neighborhoods due to the unforeseen impacts of the novel Coronavirus (COVID-19).

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

c. **Ordinance 2020-33 An Ordinance Amending Emergency Appropriation Resolution 2889(am) Related to the COVID-19 Emergency Rental Assistance Program.**

This ordinance would change two components of the COVID-19 Rental Assistance Program:

1. It amends the funding source from the Affordable Housing Fund to the CARES Act Special Revenue Fund; and
2. It extends the program from June 30 to December 31.

This ordinance also clarifies that, upon direction from the Assembly, the Manager may change the intent language provided in Exhibit A to Resolution 2889.

On June 22, 2020, the Assembly Committee of the Whole discussed this topic.

The City Manager recommends the Assembly introduce this ordinance and schedule it for public hearing at a Special Assembly meeting on July 8, 2020.

- d. **Ordinance 2019-06(AF) An Ordinance Appropriating to the Manager the Sum of \$90,000 as Partial Funding for the Statter Improvement-Phase III Capital Improvement Project and the Harris Harbor Pump Out Capital Improvement Project; Funding Provided by the ADF&G Harris and Statter Harbors Boat Sewage Pump-Out Facility Improvements Grant and the Harbor Fund's Fund Balance.**

The Alaska Department of Fish & Game has awarded a \$75,000 Clean Vessel Act Grant to CBJ to construct, manage, and maintain sewage pumpout stations in Harris and Statter Harbors. These improvements will better serve recreational boaters and other public users.

The Clean Vessel Act Grant requires 25% local match. The Statter Harbor project already has sufficient funding for the required local match. This ordinance appropriates the required local match of \$15,000 for the Harris Harbor project from Harbor Fund balance.

This ordinance appropriates \$90,000, for the following purposes:

Harris Harbor Pump	
Out CIP (H51-126)	\$45,000
Statter Improvement-Phase III	
CIP (H51-108)	<u>\$30,000</u>
Total Grant Funding	\$75,000

Required Match for Harris	
Harbor Pump Out CIP (H51-126)	<u>\$15,000</u>
Total Appropriation Amount	\$90,000

At its June 17, 2020 meeting, the Docks & Harbors Operations Committee recommended approval of this action. This ordinance was also reviewed by the Public Works & Facilities Committee on June 22, 2020.

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

- e. **Ordinance 2020-09(A) An Ordinance Appropriating to the Manager the Sum of \$50,000 as Funding for the Municipal Arts and Culture Matching Grant Program; Grant Funding Provided by the**

Rasmuson Foundation.

The Rasmuson Foundation is matching a municipality's allocation of CARES Act funds to arts and culture organizations through the Municipal Arts and Culture Matching Grant Program. This program is designed to fund arts and culture organizations whose local revenue sources are disrupted by the COVID-19 pandemic. The Rasmuson Foundation will match municipal grants 1:1 up to \$20,000. The Foundation's match limit is \$50,000 per municipality. This program will be managed in coordination with the existing Business Sustainability Grant program.

This ordinance was reviewed by the Assembly Finance Committee on June 17, 2020.

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

- f. **Ordinance 2020-09(B) An Ordinance Appropriating to the Manager the Sum of \$233,960 as Funding for the Juneau Electric Public Transit Bus and Associated Charging Infrastructure Purchase; Grant Funding Provided by Alaska Energy Authority.**

This ordinance would appropriate \$233,960 for the purchase of Juneau's first electric bus and associated charging infrastructure for Capital Transit. The electric bus purchase will replace the anticipated purchase of a diesel bus. The grant funding, provided by Alaska Energy Authority, will reimburse the CBJ its local match portion, up to 20%, of the total cost of the electric bus and associated charging infrastructure. The remaining funding for the electric bus and charging infrastructure is supplied by previously appropriated grant funding from the Alaska Department of Transportation and Public Facilities. The bus is scheduled for delivery in October, 2020.

The Public Works and Facilities Committee reviewed this request at its June 22, 2020 meeting and recommended forwarding it to the Assembly for approval.

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

VIIIPUBLIC HEARING

- A. **Emergency Ordinance 2020-31 An Emergency Ordinance Mandating Use of a Face Covering During the Fireworks Show Starting on July 3, 2020.**

This ordinance would authorize the fireworks show and would require people to wear a face covering when they are outside in a publicly accessible location watching the fireworks show in Gastineau Channel that starts on July 3. People that

stay in a car are not required to wear a face covering. This ordinance provides face covering exemptions for children under two and people with disabilities. A person who violates this ordinance would be subject to a \$25 civil fine.

On June 22, 2020, the Assembly Committee of the Whole discussed the upcoming fireworks show. The Committee voted to allow the July 3 fireworks show upon passage of a face covering requirement for the people watching. If this ordinance is not adopted, then the July 3 fireworks show would not occur.

The Committee of the Whole recommends the Assembly adopt this ordinance, which would require an affirmative vote of six Assemblymembers.

B. Ordinance 2020-24(b) An Ordinance Amending the Elections Code Relating to Vote by Mail for City and Borough of Juneau Municipal Elections.

At the regular Assembly meeting on May 18, 2020, the Assembly authorized the October 2020 municipal election to be by mail. This ordinance would update the CBJ code to clarify terms, dates, and standards, so a vote by mail municipal election can be conducted fairly and efficiently. The changes proposed in this ordinance would apply to the municipal election on October 6, 2020.

The Human Resources Committee reviewed this topic on May 18, 2020. The Committee of the Whole reviewed this topic on June 22, 2020.

Version (b) of this ordinance corrects minor formatting and typographical errors.

The City Manager recommends the Assembly adopt this ordinance.

C. Emergency Ordinance 2020-30: An Emergency Ordinance Amending the Elections Code Relating to Candidate Nomination and Write-in for the Vote by Mail October 6, 2020, City and Borough of Juneau Municipal Election.

At the regular Assembly meeting on May 18, 2020, the Assembly authorized the October 6, 2020, election to be conducted by mail due to COVID-19 issues.

Ordinance 2020-24 updates the CBJ election code so a vote by mail election can be conducted fairly and efficiently. Due to the Charter required 30 day delay before ordinances become effective, this emergency ordinance is necessary to clarify certain candidate deadlines for this year's municipal election:

1. Candidate nominating petitions for Assembly and School Board positions are due between July 17 and July 27.
2. Any candidate nominated may withdraw their nomination by July 31.
3. Write-in candidates must file a letter of intent before September 29.

The Committee of the Whole reviewed this topic on June 22, 2020.

The City Manager recommends the Assembly adopt this emergency ordinance, which would require an affirmative vote of six Assemblymembers.

D. Emergency Ordinance 2020-34 An 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 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. That ordinance expires on Tuesday. This ordinance would extend that face covering requirement for three more months unless terminated earlier by the Assembly.

The City Manager recommends the Assembly adopt this emergency ordinance, which would require an affirmative vote of six Assemblymembers.

E. Ordinance 2020-22 An Ordinance Authorizing the Manager to Lease Approximately 1.25 Acres, Located adjacent to the Juneau Arts and Culture Center and Centennial Hall, to the State of Alaska for Employee Parking.

The State of Alaska currently leases the area adjacent to the JACC and Centennial Hall for employee parking. The current lease terminates this summer. This ordinance would authorize the CBJ to continue leasing the area to the State for up to five more years.

The Lands Committee provided a motion of support to continue this lease at its meeting on May 4, 2020.

The City Manager recommends the Assembly adopt this ordinance.

F. Ordinance 2020-26 An Ordinance Authorizing the Manager to Renew the Lease of the Mayflower Building and Grounds to the Juneau Montessori Center.

The Juneau Montessori Center is a nonprofit school located in Douglas and has leased CBJ property for its school since 1992. In 2014, the Assembly authorized a five year lease, with renewal options, and a lease rate of less than fair market value subject to Assembly approval at renewal. The first five year period is expiring soon, and Juneau Montessori requested the lease rate continue at less than fair market value. The Lands Committee reviewed this request on June 1, 2020, and recommended the Assembly provide a one-year lease at \$2,000 per month, which would be less than fair market value.

The City Manager recommends the Assembly adopt this ordinance.

G. Ordinance 2019-06(AD) An Ordinance Appropriating to the Manager the Sum of \$18,086 as Funding for the Land for Senior Assisted Living Capital Improvement Project; Funding Provided by Affordable Housing Fund's Fund Balance.

This housekeeping ordinance would appropriate \$18,086 of the Affordable Housing Fund's Fund Balance to the Land for Senior Housing CIP. The original appropriation of \$1,512,000 was approved as part of the FY20 CIP resolution. That appropriation amount was incidentally incorrect, as \$1,519,000 was the purchase

price agreed upon by the seller and approved by the Lands Committee. Additionally, the CIP appropriation was insufficient to pay closing costs of \$11,086.

This appropriation ordinance corrects these errors.

