

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

July 8, 2020 5:00 PM

Zoom Webinar & FB Live Stream

Meeting No. 2020-36; Immediately followed by Assembly Finance Committee Zoom
Webinar: <https://juneau.zoom.us/j/92651147325> or call: 1-346-248-7799 and enter Webinar
ID: 926 5114 7325

I. CALL TO ORDER / ROLL CALL

II. APPROVAL OF AGENDA

III. SPECIAL ORDER OF BUSINESS

A. EOC COVID-19 Update

IV. APPROVAL OF MINUTES

A. March 16, 2020 Regular Assembly Meeting #2020-08 Minutes

B. June 8, 2020 Regular Assembly Meeting #2020-31 Minutes

V. AGENDA TOPICS

A. FOR PUBLIC HEARING: 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 adopt this ordinance.

B. FOR PRESENTATION (Not for public hearing): Ordinance 2020-35: An Ordinance Requiring a Face Covering in Certain Indoor Settings.

This ordinance was drafted at the request of Assemblymember Hale for presentation and referral to the Committee of the Whole for further discussion before introduction or public hearing. This ordinance would require people to 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. This ordinance is very similar to the Anchorage mask mandate.

The Manager recommends the Assembly refer this item to the next Committee of the Whole, which is currently set for July 20.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII.SUPPLEMENTAL MATERIALS

A. EOC COVID-19 Update for July 8, 2020

VIIIADJOURNMENT

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**

March 16, 2020 Regular Assembly Meeting #2020-08 Minutes

ATTACHMENTS:

Description	Upload Date	Type
▣ March 16, 2020 Regular Assembly Meeting #2020-08 DRAFT Minutes	7/1/2020	Minutes

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - March 16, 2020

MEETING NO. 2020-08: The Regular 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, Loren Jones, Maria Gladziszewski, Michelle Hale, Rob Edwardson, Carole Triem, Wade Bryson, Alicia Hughes-Skandijs, and Greg Smith.

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, CDD Director Jill Maclean, Interim Engineering/Public Works Director Robert Barr, Assistant City Attorney Emily Wright, and MIS Director Matt Scranton.

III. SPECIAL ORDER OF BUSINESS

Mayor Weldon thanked Management Information Services (MIS) Director Matt Scranton and his team for their work in making the Facebook Live broadcast available for the first portion of the meeting that was focused on the COVID-19 update.

A. Special Recognition: Dan Beason, Juneau-Douglas City Museum Volunteer

Due to COVID-19, Special Recognition of Mr. Beason was postponed and will be delivered by alternative methods.

B. Census Message

Ms. Cosgrove reported that people can go online and start taking the Census which opened on March 12. Taking the Census online is the main way they are trying to have citizens fill out their census forms. Juneau relies on the Census to get accurate numbers which in turn provides the basis for federal funding, election district configurations, education funding and much more. Ms. Cosgrove urged everyone to Stand Up and Be Counted, practice social distancing and complete the 2020 Census online.

C. COVID-19 Update

Mr. Watt reported that there have been no confirmed cases of COVID-19 in Juneau. There have been several tests in town, and all have tested negative. There is one confirmed case of a cargo pilot in the state of Alaska so far.

Mr. Watt advised the members of the public to continue to take this situation seriously; the most effective and combative method of stopping the spread is individual action: wash your hands, practice social distancing, and stay at home. New guidance this past weekend encourages those who have recently travelled to an area that is experiencing community transmission to self-quarantine for fourteen days.

Mr. Watt's message for the community is that we are all in this together, and it is up to everyone to protect their friends and neighbors. We are all starting to feel the economic effects as a community. Many small businesses are concerned about cash flow and now is the time to start focusing on supporting local businesses.

At the national level, today the CDC released an outline titled "Fifteen Days to Slow the Spread" located

on the CDC webpage and at Coronavirus.gov. The message on the CDC webpage is similar to the local message, highlighting the importance of individual health actions and social distancing guidelines, particularly for the elderly and those with underlying health conditions.

At the statewide level, the Division of Public Health releases daily updates on the state page on Coronavirus.Alaska.gov.

In Anchorage, Mayor Berkowitz closed bars and restaurants. Mr. Watt does not recommend that for the CBJ at this time, based on the fact that Juneau has no confirmed cases. Not suggesting that for CBJ at this time. In accordance with the Governor's decision on Friday to close schools, the CBJ has decided to close similar facilities which include libraries, pools, the Zac Gordon Youth Center, and other facilities.

This weekend, the State Emergency Operation Center activated to a Level 3, per DHSS, Department of Military and Veterans Affairs, the Department of Homeland Security. Mr. Watt would describe Juneau as being between a Level 2 and 3. Juneau is currently in the planning phases starting to move into operations. Tomorrow, a group is going to work on developing a drive-through testing center. It is recommended that anyone experiencing flu-like symptoms get in contact with their medical provider in advance.

The CBJ is expecting to receive ten quarantine housing trailers (the placement and location of these trailers is TBD) that will be activated if and when it is necessary.

The CBJ has spent a significant amount of time considering quarantine and care strategies for those in the community who are experiencing homelessness. CBJ is working on how to ensure that shelter providers, public health facilities, and hospital staff are able to properly provide for people experiencing homelessness. There has also been focus on providing respite housing for individuals who have health care needs.

Mr. Watt acknowledges that the community is beginning to focus on the economic impacts of the reality of the upcoming cruise ship season. Cruise ships have been in the news in several ways over the past week: from the partial temporary closure on the Port of Seattle in early April, to Canada not allowing cruise ships until July 1 which effectively disallows cruise ships to Alaska.

Update on Westerdam: The ship has changed its plans and is not coming to Juneau.

The cruise ship industry is currently considering how and where to lay up ships until next steps are identified. The Westerdam initially proposed to come to Juneau early for the beginning of the Alaska cruise season. However, the Alaska cruise season will not be beginning in April as anticipated, and is likely to not happen until at least July 1, or possibly not happen this summer at all.

Mr. Watt anticipates a lot of discussion within the community about the economic impacts of Coronavirus and loss of cruise ship visitations. The CBJ is beginning to collect information and bring it to the congressional delegation so that their efforts in passing federal legislation can be as helpful as possible to Juneau and its small businesses.

As a result of closure to public facilities – pools, libraries, museums, etc. – the CBJ will be reassigning staff to work at other facilities as needed. All work-related travel has been cancelled for the foreseeable future. Staff are modeling potential economic impacts to budget and municipal revenues for future budget discussions. The CBJ is continuing to release as much information as best they can to the public via: social media, newspaper advertisements, PSAs, information releases, radio spots featuring Assemblymembers, etc...

The first wave of radio spots primarily focused on sanitation and health safety messages. Mr. Watt

stated that it is important for the next wave of informational spots to reinforce the feeling and truth that we are all in this together as a community.

Ms. Hale thanked the City Manager and the staff for all of their work. She reported that she has heard that testing is hard to get in Juneau and asked for Mr. Watt to speak on the criteria for testing and the requirements needed to receive testing.

Mr. Watt stated that he does not have the state protocol memorized, although he does know that there has been some frustration. All of the people who wanted to get tested have not all been able to receive tests. He has asked ASHNA – the state nursing home association – to work through that with the state. He believes that a lot more testing is expected to be available soon. He could not answer what the exact requirements were to be able to receive the test, because he believes those requirements may be evolving. Ms. Hale expressed her appreciation and thanked him for his efforts.

Mr. Smith asked the City Manager to speak on the term “flattening the curve” and why it is important that younger, healthy people should actively seek to not spread the virus.

Mr. Watt recognizes that “flattening the curve” has become a popular term, and the idea behind it is as the virus progresses, it will either have a high peak or a flattened curve by following preventative measures. When the virus spreads, if we take precautions to prevent the spread all at once, it will not overwhelm our health care facilities and staff – like we have seen in Italy. By taking these preventative measures, we can help slow the transmission and ensure that healthcare facilities will be able to care for those in need without being overwhelmed.

Ms. Gladziszewski also added that flattening the curve, the concern is big across the whole nation, not just here in Juneau. She stated that she has heard some concern about Bartlett Regional Hospital, and asked if Mr. Watt could speak to the number of ventilators. She reported that Mr. Bill spoke last week and said they had two ventilators and those were the “new, fancy ones”. There are actually more than two – some that are portable, and some that remain in the operating room – which makes the number of ventilators closer to ten rather than two. Mr. Watt mentioned an email that described that there will be about twelve ventilators in total once they are all assembled.

Mr. Bryson recalled a previous meeting in which the ventilator question was asked before, and at that meeting it was said that the State of Alaska had a supply of respirators, so that we were not just dependent on Bartlett’s supply but the State’s supply as well. Mr. Mattice confirmed that the State Department of Health does have a warehouse with limited resources available including ventilators, but they have yet to confirm the number of ventilators available. They would be available for regional distribution as the need arises.

Ms. Gladziszewski asked Mr. Mattice if he could speak on the questions and concerns regarding the Emergency Operations Center and its logistical plans for the future.

Mr. Mattice stated that the Emergency Operations Center has created a logistics hotline for medical supplies for providers; those in need of supplies can email covid.logistics@juneau.org and tell the Local Emergency Planning Committee what they currently have, what they have on backorder and when they expect that, what their daily “burn rate” is, and what they need from the LEPC. The LEPC will work with the State through the EOC to provide the medical resources to those in need as best they can. The LEPC is also working with providers to ensure that they have the PPE and other resources necessary so that they can be able to continue to respond to the pandemic.

Ms. Gladziszewski asked a follow-up question about other logistical plans outside of healthcare needs, things such as when the barges are coming.

Mr. Mattice said that barges and similar facilities are currently being handled on a State operational level, whereas locally the LEPC is working with several different groups such as Meals on Wheels, meals for school kids, meals on a local level, things that will help address individual logistics challenges and needs.

Mr. Smith said that he saw a press release today that Lynden will continue to provide regularly scheduled barge service, and that air cargo will continue to provide resources.

Ms. Gladziszewski asked if there are teams who are meeting regularly regarding the logistics planning. Mr. Mattice confirmed that there are already several small working groups and there will continue to be additions made to those working groups, such as the local Rotary club. As more support organizations reach out and show interest, LEPC will continue to make additions to the teams and network issues to them.

Ms. Gladziszewski asked how someone would go about giving their information to the LEPC if they are willing to help volunteer. Mr. Mattice responded that the LEPC is currently still working on volunteer coordination. They have been working with the State's Alaska Respond program – a pre-credentialing system for potential volunteers – and require volunteers to register through that resource. They are still currently exploring all avenues, both statewide and locally.

Mr. Watt informed the assembly that Fairbanks was about to hold a press conference shortly, as they had just identified a positive case in the area.

The Mayor acknowledged that several businesses in town have laid off their employees, and addressed the growing concern regarding upcoming rent and mortgage payments, and asked who a good resource for them would be.

Mr. Watt mentioned the Alaska Housing and Development Corporation at Gruening Park, has a short-term rental assistance program already in place. However, he is unsure about the level of funding for the program, and guessed that it will quickly be hit hard and would most likely look for funding support. Mayor Weldon responded that the Assembly could potentially look at the Affordable Housing Fund and provide financial assistance to that program through a grant.

Mr. Smith brought up the avalanche crisis and how the CBJ provided program assistance with funding in an effort to aid local businesses. Mr. Smith asked if the CBJ would be open or willing to provide similar aid and resources during this time. Ms. Cosgrove acknowledged that the Assembly did in fact provide aid and assistance at that time, and that there was a considerable amount of community understanding about the economic hardships faced in the aftermath of the avalanche.

Mayor Weldon stated that she had received several calls from owners of local businesses concerned about their businesses being potentially shut down, and asking how the CBJ could help them or refer them to resources that could help them.

Mr. Watt recognized the uncertainty facing the community and understood the need to take action at this time. He believes that this problem is big enough that it will require significant federal action to address. The Assembly has provided the congressional delegation with a list of ideas to ensure that proper assistance is addressed and included within national legislation.

Ms. Gladziszewski mentioned the Governor's press conference held that afternoon, in which he expressed primary concern towards health impacts and reducing the spread of the virus; and conversations regarding economics will be addressed at a later time. The (paraphrased) message for now

is “flatten the curve”.

Mr. Edwardson referenced previous times in his career field in which he experienced times of disaster, and recalls having seen some people panic and seen some people doing well. Mr. Edwardson believes that he has not personally witnessed anybody who is currently panicking. Ms. Hale thanked Mr. Edwardson and agreed with his message.

Mr. Smith mentioned that there are “triggers” recommended by the CDC that must take place in order for CDC guidelines and restrictions to be enacted, and he believes that Juneau as a community is not there yet.

Mr. Watt said that he would not necessarily call them “triggers” and as a community we are trying to follow mandates issued by the state such as closure of schools. There are other advisory issues that CDC put out. Today, the CDC recommended avoiding bars, restaurants, unnecessary travel, and gathering in groups with more than 10 persons.

