

# **CBJ BOARDS, COMMITTEES & COMMISSIONS INFORMATIONAL PAMPHLET**



**Version 2017-01**

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Greetings!

Thank you for taking the time to read through and understand your role as a boardmember, staff liaison, or Assemblymember as found within the pages of this most recent update of the CBJ Board Informational Pamphlet – Version 2017-01.

Hopefully you will find this pamphlet a helpful document during your service as a CBJ Boardmember, staff liaison, or Assemblymember. The main changes in this pamphlet from previous versions include:

- New language regarding “Steering Committees” found on page 6;
- New section on Public Records - CBJ emails for Planning Commission and Enterprise Boardmembers found on page 13 and in the new Appendix F;
- Revised Appendix A: Replacing Assembly Rules of Procedure Resolution 2550 with Resolution 2781; and
- Updated Instructions in Appendix D: “How to Calendar CBJ Meetings.”

A good portion of my job responsibilities include working with the 30+ CBJ boards and commissions and I am happy to answer any questions you might have. Clerk’s staff is also available to provide training at CBJ board meetings and/or retreats upon request as long as it fits within our other scheduled duties. Please feel free to call me directly at 586-0203 or send an email to [Beth.McEwen@juneau.org](mailto:Beth.McEwen@juneau.org) if I can be of any assistance/

Thank you again for your service to our community in your work with our boards!

Sincerely,

Beth McEwen, MMC  
Deputy Municipal Clerk

# CBJ BOARDS, COMMITTEES & COMMISSIONS INFORMATIONAL PAMPHLET

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# **EVERYTHING YOU EVER WANTED TO KNOW ABOUT BEING A CBJ BOARD MEMBER ... and more!**

## **I. INTRODUCTION**

This booklet is published by the City & Borough of Juneau (CBJ) Municipal Clerk's Office in order to help members of boards, committees, and commissions [hereafter referred to as "board members"] to understand what board membership entails. CBJ appreciates volunteers who give their time to facilitate interaction between the municipal government and the citizens it serves. This booklet is a general learning tool for CBJ board members and should be used for guidance purposes. Anyone with questions of a legal nature is encouraged to contact the City Attorney's Office at 586-5242. If you have questions about boards in general ask the City Clerk's staff 586-5278 or a staff liaison if one has been assigned to a particular board.

## **II. CITIZEN PARTICIPATION IN LOCAL GOVERNMENT**

Thank you for your willingness to join a CBJ Board. CBJ has approximately 35+ boards, committees, commissions, ad hoc task forces, and working groups which we will commonly refer to as "CBJ Boards." These boards provide a way for the public to participate in the City's decision making process by advising the Mayor and Assembly on numerous issues. In a democratic form of government, it is not only a right but a responsibility for citizens to help shape the community in which we live. This is realized when individuals come together across neighborhood, economic, social, and cultural lines to serve as board members, assisting our local government in making decisions that affect all the citizens within our community.

## **III. GENERAL CHECK LIST OF RESPONSIBILITIES OF ALL CBJ BOARDS**

**All CBJ Boards need to ensure the following responsibilities/ requirements are met:**

- 1) Adequate Public Notice of Board Meetings (See "Public Notice" pg. 6)**
- 2) A quorum is present for all meetings (See "Quorum" on pg. 2-3)**
- 3) Meetings are held in accordance to the Open Meetings Act (pg. 9 & Appendix C)**
- 4) Copies of Agendas, Minutes, and membership changes are sent to the Municipal Clerk's Office. (pg. 6-8 )**
- 5) Election of Officers is to be held annually following the meeting at which annual appointments to the board are made by the Assembly. (pg. 5)**
- 6) Annual Reports, which include attendance records for the previous 12-months, are presented to the Assembly Human Resources Committee (HRC) at the meeting during which the board's annual appointments are considered. (pg. 10-11 & Appendix B, page B4)**
- 7) Any fundraising by advisory boards are done in accordance with the policy and procedures contained within this booklet. (pg. 12)**
- 8) Public Records – Policy re: emails for Enterprise Boards & Planning Commission (pg. 13-14 & Appendix F)**

*"If you are planning for one year, grow rice. If you are planning for 20 years, grow trees.  
If you are planning for centuries, grow people." ~ Chinese Proverb*

#### IV. TYPES OF BOARDS, TERMS, & ACRONYMS

Here are some basic terms and acronyms used throughout this booklet.

1) **CBJ** stands for the City and Borough of Juneau, a home rule municipality. The Greater Juneau Borough unified with the Cities of Juneau and Douglas in 1970 to become the City and Borough of Juneau.

2) **Assembly Standing Committees:** The Assembly has five standing committees, the Committee of the Whole (COW), Finance Committee (AFC), Human Resources Committee (HRC), Lands Committee (LC), and the Public Works & Facilities Committee (PWFC). In addition to these standing committees, the Assembly may have special committees as deemed necessary. Duties and procedures are outlined in the Assembly Rules of Procedure. See **Appendix A section 5 (C)(2)** for the relationship between the Human Resources Committee and CBJ boards.

3) **Advisory Board** is a general term and includes those bodies which include in their title the word Board, Committee, Commission, or Council, and is a governmental body of the City and Borough of Juneau having authority to advise or make recommendations to the Assembly. **Advisory Boards do not have the authority to establish policies or make decisions for the Assembly nor to direct employees.** Advisory Boards are generally established by resolution and follow **Resolution 2686: The Advisory Board Rules of Procedure**.

4) **Ad Hoc Committees & Task Forces** are groups formed to complete an outlined task in a specified time frame. They are generally created by Mayoral declaration and/or Assembly Resolution and are subject to the same rules and requirements as an Advisory Board. They follow **Resolution 2686: The Advisory Board Rules of Procedure** for conduct of meetings.

