

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes – April 6, 2020

Meeting No. 2020-16: The Regular Assembly Meeting of the City and Borough of Juneau Assembly held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE

II. 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 Manager/Incident Commander Mila Cosgrove, Municipal Clerk Beth McEwen, City Attorney Robert Palmer, Juneau School District (JSD) Superintendent Bridget Weiss, Finance Director Jeff Rogers, and JSD Finance Officer Sarah Jahn.

III. SPECIAL ORDER OF BUSINESS

A. Telephonic Public Participation – Instructions

Ms. McEwen provided instructions on how the public can participate via telephone.

B. Census Message

Ms. Cosgrove reported that Juneau has returned 42.8% of census forms from the expected households. She encouraged everyone to visit www.census2020.gov to take the 2020 Census while we are all hunkered down, she said it took her about five minutes to complete a census for her household of four people. Mr. Jones asked if there was a way for people to access the census in case they do not have internet access and/or did not receive anything in the mail. Ms. Cosgrove does not currently know how the paper packets are being delivered, but does know that there is a paper option available to individuals. Ms. Cosgrove told Mr. Jones that she will research and get back to him with an answer soon.

C. COVID-19 Update

Ms. Cosgrove reported that Juneau has fourteen confirmed cases out of 191 cases reported statewide. To date, there have been 213 tests conducted through Bartlett Regional Hospital (this number does not include testing done through independent medical practices) in Juneau. There has been approximately 6,900 tests conducted statewide. BRH is currently awaiting the results of 32 tests to come back. The Division of Public Health (DPH) is following sixteen individuals in the community.

The DPH is also providing CBJ with recovered numbers. Out of 14 people who tested positive, 7 have recovered from their symptoms.

Ms. Gladziszewski had a question regarding the DPH Persons Under Investigation (PUIs), the DPH had reported 14 confirmed cases, and 16 individuals under investigation. She asked if the remaining two persons were those who had been in close contact with COVID positive cases. Ms. Cosgrove clarified that the individuals included in the PUI also contain the close contacts of those who have tested positive.

Ms. Gladziszewski then asked for the details of the airport voluntary screening form, and how the CBJ and the EOC is following up with those arrivals. Ms. Cosgrove said that as of right now, the forms filled out by arriving passengers are directly provided to the Department of Health and Social Services (DHSS). The CBJ may or may not see those forms. At this point, the DHSS is not collecting individual names and is not following up with the individuals that go through the voluntary screening. Ms. Cosgrove stated that this decision was discussed with the EOC, which came to the conclusion that it would not be an effective use of staff time to collect and preserve that data. She believed that those who will quarantine will do so, and those who will not quarantine will not be swayed in their decision by a phone call from city officials. However, the EOC is currently in the process of further evaluating that decision.

Mr. Smith asked about contact tracing, and if the Department of Public Health has the resources they need to quickly contact people in the event of a confirmed case. Ms. Cosgrove confirmed that the DPH reported that they have all the resources they need at this time, and is aware that the EOC is ready and willing to provide assistance when the need arises.

Mr. Smith asked if tests are being administered in a liberal manner, or if the requirements for receiving testing are adhering to certain standards. Ms. Cosgrove responded that the standards for testing were relaxed last week, and more individuals are being tested. There are still guidelines that help determine when testing is effective, such as if an individual has experienced symptoms, has recently travelled, or has been in contact with someone who tested positive. She recalled Ms. Hargrave providing similar information last week about prime testing windows, and how to prevent instances of false positives.

Ms. Hale mentioned that the testing numbers shared so far have only counted tests administered by Bartlett Regional Hospital, and have not included tests provided by private healthcare providers. She asked Ms. Cosgrove if she knew when the Department of Health and Social Services will be able to provide those numbers, to have a better understanding of exactly how many tests have been done in Juneau. Ms. Cosgrove answered that the Department of Public Health does not track the amount of tests done per location. BRH is working with local healthcare providers in Juneau to gather their individual testing numbers; it is unclear how much time it will take to complete the process of compiling testing numbers.