The City Manager recommends the Assembly adopt this ordinance.

- H. **Ordinance 2019-06(AE) An Ordinance Appropriating to the Manager the Sum of \$10,000,000, as Partial Funding for Bartlett Regional Hospital's Fiscal Year 2020 Operating Budget; Funding Provided by CARES Act Funding and the Hospital Fund's Fund Balance.**

Bartlett Regional Hospital (BRH) requests an additional appropriation of \$10,000,000 for FY20 hospital operations. After 9 months of operations, BRH has overspent its expense budget by \$6.2 million. This variance was driven by increased patient volumes and spending on additional staff and supplies necessary to provide care.

BRH has also incurred unbudgeted expenses due to the COVID-19 pandemic. This amount currently is at \$1,264,000.

This supplemental appropriation will be funded by CARES Act funding of \$7,252,838. The remaining balance of \$2,747,162 will be funded by the Hospital Fund's Fund Balance. BRH anticipates receiving an additional \$5,000,000 to \$6,000,000 in CARES Act funding. If this funding is received, it will be used to cover the \$2,747,162 that would have otherwise been paid for from the Hospital Fund's Fund Balance.

The City Manager recommends the Assembly adopt this ordinance.

- I. **Ordinance 2019-06(AI) An Ordinance Appropriating to the Manager the Sum of \$700,000 for COVID-19 Testing Equipment to be Operated by Bartlett Regional Hospital; Funding Provided by the CARES Act Special Revenue Fund.**

These funds would be used to purchase testing equipment to expand the capacity of local testing for COVID-19. A medium-complexity technology has been selected and the funds would be used to purchase a Roche 6800, 8800 or similar equipment and related supplies. A medium-complexity machine can be easily operated with the technical expertise that currently exists in Juneau. Once operational, this will allow for broad scale, high sensitivity, same day COVID-19 testing. This ordinance was reviewed and discussed at the June 8 regular Assembly meeting.

The City Manager recommends the Assembly adopt this ordinance.

- J. **Ordinance 2019-06(AJ) An Ordinance Appropriating to the Manager the Sum of \$52,600 as Supplemental Funding for Downtown Parking's Fiscal Year 2020 Operating Budget; Funding Provided by the Downtown Parking Fund's Fund Balance.**

Downtown parking is anticipating a budgetary shortfall of \$52,600 in the FY20 operating budget. This was caused by increased electricity costs at the DTC garage due to a colder winter, and an overage in contractual services. The contractual services overage occurred from unbudgeted lease payments for the sub-port parking area. These anticipated expenses were added late in FY19 after the downtown parking budget was already submitted.

The City Manager recommends the Assembly adopt this ordinance.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. Contract Award DH20-037 (Cruise Ship Berth Electrification Study)

Docks & Harbors advertised for professional services to complete studies relating to and for engineering services up to 35% design efforts to bring electrical service to the city owned cruise ship docks. A request for proposal (RFP) was issued in February 2020 and four responses were received. In May, the selection committee consisting of two Docks & Harbors board members and two Docks & Harbors staff members choose Haight & Associates, Inc. to complete the needed professional consulting services. Docks & Harbors staff negotiated with Haight & Associates, Inc. resulting in a proposed contract of \$226,895 to accomplish the study. The Docks & Harbors board recommended the Assembly award the contract to Haight & Associates at its June 25 regular board meeting.

The City Manager recommends the Assembly award a professional engineering design contract to Haight & Associates, Inc. for \$226,895 for the Cruise Ship Berth Electrification Study.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

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

1. Lee v. CBJ Planning Commission

A prehearing conference was held on June 18. The parties are working on compiling the record and briefing. The Assembly hearing has been scheduled for 5:30 p.m. on September 2, 2020.

2. Sealaska Heritage Institute v. CBJ Planning Commission

By agreement of the parties, all action in this appeal has been put on hold until December 15, 2020.

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV.EXECUTIVE SESSION

XV. SUPPLEMENTAL MATERIALS

- A. RED FOLDER - Economic Stabilization Task Force - Recommendation for Non-Profit Grant Program using CARES Act funding
- B. RED FOLDER - Alaska Press article re: Non-Profit Grant Program
- C. RED FOLDER - Economic Stabilization Task Force - Recommendation for Infrastructure Projects
- D. RED FOLDER - Economic Stabilization Task Force - Recommendation for 2020 Juneau ArtWorks Program
- E. RED FOLDER - EOC Memo on Local COVID-19 Testing

XVIADJOURNMENT

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