5) **Appeal Boards:** there are a half dozen Assembly appointed Appeal Boards which serve in a quasi-judicial capacity to hear appeals on specific subjects. Appeal boards are generally created through CBJ Code and follow state statute, CBJ code sections, and bylaws and/or rules of procedure specific to their subject matter as well as the Advisory Board Rules of Procedure contained in this booklet.

#### 6) "Empowered," "Enterprise," and "Special" Boards:

The empowered boards are created through the City Charter. These are the Aquatics Board, Docks & Harbors Board, Airport Board, Hospital Board, and the Eaglecrest Ski Area Board commonly referred to as "Enterprise Boards." Each empowered board has its own unique set of laws, rules, and responsibilities based upon the portions of the CBJ charter, code, regulations, and the specific bylaws governing that particular body. "Enterprise Board" is another term often used interchangeably with "Empowered Board." The Planning Commission is unique and has duties set out in state law as well as CBJ code and as a "decision making body" is sometimes referred to as an "Empowered Board."

7) **Quorum** is the majority of the **membership** of a full body, not a majority of those present at a particular meeting. For purposes of determining quorum, **membership** constitutes the total number of seats on the body whether filled or vacant. For a body with eleven seats, six members shall constitute a quorum; eight or nine seats, five members shall constitute a



quorum; for a body with six or seven seats, four members shall constitute a quorum; for a body with four or five seats, three members shall constitute a quorum; for a body with three seats, two members shall constitute a quorum. Non-voting, ex-officio members, and staff liaisons do not count when determining the number of seats on a board for quorum purposes. When a liaison from another body is a full voting member of the group, such as the Planning Commissioners appointed as voting members on the Wetlands Review Board, their attendance, or lack thereof, does count when determining whether a quorum is present or not. ***A meeting must have a quorum as defined above in order to meet. If the meeting lacks a quorum, no business may take place and the only action allowed is to try to obtain a quorum or schedule a new meeting date/time/location and adjourn.***

**8) OMA** stands for Open Meetings Act - Alaska Statute AS44.62.310 (**see Appendix C**)

**9) Executive Session:** The Alaska Open Meetings Act statutes, AS 44.62.310, require meetings of governmental bodies to be open to the public and set out the rules for when, how, and what a body can do in executive session, when a meeting is closed to the general public. No private or closed meetings may be held except as provided in the OMA. (**See OMA- Appendix C**)

**10) Vacancy:** **Appendix B** defines “vacancies” as...

...Include vacancies in positions which have never been filled; vacancies caused by the vacation of a position by an incumbent for any reason prior to expiration of term of office; and vacancies which will occur at the expiration of an incumbent's term whether or not the incumbent has signified a desire to succeed him or herself.

A vacancy on a City & Borough advisory board shall exist under the following conditions:

- a) If a person appointed to membership fails to qualify and take office within 30 days of appointment;
- b) If a member departs from the City and Borough with the intent to remain away for a period of 90 or more days;
- c) If a member submits his or her resignation to the Assembly;
- d) If a member is unable to attend board meetings for a period of more than 90 days; or
- e) If a member misses more than 40 percent of the board meetings in a 12-month period.

[For empowered and special boards, each board has its own specific code language stating conditions and terms under which a vacancy occurs.]

**11) Attendance:** For purposes of determining a members' attendance, a person present at a meeting and/or participating in the meeting telephonically in accordance with the Assembly Rules of Procedure (see Appendix A) shall be counted as present. Any member not participating in person or telephonically shall be deemed as absent. Board members are deemed present or absent according to these guidelines; there are no excused vs. unexcused absences. A member may be removed from a board for lack of attendance as outlined in the **Vacancy** section listed above or found in their particular board's governing code.

A copy of the attendance list for the preceding twelve months shall be included as part of the annual report of the board to the Assembly Human Resources Committee, due at the time of the annual appointments for each individual board.

## **V. APPLICATION, APPOINTMENT OF MEMBERS, AND TERM LIMITS**

Applications are available at the City Clerk's Office and on the internet at [www.juneau.org/clerk/boards.php](http://www.juneau.org/clerk/boards.php). The Clerk's office advertises vacancies on boards for a minimum of ten days through a variety of methods: online at the link above, on Cable Channel 7, and the City Hall Bulletin Board. Seats are open until filled and applications are accepted at any time. Deadlines are posted for those applications which will be considered by the Human Resources Committee and the Assembly at a specific meeting date. The information regarding membership selection, application process, appointment, and terms is outlined in **Appendix B** under the **Membership** section. A few boards have governing legislation limiting the number of terms a member may serve on a particular body. Please refer to the governing legislation of a specific board if you have any questions regarding term limits. The appointment process for the empowered boards and Planning Commission is somewhat more involved as it entails the Full Assembly sitting as the Human Resources Committee interviewing applicants for those boards. For more information about that process, please contact the Clerk's Office.



## **VI. BYLAWS, ELECTIONS, AND ROLES OF OFFICERS & SUBCOMMITTEES**

### **BYLAWS**

In the past, there was a requirement for boards to adopt bylaws to set specific rules of procedure. With the passage of Resolution 2246, bylaws were no longer a requirement but rather an option. Resolution 2686 is the most recent version of the board rules of procedures and incorporates much of the material previously contained in most boards' bylaws. For those bodies with bylaws, the hierarchy of legislative precedence within the municipality is the CBJ Charter, CBJ Code, Resolutions, and then bylaws of that body. For bodies without bylaws, Advisory Board Rules of Procedure govern the board action. For those boards that do have bylaws, it is a good idea to review the bylaws every year or two and update them as may be necessary.



