

Presented by: Hale  
Presented: 08/24/2020  
Drafted by: R. Palmer III

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-43

### **An Ordinance Appropriating up to \$500,000 to the Manager for a COVID-19 Juneau ArtWorks Grant Program; Funding Provided by the CARES Act Special Revenue Fund.**

WHEREAS, the Economic Stabilization Task Force recommended that the Assembly consider a COVID-19 Juneau ArtWorks Program to support artists suffering interruptions due to COVID-19; and

WHEREAS, on April 9, 2020, the Centers for Disease Control and Prevention (CDC) renewed the No Sail Order and Other Measures related to cruise ships to prohibit certain cruise ships from transporting passengers to ports in the United States; and

WHEREAS, since early March, 2020, the State of Alaska issued COVID-19 Health Mandates that reasonably restricted travel, gatherings, close personal interactions, schools, and medical and dental procedures; and

WHEREAS, since early March 2020, the Assembly issued COVID-19 directions regarding travel quarantines (Res. 2886), hunkering down (Res. 2885), and cloth face coverings (Res. 2890); and

WHEREAS, the public health mandates and directions protected the health of the people in the City and Borough of Juneau and nearby communities; and

WHEREAS, many of the workers in the creative sector are sole proprietors or are dependent on gig work; and

WHEREAS, COVID-19 caused severe economic harm to artists in the City and Borough of Juneau because people were encouraged to hunker down, businesses and venues were mandated to close or severely limit operations, and nearly all of the forecasted cruise ship tourism has been canceled; and

WHEREAS, in the spirit of the Work Projects Administration of the 1930s, this program delivers funding to artists who have lost gigs, had contracts or events cancelled, been laid off, or have otherwise been put in a vulnerable position due to the necessary restrictions to control the COVID-19 pandemic; and

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

WHEREAS, the COVID-19 Juneau ArtWorks Program is being created by this ordinance and program expenses were not accounted for in the FY20 budget; and

WHEREAS, the COVID-19 Juneau ArtWorks 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. Appropriation.** There is appropriated to the Manager the sum of three hundred thousand dollars (\$300,000.00) for the COVID-19 Juneau ArtWorks Program to be granted to the Juneau Arts and Humanities Council (Grant Administrator) and used consistent with this ordinance. This is an appropriation for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

**Section 3. Source of Funds:**

CARES Act Special Revenue Fund	\$300,000.00
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**Section 4. COVID-19 Juneau ArtWorks Program Terms.** The program is subject to the following terms and conditions:

- (a) **Administration.** The Manager is authorized to execute a grant agreement with the Grant Administrator for disbursement of COVID-19 Juneau ArtWorks Program funds. The Grant Administrator is responsible for assuring the program funds are disbursed only to eligible artists. The Grant Administrator shall be provided a reasonable administration fee of 12% of the grant, which shall be deducted from the grant. The Grant Administrator shall provide the Manager with program status reports at reasonable intervals. The Manager shall provide updates to the Finance Committee or Assembly. The Grant Administrator shall return all unencumbered monies existing on November 1, 2020, promptly back to the City and Borough of Juneau.
- (b) **Eligible artists.** In the spirit of the Work Projects Administration of the 1930s, this program is only for artists who have lost gigs, had contracts or events cancelled, been laid off, or have otherwise been put in a financially vulnerable position due to the necessary restrictions to control the COVID-19 pandemic. An artist must affirm that their finances have been significantly harmed because of COVID-19.
- (c) **Assertion of need.** An applicant shall disclose if the applicant has applied for or received any other grant or forgivable loan. An applicant that has received any other grant or forgivable loan must provide satisfactory documentation that a Juneau ArtWorks grant is still necessary to sustain artist operations. An applicant that applied

for or received any other CARES Act funding from the CBJ may be eligible if the combined CBJ grant amounts do not exceed the amount the entity is eligible for under this program.

- (d) **Sales and property tax compliance.** An artist with any sales or property tax delinquency as of March 1, 2020, is not eligible for a grant. However, an artist that first executes a confession of judgment with the City and Borough of Juneau for all outstanding sales taxes debts is eligible for this program. An artist that is fully compliant with a confession of judgment payment plan is also eligible.
- (e) **Application.** The Grant Administrator should create a simplified application process to make the funds accessible to artists quickly. Grant awards constitute commissions for artworks in any media, including visual artworks, live performances, written artworks, and recorded artworks. The Grant Administrator shall determine the required timeline for completion of artworks, but it is the intention that funds are distributed when grant applications are selected, rather than when proposed artworks are complete. The Grant Administrator must field a panel representing the spectrum of the community to adjudicate the applications for selection. Selection criteria will place priority on those artists or groups of artists for whom other funding has not been forthcoming, projects that engage the greatest number of unemployed or underemployed creative workers, projects that result in lasting benefit for the community, and projects that capture the zeitgeist of the COVID-19 public health emergency.
- (f) **Ownership of work.** Ownership of the artwork may be negotiated according to the type of artwork it is, but the presumption is the artwork belongs to the City and Borough of Juneau or another public entity.
- (g) **Exceptions.** The Grant Administrator, after receiving direction from the Manager or designee, has the authority to make reasonable exceptions that match the intent of this grant program.

**Section 5. Effective Date.** This ordinance shall become effective upon adoption.

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

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Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk