

THE CITY AND BOROUGH OF JUNEAU, ALASKA
Meeting Minutes - March 26, 2020

MEETING NO. 2020-12: The Special Meeting of the City and Borough of Juneau Assembly held in the Assembly Chambers of the Municipal Building, was called to order at 6:00 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

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

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, City Attorney Robert Palmer, Library Director Robert Barr, Covid-19 Communication Specialist Felicity Toney.

II. APPROVAL OF AGENDA *There being no objection and no changes, the agenda was approved as presented.*

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Philip Moser, a resident of the Mendenhall Valley area, expressed his concern about the campground ordinance that is on the agenda for consideration. Mr. Moser asked about city's potential for liability or the indemnification of the city under the current declaration of emergency.

IV. AGENDA TOPICS

Resolution 2887 A Resolution Repealing Resolution 2883(am) and Temporarily Amending Resolution 2862 Related to the Assembly Rules of Procedure and COVID-19.

State of Alaska Health Mandate 9, issued on March 23, prohibits gathering of ten or more people. This resolution amends the Assembly Rules of Procedure to comply with Mandate 9. Members of the public are encouraged to provide comments in writing and follow any meeting remotely.

The City Manager recommends the Assembly adopt this resolution.

Public Comment:

None.

MOTION by Mr. Bryson for the Assembly to adopt Resolution 2887 and asked for unanimous consent.

Objection by Mr. Jones.

Mr. Jones said that he is not going to support this resolution. Mr. Jones expressed his concern about the last sentence in Section 2(A) that states “If the Mayor chooses to participate via telephone, the Deputy Mayor shall preside.” and that if everyone was present in the meeting electronically that this sentence did not make any sense.

Members then discussed whether the Mayor would be required to be present in the room or not.

Amendment 1. by Ms. Gladziszewski to amend Resolution 2887 by deleting the last sentence in Section 2 A.

Hearing no objection, Amendment 1 passed by unanimous consent.

Mayor Weldon then passed the gavel to Deputy Mayor Gladziszewski for purposes of making a motion.

Amendment 2. by Mayor Weldon to amend Resolution 2887 Section 3. Rule 18. A. “Public Seating Area.” to insert the words “unless amended” following “Consistent with Alaska Health Mandate 9 (issued March 23, 2020)”

Mayor Weldon noted that she had conversations with the Governor’s Office about this issue and with the City Attorney and this amendment would cause that sentence to read “Consistent with Alaska Health Mandate 9 (Issued March 23, 2020), unless amended, no more than 10 people are allowed in the meeting area.

Hearing no objection, Amendment 2 passed by unanimous consent.

Roll Call Vote on Main Motion as Amended

Yeas: Bryson, Edwardson, Gladziszewski, Hale, Hughes-Skandijs, Smith, Triem, Weldon

Nays: Jones

Motion carried 8:1

Resolution 2887 was adopted as amended.

C. Emergency Ordinance 2020-17 An Emergency Ordinance Authorizing the Manager to Execute a Campground Lease Agreement with AJT Mining Properties, Inc.

The CBJ has been planning to relocate the Thane Campground to a better location. However, COVID-19 pandemic has created an emergency for the campground now. People experiencing homelessness need another option other than the emergency shelter. This ordinance would authorize the Manager to sign a lease with an indemnification clause, so people experiencing homelessness can camp closer to services instead of staying at the emergency shelter. CBJ Charter 9.13 prohibits the CBJ from executing contracts with an indemnification clause unless the Assembly authorizes it by ordinance.

The emergency ordinance is justified because the CBJ anticipates it will need immediate access to a campground location near downtown to minimize spread of COVID-19 in the emergency shelters. CBJ Charter 5.4 authorizes the Assembly to adopt an emergency ordinance at the meeting in which it is presented if at least six Assemblymember vote in favor.

An emergency ordinance can only last 180 days. Because the lease contemplated for this campground could be in effect for longer than 180 days, a companion regular ordinance will be presented within 180 days.

The topic of the campground moving to this location was heard by the Parks and Recreation Advisory Committee at its meeting on March 2 and the Lands Committee on March 3, 2020.

The City Manager recommends the Assembly adopt this ordinance.