### **ELECTION OF OFFICERS**

At minimum, each advisory board elects from among the members a chair or presiding officer and a recorder or secretary; **any boards intending to raise or spend funds are also required to elect a treasurer.** It is advisable to elect a vice-chair but is not a required position. In the absence of an officially elected chair and/or secretary, the body should determine at the beginning of the meeting (after establishing that a quorum is present) who among its membership will serve as acting chair and/or acting secretary. **According to Resolution 2686, "Officers shall be elected at the first meeting after which the annual appointments of board members are made by the Assembly."** The term of office is for one year but officers may be re-elected to serve more than a one-year period unless otherwise stated in the board's bylaws.

## **ROLE OF OFFICERS & STAFF LIAISONS:**

**CHAIR** – The Chair's responsibilities include presiding at the meeting, preparing and distributing the agendas, conducting the meeting in a fair manner, and coordinating with CBJ staff on such items as meeting notices, requests for information, and board decisions/recommendations to the Assembly. The Chair also is the official representative of the board to the Assembly and any other groups/agencies. The Chair, as the body's representative, conveys only those recommendations the board has approved by majority vote. The Chair carries out the duties of the Treasurer when the Treasurer is absent.

**VICE - CHAIR** – The Vice-Chair carries out the duties of the Chair when the Chair is absent.

**SECRETARY (also called the Recorder)** – The Secretary takes notes and prepares the minutes and distributes DRAFT copies of the minutes to the boardmembers, staff liaison, and Clerk's Office prior to the next meeting. The Secretary presides in the absence of the chair and vice-chair. The Secretary prepares the attendance list for inclusion in the Annual Report. The Secretary is responsible for the preparation and transmittal of the board's approved minutes to the Clerk's Office.

***The agendas and minutes of all elected and appointed body and subcommittee meetings of these boards are considered a permanent record of the municipality and are to be filed (preferably in electronic form) with the Clerk's Office so they can be made available to public.***

**TREASURER** – For any advisory boards choosing to fundraise and expend those funds, a Treasurer shall be elected from amongst its members. Once a proposed budget for the next fiscal year is approved by the advisory board, the Treasurer shall submit it to the Clerk's Office no later than January 31 of the current fiscal year for review/approval by the Assembly Finance Committee. The Treasurer shall maintain records of all receipts and expenditures and shall submit a quarterly financial statement to the board and Clerk's Office. The Treasurer will work directly with the Clerk's Office to ensure that all receipts and expenditures shall be processed in accordance with CBJ financial policies and procedures.

**STAFF LIAISON** – The liaisons are staff professionals with significant work responsibilities in addition to their board liaison activities. In general, the liaisons are individuals who have significant staff responsibilities that relate to the same work area as the board. The liaisons do not work for or at the direction of the board; they are assigned by the City Manager and follow the direction of the City Manager. They are professionals who work with the board to develop information and recommendations for the Assembly's consideration.

While CBJ's staff liaisons have differing duties depending on past board practice, time availability and departmental resources, in general, some of the work that staff liaisons have been responsible for include the following:

- Ensuring that meeting notifications and record keeping occurs consistent with applicable State laws and CBJ practice;
- Serving as a communication link between the board, CBJ Administration, Departments, and the Assembly as appropriate;
- Providing professional guidance, issue analysis, and recommendations;

- Making sure the intent of the advisory board is not lost after a decision, and that it is conveyed to the CBJ Assembly in a timely manner;
- Assisting the board in staying on track and focused;
- Forwarding board recommendations to the CBJ Assembly;
- Maintaining a positive working relationship with the Chair and board members.

There are a number of CBJ boards without any staff liaison and usually the CBJ Municipal Clerk's Office fulfills some of these duties while the officers of the board are assigned those duties not performed by Clerk's Office staff.

### **SUBCOMMITTEES:**

Since the mission of advisory boards is to "advise" the Assembly, board subcommittees are usually created for fact finding/information gathering for the purpose of advising the full board on issues that the board will take into consideration when advising the Assembly.

In accordance with Roberts Rules of Order "A board can appoint subcommittees, which are responsible to and report to the committee... subcommittees must consist of members of the committee..." Only those members of the board appointed to the subcommittee are considered subcommittee members and it is their numbers that determine whether or not a quorum is present. Members of the public and staff may be invited to subcommittee meetings to provide reports and information but are not considered members of the subcommittee for the purposes of voting or determining a quorum.

### **STEERING COMMITTEES:**

Some CBJ boards have language within their governing legislation that allows them to special committees which are often referred to as "Steering Committee" and are most similar in structure to a Mayor's Ad Hoc group or Task Force. Steering committees fall under the "subcommittee" category of a board with at least one member of the main board serving on the steering committee as a member and/or its chair (depending on the main board's governing legislation language). Steering committees are often made up of a wider range of community members and/or those with specific experience relating to the tasks of that particular committee. They are created to accomplish a specific goal with a set timeframe in which to accomplish that goal.

**Subcommittees and Steering Committees are subject to all the rules of regular board meetings such as meeting in ADA compliant facilities, conducting meetings in accordance with the Open Meetings Act, providing the necessary public notice of their meetings, and providing copies of agendas and minutes and any reports to the Clerk's Office as a record of their proceedings.**

## **VII. CONFLICT OF INTEREST**

The CBJ has a Conflict of Interest Code, which applies to members of all boards as well as the Assembly and CBJ employees. Code section 01.45 provides that any board member who has a conflict of interest with regard to a matter under consideration by the body on which he or she serves must make a disclosure on the public record and ask to be excused from the discussion and official action on the matter. A board member with

a conflict of interest shall not deliberate or vote on any matter in which he or she has a conflict. There are criminal penalties for violations of this ordinance.