Mr. Watt believes the best position would be to follow the state’s lead. He also mentioned many people who asked about Eaglecrest staying open despite the CDC social distancing guidelines. Mr. Watt said that outdoor recreation is healthy and beneficial, and he recommends that Eaglecrest imposed social distancing measures while remaining open. He believes that Juneau’s “go to” position should be to follow the state's direction.

Ms. Gladyszewski mentioned that she wished that Goldilocks was on her team, but Goldilocks is not an Assemblymember, so they must rely upon information collected from science, medicine, and data. Going forward, she would rather advocate for decisions to be made “too soon” rather than too late. She believes the State of Alaska has effectively done that through school and facility closures. Determining how soon is “too soon” is something she sees as a judgment call, one best determined by analyzing information provided by science, data, Dr. Zink, and the CDC.

The Mayor acknowledged that CBJ staff is constantly working on actively seeking and providing information regarding the pandemic and public health, and that the staff deserve thanks for all of their hard work.

D. Resolution 2883: A Resolution Temporarily Amending Resolution 2862 Related to the Assembly Rules of Procedure and COVID-19.

In light of the public health social distancing recommendations, this resolution would temporarily amend the Assembly Rules of Procedure to do three things (1) allow up to five Assemblymembers to participate by telephone, (2) encourage seating for members of the public to be three to six feet apart, and (3) encourage CBJ public meetings with substantial public interest to be live broadcast, like with Facebook Live. Members of the public will still be provided a public comment opportunity at meetings. However, members of the public are encouraged to email the Assembly or use the online Assembly Contact Form to provide public comments.

The social distancing recommendations for COVID-19 were discussed at the Special Committee of the Whole on March 9. Additional COVID-19 updates were provided at the Assembly Finance Committee meeting on March 11.

The City Manager recommended the Assembly adopt this resolution.

Mr. Palmer explained the affects as set out in his memo that this resolution would have if adopted.

Public Comment

None.

MOTION by Mr. Bryson to pass Resolution 2883 to amend the Assembly Rules of Procedure to adhere

to social distancing guidelines due to COVID-19.

Objection by Mr. Jones for purposes of a question. Mr. Jones spoke to the sections that only apply to the Assembly and those that apply to other boards and commissions, specifically he asked if this would apply to the Planning Commission. Mr. Palmer explained that the Planning Commission does not follow the Assembly rules, the CBJ Code provides for the Planning Commission to set their own rules. Mr. Jones said that since we are in emergency mode, couldn't the Assembly override the rules of the Planning Commission. Mr. Palmer responded that they could but that it would have to be done via ordinance rather than resolution.

Mr. Jones had additional questions regarding the inability of a committee to overrule the chair of a board/commission, per section 2. Rule 18 D. that has some flawed language with which a chair can decide to not hold a meeting and the remaining members don't have the ability to override that language.

Mr. Jones expressed his concerns about this resolution language holding up the business of the city and doesn't allow for redress. Ms. Gladziszewski also expressed concern about some of the language in the resolution with respect to only 5 members participating remotely vs. all 9 members being able to participate remotely.

Mr. Palmer provided additional information as to the reasons the language is currently drafted as is but that it is open to change from the Assembly.

Additional discussion took place about Mr. Jones and Ms. Gladziszewski's concerns about the language as well as discussion regarding the sunset date in November, and the technical challenges that they face as well as how to possibly facilitate the public testimony element. The Assembly took a break to give Mr. Palmer some time to come up with some suggested language for an amendment to address the concerns of the members.

Mr. Palmer said he came up with the following language for Amendment #1 to adjust language under Section D, Page 2: "Essential agenda items only" this amendment would go just before the sentence that states: "Non-essential public meetings must be cancelled." And the new language would read:
"An agenda with an item the chair proposes to be non-essential shall be publicly posted a reasonable time prior to the meeting. A majority of members of the body may call the proposed nonessential item for consideration at that meeting within 24 hours of agenda posting."

Mr. Palmer then provided illustrative examples on how this would work.

Additional discussion took place regarding the manner in which this would work for the board and commissions as well as the practical need for this resolution to ensure continuity of government process were followed in the midst of the pandemic.

Amendment #1 moved by Ms. Gladziszewski as proposed by Mr. Palmer.
Hearing no objection Amendment #1 passed by unanimous consent.

Mr. Jones had a question regarding the current sunset date set for November 24th, 2020. He was concerned that it might be sunset two months with reinstatement longer if needed. Mr. Palmer provided information regarding why he drafted it with the November 24th, 2020 sunset date and that the Assembly could make an amendment to change the sunset date if they wanted.

Mr. Edwardson said that he asked for it to be drafted with the sunset date after the election to provide for less work for staff and greater continuity of government and that if the Assembly wished, they could take action at any meeting to rescind the resolution and thereby end it before its sunset date.

Amendment #2 moved by Mr. Jones to move Sunset Date from November 24th, 2020 to May 1st, 2020.

Objection was noted by Ms. Hale, Ms. Hughes-Skandijs, and Ms. Gladziszewski.

Roll call vote on Amendment #2:

Ayes: Jones, Triem

Nays: Bryson, Edwardson, Glazdiszewski, Hale, HughesSkanijs, Smith, Weldon

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

Roll call vote on the Main Motion to adopt Resolution 2883 as amended.

Objection by Mr. Jones.

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

Nays: Jones

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

E. Resolution 2884 A Resolution of the City and Borough of Juneau Declaring a Local Emergency in Response to COVID-19 and a Request for State and Federal Assistance.

The health and safety of our community is priority one. This resolution would allow the CBJ to access State and Federal resources to help support Bartlett Regional Hospital, Capital City Fire and Rescue, Juneau Police Department, and open financial support options for businesses and local government. For example, this declaration can expedite hiring of medical providers and procurement of supplies for the hospital and fire department. This declaration can also initiate the process for businesses to qualify for federal loans and grants. This declaration would also allow the City & Borough of Juneau to seek reimbursement for its costs in addressing COVID-19.

The City Manager recommends the Assembly adopts this Resolution.

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Resolution 2884 and asked for unanimous consent.

Hearing no objection, the motion passed by unanimous consent.

IV. APPROVAL OF 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

Mayor Weldon noted that the Facebook Live broadcast was being ended at this point in the meeting as the purpose of broadcasting it was to share the COVID updates.

Ms. Hale ask in light of the resolutions that were just passed if it was appropriate to look at the current agenda any make any changes related to non-essential items. Mayor Weldon stated that the consent agenda items should go quickly and that there were essential time-critical items up for public hearing/adoption and she suggested the Assembly may want to accept the agenda as presented.

MOTION by Mr. Bryson to pull Ordinance 2019-07(A) *An Ordinance Appropriating and De-Appropriating Funds from the Treasury for FY20 School District Operations* and refer it back to the Assembly Finance Committee.

Mayor Weldon asked for procedural clarification from Mr. Palmer and Mr. Palmer explained the options that the rules provide for an ordinance before the Assembly on the consent. Agenda.

Mr. Bryson expressed concern about the decision to increase the budget by \$279,000, and stipulated that the CBJ has lost more than that amount in loss of sales and revenue. Mr. Bryson mentioned that the condition of the financial situation was “different” at the time of the decision, and the impending impact that COVID-19 will have on finances should be put into further consideration. Mr. Bryson believes it might be appropriate to bring this Ordinance back to the AFC to determine if this is the best time to give \$579,000 to the school district when there is uncertainty regarding the financial future.

Mr. Jones responded that Ordinance 2019-07(A) passed with unanimous consent at the Assembly Finance Committee meeting on March 11, five days prior. Mr. Jones recalled a robust discussion taking place before the decision was made at the meeting regarding any potential impact it may have on finances. There were no objections made during that discussion or during the vote. The AFC and the Assembly did not object to this Ordinance, and Mr. Jones would object to returning to it.

Mr. Edwardson agreed with Mr. Jones, and also believed that this Ordinance has been discussed and approved. He believes that it is important to fund schools and its programs, even in the face of financial uncertainty.

Ms. Hale pointed out that the next Regular Assembly meeting will be set for public hearing, and the Ordinance will be voted on at that time, so there would not be a need to send the item back to the AFC to re-vote. The next meeting will be the opportunity to discuss and vote on the Ordinance.

Ms. Hughes-Skandijs said that she did not see a reason to refer the item back to the AFC, considering that there will be an upcoming opportunity to discuss and vote on the matter. Ms. Triem agreed with Ms. Hughes-Skandijs, and believe that this is the wrong time and place to be discussing this budget ordinance.

Mr. Bryson responded that at the time of the previous AFC meeting, the Canadian Prime Minister had not yet restricted cruise ships from Juneau, only three cruise were listed as a loss at the time of the meeting. Mr. Bryson noted that a substantial amount of financial loss has transpired within the five days since the last meeting. He does not believe it is financially responsible at this time to give the Juneau School District the entirety of the budget which was initially proposed at the AFC meeting.

Mayor Weldon agreed with Mr. Bryson in theory, to carefully look at all of the money being spent at this time. However, she believes that this is not the appropriate time for that discussion, mentioning that the public will be able to weigh in on the Ordinance at the future Regular Assembly meeting.

Roll call vote to refer Ordinance 2019-07(A) back to the Assembly Finance Committee:

Ayes: Bryson

Nays: Edwardson, Gladziszewski, Hale, Hughes-Skandijs, Jones, Smith, Triem, and Weldon.

Motion failed. One (1) Aye, Eight (8) Nays.

a.Assembly Action

Ordinances for Introduction 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 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

MOTION by Ms. Gladziszewski to move the Consent Agenda, and asked for Unanimous Consent.

Hearing no objection, the Consent Agenda was approved with unanimous consent.

1. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

2. Bid Award

DH20-032 Douglas Harbor Anode Installation

This project would install zinc anodes to each steel piling in Douglas Harbor as part of a maintenance plan to extend the longevity at all Docks & Harbor facilities. The zinc anodes are welded on the piles below the surface and provide a sacrificial benefit to the galvanized steel piling.

Funding for this project is provided by the Alaska DOT Harbor Grant program and the CBJ Harbor Enterprise operating funds.

Bids were opened on March 12, 2020. The bid protest period expired at 4:30 p.m. on March 13. Results of the bid opening are as follows:

RESPONSIVE BIDDERS	TOTAL BID
Alaska Commercial Divers, Inc. \$177,279.00	Global Diving & Salvage, Inc.
\$148,108.00 <i>Engineer's Estimate</i>	\$248,000.00

The Docks and Harbors Board recommended this bid award at a special public meeting held on March 13, 2020.

3. Liquor License

Liquor License Transfer of License 5095 and Renewals for Licenses: 3695, 5706, 848 & 2812

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

Transfer of Liquor License

License Type: Recreational Site, License #5095

From: **Taku Lanes LLC d/b/a Taku Lanes** To: **Pins, LLC d/b/a PINZ**

Location: 608 W Willoughby Ave., Juneau

2020-2021 Renewal of Liquor Licenses

License Type: Beverage Dispensary, License #3695 **South of the Bridge, LLC**

d/b/a Louie's Douglas Inn Location: 915 3rd Street, Douglas

License Type: Restaurant Eating Place, License #5706 **Canton Asian Bistro, LLC**

d/b/a Canton Asian Bistro Location: 8585 Old Dairy Rd #105, Juneau

License Type: Restaurant Eating Place, License #848 **V's Grinders, LLC**

d/b/a V's Cellar Door Location: 222 Seward Street, Juneau

License Type: Restaurant Eating Place-Seasonal, License #2812 **Genuine Ventures, LLC**

d/b/a Tracy's King Crab Shack Location: 432 S. Franklin Street, Juneau

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

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

4. Transfers

Transfer T-1027 A Transfer of \$4,024,000 from Various Capital Improvement Projects to CIP R72-141 Hospital Drive Reconstruction, W75-057 Lee St. Pump Station Replacement, U76-123 Delta Drive Reconstruction, and R72-147 Goodwin Road Reconstruction

This transfer of \$4,024,000 of Sales Tax and Water funds from three CIPs to R72-141 Hospital Drive Reconstruction, W75-057 Lee St. Pump Station Replacement, U76-123 Delta Drive Reconstruction, and R72-147 Goodwin Road Reconstruction.

Hospital Drive: to provide additional funds as the project estimate in the FY20 CIP was substantially low as well as the discovery of additional storm drainage and other improvements that were required in addition to water system and pavement replacement.

Delta Drive Reconstruction: This is a priority as both the water and wastewater systems require replacement. The project was listed as a priority in FY21, however did not receive funding. This project would be designed during the summer of 2020, with construction beginning in spring of 2021.

Goodwin Road Reconstruction: This project was prioritized next after Delta Drive and requires \$1.218 million to proceed. The project design would occur during the summer of 2020, with construction beginning in spring of 2021.

Lee Street Pump Station: The Water Utility recently received a \$4 million loan that will be used to complete the Douglas Highway Water system replacement, David Street to I Street, making \$4 million of water utility funds, originally appropriated for the water system replacement, available to complete other Water Department priorities. The next identified priorities requiring funding are Lee Street and Bonnie Brae Pump Stations.

The Public Works and Facilities Committee recommended approval of this transfer at its February 26, 2020, regular meeting.

The City Manager recommends approval of this transfer.