Ms. McEwen noted that Parks and Recreation Deputy Manager Michele Elfers was available on the phone to answer any questions if she was needed.

MOTION by Ms. Triem to adopt Ordinance 2020-17, and asked for unanimous consent.

Objection by Mr. Jones, with questions regarding inclusion of an Indemnity Clause in the lease.

Mr. Palmer responded. A companion ordinance is anticipated to be introduced at April 6 meeting, and will also include authorization by Assembly giving the Manager ability to sign a lease which includes an indemnity clause, as required by City Charter. Mr. Palmer clarified that an emergency ordinance is needed to allow for one meeting adoption of an ordinance, and is not related to the indemnification clause. A companion ordinance is needed because use of campground is anticipated to extend beyond 180 day limit of the emergency ordinance.

Mr. Jones requested Mr. Palmer respond to Phillip Moser's public comments made at start of meeting. Mr. Palmer thanked Mr. Moser's close reading of packet, and agreed that CBJ does offer indemnification of private property provided free to the city, for use during an emergency. AJT Mining Properties' requires indemnification be expressly included in terms of lease.

Mr. Bryson recommended signage be made at site notifying limits of indemnification. Mr. Bryson questioned the new location of camp.

Mr. Watt responded that the new location was identified prior to the current emergency situation, and is needed due to safety concerns and inability to manage the previous location. City staff, the property owner, and homeless advocates worked to identify a location which allowed for increased supervision. This new location has a recommendation from the Lands Committee to move forward in the public process.

Ms. Hughes-Skandijs questioned the need to open camp at this time, with consideration for other shelter that has been stood up. Mr. Watt stated this is close to normal time to open the seasonal campground, but they are moving a little faster because of social distancing guidelines of Centers for Disease Control and the State.

Roll Call Vote

Yeas: Bryson, Edwardson, Gladziszewski, Hale, Hughes-Skandijs, Smith, Triem, Weldon

Nays: Jones.

Motion passed 8:1.

D. COVID-19 Update and Actions

Emergency Operations Center (EOC) Update

Incident Commander Mila Cosgrove provided information on many areas of operation. She gave a brief overview of cases: 3 confirmed cases in Juneau, the case identified on March 26 was identified as “close contact” of someone who had previously tested positive. There were 10 new cases reported in Alaska, including the Juneau case, bringing the statewide total to 69. Ms. Cosgrove shared the resource of the Alaska State Department of Health and Social Services’ (DHSS) website which provides description of where cases are across state, how they are distributed, and how public health believes the cases have been contracted. DHSS Public Health will be available to speak at the next Assembly meeting.

Highlights of EOC:

CBJ Section Chiefs met March 26 to ensure continuity and coordination of activities and communication. They are working towards completion of the Incident and Action Plan for Operational Period 3, starting March 27 at 1:30 p.m. Issues in Critical Path at this time include: Quarantine and Isolation facilities across all population groups; Childcare support for essential employees; feeding support for those in quarantine and isolation activities.

Childcare Task Force is meeting and includes staff from CBJ, Juneau School District (JSD), Bartlett Regional Hospital (BRH) and Early Childhood Education community to ensure needs are met. Preference will be given to first responders and hospital medical staff.

Capital Transit buses are now limited to 9 passengers to ensure social distancing, effective March 26. Routes are being modified to ensure good coverage. Frequent cleaning of buses is occurring.

Juneau Airport Screening: 54 passengers have been screened. DHSS declaration forms, with notification to travelers of 14 day mandatory quarantine in compliance with Governor’s mandate, are being collected by CBJ staff from passengers entering Alaska from out of state. These are being submitted to DHSS. Online reporting is being developed which will likely require some modification of operations. Alaska Airlines is reducing flights by 70% overall. Juneau specific details are not available at this time. Voluntary compliance with screening is fairly high.

Mr. Watt provided updated State Mandate FAQ guidance which specifies a person is to Quarantine at final destination.

Mobile screening: 27 people called the Hotline, 11 drive-through tests were conducted, community para-medicine outreach contacted and tested 4 people at-home. Testing was made subsequent to screening via Call center.

