

Presented by: The Manager
Presented: 8/6/2024
Drafted by: Sherri Layne

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 3071

**A Resolution of the City and Borough of Juneau Declaring a Local
Emergency in Response to the August 2024 Glacier Outburst Flood and
a Request for State and Federal Assistance.**

WHEREAS, the City and Borough of Juneau ("CBJ") is a political subdivision of the State of Alaska; and

WHEREAS, a side basin (Suicide Basin or K'óox Kaadí Basin) of the Mendenhall Glacier above Juneau, Alaska, has released outburst floods (also known as jökulhlaups) since 2011, with record flood events in August 2023 (14.82' preliminary crest on Mendenhall River) and now August 2024 (15.99' preliminary crest on Mendenhall River); and

WHEREAS, the August 2023 glacier outburst flood caused unprecedented damage (at that time) along the Mendenhall River, resulting in 20 to 150 feet of riverbank erosion in many places, the collapse of residences into the river, and major flooding in multiple areas with some homes inundated by over six feet of water; and

WHEREAS, the total damage from the August 2023 glacier outburst flood is still being calculated and is expected to be in the millions of dollars; and

WHEREAS, after a glacier outburst flood that started on August 5, 2024, the CBJ sustained unprecedented damage to public infrastructure and private property; and

WHEREAS, the CBJ City Manager is the chief administrative officer, who reports to the Assembly (CBJ Charter 4.1 & 4.5); and

WHEREAS, the governing body of the CBJ is the Assembly, which has the legislative and policy-making powers (CBJ Charter 3.1), and the CBJ Mayor is the presiding officer with special powers in emergencies; and

WHEREAS, CBJ Charter 3.12(c) specifically allows the Assembly to call for a Special Assembly Meeting to declare an emergency without the normal 24-hour notice ("A special meeting at which a state of emergency is declared and identified by the assembly shall be a

40 legal meeting although proper notice may not have been given of the meeting.”), *see also*
41 CBJ Charter 5.4; and

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43 WHEREAS, pursuant to CBJC 03.25.040(a) and A.S. 26.23.140, the declaration of the
44 existence of a local emergency may be made by the CBJ City Manager and confirmed by the
45 CBJ Assembly; and

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47 WHEREAS, the following conditions exist: the extent of flooding is unprecedented;
48 hundreds of homes were severely impacted by flooding, including homes outside anticipated
49 flood areas; hundreds of vehicles were flooded; there were countless hazardous material
50 spills causing portions of the Mendenhall River and floodwaters to smell like petroleum; 43
51 people sought refuge in an emergency shelter and countless others evacuated to other
52 locations; public utilities and infrastructure were severely damaged; comprehensive damage
53 and condemnation assessments are underway, but the extent and severity of the flooding for
54 a large portion of the CBJ’s primary residential area is likely to displace hundreds of people
55 from their homes due to water and subsequent mold damage; and emergency response costs
56 are significant; and

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58 WHEREAS, given the severity and magnitude of the damage caused by the flooding,
59 State and Federal assistance is needed to supplement local efforts to respond to and recover
60 from the August 2024 glacier outburst flood; and

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62 WHEREAS, the CBJ requests the Governor of the State of Alaska declare a disaster
63 emergency and provide State assistance to the City and Borough in its response and
64 recovery from damages and costs resulting from this natural disaster; and

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66 WHEREAS, the Assembly authorizes the Manager to implement any orders necessary
67 to protect the health and safety of the residents of the CBJ, including closing streets, foot
68 bridges, and trails; and

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70 WHEREAS, the Assembly further authorizes the Manager to allow emergency
71 permitting and waivers under Title 19, Title 49, and Title 75 as it is reasonable and
72 necessary to protect life and property, upon balancing the public health, safety, and welfare;
73 and

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75 WHEREAS, the Assembly requests the Governor of the State of Alaska direct State
76 officials to allow emergency permitting and waivers to State laws for people, businesses, and
77 residences who need to take reasonable actions to protect life and property.

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

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82 **Section 1. Local Emergency Declaration.** The CBJ Manager and Assembly of
83 the City and Borough of Juneau declare a disaster emergency to exist within the City and
84 Borough of Juneau per CBJ Charter 3.12(c), CBJC 03.25.040(a), A.S. 26.23.140. A copy of
85 this Resolution shall be filed promptly with the Alaska Division of Homeland Security and
86 Emergency Management.

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88 **Section 2. Reasonable and Necessary Emergency Orders.** Consistent with
89 CBJC 03.25.040(6) and CBJC 03.25.090, the Assembly authorizes the Manager to
90 implement any reasonable emergency orders necessary to protect the health, safety, or
91 welfare of the residents of the CBJ including closing streets, foot bridges, and trails, issuing
92 evacuation orders, and regulating activity on or near Mendenhall River; and to allow
93 emergency permitting and waivers under Title 19 and Title 49 as it is reasonable and
94 necessary to protect life and property, upon balancing the public health, safety, and welfare.

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96 **Section 3. Request for State and Federal Assistance.** The City and Borough
97 of Juneau requests that the Governor of the State of Alaska declare a Local Disaster
98 Emergency to exist as provided per A.S. 26.23.140, to provide State public assistance and
99 individual assistance as may be available, assistance with emergency permitting within and
100 near Mendenhall River, and to request additional assistance from the federal government.

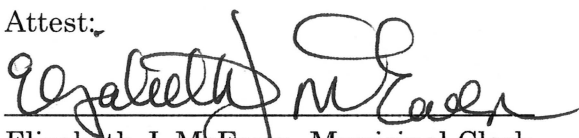
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102 **Section 4. Effective Date.** This resolution shall be effective immediately after
103 its adoption.

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105 Adopted this 6th day of August 2024.

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109 Beth A. Weldon, Mayor

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113 Katie Koester, City Manager

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115 Attest:

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118 Elizabeth J. McEwen, Municipal Clerk