Mayor Weldon mentioned that she recently saw the BRH operations moved from a temporary yellow tent to a permanent grey tent location that greets visitors with hand sanitizer.

D. Proclamation – AmeriCorps

Due to social distancing guidelines, the AmeriCorps could not attend the meeting in person. Mayor Weldon read the AmeriCorps proclamation. The proclamation addressed the AmeriCorps National Service Recognition Day and the meaning behind the day. Mayor Weldon officially designated April 7th, 2020 as AmeriCorps National Service Day, and urged citizens to thank AmeriCorps members for their service and to find their own ways to give back to their communities.

IV. APPROVAL OF MINUTES

A. February 3, 2020 Regular Assembly Meeting 2020-06

B. February 24, 2020 Regular Assembly Meeting 2020-07

MOTION by Ms. Hale for the Assembly to approve the minutes of the February 3, 2020 Regular Assembly Meeting 2020-06 and February 24, 2020 Regular Assembly Meeting 2020-07 and asked for unanimous consent.

Hearing no objections, the minutes were approved by unanimous consent.

V. MANAGER’S REQUEST FOR AGENDA CHANGES

No changes were requested at this time.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

VII. CONSENT AGENDA

A. There were no public requests for Consent Agenda changes.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

A. **MOTION** by Mr. Jones for the Assembly to approve the Consent Agenda and asked for unanimous consent.

Hearing no objections, the Consent Agenda was adopted

1. Ordinances for Introduction

a. Ordinance 2020-11 An Ordinance Amending the Land Use Code Relating to Private Shared Access Requirements.

This ordinance would clarify the Private Shared Access standards regarding paving intersections, drainage, and utility agreements. On January 28, 2020, the Planning Commission recommended the Assembly adopt this ordinance.

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(W) An Ordinance Appropriating to the Manager the Sum of \$20,000 as Funding for the Youth Scholarship Program, Funding Provided by Juneau Community Foundation and Friends of Zach Gordon Youth Center.

The Juneau Community Foundation, Friends of Zach Gordon Youth Center and Parks and Recreation collaborated last year to provide scholarships for youth activities in Juneau. This year, these funds have been increased and due to the COVID-19 situation, the organizations are coming together to determine the best way to use these funds to support low-income families with children during this challenging time.

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 2882 A Resolution Authorizing the Manager to Convey an Access and Drainage Easement for the Twilight Café at 324 Willoughby Avenue.

The owners of Twilight Café applied to purchase a five foot wide easement across City property that would provide better access to Willoughby Avenue. The applicants would be responsible for all expenses associated with improving the easement. On January 6, 2020, the Lands Committee passed a motion of support to grant this easement for fair market value.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

a. BE20-146 Hospital Drive Reconstruction

This project includes reconstruction of Hospital Drive from Glacier Highway to the Johnson Youth Center at 3252 Hospital Drive. Work also includes connecting the water main on Hospital Access Road to the water main on Salmon Creek Lane and the resurfacing of the upper half of Hospital Access Road.

Project bids were opened on March 26, 2020. The bid protest period expired at 4:30 p.m. on April 1, 2020. Results of the bid opening are as follows:

RESPONSIVE BIDDERS TOTAL BID

Admiralty Construction, Inc.	\$1,061,175
Southeast Earthmovers, Inc.	\$1,238,607
Arete Construction Corp.	\$1,514,941
ENCO Alaska	\$1,656,315
Engineer's Estimate	\$1,130,945

The City Manager recommends award of this project to Admiralty Construction, Inc. for the total amount bid of \$1,061,175.

4. Liquor License

a. Liquor License Renewals for Licenses: 3313 & 1416

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

2020-2021 Renewal of Liquor Licenses

License Type: Club, License #3313

Fraternal Order of Eagles Aerie #4200 d/b/a Fraternal Order of Eagles #4200

Location: 2055 Jordan Ave #1, Juneau

License Type: Restaurant Eating Place, License #1416

Taku Glacier Lodge, Inc., d/b/a Taku Glacier Flightseeing/Salmon Bake

Location: Taku Valley Lot 75, 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 hard copy upon request to the Clerk's Office.