VIII. PUBLIC HEARING

A. **Ordinance 2020-12 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in Lemon Creek to the Alaska Department of Transportation and Public Facilities.**

The State of Alaska Department of Transportation & Public Facilities has requested to purchase four small fractions of lots totaling 2,368 square feet along the Glacier Highway right-of-way in the vicinity of Renninger Street in Lemon Creek. The ADOT intends to improve Glacier Highway from Vanderbilt Road towards the old Walmart property. The PRAC provided a positive recommendation for this proposal at its November 2, 2019 meeting. On January 8, 2020 the Planning Commission found the project consistent with CBJ adopted plans. The Lands Committee reviewed the request on February 10, 2020 and provided a motion of support to the Assembly. The City will dispose of this property to the DOT for fair market value as determined by appraisal and waiver valuation.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Jones for the Assembly to adopt Ordinance 2020-12, and asked for Unanimous Consent.

Hearing no objections the motion passed.

B. **Resolution 2880 A Resolution Authorizing the Manager to Convey Easements Located Along Glacier Highway in the Lemon Creek Area to the Alaska Department of Transportation and Public Facilities.**

The State of Alaska Department of Transportation & Public Facilities has requested five temporary construction easements and one permanent easement. The easements would be used to improve Glacier Highway from Vanderbilt Road towards the old Walmart property.

The PRAC provided a positive recommendation for this proposal at its meeting on November 2, 2019. On January 8, 2020, the Planning Commission found the project consistent with CBJ adopted plans. The Lands Committee reviewed this request on February 10, 2020, and provided a motion of support to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

MOTION by Ms. Gladziszewski for the Assembly to adopt Resolution 2880, and asked for unanimous consent.

Hearing no objection the motion passed.

C. Ordinance 2020-13 An Ordinance Authorizing the Manager to Convey City and Borough Property Located in the Mendenhall Valley to the Alaska Department of Transportation and Public Facilities.

The State of Alaska Department of Transportation & Public Facilities has requested to purchase 25,050 square feet of city property for Mendenhall Loop Road improvements for traffic flow, safety and to meet current standards. The Planning Commission reviewed this project on June 11, 2019 and found it consistent with CBJ adopted plans. On January 7, 2020 the PRAC provided a positive recommendation with conditions. The Lands Committee reviewed this on February 10, 2020 and provided a motion of support to the Assembly. The City will dispose of this property to the ADOT for fair market value as determined by appraisal.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Edwardson for the Assembly to adopt Ordinance 2020-13, and asked for unanimous consent.

Hearing no objection the motion passed.

D. Resolution 2881 A Resolution Authorizing the Manager to Convey Easements Located Along Mendenhall Loop Road to the Alaska Department of Transportation and Public Facilities

The State of Alaska Department of Transportation & Public Facilities has requested three temporary construction easements and one permanent easement. The easements would be used to improve Mendenhall Loop Road near Floyd Dryden Middle School and Stephens Richards Memorial Drive.

The Planning Commission reviewed this project on June 11, 2019, and found it consistent with CBJ adopted plans. The Parks and Recreation Advisory Committee provided a positive recommendation at its meeting on January 7, 2020. The Lands Committee reviewed this request on February 10, 2020, and provided a motion of support to the Assembly.

The City Manager recommends the Assembly adopt this resolution.

MOTION by Mr. Smith for the Assembly to adopt Resolution 2881, and asked for unanimous consent.

Hearing no objection the motion passed.

E. Ordinance 2019-37 An Ordinance Amending the Land Use Code to Repeal and Replace the Nonconforming Development Code.

A nonconforming situation occurs, for example, when a house is lawfully constructed but due to an amendment to Title 49, the house could not be rebuilt today. A designation of nonconforming has caused some lenders in Juneau to require higher down payment amounts and other terms, which makes buying and selling certain property extremely difficult.

This ordinance would repeal the existing Title 49 nonconforming code and replace it with regulatory provisions that better reflect our community values. Unlike the current nonconforming code, this ordinance would emphasize that most nonconforming housing situations could be rebuilt if the residential structure was accidentally destroyed, like by a fire or avalanche. See 49.30.215(d)(1). This ordinance also codifies the current practice of Community Development to determine if a development is conforming, nonconforming, or noncompliant. See 49.30.310. This ordinance should make buying and selling most nonconforming residential developments easier while protecting the community from harmful nonconforming developments.

The Planning Commission recommended amending the nonconforming provisions of Title 49 after holding multiple public meetings including: August 27, 2019; September 17, 2019; and October 15, 2019. The Assembly Committee of the Whole reviewed this topic on December 9, 2019.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Bryson for the Assembly to adopt Ordinance 2019-37, and asked for unanimous consent.

Hearing no objection the motion passed.

F. Ordinance 2020-06 An Ordinance Amending the Land Use Code Repealing the Subdivision Review Committee.

The Subdivision Review Committee is a four-member advisory committee of the Planning Commission created to review and comment on subdivisions. However, the Subdivision Review Committee has not convened in a long time as most subdivisions are now reviewed and approved by the Community Development Department director and because the minor subdivision limit of four lots increased to 13 lots in 2015.

By repealing the requirement for the Subdivision Review Committee, this ordinance would eliminate authority conflicts between the Subdivision Review Committee and the director, and it would maintain the impartiality of Planning Commissioners to review major subdivisions and appeals of minor subdivisions.

When the Planning Commission updated its Rules of Order on December 10, 2019, it recommended the Assembly repeal the requirement to have a Subdivision Review Committee.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Ms. Hughes-Skandijs for the Assembly to adopt Ordinance 2020-06, and asked for unanimous consent.

Hearing no objection the motion passed.

G. Ordinance 2020-07 An Ordinance Amending the Comprehensive Plan Related to Historic and Cultural Preservation.

This ordinance would repeal the 1981 Downtown Historic District Development Plan and replace it with a new Historic and Cultural Preservation Plan. The new plan provides greater access to grants, greater acknowledgment of Juneau's cultural history, and greater preservation of Juneau's historical buildings and properties.

The Planning Commission reviewed this ordinance on November 12 and 26, 2019, and recommended the Assembly adopt it as part of the Comprehensive Plan. The Assembly Committee of the Whole reviewed this ordinance on February 10, 2020, and referred it to the Assembly for introduction.

The Plan is available at <https://3tb2gc2mxpvu3uwt0l20tbhq-wpengine.netdna-ssl.com/wp-content/uploads/2020/02/Historic-Preservation-and-Cultural-Plan-FINAL-VERSION-2020.02.19.pdf> Hardcopy versions of the Plan are also available at the Municipal Clerk's Office and at Community Development.

The City Manager recommends the Assembly adopt this ordinance.

MOTION by Mr. Jones for the Assembly to adopt Ordinance 2020-07, and asked for unanimous consent.

Hearing no objection the motion passed.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon wished to remind everybody that we are in this together as a community. Mayor Weldon mentioned a suggestion that was sent to her earlier that day – local restaurants, bars and retail businesses are hurting, the suggestion asked people to consider buying gift certificates to these businesses to help with their cash influx.

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

Human Resources Committee Chair Bryson reported that the HRC forwarded Ordinance 2020-16 and Ordinance 2020-15 to the Committee of the Whole. The resolution was already addressed earlier in the meeting.

Public Works & Facilities Committee Chair Hale said she had no report.

Committee of the Whole Chair Gladziszewski reported that the Committee of the Whole (COW) met a week ago and had a panel of people talking about COVID-19. The COW held their very first Facebook Live meeting and staff has been improving on their technology since then.

Assembly Finance Committee Chair Jones reported the Assembly Finance Committee met on March 11. The committee reviewed status of the budget and some anticipation of finances going forward, while taking the economic impact of COVID-19 into consideration. The Finance Department and Manager are preparing the next two years' budget. Most meetings will be held via teleconference, and anticipates very long future AFC meetings.

Lands Committee Chair Edwardson reported the Lands Committee, held a meeting on March 2 which featured a presentation from Mr. Ciambor about the Downtown Housing Inventory. They also discussed the sale of gravel for commercial entities, however the Lands Committee was not interested in forwarding that out of committee. They discussed of the relocation of the Thane Campground to a safer location closer to town. The Lands Manager provided information on variances. Afterwards, the committee further discussed the request to expand the fire service area to the north end of town; that item was referred to the COW.

Visitor Industry Task Force Chair . Triem reported that the Visitor Industry Task Force (VITF), met twice since the last Assembly meeting to work on their draft of recommendations. Ms. Triem expressed that the VITF committee has done a great job, and thanked the staff for working with them. There was a meeting scheduled for Thursday, but the meeting itself would be against social distancing guidelines, so they intend to talk to staff (and Mayor Weldon) to determine whether or not to hold that meeting. Mayor Weldon told Ms. Triem that they can talk about extending the deadline for VITF, because the world has changed.

Assembly Comments and Questions:

Mr. Bryson shared that he recently got to experience riding in a firetruck for the first time, and was very excited.

Ms. Hughes-Skandijs reported that she attended the committee meetings that she is the liaison to.

Mr. Jones reported that the Juneau School District met on March 10 for their regular meeting. The JSD approved 2021/2022 school schedule, also had their first reading on their budget. Next meeting is scheduled for March 19, to pass budget in second reading so they can present it to CBJ for AFC meeting on April 1. JSD still has to meet statutory deadlines for the budget in amongst all things happening.

Mr. Smith wanted to encourage the message of flattening the curve to prevent spread to vulnerable people, and to allow the health care system to provide for those in need.

Mr. Edwardson reported that the Airport Board met on March 10 and discussed budget, and loss of revenue due to reconstruction as well as lack of passengers due to reduced air travel in response to the pandemic. They had a finance committee meeting scheduled for March 12.

Ms. Triem reported that the Aquatics Board met on February 25 and got an overview of the upcoming Augustus Brown pool renovation. While the pools are currently closed, there is a survey available for the public to respond to regarding temporary closures later this year.

Ms. Hale reported the Downtown Business Association meetings and the Juneau Commission on Aging meetings, both meetings had concerns immediately about COVID-19. She has been hearing from a lot of constituents about closing local bars and restaurants as other cities and states have. Closing these facilities would be very economically concerning, those are also places in which the disease could potentially be transmitted. Ms. Hale would like for the Assembly and Manager to think about these potential risks, and is particularly concerned about bars.

Ms. Gladziszewski wished to amplify the message shared by Dr. Zink this afternoon, to treat this virus not with fear but with community. The more individuals can restrict movements now, the more we can flatten the curve. She encourages people to treat their friends and neighbors with more kindness than ever. The message is that your friends and neighbors are working on this 24/7. If people want to volunteer assistance, contact CBJ staff, a lot of good people with good ideas are volunteering to help.

Mayor Weldon responded that, with the two resolutions passed at the beginning of the meeting, it gives them a little bit more freedom and allows the City Manager to respond more quickly. The Assembly has just given the City Manager some tools to use if needed – while he monitors Public Health and CDC regularly – to be able to address upcoming issues with a timely response.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 9:37 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

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

June 8, 2020 Regular Assembly Meeting #2020-31 Minutes

ATTACHMENTS:

Description	Upload Date	Type
▣ June 8, 2020 Regular Assembly Meeting #2020-31 DRAFT Minutes	7/2/2020	Minutes

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - June 8, 2020

MEETING NO. 2020-31: The Regular Meeting of the City and Borough of Juneau Assembly held via Zoom webinar and broadcast to the public via Facebook Live, was called to order at 7:00 p.m. by Mayor Beth Weldon.

I. FLAG SALUTE**II. ROLL CALL**

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

Assembly Absent: None.

Staff Present: City Manager Rorie Watt, City Attorney Robert Palmer, Deputy City Manager/Incident Commander Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Municipal Clerk Diane Cathcart, Police Chief Ed Mercer, Deputy Chief David Campbell, Library Director Robert Barr, Hospital Administrator Chuck Bill, Deputy City Attorney Emily Wright, Lands Manager Dan Bleidorn, Parks and Recreation Director George Schaaf, Finance Director Jeff Rogers, Community Development Director Jill Maclean, CDD Planning Manager Alexandra Pierce, JPD staff: Lt. Jeremy Weske, Public Safety Manager Erann Kalwara, and Dispatcher Sara Dallas

III. SPECIAL ORDER OF BUSINESS**A. Instructions for Public Participation via Zoom Webinar**

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 can still 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.

Municipal Clerk McEwen explained the process by which the public can participate in the Zoom webinar and that the meeting was also being broadcast via Facebook Live and

that KTOO radio was also broadcasting the audio of the meeting.

B. Census Update - CANCELLED

C. COVID-19 Update and Actions

Incident Commander Mila Cosgrove provided an update regarding the COVID-19 response. There was one new case over the weekend and one new case Monday, June 8. Of particular note was that they stood up greeting, screening and testing at the airport over the weekend. Overall, there were 478 passengers who arrived at the airport, 198 of whom were from out of state. 33% of interstate travelers arrived with negative results in hand and 147 tests were administered. She noted that Alaska Airlines was handing out the state travel declaration forms on board the flights and that helped the process immensely. Ms. Cosgrove gave a shout out to Jarvis Schultz, Joe Mishler and all their teams for doing such a great job setting up the airport testing center within such a short turnaround time.