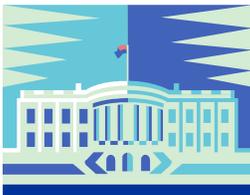
**01.45.100 Disclosures of conflicts by municipal officers other than employees.**

(a) A municipal officer other than an employee, who is involved in a matter that may result in a violation of sections 01.45.010--01.45.080 shall disclose the matter on the public record and ask to be excused from the discussion and official action on that matter. The presiding officer shall determine whether the member's involvement would violate sections 01.45.010--01.45.080. If the presiding officer determines that a violation would exist if the member continues to participate, the member shall refrain from voting, deliberating, or participating in the matter. The presiding officer's decision may be overridden by a majority vote of the body.

(b) An Assemblymember, School Board member, or a member of any board or commission shall, whenever practical, request guidance, which may include a written advisory opinion, from the City and Borough Attorney when determining whether a member is involved in a matter that may result in a violation of sections 01.45.010--01.45.080. (Serial No. 91-04, § 2, 1991) **Cross References:** Manager, CBJ Code ch. 03.05; departments, CBJ Code ch. 03.10.

The full Conflict of Interest Code is quite extensive, to review the full text of the Conflict of Interest Code please go online to the CBJ Law Department website at <http://www.juneau.org/law/code/code.php>. If a board member has a question on whether or not a conflict exists, they are encouraged to contact the City Attorney at 586-5242 for confidential advice on this issue.

**VIII. LOBBYING BY BOARD MEMBERS**



Each year the City & Borough of Juneau contracts with lobbyist firms in Juneau and Washington D.C. to ensure that we "speak with one voice" and avoid a situation in which our lobbyists, Congressional delegation, or legislators receive conflicting information or positions. ***The role of advisory boards is to provide advice to the Assembly!*** Boardmembers, staff liaisons, and others associated with CBJ boards are not to lobby or send correspondence to elected officials or agencies outside CBJ without specific direction by the Assembly to do so. It is up to the Assembly to determine the direction and what action they will take in contacting agencies and elected officials outside of CBJ. Any communications/interactions taken by boards with outside groups and elected officials is to be done only after a board receives direction by the Assembly to do so and must be done in coordination with the City Manager.

**IX. PUBLIC NOTICES**

The Clerk's Office is responsible for all public notice advertisements. **It is the responsibility of the chairperson to secure a meeting location and notify the Clerk's Office of the date, time, and location of every meeting, including work sessions, committees, and subcommittees of boards.** The Clerk's office runs a weekly public meeting "Your Municipality" advertisement in the Juneau Empire each Friday which includes notice of CBJ meetings and events. At minimum, each group should complete an "Event Submission" form (see Appendix D) through the online CBJ Meeting Calendar with the meeting title, location, date, time, and contact information and also ensure that the



Clerk's office is notified no later than **11am on Tuesday of the week prior** to the meeting. For weeks containing holidays, the deadline may be earlier. Please be sure to submit **ALL** meeting events through the Event Submission form and confirm it by checking online to see that it has been added. If, within 24-hours of completing the Event Submission form, you do not see it in the online calendar or you have not received an email confirming it has been scheduled, it is the board's responsibility to follow-up with the Clerk's Office to ensure that the meeting is added and proper public notice is provided. If the meeting is scheduled and there is not enough time to be included in the weekly "Your Municipality" ad, the Clerk's Office will send out a Public Service Announcement (PSA). **All meetings require, at minimum, 24-hour public notice and are subject to the OMA requirements (see Appendix C).**



To cancel or change a meeting or to schedule a special meeting, contact the Clerk's office immediately. Please phone the Clerk's office at 586-5278 and follow up with an e-mail to the [City.Clerk@juneau.org](mailto:City.Clerk@juneau.org) e-mail address. The board is responsible for notifying its members directly of any changes.

***Remember, if a public meeting is not properly noticed, it cannot take place!***

## X. CONDUCT OF THE MEETING

***A meeting must have a quorum of members present in order to meet. If the meeting lacks a quorum, no other business may take place and the only action allowed is to seek a quorum or schedule a new meeting date/time/location and adjourn.*** Minutes should be taken with a record of who was present and the fact that the meeting lacked a quorum and noting the date/time/location that was agreed upon for the next meeting.

The chair of each board is the presiding officer and is responsible for the conduct of the meeting. Resolution 2686 Section 2 provides: ***Advisory committee procedure shall be governed by Robert's Rules of Order except where superseded by the Assembly Rules of Procedures, as such may be amended for time to time.*** The chair should prepare, or have prepared, an agenda showing items to be considered. In addition to distributing the agenda to the board members, the chair also needs to send a copy of the agenda to the Clerk's office to be kept permanently along with a copy of the minutes in the city records. At a minimum the agenda is to include the following.

1. Date, time and location of the meeting;
2. Name of the board holding the meeting;
3. Any minutes to be reviewed and approved;
4. Public participation: This is an opportunity for any member of the public to present their concerns and views. The CBJ Charter & Alaska Statutes require members of the public be provided "a reasonable opportunity to be heard" at regular and special meetings (CBJ Charter Section 3.12(d) & AS29.20.020);
5. Issues to be considered include, but are not limited to:
  - a. Reports from board members, staff, other agencies or organizations;
  - b. Resolutions or ordinances to be reviewed and forwarded to the Assembly for consideration;
  - c. Policy matters under consideration that must be referred to the Assembly with recommendations;
  - d. Matters to be considered and resolved by the board, as appropriate or assigned;



6. Opportunity for board members and any staff liaison to present concerns, views, or bring forth issues for future consideration by the board; and
7. Adjournment.