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

5. Other Items for consent

a. City-State Project (CSP) Capitol Avenue Reconstruction

Capitol Avenue Reconstruction rebuilds and resurfaces Capitol Avenue from West Willoughby Avenue to West Ninth Avenue, and upgrades utilities. Narrow right-of-way limits the width of street development. CBJ Engineering and Public Works proposes establishing a one-way traffic lane from Willoughby to Ninth, and addition of a sidewalk. This approach serves the majority of vehicle traffic on the road, improves Willoughby intersection deficiencies, maintains direct access to Village Street, and improves pedestrian safety and connectivity. CCFR, Alaska Waste, and AEL&P will continue to be involved in design to assure accommodation for their larger vehicles. Other improvements include a mid-block fire hydrant, improved connectivity between the Distin stairway and the West Eighth Street trail, and improves lighting along the route. This project is currently funded with \$600,000 Areawide Street Sales Tax and \$50,000 from the Water Enterprise Fund. Design will be completed in the summer of 2020, and construction is expected in the summer or fall of 2020.

VIII. PUBLIC HEARING

A. Ordinance 2019-07(A) An Ordinance Appropriating and De-Appropriating Funds from the Treasury for FY20 School District Operations

The FY2020 school enrollment is above the level originally used to determine the Juneau School District (JSD) funding for the FY20 approved school budget.

This results in \$1,215,000 more of state revenue and an increase of \$279,500 to the contribution amount that CBJ is allowed to fund under the state cap.

The Board of Education passed a budget revision increasing state and local funding for the FY20 District's Operating Fund at its February 11, 2020, meeting.

Additionally, JSD has received notice from Department of Education and Early Development (DEED) that it will receive \$16,600 as a supplemental grant derived from proceeds from the PFD Education Raffle Fund.

Lastly, in the FY20 CBJ Budget proceedings, the Assembly also approved additional funding of \$300,000 to JSD for Kinder Ready. As a housekeeping measure, the funding is now being appropriated for FY20 School District Operations. The total increase in expenditures authorized in this ordinance is \$1,811,100. \$1,231,600 is funded with state revenue and \$579,500 is funded from local general government revenues.

The City Manager recommends the Assembly to adopt this ordinance.

Mayor Weldon noted that School Board President Brian Holst, Superintendent Bridget Weiss, and Finance Officer Sarah Jahn were on the phone and available to answer questions if there were any questions from the Assembly for these individuals.

MOTION by Ms. Triem for the Assembly to adopt Ordinance 2019-07(A) and asked for unanimous consent.

Objection by Mr. Bryson for purposes of an amendment.

AMENDMENT #1 by Mr. Bryson for the Assembly to remove \$279,500 which is the contribution that CBJ is allowed to make from this ordinance. Mr. Bryson spoke to his reasons for making this amendment.

Objection by Mr. Jones and in speaking to his objection, he explained the timing and process by which the school district budget is funded by CBJ. He said that the JSD budget is being used almost entirely, and that the contribution that the ordinance provides will give the district a little bit of breathing room.

Mr. Edwardson opposed the Amendment.

Ms. Hughes-Skandijs opposed the Amendment.

Roll Call Vote on Amendment #1:

Ayes: Bryson, Gladziszewski

Nays: Edwardson, Hale, Hughes-Skandijs, Jones, Smith, Triem, Mayor Weldon

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

Roll Call vote on motion to adopt Ordinance 2019-07(A):

Hearing no objection, the motion passed by unanimous consent.

B. Ordinance 2019-06(V) An Ordinance Appropriating to the Manager the Sum of \$1,583,735 as Funding for the Replacement of Buses for Capital Transit; Grant Funding Provided by Alaska Department of Transportation and Public Facilities, with Local Match Funding Provided by the Equipment Replacement Reserve Fund's Fund Balance.

