

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

December 17, 2020 5:00 PM

Zoom Webinar

<https://juneau.zoom.us/j/95175816558> or call: 1-253-215-8782 Webinar ID: 951 7581 6558

Special Assembly Meeting Prior to the Full HRC meeting then Immediately following the Human Resources Committee for Planning Commission Appointments (start time approximate). Meeting No. 2020-49

I. CALL TO ORDER / ROLL CALL

II. APPROVAL OF AGENDA

III. AGENDA TOPICS

A. 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.

B. 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 (page 2 of 3): 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.

C. Recess of Special Assembly Meeting to conduct HRC Meeting

The Special Assembly meeting will recess and reconvene as the Full Assembly sitting as the Human Resources Committee to interview applicants for the Planning Commission. Upon completion of the HRC meeting, the Assembly will then reconvene the Special Assembly meeting for the purpose of making appointments to the Planning Commission.

D. Planning Commission Appointments

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. 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

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

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

MANAGER'S REPORT:

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.

RECOMMENDATION:

The Deputy City Manager recommends the Assembly adopt this resolution.

ATTACHMENTS:

Description	Upload Date	Type
□ Res 2930	12/16/2020	Resolution

Presented by: The Manager
Presented: 12/17/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution Serial No. 2930

A Resolution Amending the COVID-19 Extreme Hardship Business Grant Program Criteria.

WHEREAS, the Assembly established the COVID-19 Extreme Hardship Business Grant Program with Ordinance 2020-09(U)(b)(am) on November 23, 2020;

WHEREAS, consistent with the existing appropriation in Ordinance 2020-09(U)(b)(am), the Grant Administrator identified program criteria revisions necessary for the program to be effective;

WHEREAS, the COVID-19 Extreme Hardship Business Grant Program, as amended, is necessary due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

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

Section 1. Amendment of COVID-19 Extreme Hardship Business Grant Program Criteria. The program is subject to the following terms and conditions:

- (a) **Intent.** The intent of this program is to provide support, in addition to the COVID-19 Business Sustainability Grant Program, to businesses that were disproportionately harmed by COVID-19 to offset the following expenses from November 1 through December 30, 2020: payroll, inventory, training, license fees, and fixed costs (lease/rent, utility, long-term debt).
- (b) **Administration.** The Manager is authorized to execute a grant agreement with the Juneau Economic Development Council ("Grant Administrator") for disbursement of COVID-19 Extreme Hardship Business Grant Program funds. The Grant Administrator is responsible for assuring the program funds are disbursed only to eligible businesses. The Grant Administrator shall be provided a reasonable administration fee based on actual expenses. 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.

(c) **Eligible applicants.** The program is open to all qualifying businesses (including a nonprofit), regardless of whether they have applied for or have obtained any other state or federal COVID-19 related assistance if the following is satisfied:

(1) **Business Sustainability or Non-Profit Sustainability Grant**

Eligible. The business received a business sustainability grant pursuant to Ordinance 2019-06(AG)(d) or a non-profit sustainability grant pursuant to Ordinance 2020-36, as amended. For a business that did not receive a grant pursuant to Ordinance 2019-06(AG)(d) or Ordinance 2020-36, the business must satisfy one of the following to be eligible for this program:

- (A) Ordinance 2019-06(AG)(d) criteria: (i) the business was registered in Alaska on or before January 1, 2020, (ii) had a physical presence in Juneau, Alaska on February 15, 2020, and (iii) continuously operated through the date of application unless the business is seasonal or was subject to a government mandated shutdown. The program will exclude from eligibility C Corporations traded on a U.S. stock exchange or a corporate-equivalent entity traded on a foreign stock exchange, and businesses owned in whole or majority—owned by such a publicly traded corporation or national chains that own and operate their premises in Juneau; franchisee owned and operated businesses in Juneau would be eligible; or
- (B) Ordinance 2020-36 criteria: (i) The nonprofit entity was registered in Alaska on or before January 1, 2020; (ii) The entity is an Internal Revenue Service certified 501(c)3, 4, 6, 7, 19, or 23 nonprofit; (iii) The nonprofit entity had a physical presence in Juneau, Alaska, on February 15, 2020; (iv) A substantial purpose of the nonprofit entity is to provide services to the general public in the City and Borough of Juneau. Faith-based nonprofits are eligible so long as they provide services that are promoted and available to the general public without regard to religious affiliation; (v) The entity has been or will be adversely affected by loss of revenue, program changes, and direct costs between March 1 and December 31, 2020, due to the COVID-19 public health emergency.