### Board Meeting “Do’s:”

- Ensure proper notice of the meeting has occurred as provided under the previous section entitled “Public Notices.”
- Allow for public participation unless the meeting is a "work session" and has been advertised as such. Work sessions are open to the public and are treated in the same manner as regular meetings for purposes of public notice, quorum, and the OMA but are a less formal structure to provide for in depth review and discussion of a subject by the members of the board. It is up to the chairperson to rule on whether or not they will allow for public participation during worksessions.
- Conduct meetings fairly with opportunities for all views, including opposing, to be heard and discussed.
- The Chair will recognize board members wishing to be heard and give each member who chooses to participate an opportunity to comment.
- When speaking to an issue, all speakers should address the chair or presiding officer.
- A member should ask the Chair for clarification if a motion or procedure is unclear.
- The board should exercise restraint in issuing requests to staff members assigned as board liaisons. These staff members do their best to accommodate the wishes of the board, but are primarily responsible to the City Manager or City Attorney. [Enterprise boards differ on this; refer to the code section regarding each individual enterprise board for a description of its relationship with staff.] A good board-staff relationship is based on cooperation.
- Members should attend each meeting and be prepared to respond to issues brought before the board.
- Board members may attend via teleconference following the guidelines outlined in the Assembly Rules of Procedure (see **Appendix A**)
- If a board member is unable to attend a meeting, please be sure to notify the chair and staff liaison, if there is one, as soon as possible so that if there will be a lack of quorum, the meeting can be rescheduled and properly noticed with as much advance notice as possible.
- Attendance is important and members should strive to attend all meetings as a lack of attendance may lead to their seat being declared vacant (see vacancy criteria on page 3).
- Board members need to be able to work together and consider other conflicting views. Remember, members are appointed to boards because they have differing views and all views are entitled to be heard.

### Board Meeting “Don'ts:”

- Board members may not participate until called upon by the chair.
- If the current meeting lacks a quorum, **DO NOT** conduct any business or discussion other than setting the date/time/location for the next meeting and then adjourn.
- Do not use the “reply all” feature in email if you are receiving an email that has been sent to the entire board. Emails in which all board members are copied should only be for the purposes of communicating the date/time/location of the

next meeting and communicating back to the chair and staff liaison (if there is one) your availability to attend or not for purposes of determining quorum and for the transmission of the agenda, minutes, and packet items in preparation of the scheduled meeting.

## **XI. MINUTES & ANNUAL REPORTS**

**MINUTES:** The secretary of each advisory board is responsible for the preparation and distribution of the board's regular and special meeting minutes. In the absence of an elected secretary for the board, at the beginning of a meeting, one member is to be selected from its membership to be responsible to record the meeting. Draft minutes should be completed as soon after the meeting as possible and transmitted to the staff liaison with a cc: to the Municipal Clerk's office for online posting prior to the next board meeting.



**IMPORTANT:** The minutes of all boards are permanent records of the CBJ and constitute the record of the board's actions and final minutes need to also be filed with the Clerk's Office once they have been approved. If possible, please transmit agendas and minutes to the Clerk's office in electronic format and we will print them on acid free paper for archiving in the municipal records archives.

**In preparing minutes, write them as though the reader knows nothing about the committee, is reading the minutes 100 years in the future, and is interested in finding out the facts: who/what/when/where/why and how the decisions at that meeting were reached. Action minutes are sufficient and should include the following:**

1. Date, time, and location of the meeting;
2. Time the meeting was called to order;
3. Attendance, indicating members both present and absent (first and last names);
4. If appropriate, staff and others present along with any group affiliation;
5. All motions, even if withdrawn, along with the name of the board member who made the motion, and the vote on the motion. If a motion is adopted unanimously, the minutes may simply state that it was adopted by unanimous consent, if a motion was not adopted by unanimous consent, the record of the vote should identify by name those who voted in favor and who voted against the motion.
6. Motions for convening an executive session must be noted in the minutes and follow OMA requirements (see below section on Executive Session);
7. Names of individuals who spoke under public participation, and a summary of their comments;
8. Pertinent points which reflect how the group arrived at a decision. There is no need to put in every word spoken; and
9. The next meeting date, if known, and the time of adjournment.

**ANNUAL REPORTS:** The annual report for each advisory board is due to the Clerk's Office the week prior to the meeting at which the Assembly Human Resources Committee (HRC) reviews applications for the annual appointments. This is the board's main opportunity to showcase to the Assembly its work over the past twelve months. In addition to a synopsis of the work of the board over the past twelve months, a copy of the attendance list for the past twelve months should also be included the report. A representative from the board (usually the Chair) should be present at the HRC meeting at which the annual report is received by the HRC as this is the main venue for the Assembly HRC and board members to dialogue about the work of the board.

## **XII. OPEN MEETINGS AND EXECUTIVE SESSIONS**

**NOTICE OF MEETINGS:** All board and subcommittee meetings are open to the public and must be advertised. In order to fulfill the OMA requirements, the notice must state the date, time, location, and agenda items. No item, issue, or discussion may be added to a special meeting agenda once it has been delivered to board members and noticed as outlined above. [See Public Notice section above on page 7, and also **Appendix C** for additional information on the OMA.]



### **EXECUTIVE SESSIONS:**

There are certain rare times when an advisory board may need to go into executive session. The allowable reasons for an executive session are: matters that would clearly have an immediate adverse impact on the finances of the CBJ; subjects that tend to prejudice the reputation and character of any person, provided the person to be discussed must be notified and may request a public discussion; and matters that are required to be confidential by law, Charter, or ordinance. The appeal boards when serving in a quasi-judicial capacity may go into executive session to discuss evidence or a decision in an adjudicatory proceeding. Except for appeal boards, no official vote or action may be taken in executive session.

The proper procedure for calling an executive session is as follows:

- 1) Make a motion in the public meeting for an executive session for one of the purposes stated above (only);
- 2) Allow for public comment on the appropriateness of the board going into executive session;
- 3) If a majority of the board approves the motion, the board will adjourn into executive session; and
- 4) At the end of the executive session, the board reconvenes in public session to vote or explain the nature of items discussed.



When taking minutes, it is important to record ***with specificity*** the motion and reason for executive session as referenced in step 1 above, and the final action taken in step 4 above. ***"The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question."*** (OMA)

For more detailed information, please see **Appendix C**.