This ordinance would appropriate grant funding in the amount of \$1,350,000 as provided by federal funds through the Alaska Department of Transportation and Public Facilities. A local match requirement of \$233,735 will be funded from the Equipment Replacement Reserve fund balance.

These funds will be used by Capital Transit for the purchase of electric buses and associated charging infrastructure.

The Public Works and Facilities Committee reviewed this topic at its meeting on January 15, 2020 and referred it to the Assembly.

The City Manager recommends the Assembly to adopt this ordinance.

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2019-06(V) and asked for unanimous consent.

Hearing no objections, the motion passed by unanimous consent.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

A. Forbidden Peak Brewery Late-File Export Manufacturing Exemption

Forbidden Peak Brewery started operation in the fall of 2019, and the business was unaware of its potential eligibility for the Export Manufacturing Business Personal Property Tax Exemption. Under the authority of CBJ 69.10.020, the business has requested that the Assembly allow the Assessor to accept an untimely filed application.

MOTION by Ms. Gladziszewski for the Assembly to accept and allow the Assessor to accept the application and asked for unanimous consent.

Hearing no objections, the motion passed by unanimous consent.

B. Emergency Resolution 2889 An Emergency Appropriation Resolution Appropriating \$200,000 to the Manager for an Emergency Rental Assistance Program; Funding Provided by the Affordable Housing Fund.

COVID-19 continues to change our community. To protect the public health and welfare, social distancing requirements have been implemented, including the closure of non-essential businesses and ordering people to hunker down. Many people who work in businesses that have closed are people that rent. As a result, demand on existing rental assistance programs is up and expected to rise. This resolution would provide funds to support the rental assistance program currently offered by the nonprofit Alaska Housing Development Corporation.

This topic was discussed at the Special Assembly meeting on April 2.

This emergency appropriation resolution is set for public hearing and Assembly action.

Philip Moser provided public comment. He said that this resolution is inadequate. Mr. Moser urged the Assembly to pass a measure calling for the suspension of rent and mortgage payments during the pandemic, and for a period of time after it passes.

MOTION by Ms. Gladziszewski to refer the matter to the Monday, April 13 meetings of the Special Assembly meeting followed by the Assembly Committee of the Whole and and possibly referred onto the Economic Stabilization Committee that is currently being formed by the Mayor.

Objection by Mr. Jones. Mr. Jones said that the Assembly should act as quickly as they can, and referring it to a proposed Economic Stabilization Committee would only cause further delay on an urgent issue.

Roll Call Vote on Motion to postpone Resolution 2889 to the April 13 Special Assembly meeting:

Ayes: Gladziszewski, Hale, Hughes-Skandijs, Smith, Mayor Weldon

Nays: Jones, Triem, Edwardson, Bryson

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

XI. STAFF REPORTS

Mr. Palmer referenced the memo that was featured in the red folder that detailed recent CBJ legislation that was passed in the past few weeks. He brought up the memo in case any Assemblymembers wished to discuss the contents of the memo.

Mr. Jones stated that he had asked a question earlier, and this memo was meant to be the response to his question, which he felt did not fully answer his question. Mr. Jones asked the Assembly if they needed to take any further action in regards to the Resolutions they had passed, before April 7th (which was the following day) or before April 16th.

Mr. Jones expressed concern that the memo implied that the resolutions were superseded by the Governor, however he had noticed some Juneau residents who still expected for the CBJ Hunker Down mandate to end tomorrow. Mr. Jones says is he is not sure if the CBJ is publicizing the fact that the Resolutions passed by the CBJ have been superseded. Mr. Jones asked the City Manager if the Assembly has to take any action regarding the superseded resolutions, and how will the CBJ publicize to the community that their resolution was superseded.

Mr. Palmer answered Mr. Jones' question, stating that the Hunker Down mandate that the CBJ imposed does expire on April 7, however that mandate has been superseded by the Governor. Health Mandate 11, and to some extent, Health Mandate 9, have been enacted and continue on. These mandates still require for the public to hunker down, for citizens to remain six feet apart, and for the closure of non-essential businesses. Although the CBJ mandate expires tomorrow, these requirements put in place by the Governor's mandates are still ongoing.

Mr. Palmer also said that Resolution 2886, which expires on April 16, has also been superseded by the Governor's Health Mandates 12 and 10. Health Mandate 12 prohibits all interstate travel, with the exception critical infrastructure. Health Mandate 10 requires a 14 day self-quarantine for people traveling into the state of Alaska from out of state.

Mr. Watt said that he has spent quite a bit of time discussing both Health Mandate 11 and the Assembly Hunker Down order, and he has made them synonymous. Mr. Watt believes that the intent between the two is the same, and that the public would benefit most from a simple message – to stay home as much as possible. He says that this would be his continued approach moving forward, unless the Assembly thought differently.

Mr. Jones said that this did answer his question, however he still thinks that there will be confusion. He wants the communication to be clear so that there is no confusion. Ms. Hale suggested that the Incident Command Center communicates to the public about the Governor's mandate, and how it is continuing the purpose of the CBJ Hunker Down resolution which expires tomorrow.

Mr. Edwardson agreed with Mr. Jones, and recommended extending the Hunker Down mandate to April 30. He believes that providing an extension would ensure that there would be no confusion between the expired Hunker Down mandate and the continued Governor's mandate.

Ms. Gladziszewski says that some people do not really pay attention to the details of the mandates, whether it be the Governor or the CBJ. She also mentioned that she would not want the expired mandate to cause any potential confusion within the community. Mayor Weldon asked Mr. Palmer when the Assembly could decide on extending the Hunker Down mandate.

Mr. Palmer responded that the Resolution was not on the Assembly agenda tonight, however actions could be taken to be able to bring it onto the agenda tonight.

Mr. Palmer also wished to clarify the difference between Health Mandate 11 and CBJ Hunker Down Resolution; Health Mandate 11 has significant penalties, businesses that violate it can be subject to a \$1,000 fine, and includes the superseding language. In order to pass another Hunker Down resolution, the Assembly would need to find an exemption that could articulate why CBJ would be exempt from that superseding language by the Governor. Mr. Palmer states that any local order would be superseded by the Governor's Health Mandate 11.

Mr. Smith asked if the Assembly could do something with a contingency clause.

Mr. Palmer says that is an option available to Assembly.

Ms. Gladziszewski says that it would be difficult to do anything tonight, and suggests coming up with some language for later to have ready if and when it is needed.

Mr. Palmer says that he can come up with some language and have it available either this week or next week.

Considering the Emergency Declaration, Mr. Smith asked if the City Manager would have the power to implement similar actions to the Hunker Down mandate if it was warranted. Mr. Palmer responded that the City Manager would be able to provide provisions as necessary, until the Assembly has a chance to meet.

Mr. Watt says that the City Manager should exercise emergency powers as little as possible. If in the event that the Governor lapsed or rescinded the health mandate, Mr. Watt says he would strive to get the Assembly to meet as quickly as possible.

Mayor Weldon asked the Assembly if they were all comfortable in knowing that, if needed, Mr. Watt could use his emergency powers to extend the deadline of the Hunker Down mandate until the next Assembly meeting could be called. Hearing no objection, staff will proceed with this direction from the Assembly.

Mr. Watt provided a staff report regarding issues with the supply chain.

Several times a week, the EOC is checking with barge lines and stores if they have seen any discrepancies in food supply. The general consensus has been business as normal, and that they are not seeing any supply chain issues. Stores are requesting the public to resume normal shopping practices.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon noted that the red folder had the document creating the City and Borough of Juneau Economic Stabilization Task Force. For the members and public on the phone, she read the three charges of the Task Force:

Mayor Weldon noted these are not in particular order they're just labeled for the document.