Ms. Cosgrove provided clarification after questions from Assemblymembers about how the numbers of tests are reported by the Division of Public Health and said that while 147 individuals were tested at the airport, only those that are Juneau residents will show up in the numbers of tests on the Public Health reports.

Mayor Beth Weldon said this will take the place of her Mayor's Report later in the meeting but it falls under this section more appropriately. She said that on May 14 she took her son down south to retrieve his items from his college dorm and it was a whirlwind of a trip and they didn't get much sleep. Upon returning to Juneau she couldn't figure out why she wasn't regaining her energy and after a few days, she felt like she was fighting off a cold for a few days and then felt some irritation in her chest and some irritation in her nasal passages. In light of that, she opted to be tested for COVID-19 and she thanked the Fire Department who came to her house to administer the test since she was still in quarantine after traveling. She found out that she tested positive for COVID-19. She and her son were both in quarantine and he has tested negative both times that he has been tested and he was immediately sent to the cabin to quarantine for the whole time. Her husband was the only other family member with them during that time. She described her symptoms and was in daily contact with the Public Health nurses each day during that time. The Public Health nurses determined she was recovered as of June 4 and advised her to stay away from large gatherings for a few days. She said she spoke with Dr. Anne Zink about it now that she has had it. Dr. Zink told her that people who have recovered are considered immune and not considered carriers. Mayor Weldon said she didn't share her story with everyone before that as she didn't want to worry her family until after she had recovered. She said that she is sharing her story so that anyone with the slightest symptoms is encouraged to get tested. She encouraged people to continue to take the necessary precautions including social distancing and to get tested if they find any reason to suspect they may have the virus.

D. Proclamation: National Nursing Assistants' Week June 18-24

Mayor Weldon read the proclamation honoring National Nursing Assistants' Week.

E. Update from Police Chief Mercer

Mayor Weldon said that the Assembly has received approximately 250 emails from the public communicating concerns related to racial inequality and concerns about procedures related to the police and as the issue was becoming one of great public interest, she extended an invitation to JPD Chief Ed Mercer to provide information to the Assembly during this meeting. She also noted that Chief Mercer and Deputy Chief David Campbell will be at the June 22 Assembly Committee of the Whole meeting at which the Assemblymembers can ask additional questions and discuss the matter further.

Mr. Watt explained that if the public has any questions and/or information they wish to share with the Assembly, the best method for doing that would be to send those emails to the BoroughAssembly@juneau.org email address and staff will collect that input and try to address those questions and concerns as best as they can. He noted that the Assembly will discuss this at greater length at the Assembly Committee of the Whole worksession on June 22 and while that is a time for the Assembly to be in worksession, they generally don't take public testimony during those meetings but rather they are meetings at which the Assembly has a chance to answer questions of and receive answers from staff.

Chief Ed Mercer thanked the Assembly for inviting him and Deputy Chief Campbell to address these issues and he thanked those members of the public watching the meeting online. Chief Mercer said that since the death of George Floyd in Minneapolis, our country has been ripped apart. For the past two Saturdays, members of the Juneau Police Department have attended protests in Juneau to show their solidarity in denouncing the excessive use of force by police departments. What happened in Minneapolis and other parts of this country should not be tolerated.

Chief Mercer said that any discussion of use of force should also include discussions related to hiring and training of police officers. He then went on to explain the hiring protocols, background checks, polygraph examination, and other screening protocols. Once someone is hired, they then go through extensive training at the Sitka Police Academy where they receive training during an intensive 14 week period. After academy, JPD officers receive an additional 80 hours of training each year on a variety of topics such as less use of lethal force, crisis intervention, domestic violence, deescalation training and strangulation to name a few.

Chief Mercer said that when discussing "Use of Force" that justifiable force will always be part of law enforcement. He then described a recent experience in which JPD

responded to an assault in progress which required a number of methods to restrain the suspect in order to keep him from harming others and to take him into custody. He said the key point is that the use of force has to be justified. He then went on to explain the process under state law in which use of force justification is reported, reviewed and deemed justified. If an officer exceeds their authority, they themselves are violating the law and JPD takes officer accountability very seriously. While it doesn't happen often, JPD officers have been reprimanded, disciplined, terminated and/or even arrested as the situation warranted. The Alaska Police Standards Council certifies officers and is made up of officers as well as civilians and he sits on that council. In addition to the Alaska Police Standards Council there is the Office of Victim Rights, and the Special Prosecutor's Office. He said JPD officers use the use of force paradigm to respond to situations requiring force.

Chief Mercer then went on to detail the use of force paradigm vs. a use of force continuum as well as the department's use of body worn cameras. He then went into detail regarding the 2019 use of force instances. In 2019, over 99% of the contacts JPD had did not require the use of force. The people of Juneau do not need to fear use of force unless they are committing a violent act or resisting arrest. He then went on to describe a variety of programs that JPD employs to reach out and interact with the community including Coffee with a Cop, National Night Out, Citizens Academy and others.

Chief Mercer then answered a number of questions from Assemblymembers.

Ms. Hale asked if JPD was going to be holding any type of "Town Hall" interactive forum where the public can ask questions of and get answers from JPD and what that might look like during COVID-19. Chief Mercer said they would be more than happy to engage in a town hall or other format to interact with the community.

Mr. Smith asked if JPD tracks race data within the use of force and other statistics related to arrests. Chief Mercer said they do track those demographics and he'd be happy to share that information at the next meeting.

Ms. Gladziszewski asked if they could provide information at the COW meeting regarding what they do about racial sensitivity training, what are the policies regarding officers with domestic abuse charges or history. She also asked them to provide information about oversight committees and/or how the Assembly or public would get reports on any officers who may be coming from other communities that have had egregious use of force in other communities they previously worked for. Ms. Gladziszewski said she would like to see the department's use of force policy in particular.

Chief Mercer said that Juneau is fortunate that it doesn't have the extremely large forces that other communities have and when they are fully staffed, JPD has 57 sworn police

officers. He said that if people in Juneau are seeing misconduct, they are quick to report it and JPD is quick in responding to it. He said that with respect to policies, many of the requests they have received, they have already implemented them in their policies. Deputy Chief Campbell elaborated on JPD's hiring practices and that they do not hire any officers with domestic violence history and they do extensive background checks for all applicants.

Ms. Gladziszewski said that the Assembly needs to lead the forum in which to hear from the public and although that is not going to be at the COW meeting, it is the Assembly's responsibility to provide for that opportunity and not that of JPD.

Ms. Triem asked if JPD has any of the "military style" gear that we've seen on the news from other communities. Chief Mercer said JPD does use different tools and equipment that may look like it is military equipment. They did participate in the 1033 federal program. The most recent thing they received through that was the mobile incident command equipment. That was obtained by Department of Homeland Security grant funds. JPD was also provided SWAT gear and also they receive rifles back in the early 2000s and JPD has since replaced those. Mr. Triem asked if all the information being provided could be coalesced and posted online somewhere.

Mr. Edwardson, following up on Ms. Gladziszewski's question, said he would also like to see JPD's use of force policy. Mr. Edwardson said he is familiar with use of force policies as he followed them in his career for 20 years and he is familiar with the Use of Force continuum and he asked if it would be possible for he and the Assembly to see JPD's use of force policy. Chief Mercer said he would be open to having that discussion. When Mr. Edwardson asked if he could see the printed use of force policy, Chief Mercer responded not at this time. Chief Mercer said they would be able to work with the City Attorney and City Manager's office to provide that information to the Assembly.

Mr. Edwardson said he has been getting more reports about complaints about use of force and while they aren't so much as kneeling on someone's neck, they are about placing hands on people, manhandling people, doing more dangerous maneuvers with use of cars than might be warranted. He then gave examples of use of force continuum policies that he was accustomed to and he said he would like to see all the records or at least those records still in the retention schedule of complaints of use of force violations against JPD. He asked if that would be possible. Chief Mercer said he would have to have discussions with the Law Department on how to proceed since personnel files are not something they release to the public; however they will be willing to work with the Law Department to see what portions of those reports may be able to be released.

Ms. Hughes-Skandijs said she is interested in hearing more from JPD at the June 22 COW meeting and she is particularly interested in having them share information about demographics related to victims of crimes as well as demographics related to use of

force. She asked what the policies and procedures currently in place for use of body cameras are and if there are consequences if they aren't used. Chief Mercer explained that there are consequences for officers if they do not follow policy and with respect to body worn cameras, they have a review process that the supervisors go through and periodically review body worn cameras to make sure they are working, how they are working, and what the officers are doing out in the field. He said that since 2017 when they first began using body worn cameras, it has evolved quite a bit and the officers have seen how useful body worn cameras can be with 1) capturing evidence, and 2) helping determine the facts when somebody does file a complaint. Deputy Chief Campbell said that the issue of demographics is somewhat more difficult. He explained that a number of years ago, there were some concerns surrounding potential for racial profiling in police departments and at the time, Chief Johnson put out a directive that JPD is still following that officers are not allowed to ask anyone that they have contact with in the field, what their race is. If they automatically disclose that with JPD, they can record that information. They can also use APSIN and DMV information but if that information isn't in there, they have to list the individuals in the "other" category. He said in light of that, while they do have some demographic information, there are limitations on that information.

Ms. Triem said she was surprised that they could not see the use of force policy and that got her wondering about the process involved in coming up with, reviewing, and updating any of the policies used in the department. Chief Mercer said he and the Deputy Chief are in charge of developing the policies and they are reviewed at least every three years as well as whenever there are national changes. They use templates from national organizations as well as modifying them to fit the needs of our community.

Ms. Gladziszewski asked about the 8Can'tWait policies and said it is disturbing to her that they are not willing to make those public. Chief Mercer said he is more than willing to have those discussions with the Assembly and public about certain policies but when it comes to operations and tactics, those are policies that he is not comfortable making public due to safety concerns for the public as well as the officers.

Chief Mercer said that JPD follows at least five of the 8CantWait policies but there are some of those such as the use of force continuum, which is defunct and has been replaced with the use of force paradigm which is better suited to individual situations. He said that some things have changed over the last few years with respect to active shooter scenarios and some of those policies have had to adjust to address those situations. Ms. Gladziszewski said she would like to follow up with them to discuss some of her questions more directly.

Mr. Smith also said he would like to hear JPD respond with additional details about the issues raised by the Black Lives Matter protesters. He asked if JPD has seen alternate models or other systems in other communities emphasizing mental health in crisis response. He asked if JPD has seen that and if something like that might be able to

assist JPD in responding to other incidents. Chief Mercer said he has heard of that and they even had discussions here in Juneau about possibly standing up a mobile response where health care workers or people who work in the mental health field would go out and have contact with individuals, especially if they are showing signs of mental health or addiction issues. He said that would be a good thing for Juneau. He said that even if they did, he thinks that JPD would still play a role in those responses to ensure the safety of those mental health professions who are responding to a situation.

Mayor Weldon asked what their procedures are when JPD responds to a non-violent mental health patient incident, do they call Mental Health from the scene or do they take the individual to BRH? Chief Mercer said it depends on the circumstances. They go on many calls where the circumstances pose mental health issues and they follow Title 47 law protocols before they can take an individual into custody for a voluntary or involuntary commitment to be evaluated. Fortunately, the department has a crisis intervention team and they stood that up about three years ago and a majority, if not all of the officers, are now trained in crisis intervention and they refer them to JAMHI to follow up on or JAMHI may be called while they are out in the field. In many circumstances, JPD does take the individual into custody due to concerns for the individual's well being or the well being of others.

Ms. Hughes-Skandijs asked if JPD does a breakdown of the types of calls that come into 911 and provide statistics on their calls. Deputy Chief Campbell provided information on how they report out the types of calls and he said that while the data system is very robust, he isn't sure if that is one of the factors included in those reports.

Mayor Weldon thanked everyone for their questions and said the Assembly will have a more robust discussion at the Committee of the Whole worksession on June 22. She encouraged anyone who still has questions to submit them in writing to the BoroughAssembly@juneau.org or the City.Clerk@juneau.org email addresses.

Mayor Weldon then recessed the meeting for a 10 minute break to reconvene at 8:15p.m.

IV. APPROVAL OF MINUTES

A. March 26, 2020 Special Assembly Meeting #2020-12 DRAFT Minutes

MOTION by Ms. Hale to approve the minutes of the March 26, 2020 meeting and asked for unanimous consent. *Hearing no objection, the minutes were approved.*

V. MANAGER'S REQUEST FOR AGENDA CHANGES

None.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Albert Rinehart, a resident of downtown Juneau, spoke in solidarity with Black Lives

Matter and he spoke to the 10 demands from the Black Lives Matter movement.

Erika Bergren, a resident of Thane, spoke in support of the Black Lives Matter movement and the 10 demands from Saturday's protest. She suggested that the Assembly could take into consideration the addition of social workers to the work of the police department. She said that law enforcement's primary focus is on incarceration and she asked that more funding and emphasis be placed on prevention and community safety.

Frank Bergstrom, a resident of Lemon Creek, expressed his appreciation for and thanks to the police department. He said they have performed admirably and they are truly color blind and while he hasn't had to use their services, he is thankful for the work they do and in knowing they are there if/when the need arises.

Serene Hutchinson, a resident of downtown Juneau, thanked those who have spoken out about Black Lives Matter and she also thanked the Juneau Police Department. She said she and her brother own Juneau Tourism Whale Watch and she asked that the funds be considered to help keep businesses above water so that when the next season comes around, they are still in business and able to open up. She said they received the PPP funding and that has helped them create jobs in their shop and as soon as those funds run out, they will be out of money. They are currently selling property and moving to smaller premises and smaller homes and she encouraged the Assembly to support funding of business assistance programs so they can open again in 2021.

Phillip Moser, a resident of the Mendenhall Valley, spoke regarding the police response that he has seen as well as the ongoing actions by the Assembly to provide relief to businesses and individuals. He has been asking for rent relief for citizens of Juneau and so far, the response has been very low. So far, the Assembly has proposed putting those relief funds towards businesses in town instead. The minority owned businesses that he knows of in town have not received federal funding in terms of COVID-19 relief. This all fits into the same issue of the police primarily protecting the private interest of businesses over the health and welfare of private citizens. He said that because when it is time to start evicting people from their homes, it will be police, however nice they are, choosing to evict people and making them homeless during the times when people have the greatest need to be in their homes and that will include a disproportionate number of minorities and people of color. He encouraged the Assembly to defund the police department and put those monies towards those relief efforts.

Assemblymember Smith pointed out to Mr. Moser that there are rental assistance programs offered by the city and the state during this time.

Laura Steele, a resident of North Douglas, spoke in support of the demands from the Black Lives Matter rally on Saturday. She said that there is an attitude in Juneau that we are small enough, diverse enough, and open minded enough to think that racism doesn't exist in Juneau but she said sadly it does. She said that far too often black members of

our community do not feel safe, supported, or welcome but they are worthy, valued, and loved and they are just as much a part of our community as anyone else and they should be made to feel that way. She said that she feels it is the responsibility of the Assembly, as representatives of the wider community, to send them that message and take action in support of the demands that they made. These demands were made by members of our community, they belong here and are part of Juneau and we respect them and we should hear them. She emphasized the last demand from the 10 demands and asked that the Assembly especially consider what Ally-ship actually means.

Joseph Biagini, a resident of downtown Juneau, spoke in support of the Black Lives Matters rally and he thanked Ms. Gladziszewski for requesting JPD provide their use of force policies. He also spoke against the increase of JPD's budget from the FY19 actuals to the FY22 proposed budget in which they will see an approximate 20% increase while the rest of CBJ's budget expenditures only grew by 11% and that does not reflect the values that our community has been stating through the testimony and messages the Assembly has been receiving over the past week and during this meeting. He suggested those funds be diverted towards public housing, mental health resources, addiction resources, social workers and other similar programs.

Tonja Cadigan, a resident of Douglas, called in support of the Business Sustainability Grant Program funding. Her family has had a business in downtown Juneau for 35 years and this summer's lack of tourism is having a devastating impact on all of Juneau and especially on all the businesses within it. She said it is incredibly difficult to ask for help as they are generally the ones who provide community support in a variety of ways. She encouraged the Assembly to support the Business Sustainability Grant Program so that the businesses can survive to thrive next year and be able to once again support our community in all these ways they do. She thanked the Assembly for all their hard work.

Charity McKinnon, thanked the Assembly for even considering grants to small businesses. She thanked Ms. Cadigan for her comments on behalf of businesses. She also said that the PPP is a loan that will need to be repaid. She said this pandemic is going to last a lot longer than the PPP funding.

Sonia Ibarra, a resident of Tee Harbor and a guest on the traditional territories of the A'akw Kwáan and has been fortunate to call Juneau her home for the past 8 years and looks forward to being a respectful guest on this land for decades to come. She said she is hurting for our black, brown and indigenous brothers and sisters. Change is needed across this country, this state, our community and even at the local government level. She asked the Assembly to contemplate the 10 demands, have the difficult conversations about them, challenge the white privilege that they may be upholding in their lives, because the reality is that if we aren't all part of the solution, we are part of the problem. Lastly, to all those who have been fighting the fight against racism, live it, breathe it, who are actively leading the way for people of color or are part of the movement towards racial equity, please know that she stands with you.

Todd Wehnes, a resident of downtown Juneau, spoke in support of the 10 demands of the Black Lives Matter movement and asked the Assembly to defund the police.

VII. CONSENT AGENDA

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

None.

B. Assembly Requests for Consent Agenda Changes

None.

C. Assembly Action

MOTION by Ms. Gladziszewski to adopt the Consent Agenda and asked for unanimous consent.

Objection by Mr. Jones for purposes of an amendment as he couldn't get off mute fast enough.

Amendment #1 by Mr. Jones that in addition to Ordinance 2019-06(AH) being introduced and set for public hearing that it also be referred to the Assembly Finance Committee (AFC) meeting on June 17 prior to going back to the Assembly for public hearing.

Ms. Hale objected for purposes of a question and asked if Mr. Jones could explain the reason for his objection.

Mr. Jones said that the CARES funding for the second and third rounds of the business grants are coming to that AFC meeting and since this ordinance is also CARES funding, the committee would be able to continue the conversation that had begun in the Committee of the Whole (COW). He said this ordinance deserved to at least have some committee discussion before it goes to an Assembly meeting to be voted upon.

Ms. Hale asked for clarification and Mr. Jones provided clarification about his motion and Ms. Hale removed her objection.

Hearing no objection, Mr. Jones' Amendment #1 passed.

Hearing no objection, the Consent Agenda as amended was adopted.

1. Ordinances for Introduction

- a. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

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

This ordinance updates the CBJ code to clarify terms, dates, and standards, so a vote by mail municipal election can be conducted fairly and efficiently. At the regular Assembly meeting on May 18, 2020, the Assembly authorized the October 2020 municipal election to be by mail.

The Human Resources Committee reviewed this topic on May 18, 2020, and recommends staff draft the necessary code changes to improve voting by mail. The changes proposed in this ordinance would apply to the municipal election on October 6, 2020.

The City Manager recommends the Assembly introduce this ordinance, refer it to the Committee of the Whole on June 22, and set it for public hearing on June 29.

- c. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

- d. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

- e. 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.

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

meeting.

- f. Ordinance 2019-06(AG) An Ordinance Appropriating up to \$8,500,000 to the Manager for Phases 2 and 3 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This would provide additional funding of \$8.5M for Phases 2 and 3 of the Business Sustainability Program. This topic was discussed by Assembly committees on May 20 (AFC) and June 1 (COW).

The City Manager recommends the Assembly introduce this ordinance, refer it to the Finance Committee on June 17, and then set for public hearing on June 29 unless a Special Assembly meeting is scheduled earlier for public hearing.

- g. Ordinance 2019-06(AH) An Ordinance Appropriating up to \$1,000,000 to the Manager for a COVID-19 Conservation Corps Program; Funding Provided by the CARES Act Special Revenue Fund.

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This ordinance would create an employment training program for people furloughed, unemployed, or underemployed due to COVID-19. This ordinance would provide a grant to Trail Mix, Inc., and supplemental FY21 appropriations to Eaglecrest and the Parks and Recreation Department for COVID-19 Conservation Corps programs. As of late May, Trail Mix had nearly 150 people interested in such a program. The Assembly Finance Committee briefly discussed this topic during the budget process. The Economic Stabilization Task Force recommended the Assembly consider this program at its meeting on June 4, 2020.

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

- h. 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.

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

- i. 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 introduce this ordinance and set it for public hearing at the next regular Assembly meeting.

2. Resolutions

- a. Resolution 2892 A Resolution Providing For Interest Rates For The General Obligation Refunding Bond Being Issued Through The Alaska Municipal Bond Bank.

On June 24, 2020 CBJ is scheduled to sell, via the Alaska Municipal Bond Bank (AMBB), approximately \$7.3 million in general obligation bonds in order to refund/refinance bonds originally issued in June 2010. The original bonds were issued to fund a portion of the Dimond Park Aquatic Center.

The issuance of bonds was authorized by the Assembly in Ordinance 2020-19 (adopted May 18, 2020). The final Assembly action, per CBJ Charter, related to these bonds is to "prescribe" (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts. CBJ legal counsel, K&L Gates, has prepared Resolution 2892 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution list the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all the bonds is estimated to be around 2.0% and result in a net present value savings of \$150k.

The City Manager recommends the Assembly adopt this resolution.

- b. Resolution 2894 A Resolution Authorizing the Manager to Convey a Driveway and Utility Easement across a Fraction of City Property in the Vicinity of 11000 North Douglas Highway.

Roger and Ann-Marie Ramsey own a landlocked parcel and are seeking a driveway and utility easement across CBJ land. There are two similar overlapping easements on this City-owned property that provide access to other privately owned landlocked parcels. Fair market value was determined by appraisal to be \$13,355.

On June 11, 2019, the Planning Commission recommended the Assembly grant this easement. On March 2, 2019, the Lands Committee recommended the Assembly grant this easement for fair market value.

The City Manager recommends the Assembly adopt this resolution.

3. Bid Award

- a. Bid No. 21-006 Term Contract for Transport Services for Household Hazardous Waste and E-Waste

This is a five-year term contract to transport Household Hazardous Waste & E-Waste from Juneau to recycling centers in Washington. Recycling supplies will also be transported from Washington back to Juneau. This contract will begin in FY21, effective July 1, 2020.

Bids were opened on this project on May 14, 2020. The bid protest period ended May 19, 2020. The following bids were received:

Bidder	Total Bid
Samson Tug & Barge	\$143,400.00
Alaska Marine Lines	\$146,900.00
<i>Estimate</i>	\$175,000.00

The City Manager recommends that the bid be awarded to Samson Tug & Barge in the total bid amount of \$143,400.

- b. Bid No. 21-012 Term Contract for Roadway De-Icing Chemicals

This will be a five-year term contract for the purchase and delivery of roadway de-icing chemicals for use in the Engineering/Public Works Department, Streets Division, and the Juneau International Airport. Combined estimated costs are *approximately* \$310,000 per year. This

term contract will take effect on July 1, 2020.

Bids were opened on this project on May 20, 2020. The following bids were received:

Bidder	Total Bid
CP Industries, LLC	\$301,904.00
Alaska Garden Pet & Supply	\$306,000.00

The protest period ended June 3, 2020.

The City Manager recommends the award of this contract to CP Industries, LLC in the total bid amount of \$301,904.

4. Liquor License

a. Liquor Licenses-2 New & 1 Transfer

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

Liquor License New Applications

License Type: Distillery License, License #5901

Name: Alaskan Brewing, LLC d/b/a Alaskan Distilling Co.

Location: 5366 Commercial Blvd., Juneau

License Type: Distillery License, License #5905

Name: Alaskan Brewing, LLC d/b/a Alaskan Distilling Co.

Location: 5433 Shaune Dr., Juneau

Liquor License Transfer of Ownership & Location

License Type: Beverage Dispensary, License #772

Transfer From:

NYT, Inc d/b/a Rendezvous at 184 S. Franklin St. Juneau

Transfer To:

AK Grizzly Bar, LLC d/b/a AK Grizzly Bar at 210 Admiral Way, Juneau

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

The City Manager recommends the Assembly waive its right to protest the above-listed new liquor license applications and the liquor license transfer.

VIIIPUBLIC HEARING

- A. Ordinance 2020-14 An Ordinance Authorizing the Sale of Foreclosed Property Located at 12280 Glacier Highway by Sealed Competitive Bid.

Property tax is due every year. State law (AS 29.45.290-500) prescribes a multi-year process to foreclose on property with unpaid property tax. The property at 12280 Glacier Highway has had unpaid property tax since 2017. In November 2019, the CBJ received a Clerk's Deed for the property.

There is an unoccupied house on the property, and the owner of record (Steven Baker) has not responded to multiple attempts to cure the property tax debt. Staff has reached out to other family members who said the owner left the state and has not been reachable for some time. The property has been the subject of multiple nuisance complaints.

State law authorizes a municipality to retain foreclosed property or dispose of foreclosed property when there is no public purpose for it. Staff does not see a public purpose to retain the property except a small public utility easement along Glacier Highway.

The Lands Committee recommended selling this property at its meeting on February 10, 2020.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Mr. Bryson asked for a definition of a Clerk's Deed. Mr. Palmer explained that a Clerk's Deed is what we receive from the courts when the municipality has satisfied all the foreclosure requirements and the City then owns the property.

Assembly Action

MOTION by Mr. Smith to adopt Ordinance 2020-14 and asked for unanimous consent. *Hearing no objection the ordinance was adopted.*

- B. Ordinance 2020-23(b) An Ordinance Amending the Purchasing Code to Allow for Additional Methods of Public Notice and Electronic Receipt of Bids.

This ordinance would amend the CBJ Procurement Code to allow on-line advertising of solicitations and electronic submission of bids and proposals. This

change is intended to promote public competition, reduce administrative processing, and lower procurement costs.

Version (b) reflects the newspaper publication changes recommended by the Assembly Finance Committee on May 6, 2020.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

None.