Juneau Arts and Culture Center (JACC) housed 35 clients on the night of March 25. Custodial services are being provided by JSD.

The Task Force on Quarantine/ Isolation has been operationalized. Facilities have been identified and are being prioritized for standing up, with staffing and accommodation requirements being identified.

The ferry Tazlina arrived with 4 passengers reported arriving from Hoonah. All future ferries will be met by CBJ staff and passengers will be offered screenings. Screening capacity will be evaluated as information is gathered.

The Volunteers/ Community Coordination Task Force received press coverage on March 26. The following information was provided to Ms. Cosgrove by Ms. Nigro. 50 people contacted the task force to volunteer. 14 connections were made. An additional 5 people have offered assistance with airport screening efforts. 3 additional people sought and were connected with services. Capital Canvas offered to assist with gown production. Strong efforts are being made to coordinate and not duplicate assistance efforts in our community.

Coordinating efforts with Chamber of Commerce and Glory Hall Board (Mr. Dunn) are being made for seasonal campground construction needs.

Medivac availability clarification – both Anchorage and Seattle are still accepting patients, COVID-19 and otherwise.

CBJ Operations:

Incident Commander Cosgrove reported on Federal Family First Coronavirus Response 2020 Congressional Act leave provisions that are being prepared for operations, subsequent to passage on March 18, effective April 1. CBJ is required to participate, being a governmental entity. CBJ/BRH chose to include coverage of 1st responders and medical staff as reasonable and fair, to provide equal employee access. Act provides expansion of Family Medical Act Leave for variety of reasons. Not full paid leave, up to 200 days, capped at \$10,000. Additionally, up to 80 hours of additional Emergency paid sick leave is required by the Act, with varying requirements and thresholds. Under both programs, employees will be allowed to use own approved leave to make themselves whole. Mr. Hargrave is working with unions to ensure they understand CBJ implementation of provisions.

Ms. Cosgrove provided the following information in response to Ms. Gladziszewski's question of what help is needed and how to help. Points of contact are CBJ Website www.juneau.org COVID-19 Volunteer, Donate & Assistance (preferred) or 907-500-0771 (normal operating hours.)

Mr. Watt reported on Communications Team/Public Information Office (PIO.) There is coordinated "Hunker Down" messaging with BRH PIO, reinforcing the message of Alaska State Chief Medical Officer Dr. Zink and Governor's office. There is good voluntary compliance with philosophical intent. Future efforts will focus on communication with younger populations to ensure they are aware they can get and spread the disease, utilizing a variety of social media platforms (Facebook, Instagram, Twitter, Snapchat.) Economic issues will also be addressed cohesively on federal, state and local levels with the message "Help is on the way – in support of Hunkering Down."

Mr. Smith asked that additional visual indicators or other methods be explored to communicate to people who are not listening to the radio, or on social media. Incident Commander Cosgrove agreed that playgrounds are still a concern. Playground “closure” is not enforceable. They are strengthening the message that playgrounds are not being cleaned, and encouraging people to choose different activities or clean the equipment themselves. She added that “Hunker Down” informational mailers will be sent to all residences.

Ms. Hale expressed her great appreciation for the speed and effectiveness of work that is being done to communicate the message.

Ms. Gladziszewski requested modifying the message to “Physical Distancing, Social Connections” from “Social Distancing” based on World Health Organization’s recommendation and research that demonstrates communities with strong social connections have more positive outcomes in emergency situations.

Incident Commander Cosgrove add that a public education campaign is being provided at locations serving the unsheltered.

Mr. Jones clarified meaning of words “Quarantine” and “Isolation” and wanted to make sure EOC integrates possible implications of legal rights and needs at various facilities being stood up. He relayed that United States Coast Guard (USCG) transfers are on hold, as may be other Federal agencies, and wondered how this may impact a variety of situations. Mr. Jones inquired about the impact on childcare availability and needs under the rules, and how may this affect childcare funding needs as previously identified.

Ms. Cosgrove stated that Personal Protective Equipment (PPE) expense support may be provided to small businesses depending on their role in emergency response, as determined by EOC.

Mayor Weldon called for recess from 7:08 p.m. – 7: 23 p.m.
Role Call confirmed all Assembly Members present.