1. Examine federal and state government financial assistance programs and identify and prioritize any "gaps" that exist.
2. Identify and promote strategies that enable businesses to continue operations safely such as curbside pick-up, take-away, delivery, and other innovative services. Additionally, explore strategies that enable businesses and Juneau's economy to recover in the long term.
3. Act as Liaison to the Governor's Alaska Economic Stabilization Team.

Mayor Weldon noted that she is appointing two co-chairs Max Mertz and Linda Thomas and the following individuals make up the remainder of the Task Force: Teresa Belton, Eric Forst, Terra Peters, Lauren MacVey, Laura Martinson, Former Mayor Ken Koelsch and Former Mayor Bruce Botelho. The makes a total of 9 members on the task force and they plan to hold their first meeting soon.

She encouraged any questions or thoughts to share with the Task Force to send those to the Clerk's Office and they will be forwarded from the Clerk to the Task Force members.

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

Assembly Finance Committee Chair Jones reported that the AFC had a meeting on April 1, and will meet again on April 8 and will start AFC meetings at 5:30p.m. rather than 5p.m They intend to add a COVID-19 update at the start of every AFC meeting, and are hoping to streamline presentations to allow more time for questions. There will be School Board meetings will be held on April 14 and April 17 to discuss potential budget revisions. He said depending on what happens from the Governor, they may end up receiving a revised budget from the Juneau School District.

Committee of the Whole Chair Gladziszewski reported that the COW last met on March 23 and discussed COVID-19 updates, federal legislations, and ordinances regarding procedures for emergencies. There will be another COW meeting next Monday, April 13.

Lands Committee Chair Edwardson reported that the LC cancelled the March 23 meeting. He is considering cancelling the upcoming April 13 meeting, as there are no

urgent hot button issues. An email has been sent out to the members to see if they object to the cancellation, and possibly wait until May 4 to meet again.

Public Works and Facilities Committee Chair Hale reported that the last PW meeting was cancelled, and they are looking at cancelling the upcoming meeting on April 13. The new Public Works Director Katie Koester has arrived.

Human Resources Committee Chair Bryson reported that the HRC meeting that was scheduled for tonight was cancelled. There is a possibility that the next HRC meeting may be cancelled as well. There are no pressing issues other than an open Planning Commissioner's seat, however the Planning Commission is currently not holding any meetings as of late. Mayor Weldon mentioned that the Planning Commission is meeting next Tuesday, April 14.

C. Liaison Reports, Assembly Comments and Questions

Mr. Bryson is very happy to have his family back at home.

Mr. Smith mentioned that the Sister Cities and the Planning Commission have not met recently.

Mr. Edwardson shared that the Local Emergency Planning Committee and the Airport Board have not met, the next meetings that are scheduled are for April 8 for the LEPC, and April 14 for the Airport Board.

Ms. Hale commented that everyone at Bartlett Regional Hospital has done a good job so far, and she is blown away at how seriously they take their job. There will be a Downtown Business Associations meeting at 8:30 a.m. tomorrow.

Ms. Gladziszewski thanked everyone who have been working so hard during this difficult time, all of these preventative actions are helping BRH prepare.

Ms. Hughes-Skandijs reported that she met with the Docks and Harbors Board on March 30. Docks & Harbors Finance Committee met on Friday, April 3 to discuss refunding some permit fees on a case by case basis.

Mayor Weldon asked the Assembly which day they would prefer the COVID-19 Updates: on Wednesdays, or on Thursdays. Hearing no objections, the COVID-19 Updates will be given on Wednesdays instead of Thursdays.

XIII. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 8:28 p.m.

Clerk's Note: Special Thanks to Lacey Davis from the Juneau Public Libraries for her work on preparing these minutes for approval.

Signed: _____
Elizabeth J. McEwen
Municipal Clerk

Signed: _____
Beth A. Weldon
Mayor