(2) **Year-round operations.** The business must provide proof of operations during Q4 2019 and Q1 2020, which can be verified with (i) box 1 of IRS form 941 and proof of Juneau-based employee wages for both quarters or (ii) sales tax returns showing sales in both quarters;

(3) **COVID-19 Extreme Hardship.** The business suffered at least a fifty percent loss in (i) either gross receipts, as reflected on line one of the CBJ sales tax filing, during Q3 2020 as compared with Q3 2019, or net taxable sales, as reflected on line four of the CBJ sales tax filing, during Q3 2020 as compared with Q3 2019, and (ii) the loss is at least ~~\$12,500-\$25,000~~ from Q3 2019 to Q3 2020;

(4) **Anticipated expenses.** The applicant must estimate and attest that the following expenses from November 1 through December 30, 2020 exceed the grant request amount: payroll, inventory, insurance, training, license fees, and fixed costs (lease/rent, utility, long-term debt);

- (5) **Payroll pledge.** The applicant must pledge to spend at least thirty percent of the grant proceeds on payroll, including employee benefits. An owner draw qualifies for the purpose of calculating payroll; and
 - (6) **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.
- (d) **Assertion of need.** An applicant shall disclose if the business has applied for or received any other grant or forgivable loan. An applicant that has received any other grant or forgivable loan must attest that a grant from this program is still necessary to sustain business operations through December 30, 2020.
- (e) **Compliance.**
- (1) **Sales and property tax compliance.** A business with any sales or property tax delinquency as of March 1, 2020, is not eligible for a grant. A business that executes a confession of judgment with the City and Borough of Juneau for all outstanding sales tax deficiencies can be eligible for this program. A business that is fully compliant with a confession of judgment payment plan can be eligible for this program.
 - (2) **Federal compliance.** No grant may be issued to an applicant that is engaged in business or conduct that violates federal law and any grant so issued must be immediately returned in full. For example, no grant may be issued to an applicant engaged in or conducting a marijuana related business at the same location.
- (f) **Grant amount.** The grant amount shall be determined by the following formula: grant amount equals the difference in the applicant's Q3 2019 and Q3 2020 ~~net taxable~~ sales divided by the difference in all eligible applicants' Q3 2019 and Q3 2020 ~~net taxable~~ sales multiplied by the appropriation in Section 2. However, no grant shall exceed \$50,000; the Grant Administrator shall either cap any presumptive grant exceeding \$50,000 at \$50,000 or the Grant Administrator may apply a reduction factor so no grant exceeds \$50,000.
- (1) For calculation of sales, the Grant Administrator will use either gross receipts, as reflected on line one of the CBJ sales tax filing, or net taxable sales, as reflected on line four of the CBJ sales tax filing for both quarters, whichever is more favorable to the applicant. In the case of annual sales tax filers, the Q3 2019 and Q3 2020 sales should be estimated based on reliable financial information for purpose of determining grant amount.
- (g) **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.

(h) **Confidentiality.** Except as provided in this legislation, all application material submitted for this program and all information contained therein (Grant Data) shall be kept confidential except for inspection by:

- (1) Employees and agents of the City and Borough whose job responsibilities are directly related to such applications and information;
- (2) The business owner, managing member, or equivalent person supplying such application and information; and
- (3) Court order.

However, nothing in this ordinance shall be construed to provide confidentiality to the name of the applicant, address of the applicant, and the amount of grant award, if any.

(i) **Grant application period.** The grant application period shall be two weeks. The Grant Administrator shall review applications and notify applicants if the application is incomplete. An applicant with an incomplete application has five business days to cure to keep the original application filing date; otherwise the application must be resubmitted, if at all.

Section 2. Effective Date. This resolution shall become effective immediately after its adoption.

Adopted this ____ day of December, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

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

MANAGER'S REPORT:

This resolution adds one condition to the existing individual assistance program (page 2 of 3): 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.

RECOMMENDATION:

The City Manager recommends the Assembly adopt this resolution.

ATTACHMENTS:

	Description	Upload Date	Type
▣	Res 2931	12/16/2020	Resolution

Presented by: The Manager
Presented: 12/17/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution Serial No. 2931

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;

WHEREAS, consistent with the existing appropriation in Ordinance 2020-09(Y)(b), this resolution is necessary to ensure that limited financial resources are spread throughout the community;

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); and

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

Section 1. Amendment of 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 five working days to cure to keep the original application filing date; otherwise the application is deemed complete on the date it is cured.
- (5) **CBJ COVID-19 Housing Assistance Grant Program disqualification.**
An applicant is not eligible for the COVID-19 Emergency Individual Assistance Grant Program if the applicant received any grant from the CBJ COVID-19 Housing Assistance Grant Program (Resolution 2912(b)(am) as amended by Resolution 2925).

(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 or until December 30, 2020, whichever occurs first.

Section 2. Effective Date. This resolution shall become effective immediately after its adoption.

Adopted this ____ day of December, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

Recess of Special Assembly Meeting to conduct HRC Meeting

MANAGER'S REPORT:

The Special Assembly meeting will recess and reconvene as the Full Assembly sitting as the Human Resources Committee to interview applicants for the Planning Commission. Upon completion of the HRC meeting, the Assembly will then reconvene the Special Assembly meeting for the purpose of making appointments to the Planning Commission.