Assembly Action

MOTION by Ms. Hughes-Skandijs to adopt Ordinance 2020-23(b) and asked for unanimous consent. *Hearing no objection the ordinance was adopted.*

- C. Ordinance 2019-06(AC)(b) An Ordinance Appropriating up to \$3,500,000 to the Manager for Phase 1 of a COVID-19 Business Sustainability Grant Program; Funding Provided by the CARES Act Special Revenue Fund.

The Economic Stabilization Task Force has been developing options for the Assembly to help the local economy recover from the harm caused by COVID-19. This ordinance incorporates two of the Task Force's recommendations into a business sustainability grant program: (1) a \$2.2M rent/lease and long-term debt cost program and (2) a \$1.3M utility cost program.

On May 20, the Assembly Finance Committee recommended an ordinance be drafted for the \$2.2M program. There was additional discussion that staff should evaluate the \$1.3M utility cost program idea. After working with the co-chairs of the Task Force, this ordinance combines the two programs, which provides a simplified and efficient mechanism to provide grants to businesses that are suffering interruptions caused by COVID-19.

On June 1, 2020, the Committee of the Whole made amendments that are reflected in version (b) of this ordinance.

The City Manager recommends the Assembly adopt this ordinance.

Public Comment

Charlie Williams urged the Assembly to consider that these people who need the money are the people who will be paying sales tax next year. If they are no longer around and in business, they will not be able to remit sales tax to the city. Mr. Williams said that the CARES Act funds were really intended to be directed to the business community. He said that due to the unique nature of Juneau's visitor industry, many of the businesses have been devastated and these funds would enable those and other businesses to survive. He urged the Assembly to pass this ordinance to get the funds to the businesses

that need them.

Marc Wheeler, a resident of downtown Juneau, said that for the past seven years, he and his wife have owned a business. They have been impacted by the pandemic and it is scary looking at the summer and the fall as the summer is where they make the majority of their profits for the year and they don't see that happening this year. They have been fortunate enough to receive the PPP loan but because of that, they weren't eligible for the State of Alaska grant that was just offered. He said it seems strange as a business to be asking the government for money and not something he ever thought he would do as a business owner. He used to ask for money for non-profits but as a business owner he is not accustomed to it. Lastly, with the PPP funds, it was harder for some underserved communities to receive those funds and given the current spotlight on racial inequity, it might be worth considering setting aside a certain percentage of these grants for minority-owned businesses to make sure they are able to access these funds equitably. He thanked the Assembly for their support and encouraged them to move this ordinance and that for phases 2 and 3 as well.

Assembly Action

MOTION by Mr. Bryson to adopt Ordinance 2019-06(AC)(b) and asked for unanimous consent.

Objection by Mr. Jones for purposes of an amendment.

Amendment #1 on page 3 of 4, section (i) that says **Phase 1 maximum grant amount**, to replace the word "average" with the word "total."

Ms. Triem and Ms. Gladziszewski objected for purposes of clarification. They asked Mr. Jones to explain the effect this change would have. He did so and explained that this was a request from the Economic Stabilization Task Force (ESTF) as they thought they had made that change to the language but it had been missed in this version (b) of the ordinance.

Ms. Triem and Ms. Gladziszewski removed their objections.

Hearing no further objection, Amendment #1 passed.

Amendment #2 was provided in the red folder. Mr. Jones' amendment #2 read as follows: to delete Section 4(b) and replace it with new Section 4(b) as stated below:

(b) Entity types. 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 business was registered in Alaska on or before January 1, 2020 and had a physical presence in Juneau, Alaska on February 15, 2020 and 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; franchise(e) owned and operated businesses in Juneau would be eligible.

Mr. Jones said this language is used in the City of Kenai and was forwarded to him from the Economic Stabilization Task Force. Mr. Jones noted that the version he sent to staff is different than what is in the red folder due to track changes. It was noted that the red lined version inadvertently was showing that section (c) Grant Application was crossed out.

Additional discussion and clarification took place regarding the red folder version and Mr. Palmer explained that section (b) reflects the types of entities that can apply whereas section (c) referred to the process in which the grant applications are submitted. It was determined that section (c) would remain as written in Ordinance 2019-06(AC)(b) for purposes of Amendment #2.

Mr. Bryson asked about the language relating to "S" and "C" Corps, as long as they satisfy local ownership rules and they are not traded on the public stock market, those would be considered eligible. Mr. Palmer confirmed that was his understanding of that language as well.

Mr. Bryson offered a correction to the language in Mr. Jones' Amendment #2 at the end that states: ***"franchise owned and operated businesses in Juneau would be eligible."*** Mr. Bryson clarified that if it is "franchise owned" that term means that it is owned by the national corporation and not the local owner. He said that if they want to indicate the local ownership, they need to change that word to "franchisee" rather than "franchise."

Mr. Jones said that this language is what came from the ESTF and was copied from the City of Kenai. Mayor Weldon asked ESTF co-chair Linda Thomas to weigh in and share with the Assembly what the intent was for that language from the ESTF. Ms. Thomas explained that was the City of Kenai language, however, it was the intent of the ESTF was to focus on the local franchisee.

Ms. Thomas said that with respect to section (c), that should have been a separate amendment. The purpose for that was that with the language changes proposed to item (b), they took away some of the requirements for making sure that businesses had a local presence and were locally owned. She said that JEDC, which will be administering the grants, indicated, as well as the applicants, that it would be difficult to submit the documents physically to the grant administrator. She said that if the Assembly approves (b), they could potentially remove (c) since it would have been fixed with the changes to

(b).

Mayor Weldon said for ease of operations, she would like them treated as separate motions and at this time the Assembly would only be taking up the changes to section (b) with the additional correction to the word "franchisee" if Mr. Palmer would OK that change legally. Mr. Palmer said he did not have any problem with that minor change and Mr. Jones also agreed that was a good correction to his amendment.

Hearing no further objection, Amendment #2 passed as noted in bold above with the change of the word "franchise" to "franchisee."

Amendment #3 by Ms. Triem to section 4(c) on page 2 of 4 of the ordinance by changing the word "but" to "and" and also include on the third line insert the words "or electronically" prior to the words "to the Grant Administrator." so that section (c) would read:

(c) Grant application. A business seeking a grant may provide supporting documents electronically and the business owner, managing member, or equivalent person must submit an original grant application form in person or electronically to the Grant Administrator.

Hearing no objection, Amendment #3 passed.

Amendment #4 by Mr. Smith to add a new section titled "Intent to remain open" that shall read: An applicant shall state their intention for their business to be open on April 1, 2021.

Mr. Smith spoke to reasons behind his amendment and said that since this is grant money, this is a limited resource and he wanted to make sure that the grant administrator could hear from applicants that they intend to be open through April 1, 2021. Mayor Weldon asked Mr. Palmer if there were any legal problems with the amendment as proposed. Mr. Palmer said he did not have any legal issues with the amendment.

Mr. Jones and Mr. Bryson objected to the amendment.

Mr. Jones said that there may be a wide variety of reasons that business may not be open on April 1, 2021 and by making this amendment it demonstrates to the business community that they are not being trusted to stay in business. Mr. Bryson said that businesses are throwing every resource they have right now in trying to stay open and he appreciated Mr. Jones' comments. Ms. Hale said that while she understands and appreciates Mr. Smith's intent to ensure the Assembly is doing due diligence with the finances, they heard testimony and have received emails from businesses saying that they never thought they would need assistance and as such, she was voting against the amendment. Mayor Weldon also said she appreciated Mr. Smith's intent but that April 1 may be too early for some of the seasonal businesses to be open so she objected to the

amendment as well.

ROLL CALL Vote on Amendment #4

Ayes: Smith

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

Motion failed 1 Aye, 8 Nays.

Amendment #5 by Mr. Smith to add a new section that reads "Eligible Expenses: COVID sustainability grant funding may only be for business expenses."

Mr. Smith said he is trying to put up some safeguards on the use and receipt of this money which is different than the loan program which had a requirement that it be paid back; this is essentially free money. He asked the City Attorney earlier if the way that the ordinance was currently written, if a business could receive the grant and then just close up and go on a vacation. The attorney advised him that there was nothing preventing that from happening as written. Mr. Smith said that in light of the reaction to his previous amendment, he would withdraw this amendment.

Additional discussion took place regarding intent language but since the amendment was withdrawn, the Assembly went on to take a vote on the main motion as amended.

Hearing no further objection, Ordinance 2019-06(AC)(b) with Amendments #1, 2, and 3 passed as amended.

IX. UNFINISHED BUSINESS

- A. Ordinance 2020-08 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2020 Based Upon the Proposed Budget for Fiscal Year 2021.

This ordinance establishes the mill rates for property taxes for 2020, which funds a significant portion of the City and Borough of Juneau's FY21 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY21 Revised Budget as amended by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies. For FY21, the AFC recommends no change in mill rate from the FY20 Adopted Budget, resulting in a total mill levy of 10.66 mills; the components of which are:

Operating Mill Rate by Service Area	Millage	Change from FY20 Adopted
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Roaded Service Area	2.45	-
Fire Service Area	0.31	-
Areawide	6.70	-
Operating Total	9.46	-
 Debt Service	 1.20	 -
Total	10.66	-

An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC reviewed the mill rate ordinance at its meetings on April 22 and May 27, referring the amended ordinance to the full Assembly for adoption.

The City Manager recommends the Assembly adopt this ordinance as amended by the Assembly Finance Committee.

Mayor Weldon said that it is the will of the body to decide whether or not to allow for public testimony since the items under unfinished business have already been before them for public hearing.

Ms. Gladziszewski suggested they allow for public testimony if anyone from the public wished to testify. Hearing no objection, Mayor Weldon opened it up for public testimony.

Public Comment

Norton Gregory, a resident of Douglas Island, thanked the Assemblymembers for their service and he applauded them for not raising the mill rate for property taxes. He encouraged them to continue to save our money and discontinue the practice of borrowing under bond debt unnecessarily but rather to take the approach of saving our tax dollars and paying for projects in cash when possible. The unneeded expense of interest on that debt is an expense on our community and he thanked the Assembly for keeping our mill levy at the same rate as last year.

Assembly Action

MOTION by Ms. Hale to adopt Ordinance 2020-08 and asked for unanimous consent. *Hearing no objection, the motion passed.*

- B. Ordinance 2020-09 An Ordinance Appropriating Funds from the Treasury for FY21 City and Borough Operations.

This ordinance appropriates \$385,686,000 in expenditure authority for the City and Borough of Juneau's FY21 operating budget, excluding the School District. The Charter requires adoption of the FY21 operating budget by June 15.

It is necessary to appropriate all transfers between funds that support operations,

debt service and capital projects, as well as the associated expenditures within the funds themselves. These transfers account for \$103,686,200 of the FY21 operating budget. The total appropriated expenditure authorization, net of inter-fund transfers, is \$281,999,800. This ordinance also recognizes \$365,495,800 of projected revenue and transfers-in, and decreases fund balances, across all funds, by \$20,190,200. The revenue and fund balance draw are sufficient to fund the budgeted expenditures.

The original ordinance was introduced at the April 1, 2020 Special Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC referred the amended budget ordinance to the full Assembly for adoption at the May 27, 2020 AFC meeting.

The City Manager recommends the Assembly adopt this ordinance, as amended by the Assembly Finance Committee.

Public Comment

None.

Assembly Action

MOTION by Ms. Triem to adopt Ordinance 2020-09(b) as amended by the Assembly Finance Committee and asked for unanimous consent.

Mr. Jones noted that while the ordinance in the packet was version (b), the agenda did not list the title as version (b). Mr. Palmer said that since version (b) of the ordinance was in the packet and the Manager's Report refers to version (b) of the ordinance that the typo to the title was insignificant enough that it shouldn't be a problem.

Hearing no objection, Ordinance 2020-09(b) passed as amended by the Finance Committee.

- C. Resolution 2877(b) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2021 through 2026, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2021.

This resolution adopts the Capital Improvement Program (CIP) for fiscal years 2021 through 2026, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY21. This resolution authorizes \$34.5 million for capital improvement projects and \$0.8 million for operating budget activities.

The Public Works and Facilities Committee (PWFC) reviewed the preliminary CIP resolution at its meeting on March 2, 2020 and forwarded the plan to the Assembly.

The CIP resolution was introduced at the April 1, 2020 Special Assembly meeting and referred to the Assembly Finance Committee (AFC) for deliberation. An opportunity for public comment was provided at a Special Assembly meeting on April 22, 2020. The AFC referred the amended resolution to the full Assembly for adoption at the May 27, 2020 AFC meeting. The Charter requires adoption of the FY21 CIP by June 15.

The City Manager recommends the Assembly adopt this resolution, as amended by the Assembly Finance Committee.

Ms. McEwen noted that Resolution 2877(c) was provided as a Red Folder item and was posted to the online packet under Supplemental Materials.

Mr. Watt recommended the Assembly adopt Resolution 2877(c) as provided in the Red Folder and Amended by the Assembly Finance Committee and also requested that the Assembly make one additional amendment. Mr. Watt requested that the Assembly amend page 2 of Resolution 2877(c) to delete the section that read:

**FISCAL YEAR 2021
CARES ACT FUNDING**

DEPARTMENT	PROJECT	FY21 BUDGET
Manager's Office	Trail Workforce Development Program	<u>\$300,000</u>
CARES Act Funding Total		\$300,000

Mr. Watt said that as we move through the CIP, he originally recommended that they appropriate in the CIP this workforce development program and subsequently the ESTF essentially recommended the exact same idea through the ordinance that is being referred to the Assembly Finance Committee (AFC) for the Juneau Conservation Corps. In that ordinance, the basis for those funds is very clearly laid out. His concern is that at some future time, an auditor may look at this CIP, see this in the capital plan and disallow it since CARES Act funding does not allow for capital funding. He said an appropriate vehicle for that really would be the ordinance that was just referred back to the AFC. In the event that the agencies who would do the workforce development can hire more workforce and spend more funds, then he would recommend a supplemental appropriation at a later date.

MOTION by Mr. Jones to adopt Resolution 2877(c) with an amendment to remove the FY21 CARES ACT FUNDING in the amount of \$300,000 and asked for unanimous consent. *Hearing no objection, the motion carried.*

X. NEW BUSINESS

- A. Sealaska Heritage Institute v. CBJ Planning Commission: Notice of Appeal regarding conditions of a Conditional Use Permit 2020-0007 for arts campus building and plaza.

On June 2, 2020, the Clerk's office received a timely filed appeal of a Planning Commission decision to grant a Conditional Use Permit for an Arts Campus Building and Plaza USE#2020 0007.

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

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

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

MOTION by Ms. Gladziszewski that the Assembly accept the appeal and assign a hearing officer to this case. *Hearing no objection, the motion carried.*

Mayor Weldon requested Mr. Palmer follow through on that request for a hearing officer.

XI. STAFF REPORTS

Robert Barr, EOC Planning Section Chief, provided information re: local COVID-19 testing options. He provided a memo about this in the red folder.

Mr. Barr explained the logistical challenges and answered a number of questions from Assemblymembers both about the types of testing equipment as well as the capacity and anticipated need due to increased numbers of travelers. He said that they may not be able to go with the larger equipment. He also spoke to the success they had over the weekend with the new state requirements and of those arriving there was a significant number of travelers who came with their negative test results in hand upon arrival.

Mayor Weldon stated that they will add that ordinance to the next Assembly meeting agenda.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Weldon said that she already provided her Mayor's report earlier in the meeting about her COVID-19 experience and she wanted to wait until she was fully recovered before she could tell her family. She was given the all clear on Saturday which is when

she informed her family and she was informing the Assembly about it today.

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

ASSEMBLY COMMITTEE REPORTS

Assembly Finance Committee Chair Jones noted that they passed the budget ordinances at this meeting. The next AFC meeting will be held on June 17 and will include discussion of two CARES Act related ordinances. Mr. Rogers will also provide them with some more routine AFC matters during that meeting.

Assembly Committee of the Whole Chair Gladziszewski reported that the COW met last week and talked about CARES Act funding big picture. They also discussed the Business Sustainability Grant ordinance extensively. The next COW meeting will be on June 22.

Lands Committee Chair Edwardson reported that the Lands Committee (LC) met on June 1 and discussed the Mayflower Building Montessori lease, Eagles Edge land donation request, Crazy Horse Drive communications tower lease request and they recommended to the Assembly that the Assembly adopt those. The committee will be having the Hurlock property purchase/lease release request on the next LC agenda for action. The last item was the FEMA map adoption process informational item. He recommended Assemblymembers look at that and if they have questions to contact Ms. Maclean.

Public Works and Facilities Committee Chair Hale reported that the PWFC met on June 1 and reviewed the Centennial Hall design. There is \$200,000 for the design to move forward and they should expect another \$400,000 appropriation request to complete that design work. They also asked that the Planning Commission provide sidebars to the Assembly on parking in the downtown area and to include the Fee in Lieu of Parking. This is to build up for a longer term, holistic look at parking downtown. They also touched on the Mendenhall Transit Center process continuing forward. They also received an update from Ms. Koester on staff morale on the work they are doing.

Mayor Weldon noted that she did reach out to Ms. Maclean to work on finding a date for a joint meeting between the Assembly and Planning Commission to discuss parking and other matters.

Human Resources Committee Chair Bryson noted that the HRC meeting that had been scheduled earlier that evening had been cancelled. The next meeting will be the meeting of the Full Assembly sitting as the HRC to interview applicants for the Airport, Eaglecrest, and Docks & Harbors boards. He said that the application deadline is June 15. Depending on the number of applications received, they may hold that as one meeting or split it up into two meetings.

Mayor Weldon noted that the Juneau Human Rights Commission is having meetings in

the near future and she said there are currently some vacancies on that Commission if anyone is interested in applying. She asked the Clerk to provide the meeting information. Ms. McEwen said that the Juneau Human Rights Commission will be meeting on June 11 via a Zoom webinar meeting at noon and a PSA would be going out about that on Tuesday morning.

LIAISON REPORTS/ASSEMBLY COMMENTS

Mr. Smith provided information about the Planning Commission meeting coming up on Tuesday. He said he attended the Tlingit Haida solidarity rally and the Black Lives Matter rally on Saturday. He provided information about the rental/mortgage assistance program. He thanked the Mayor for sharing her COVID-19 story as it illustrates the importance of following the mandates and quarantine procedures.

Ms. Hughes-Skandijs noted that the Docks and Harbors Board met on May 28 and they discussed wifi in the harbors as well as the Visitor Industry Task Force report. Ms. Hughes-Skandijs reported that the Juneau Commission on Sustainability has been on a long hiatus and is waiting to enter the Zoom age and they will be having their first meeting this coming Wednesday. She also attended the rally on Saturday and thanked everyone who took the time to write and all those who called in and provided testimony. She said that this is an important time in our country's history and that moving at the speed of government can be frustrating but she also noted that we can't solve systematic racism overnight. She said we do have room to improve and is looking forward to the conversation on June 22.

Mr. Bryson said he had nothing to report.

Ms. Hale said she did not attend any of her liaison meetings. She did attend the rally last weekend and echoed the reports of her fellow Assemblymembers.

Ms. Triem said that she provided the Aquatics Board meeting report at the last AFC meeting. She attended the Southeast Conference Visitor Industry Committee meeting last week where they talked about the lack of this season's cruise industry. She also attended the Black Lives Matter rally.

Mr. Edwardson said that neither of the committees he is liaison to have had meetings since the last Assembly meeting. The Airport Board has its next meeting tomorrow and the LEPC will be meeting on Wednesday at noon. He said that it is important to say out loud "Black Lives Matter" and he supports all the protests and demonstrations going on. He said they should also consider that there are a lot of people in Juneau who have been fighting for racial justice for a very long time. They have a lot of background and experience in it and he thinks those people need to be supported as well, otherwise their voices may be crowded out by people who are rightfully motivated right now. He said we can be more effective together and encouraged them to search out those people and

organizations because they were working at this long before the victims or those calling out their names were killed.

Mr. Jones reported that the School Board has not met since the last meeting. They are meeting tomorrow starting at 4:30p.m. to redo their FY20 budget followed by a regular JSD meeting at 6p.m. He attended the last Hospital Board meeting and the last Airport Board meeting. He also attended the ESTF and JEDC tourism cluster group meetings and the neighborhood meeting on Glory Hall/SAIL building out by St. Vincent DePaul. He said that CDD did a great job with public testimony via Zoom. He said there was quite a bit of public testimony and the Planning Commission will be taking up the Conditional Use Permit for that on July 14.

Ms. Gladziszewski reported that she had attended the Black Lives Matter vigil held the previous weekend but was not able to attend the rally this past weekend. She said that she read recently that what we are seeing is a past due notice for unpaid debt to Black Americans and that seems right to her. She said that she feels honored to be able to be in the position she is in right now and she doesn't just want to talk about it, she wants to be able to take action to do something about it. She looks forward to talking with JPD and seeing their use of force policies and she doesn't want to let that go with the answer that they can't see them. She looks forward to having the conversations needed with JPD but she also wants have a community conversation on this and not just COW meeting.

C. Presiding Officer Reports

Mr. Jones noted that Clerk staff is still working on trying to find a date that will work for all parties for a pre-hearing conference related to the Lee vs. Planning Commission appeal.

XIIICONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

XIV.EXECUTIVE SESSION

- A. Red Folder- Ordinance 2019-06(AI) Local COVID-19 Memo from EOC Planning Section Chief Robert Barr
- B. Red Folder- Ordinance 2019-06(AG) Proposed Amendment from Loren Jones
- C. Corrected Proposed Amendment to Ordinance 2019-06(AC) from Loren Jones

D. RED FOLDER - CIP Resolution 2877(c)

XV. ADJOURNMENT

Mayor Weldon thanked everyone from the public who testified and provided comments in writing to the Assembly.

Ms. McEwen reported that some of the ordinances introduced at this meeting will be up for public hearing at a Special Assembly Meeting immediately following the June 17 Assembly Finance Committee meeting and that the Notice of Public Hearing for those ordinances will be posted online June 9, and appearing in the Thursday, June 11 Juneau Empire.

There being no further business to come before the Assembly, the meeting was adjourned at 10:39 p.m.

Signed: _____
Elizabeth J. McEwen

Signed: _____
Beth A. Weldon

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

FOR PUBLIC HEARING: Ordinance 2020-33 An Ordinance Amending Emergency Appropriation Resolution 2889(am) Related to the COVID-19 Emergency Rental Assistance Program.

MANAGER'S REPORT:

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.

RECOMMENDATION:

The City Manager recommends the Assembly adopt this ordinance.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ord. 2020-33	6/24/2020	Non-Code Ordinance
☐ Res 2889	6/25/2020	Resolution

Presented by: The Manager
 Introduced: 06/29/2020
 Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-33

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

WHEREAS, the COVID-19 Emergency Rental Assistance Program is necessary due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the COVID-19 Emergency Rental Assistance Program was created by Emergency Appropriation Resolution 2889(am) (adopted April 20, 2020) and program expenses were not accounted for in the FY20 budget; and

WHEREAS, the COVID-19 Emergency Rental Assistance Program expenses are incurred during the period that begins on March 1, 2020, and ends on December 31, 2020.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Amendment of Emergency Appropriation Resolution 2889(am). The following provisions of Emergency Appropriation Resolution 2889(am) are amended as follows:

- (a) **Section 2 of Res. 2889(am): Source of Funds.** Insert "CARES Act Special Revenue Fund" and delete "Affordable Housing Fund."
- (b) **Section 3(e) of Res 2889(am): Intent.** Exhibit A to Resolution 2889(am) is amended as follows "returning all unencumbered monies existing on December 31 June 30, 2020."

Section 3. Further Amendments to Exhibit A of Resolution 2889(am). Upon motion by the Assembly, the Manager may make future amendments to Exhibit A of Resolution 2889(am).

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

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: Assembly
Presented: 04/06/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Emergency Serial No. 2889(am)

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

- A. WHEREAS, consistent with Charter 9.10(b), upon declaration by the Assembly that a public emergency exists and describing the emergency in clear and specific terms, the Assembly by resolution may make emergency appropriation upon approval by all Assemblymembers present or by seven of its membership, whichever is the lesser number; and
- B. WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and
- C. WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) declared the virus a pandemic; and
- D. WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and
- E. WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and
- F. WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19; and
- G. WHEREAS, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19; and
- H. WHEREAS, there are approximately 5,000 rental units in the CBJ; and
- I. WHEREAS, workforce housing in the CBJ typically equates to less than 120 percent of the area median income (AMI); and
- J. WHEREAS, nearly half of the renters make less than 80 percent of the AMI and approximately 70 percent of those renters have unaffordable rental costs; and
- K. WHEREAS, renters need immediate support as many worked in businesses that have closed or reduced hours because of COVID-19 and social distancing requirements; and

- L. WHEREAS, federal and state resources may be available too late or insufficient to be of assistance to renters or landlords who need immediate assistance; and
- M. WHEREAS, providing rental assistance now can prevent the need for additional costs and services in the future, which is in the public's interest; and
- N. WHEREAS, failing to provide rental assistance could result in further adverse impacts to Juneau's economy and social service network; and
- O. WHEREAS, the Alaska Housing Development Corporation, a nonprofit corporation and also known as Gruening Park in partnership with Gastineau Human Services, has an existing rental assistance program that has experienced increased demand due to the COVID-19 public emergency.

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

Section 1. Emergency Appropriation. There is appropriated to the Manager the sum of two hundred thousand dollars (\$200,000.00) for an Emergency Rental Assistance Program, to be granted to the Juneau Community Foundation only for disbursement to the Alaska Housing Development Corporation.

Section 2. Source of Funds:

Affordable Housing Fund	\$ 200,000.00
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Section 3. Emergency Rental Assistance Program Purpose and Terms. The program is subject to the following terms and conditions:

- (a) Rental assistance is for people who have lost employment as a result of COVID-19 or people who cannot earn wages as the result of a loss of childcare due to COVID-19.
- (b) Rental assistance is prioritized for people who earn less than 120 percent of the area median income as calculated by the United States Department of Housing and Urban Development.
- (c) Applicants must provide sufficient proof of need for rental assistance considering other available financial assistance, lay-off or eviction notices or lack of childcare, 30-day bank statements, and leasing information.
- (d) The Manager is directed to report back to the Assembly on the number of applicants and disbursement of funds.
- (e) Intent. The administration of the rental assistance program should be guided by Exhibit A to Resolution 2889(am).
- (f) Exceptions. The Alaska Housing Development Corporation, after receiving direction from the Manager, has the authority to make reasonable exceptions to these conditions that conform to the purpose of this program.

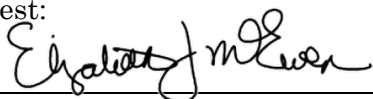
Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this 20th day of April, 2020.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

Letter of Intent

In adopting Emergency Appropriation Resolution 2889 (as amended), we issue these instructions/guidelines to assist the program administrator, the Alaska Housing Development Corporation, in providing relief to Juneau residents.

The numbers of households and individuals who could qualify for support far exceeds the amount currently set aside for relief. According to HUD's 2019 income limits, 61.9% of Juneau households are low income, 48.0% are very low income, and 24.0% are extremely low income. Similarly, According to HUD's 2019 income limits, 63.9% of Douglas households are low income, 52.5% are very low income, and 24.6% are extremely low income.

Accordingly, we believe that triage will be required, even among those in the very low income category. We expect the following to the extent considered reasonable by the City Manager:

- to the extent reasonable and necessary, coordinating with other entities to reduce duplication of services.
- providing assistance, for rent due no earlier than April 2020, equal to the gap in the ability to pay, rather than in all instances the full amount of the rental obligation. Payments will be restricted to rent only, and should not include late fees or security deposits;
- undertaking a case-by-case review of each applicant to assess all resources in and available to the household. Three examples:
 1. Two roommates, each of whom qualifies, but when resources are pooled would reduce the overall payment.
 2. To the extent possible given uncertainties in the State unemployment system, for a household member has not yet received, but fully qualifies for the enhanced unemployment insurance payments, the full retroactive sum will be considered; and
 3. Situations in which a household receiving the rental assistance would lead to a reduction in or disqualification of an existing rental assistance.
- denying rental assistance for a rental unit owned by a government entity.
- returning all unencumbered monies existing on June 30, 2020.

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

FOR PRESENTATION (Not for public hearing): Ordinance 2020-35: An Ordinance Requiring a Face
Covering in Certain Indoor Settings.

MANAGER'S REPORT:

This ordinance was drafted at the request of Assemblymember Hale for presentation and referral to the Committee of the Whole for further discussion before introduction or public hearing. This ordinance would require people to 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. This ordinance is very similar to the Anchorage mask mandate.

RECOMMENDATION:

The Manager recommends the Assembly refer this item to the next Committee of the Whole, which is currently set for July 20.

ATTACHMENTS:

Description	Upload Date	Type
□ Ordinance 2020-35	7/7/2020	Non-Code Ordinance

Presented by: Hale
Presented: 07/08/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2020-35

An Ordinance Requiring a Face Covering in Certain Indoor Settings.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus (“virus”), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19; and

WHEREAS, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19; and

WHEREAS, as of July 6, 2020, there have been 45 confirmed cases in the City and Borough of Juneau, including cases classified as caused by community spread; and

WHEREAS, Alaska is experiencing a substantial increase in COVID-19 cases since June and especially during the first week of July (424 active cases on June 30 to 598 active cases on July 5); and

WHEREAS, the Centers for Disease Control and the State of Alaska (Health Alert 10) recommend everyone to wear a cloth face covering when in a public setting where other social distancing measures are difficult to maintain, which can minimize asymptomatic individuals with COVID-19 from unknowingly spreading the disease.

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

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Face Covering Mandate.

- A. Requirement.** All individuals must wear a mask or cloth face covering over their nose and mouth when they are indoors in public settings or communal spaces outside the home. This ordinance is subject to the conditions and exceptions stated below.
- B. Context.** The settings included in this ordinance include, but are not limited to, the public and communal spaces within the following:
1. Grocery stores, pharmacies, and all other retail stores.
 2. Restaurants, cafes, bars, and breweries – including food preparation, carry-out, and delivery food operations. There is a limited exception for customers while they are eating or drinking in one of these settings.
 3. Buses, taxis, and other forms of public transportation when passengers are present.
 4. Personal care facilities.
 5. Child care facilities.
 6. Communal areas of offices where people from multiple households are present.
 7. Elevators and indoor communal spaces in other buildings.
- C. Employment.** Employers are responsible to make sure employees who are present in the workplace have access to and wear masks or cloth face coverings when in direct contact with customers, members of the public, or other employees. Masks are not required when the only direct contact is between members of the same household or when employees are not near others (within six feet).
- D. Exceptions.** This Ordinance does not apply to the following categories of people or activities:
1. Any child under the age of 2 years. These very young children should not wear a face covering because of the risk of suffocation;
 2. Any child under the age of 12 years unless a parent or caregiver supervises the use of face coverings by the child to avoid misuse;
 3. Any child in a child care or day camp setting, although such settings may provide their own requirement for use for children age 2 years old or older;
 4. Any individual for whom wearing a mask or cloth face covering would be contrary to his or her health or safety because of a medical condition or mental health condition, and any individual unable to tolerate a mask due to a physical or mental disability;
 5. Individuals who are speech impaired, deaf, or hard of hearing, or individuals communicating with someone who is deaf or hard of hearing, where facial or mouth movements are an integral part of communication;
 6. Any individual who has trouble breathing or otherwise unable to remove the face covering without assistance;
 7. Individuals who are exercising, if mask wearing would interfere with their breathing;
 8. Individuals who are incarcerated, in police custody, or inside a courtroom; these individuals should follow guidance particular to their location or institution;

9. Individuals performing an activity that cannot be conducted or safely conducted while wearing a mask (for example, a driver experiencing foggy glasses, a dental patient receiving care, an equipment operator where there is a risk of dangerous entanglement); and
10. Musicians, presenters, ministers, and others communicating to an audience or being recorded, for the duration of their presentation/practice/performance where mask usage impairs communication, and so long as safe physical distancing is maintained.

E. Proof of Medical Reason or Disability. If a person declines to wear a mask or face covering because of a medical condition or disability as described above, this ordinance does not require them to produce medical documentation verifying the stated condition or disability. Businesses may wish to consider accommodating such individuals through curbside or delivery service or by allowing the individual inside without a mask if doing so will not place others at risk.

F. Enforcement Policy. The Municipality reserves the right to use all available enforcement options to assure compliance with this Ordinance. However, employers will not be subject to fines based on non-compliance by customers so long as there is a clearly posted sign informing customers that they are required to wear face coverings. Brief removal of a face covering, such as is necessary to eat, drink, or scratch an itch does not constitute a violation of this ordinance (although hand washing/sanitizing is recommended after such activities). Additionally, violation of this Ordinance does not create grounds for residents to harass individuals who do not comply with it.

G. Violation. A person who violates the face covering requirement of Section 2 shall be subject to a civil fine not to exceed \$25.00, which shall be considered incorporated into CBJC 03.30.070(a); payment of the civil fine shall be accepted in satisfaction of the violation; and the violation shall be subject to CBJC 03.30.070(b)-(c) and 03.30-075-03.30.085.

Section 3. Effective Date. This ordinance shall be effective immediately and expire 30 days after its adoption.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

EOC COVID-19 Update for July 8, 2020

ATTACHMENTS:

Description	Upload Date	Type
☐ EOC COVID-19 Update for July 8, 2020	7/8/2020	Report



City and Borough of Juneau
City & Borough Manager's Office
155 South Seward Street
Juneau, Alaska 99801

Telephone: 586-5240 | Facsimile: 586-5385

DATE: July 8, 2020
TO: CBJ Assembly
FROM: Robert Barr, Planning Section Chief
RE: City & Borough of Juneau COVID-19 Response – Emergency Operations Center Update

Situational Update – Incident Level 2 - Operational Period 16 (6/25/2020 – 7/9/2020).

Disease Transmission/Contact Tracing:

There are no new resident cases reported in Juneau today and 40 new cases statewide. There are additionally 9 new statewide non-resident cases, one of which is in Juneau. Further, an earlier nonresident case (July 3) was re-classified to a resident case today. Two earlier cases from 6/29 have been updated to include acquisition information – one was travel; one was community spread.

Contact tracing continues to be strained statewide. More information on contact tracing here:

<https://www.uaa.alaska.edu/academics/college-of-health/departments/ACRHHW/>

Testing:

Staff and collection supplies are unconstrained. Recent test turnaround times have been between 3 and 4 days.

Hospital Response:

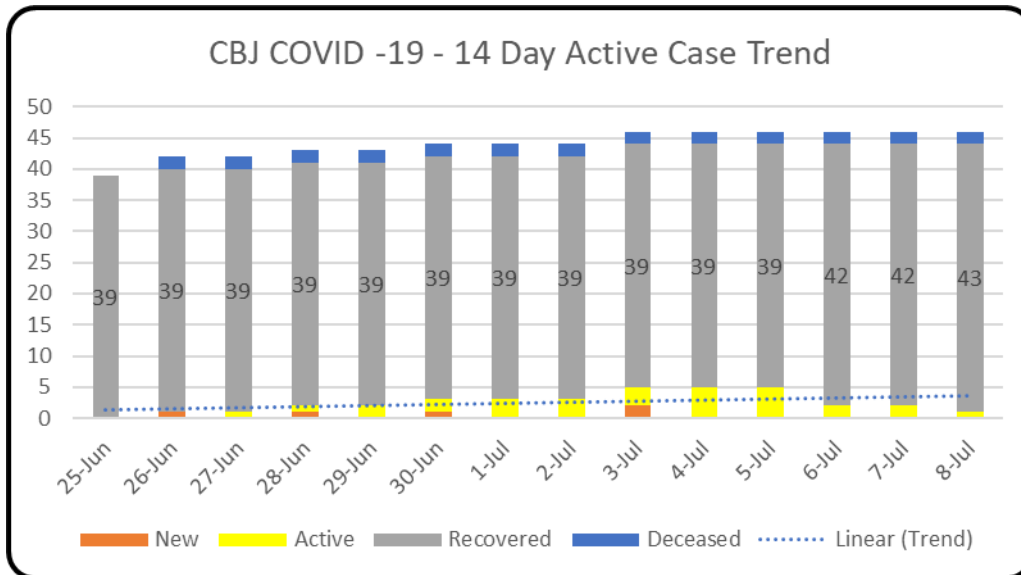
BRH reports adequate supply of PPE and no concerns related to workforce availability.

Issues of Note:

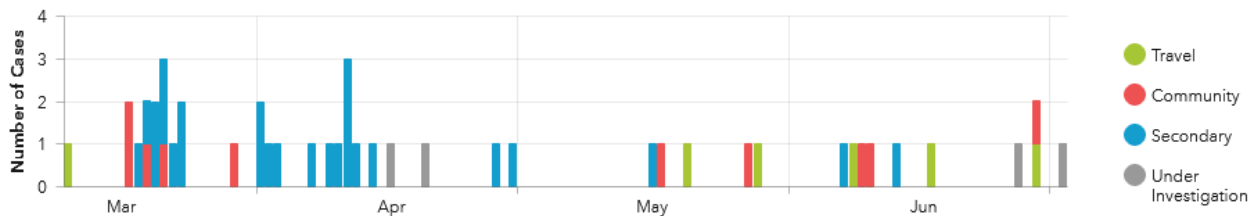
The EOC focus today has been on planning for the COVID-19 hotline transition as well as continued planning for local testing.

Numbers changed from yesterday are highlighted.

Category	Juneau		Statewide
Total Confirmed resident cases	46		1,226 (40+)
Recovered/Active resident	43	1	560 (8+)
Cumulative Tests & % of population tested	5,202	16%	133,374 (1,954+)
Average # of tests per day over the last 14 days	117.50	Up	
Positive tests over the last 14 days (# and % of positive)	4	0.24%	
DPH PUIs	47	Up	
Nonresident (Total positive/recovered or no longer in Juneau)	6	5	248 (7+)
Hospitalized COVID +	0		30 (5+)
Ventilated Patients	0		
Fatalities	2		17



Acquisition of COVID-19



Positive cases are back dated by the Division of Public Health during their contact tracing phase to the day of onset of COVID-19 symptoms. CBJ & DHSS Dashboards which can be found at: www.Juneau.org/COVID-19

Wednesday Focus – BRH and JSD Operations

BRH reports that they are continuing to demobilize COVID related activities and return to normal operations, to the extent that they will be able to rapidly re-mobilize should there be demand. BRH has also made progress in their efforts to stand up RRC and expects to re-open RRC on August 1st. They will have an in-house capacity of 6 instead of the usual 16, but have received approval to provide partial-hospitalization services to additional 20 individuals off-site.

JSD reports continued work on their Smart Start 2020 plan, to include weekly community updates, likely on Fridays, and additional public meetings.