Mayor Weldon accepted testimony from Ms. Michelle Howard, member of the public, participating remotely. Ms. Howard expressed concern regarding non-compliance of social distancing and feeling at risk of exposure. Incident Commander Cosgrove responded with efforts EOC is making to the situation. Mayor Weldon added a reminder of assistance that is available through the volunteer program.

NON-AGENDA ITEM:

MOTION by Mr. Smith requesting the Assembly send a letter urging the Governor to implement additional policies and procedures to minimize risk of transmission of COVID-19 in State facilities and maximize number of people working from home.

Discussion ensued. Concern was expressed that not all offices of State Departments/Divisions were applying “Hunker Down” message and Governor’s Health Mandate guidelines consistently, particularly regarding social distancing and work from home options. Mr. Bryson stated

opposition due to points of order in motion. Mr. Palmer determined there is no conflict of interest. Multiple Assemblymembers expressed the importance of using diplomatic language and positive tone in the letter.

Roll Call Vote

Yeas: Edwardson, Gladyszewski, Hale, Hughes-Skandij, Smith, Triem, Weldon

Nays: Bryson and Jones.

Motion passed 7:2.

Mayor Weldon asked Mr. Palmer to address any possible conflict of interest regarding Assemblymembers who are State employees. Mr. Palmer explained that the code provides for an exemption of potential conflicts of interest of an individual, which allows them to vote on an issue, when there are a significant number of employees in that group, i.e. number of State employees in Juneau.

Economic Assistance Options:

At Mayor Weldon's request, Mr. Palmer asked Assemblymembers to speak with him individually regarding potential conflicts with future Assembly actions, particularly regarding Economic Assistance options, i.e. small business loans and business owner, mortgage assistance and homeowner, rental assistance and landlord/renter, etc.

Economic Assistance Option 1

Ms. Triem began with a graph of increased Unemployment Insurance (UI) claims, illustrating the immense economic impact COVID-19 is having. Given the fact that local governments can move more quickly than state or federal agencies, on behalf of her working group, Ms. Triem suggests CBJ creates Small Business Relief Loan program, conceptually creating a bridge between SBA money and meeting immediate needs for items such as payroll. She suggests modeling this on a similar program used after the 2008 avalanche. These would be low interest, short-term (24-30 months) loans, with cap limits linked to business size. Loans would be limited to small businesses, located in Juneau, with one loan per business. One requirement would be that business must make good-faith effort to maintain payroll. No collateral would be required, and a stream-lined application process would be established to achieve goal of getting money distributed quickly.

This program is based on the assumption that if workers are paid, their future assistance needs will be reduced.

Ms. Triem has spoken with director of Alaska Business Development Center who has been in contact with Washington congressional delegation to clarify that local assistance would not jeopardize SBA eligibility.

Mr. Watt shared the Public Purpose clause of Constitution, that everything a government does must have a public purpose. Protecting and supporting local businesses is a public purpose. There are numerous government programs that demonstrate this. Local businesses generate employment and economic wealth, and a loan program at this point would qualify as such a purpose and is in the public interest.

No total cost is yet identified, but it is understood the demand for assistance will be large. Mr. Edwardson expressed a need to proceed with caution, BRH's potential economic needs may be very large.

Gratitude was repeatedly expressed to Ms. Triem, Mayor Weldon and the others that worked to create and present this program.

Other suggestions, concerns and information were shared, including; evaluating payroll needs as percentage of profits; businesses that have closed will need a different mechanism to help restart and will have increased needs. Is there some other mechanism that could work for businesses that operate on such narrow margins they can't add debt load, but do want to survive? Suggestion was made to explore Sales Tax forgiveness or rebate as future possibilities. Juneau businesses' cash flow cycle ends in March, so most have no reserves at this time. Every business that closes is a Sales Tax resource lost. Will private practices and non-profits be eligible?

Economic Assistance Option 2

Mr. Bryson suggested returning summer fees collected that city will not be rendering services for this season i.e. Waterfront sales booths. Ms. Cosgrove has spoken with Mr. Uchytel and Docks and Harbors is working on this.

Mr. Bryson discussed Rental Assistance with Mr. Ciambor, and suggests utilizing Gruening Park's existing rental assistance program, with a suggested funding level of \$500,000, to cover two months' rent.

Mr. Bryson recommended a Sales Tax due date extension – extension of 15 days for March 31, 2020 bills due, and waive penalties for 2 weeks to allow business owners to return to their workplaces and prepare this information. Mr. Rogers' guidance is needed on this.

Mr. Bryson suggested offering Mortgage Relief for up to \$800-\$1000 per mortgage, potentially linking relief to size of mortgage.

Mr. Bryson suggested giving \$100 credit off everyone's April 1 Water/Wastewater bill. This suggestion needs to be explored with CBJ Utilities department.

Rent or Mortgage relief from the Affordable Housing fund was also mentioned.

Mayor Weldon said she will establish a Task Force to continue development of Economic Assistance options, since many more details are needed.

Ms. Cosgrove added that the EOC has been boarding up economic relief under their control and will bring a list of what has already been done. Mr. Rogers and Finance staff are investigating the Federal Economic Relief information available.

E. Ordinance 2020-15: An Ordinance Amending the Continuity of Government Code to Improve City and Borough of Juneau Procedures for Emergencies.

A continuity of government code was created in 1962 during the height of the Cuban Missile Crisis when communities were concerned about physical attacks. While the underlying concepts in the continuity of government code remain relevant today—like designation of successors for certain municipal officers—some code provisions are outdated. This ordinance would modernize

the continuity of government code to provide the current form of City & Borough of Juneau government better code authority to deal with emergencies other than physical attacks.

This ordinance was heard at the March 13, 2020, Assembly Human Resources Committee and referred to this meeting for further review.

The City Manager recommends the Assembly set this ordinance for introduction at the next regular or special Assembly meeting.

MOTION by Ms. Gladziszewski, the Ordinance 2020-15 be introduced at this time and set for public hearing and Assembly action at the Assembly meeting of April 13. *Hearing no objection, the motion passed by unanimous consent.*

F. Ordinance 2020-16: An Ordinance Amending the Civil Defense Code to Improve City and Borough of Juneau Procedures for Emergencies.

Chapter 03.25 was originally created in 1967. This ordinance would amend Chapter 03.25, the Civil Defense Organization chapter to be consistent with current emergency management practices.

This ordinance was heard at the March 13, 2020 Assembly Human Resources Committee and referred to this meeting for further review.

The City Manager recommends the Assembly set this ordinance for introduction at the next regular or special Assembly meeting.

MOTION by Ms. Gladziszewski, the Ordinance 2020-16 be introduced at this time and set for public hearing and Assembly action at the Assembly meeting of April 13. *Hearing no objection, the motion passed by unanimous consent.*

OTHER ITEMS

Mr. Watt reminded everyone to participate in the Census on-line at www.2020census.gov. Mailed information is not necessary for access. Ms. Cosgrove and Ms. Triem recommend it as a fun social (distance) activity. Alaska's return rate is currently low as enumerators have been delayed from initiating field work due to health risk.

Mr. Watt stated the Manager's Budget is nearing completion and will be presented at the next Assembly Finance Committee (AFC) meeting on Wednesday, April 1. This will be a challenging budget season.

MOTION by Mr. Bryson, following on the previous discussion, to postpone the date for February Sales taxes that are currently due from March 31, to April 15 and asked for unanimous consent. Mr. Rogers stated this is an appropriate minor delay and would have no negative impact. *Hearing no objection, the motion passed by unanimous consent.*

A disclaimer was made by City Clerk McEwan, in response to using FaceBook Live for Assembly meetings. They have launched and tested closed captioning services in addition to providing sign language interpretation. Press releases have been sent out with instructions for participating through new telephonic participation by the public. She asked for forbearance through this transition, and the challenges faced to make existing City Hall technology work with these new systems.

City offices will be closed for Seward's Day holiday on Monday, March 30. There will be no meeting on Monday. Except for Docks and Harbors Board meeting at 5:00 which was displaced by this Special Assembly meeting.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting was adjourned at 8:56 p.m.

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

Signed: _____
Elizabeth J. McEwan, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor