

Presented by: AFC  
Presented: 10/01/2020  
Drafted by: R. Palmer III

## **RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

### **Emergency Appropriation Resolution Serial No. 2910(b)**

#### **An Emergency Appropriation Resolution Appropriating up to \$175,000 to the Manager for a Grant to the Greater Juneau Chamber of Commerce to Administer a COVID-19 Detection Platform; Funding Provided by the CARES Act Special Revenue Fund.**

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 an emergency appropriation upon approval by all Assemblymembers present or by seven of its membership, whichever is the lesser number; and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization 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, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19 and continues to have multiple COVID-19 cases weekly; and

WHEREAS, some local businesses have expressed a willingness to participate in a COVID-19 volunteer pilot program to detect and mitigate the spread of COVID-19 through testing, screening, and monitoring COVID-19 at their businesses and to assess the effectiveness and costs of such a program; and



Center community mitigation strategies remain eligible for this program during their period of closure.

- (3) Participating employees must be located in Juneau, Alaska, but a de minimis number of employees may be based outside of Juneau, Alaska. Employees must consent in writing to participate in the program.
- (d) **Confidentiality.** Except as provided in this resolution, all personal information submitted for detecting and tracking COVID-19 in this program is confidential except for inspection by:
- (1) State of Alaska employees and agents, like the employees with the Department of Health and Social Services, whose job responsibilities are directly related to managing COVID-19;
  - (2) The Incident Commander and Planning Section Chief of the City and Borough of Juneau Emergency Operation Center whose job responsibilities are directly related to managing COVID-19;
  - (3) The business owner;
  - (4) An employee for that employee's information; and
  - (5) Court order.

All personal information obtained by the State of Alaska, the CBJ Incident Commander, and CBJ Planning Section Chief, is generally protected from further public disclosure pursuant to the Alaska Public Records Act and the Alaska Constitution's Right to Privacy. A.S. 40.25.120(a)(3); Alaska Const. art. I, § 22. However, nothing in this resolution shall be construed to provide confidentiality to the name of the participating businesses or summary information. Additionally, the Incident Commander for the City and Borough of Juneau Emergency Operations Center is also authorized to release information from this program when necessary for public health purposes, like to prevent or mitigate spread of a COVID-19 positive case from a participating business. *E.g.*, 45 C.F.R. 164.512(b)(1)(iv) (HIPAA Privacy Rule exemption for communicable diseases); 7 AAC 27.903 (Permitted disclosures during a federal or state declared public health disaster emergency).

Participating businesses and employees should know that while the confidentiality protections of this provision apply as stated, Kallaco LLC has its own privacy policy, which may include disclosure of personal information unless participants opt out specifically with Kallaco LLC and its affiliates.

- (e) **Priority.** Businesses interested in seeking reimbursement for eligible costs should consult with the Grant Administrator for available funds. The Grant Administrator shall reimburse eligible receipts on a first-come, first-served basis. No more than three implementation licenses may be reimbursed by the Grant Administrator without additional direction from the Manager.

**Section 4. Effective Date.** This resolution shall become effective upon adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2020.

Attest:

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Beth A. Weldon, Mayor

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Elizabeth J. McEwen, Municipal Clerk