### **XIII. MONEY**



Board members serve on a volunteer basis without compensation.

**Please note there are now two tracks as outlined below for funding board work and boards should choose one or the other but not both.**

The Assembly has a small amount budgeted for use by boards who do not wish to engage in fundraising in carrying out their mission upon request to the Clerk's Office on a first come, first served basis. Applications for funds are available in the Clerk's Office. Funds to advisory groups must be used in a manner consistent with the mission statement as defined in the establishing ordinance or resolution. No authorization of funds in excess of \$500 in one fiscal year may be made to a single group without approval by the Assembly.

#### **ADVISORY BOARD FUNDRAISING POLICY**

The Assembly Human Resources Committee reviewed and approved the fundraising policy at its September 23, 2013 meeting and the Assembly approved it along with Resolution 2662 at its November 4, 2013 meeting (which are also continued in the current Res. 2686). The policy is as follows:

##### **Advisory boards and committees are authorized to solicit or otherwise receive:**

- Cash donations, up to a maximum of \$250 for any single donation, and
- In-kind contributions such as food for a public event, or a donation of the use of a meeting facility, are permitted with no cap on the value.

These donations are to be used for events or materials directly related to the board's or committee's charter. In the case of cash donations, the cash would be deposited in a CBJ treasury account. The expenditure of these funds would generally occur via the Clerk's Office purchasing card. It would be the responsibility of the board to track the amount of donations and expenditures. The donations raised would need to be expended or encumbered in the year collected.

***This policy does not extend to any of the adjudicatory bodies or any of the empowered boards which have a budget, manager, and staff nor to grant making/awarding bodies.***

In order to implement the new fundraising policy, the Clerk's Office has updated this pamphlet with the role and responsibility of the Advisory Board Treasurer (see page 5) and the necessary forms for submitting the board's proposed budget to the Assembly Finance Committee for review/approval. Forms for the current fiscal year submissions are available upon request from the Municipal Clerk's Office.

**Please contact the Clerk's Office for additional information and the necessary forms before conducting any fundraising activities or incurring any expenses.**

*"We make a living by what we get, but we make a life by what we give." - Winston Churchill*

#### **XIV. PUBLIC RECORDS re: CBJ E-Mails & Telecommunications Policy**

**General rule: “Unless specifically provided otherwise, the public records of all public agencies are open to inspection by the public under reasonable rules during regular office hours.” AS 40.25.110(a).**

While all boards are subject to the Alaska Public Records Act AS 40.25.110-.220 the City Attorney felt it important to require all members of CBJ enterprise boards and the Planning Commission to be issued a CBJ email account for use when conducting board business. Below and attached in Appendix F are the guidelines created in 2015 for these groups and instructions for use of the CBJ email system.

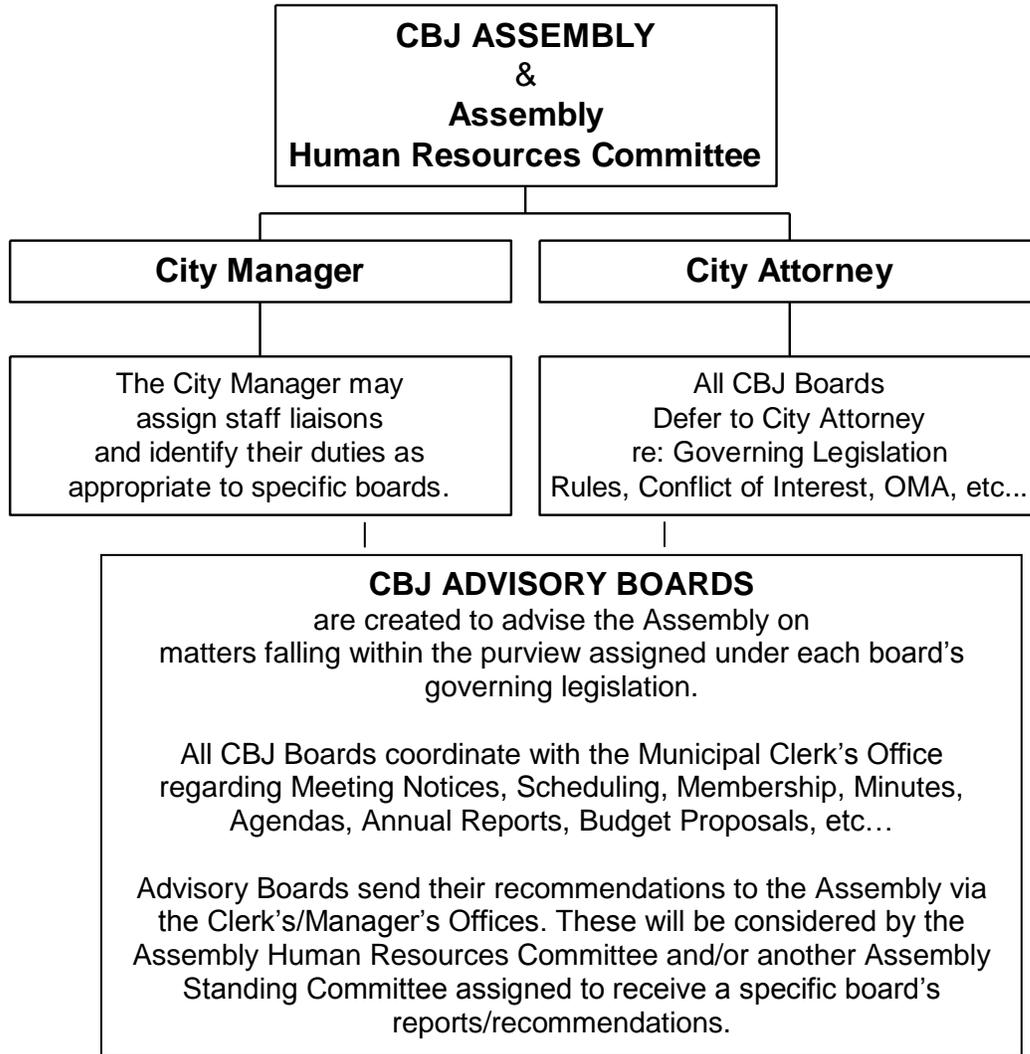
Upon appointment to an enterprise board or the Planning Commission, boardmembers will be issued an individual CBJ email account in the following format: [firstname.lastname@juneau.org](mailto:firstname.lastname@juneau.org). These emails will also be included in the group distribution list for the following groups:

**Airport Board:** [AirportBoard@juneau.org](mailto:AirportBoard@juneau.org)  
**Aquatics Board:** [AquaticsBoard@juneau.org](mailto:AquaticsBoard@juneau.org)  
**Docks and Harbors Board:** [HarborBoard@juneau.org](mailto:HarborBoard@juneau.org)  
**Bartlett Regional Hospital Board:** [HospitalBoard@juneau.org](mailto:HospitalBoard@juneau.org)  
**Eaglecrest Board:** [EaglecrestBoard@juneau.org](mailto:EaglecrestBoard@juneau.org)  
**Planning Commission:** [PlanningCommission@juneau.org](mailto:PlanningCommission@juneau.org)

- 1) Email to an individual or the full board is considered a public record and is subject to public disclosure.
- 2) The members of the above boards will be issued a CBJ email account after they have read the CBJ Telecommunications Policy 14-04 and signed the Boardmember acknowledgment form.
- 3) Once a boardmembers has been assigned a CBJ email account, they should ONLY use their CBJ email accounts when conducting CBJ related business. [Use of any personal email for CBJ board business should cease!]
- 4) All CBJ Boardmembers should follow the rule of NEVER to use the “Reply All” feature when responding to emails that are sent to the full board! Multiple messages of substance that are shared with a quorum of members can be considered a violation of the Open Meetings Act.
- 5) The above group distribution lists include boardmembers, Assemblymember Liaisons, and key staff members. Staff will file and retain copies of the emails sent to the full board in accordance with CBJ records retention policies. These staff members will also be tasked with managing the email accounts of former board members in accordance with the records retention policies.
- 6) IMPORTANT! CBJ emails automatically disappear after a 90-day period, so if you wish to save a particular email, move the email to a file you create in Outlook.
- 7) If you have any questions, please ask your staff liaisons, the Clerk’s office, or MIS during regular business hours. We are happy to help!

For a complete list of guidelines and documents, please refer to **Appendix F** in this booklet.

## CBJ ADVISORY BOARD ORGANIZATIONAL CHART



### **CONTACT INFO FOR CITY MANAGER, LAW DEPT., & CLERK'S OFFICES**

All mail can be sent to any of the below offices at 155 S. Seward St., Juneau, AK 99801

Emails can be sent to anyone at CBJ using the following email format:

[Firstname.Lastname@juneau.org](mailto:Firstname.Lastname@juneau.org)

#### **MANAGER'S OFFICE**

**586-5240 ph.**  
**586-5385 fax**

Rorie Watt, City Manager  
Mila Cosgrove, Deputy Manager  
Susan Phillips, Exec. Assist. III  
to Manager/Mayor  
Tricia Everson, Exec. Assist. II

#### **LAW DEPARTMENT**

**586-5242 ph.**  
**586-1147 fax**

Amy Mead, City Attorney  
Jane Sebens, Deputy C.A.  
Deb Senn, Law Office Mgr.

#### **CLERK'S OFFICE**

**586-5278 ph.**  
**586-4552 fax**

Laurie Sica, Municipal Clerk  
Beth McEwen, Deputy Clerk  
Sandi Mercer, Exec. Assist. I  
[City.Clerk@juneau.org](mailto:City.Clerk@juneau.org)

## ADDITIONAL RESOURCES RE: CBJ BOARDS/COMMISSIONS/COMMITTEES ETC.

City & Borough of Juneau Main Website Homepage: [www.juneau.org](http://www.juneau.org)

CBJ Assembly Main page: <http://www.juneau.org/assembly/index.php>

Assembly & Assembly Committee Meeting Agendas & Minutes:  
<http://www.juneau.org/assemblyftp/novus.php>

CBJ Boards Main page: [http://www.juneau.org/clerk/boards/Board\\_Mainpage.php](http://www.juneau.org/clerk/boards/Board_Mainpage.php)

Some of the helpful items linked from the Board Main Page include the following:

- CBJ Board Application Form
- Individual Board Factsheet/Website Main Interface page
- List of current Board Vacancies

CBJ Law Department: <http://www.juneau.org/law/>

CBJ Charter: <http://www.juneau.org/law/charter/charter.php>

CBJ Code: <http://www.juneau.org/law/codeinterface.htm>

CBJ Charter & Code sections of interest to all board members:

Charter Article III [http://library.municode.com/HTML/13307/level2/PI\\_AIII.html](http://library.municode.com/HTML/13307/level2/PI_AIII.html)

Conflict of Interest Code (01.45):  
[http://library.municode.com/HTML/13307/level3/PII\\_T01\\_C01.45.html](http://library.municode.com/HTML/13307/level3/PII_T01_C01.45.html)

CBJ Regulations: <http://www.juneau.org/law/regulations/regulations.php>

CBJ Meeting Calendar: <http://www.juneau.org/calendar/index.php>

Social Media – Follow CBJ on the following Social Media platforms:



Facebook <https://www.facebook.com/cbjuneau>

Twitter: <https://twitter.com/cbjuneau>

Instagram <https://www.instagram.com/cbjuneau/>

*“Everybody can be great because anybody can serve.  
You don’t have to have a college degree to serve.  
You don’t have to make your subject and verbs agree to serve.  
You only need a heart full of grace, a soul generated by love.”  
– Martin Luther King, Jr.*

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix A**

Resolution 2781

*A Resolution Reestablishing the Assembly Rules of Procedure,  
and Repealing Resolution 2550.*

Presented by: The Manager  
Introduced: 01/09/2017  
Drafted by: A. G. Mead

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

Serial No. 2781

### A Resolution Reestablishing the Assembly Rules of Procedure, and Repealing Resolution No. 2550.

WHEREAS, it is necessary for the orderly conduct of business that rules of procedure be adopted for the Assembly.

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

**Section 1. Rules of Procedure.** The following rules of procedure are adopted:

#### **RULE 1. AGENDA.**

A. Order of Business. At all regular meetings the order of business shall be:

- I. Flag Salute
- II. Roll Call
- III. Approval of Minutes
- IV. Manager's Requests for Agenda Changes
- V. Public Participation on Non-agenda Items (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)
- VI. Consent Agenda
  - A. Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction
  - B. Assembly Requests for Consent Agenda Changes
  - C. Assembly Action
- VII. Ordinances for Public Hearing
  - A. Administrative or Committee Reports
  - B. Public Hearing
  - C. Assembly Action
- VIII. Unfinished Business
  - A. Administrative or Committee Reports

- B. Public Hearing
- C. Assembly Action
- IX. New Business
  - A. Administrative or Committee Reports
  - B. Public Hearing
  - C. Assembly Action
- X. Staff Reports
- XI. Assembly Reports
  - A. Mayor's Report
  - B. Committee Reports
  - C. Liaison Reports
  - D. Presiding Officer Reports
- XII. Assembly Comments and Questions
- XIII. Continuation of Public Participation on Public Participation on Non-agenda Items
- XIV. Executive Session
- XV. Adjournment

B. Agenda Preparation. The agenda shall be prepared by the Manager subject to review and revision by the Mayor. The Mayor or the Manager shall brief the Assembly as to any revisions. Other matters may be considered under administrative reports, unfinished business, or new business as applicable.

C. Consent Agenda. The Manager shall include under the consent agenda:

1. Ordinances for introduction;
2. Resolutions;
3. Bid awards requiring Assembly concurrence; and
4. Other items requiring Assembly action which do not involve substantial public policy questions.

The Manager shall include with the agenda such supplemental material or reports as may be necessary to explain each item on the consent agenda and shall include a specific recommendation for Assembly action on each item. Material, reports, and recommendations submitted in writing to each member present and which are available for public inspection prior to the Assembly meeting need not be read aloud, but the minutes shall reflect the Manager's recommendation on each consent agenda item adopted. Upon adoption of a motion to adopt the consent agenda, all consent agenda items subject to the motion are adopted as recommended by the Manager. The motion to adopt may not be amended; provided, upon the request of any member, an item on the consent agenda shall be removed from the consent agenda

and placed under the appropriate regular agenda item for Assembly action. A notice or motion for reconsideration or a motion to rescind a consent agenda motion shall contain reference to the specific consent agenda item which is the subject of the notice or motion and only that item shall be affected by the notice or motion.

## **RULE 2. MEETINGS.**

A. Date and Time of Regular Meetings. The Assembly shall regularly meet at 7:00 p.m. every third Monday according to a schedule approved by the Assembly and published by the Clerk's office. The Assembly may by motion or otherwise change the date of a meeting as may be necessary or convenient.

B. Place of Regular Meetings. Regular Assembly meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless the Assembly, at a preceding regular or special meeting has, by motion or otherwise, designated a different place for a particular meeting.

C. Special Meetings. Special meetings may be called and held as provided by the Charter.

D. Time of Adjournment. Meetings will adjourn at 11:00 p.m. unless extended by a vote of at least six members.

## **RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.**

A. Excused Absences. Any absence of an Assemblymember from a regular meeting of the Assembly shall be deemed to be unexcused unless the Assemblymember is absent from the meeting as a result of attending to official business on behalf of the City and Borough of Juneau, for extenuating medical reasons, or for other significant cause, in which case the absence shall be deemed to be excused.

B. Attendance Report. Upon request of the Human Resources Committee, the Manager shall direct the Clerk to provide to the Assembly quarterly reports on attendance at regular Assembly meetings.

## **RULE 4. LEGISLATION.**

A. Drafting. The Attorney shall draft ordinances and resolutions

1. For presentation to the Assembly only

(a) by vote or consensus of the Assembly,

(b) by vote of a standing or ad hoc Assembly committee,

(c) by request of the Mayor or the Manager, or

(d) on the Attorney's own initiative to correct errors not otherwise correctable in any section or to make amendments to Title 01.45

the Conflict of Interest Code, Title 01.50 the Appellate Code, Title 01.60 the Regulation Procedures Code, Title 03.30 the Code Enforcement Code, Title 42 the Penal Code, or any section imposing duties on the Attorney.

2. For presentation to a standing or ad hoc Assembly committee only by vote of the committee, request of its chair, or by direction of the Assembly.

B. Procedure. Upon presentation of an ordinance, any member may move that it be introduced and set for public hearing, referred to committee, deferred, or rejected as provided in Charter section 5.3. If the motion is for referral to committee, the Mayor shall refer the ordinance to the appropriate committee. The Mayor's referral may be changed by a majority vote of the members of the Assembly. If the motion is for introduction, the motion shall set a date for the public hearing. All such motions may be amended.

#### **RULE 5. COMMITTEES.**

A. Standing Committees. The Assembly shall have the following standing committees:

1. Committee of the Whole
2. Finance Committee
3. Human Resources Committee
4. Lands Committee
5. Public Works and Facilities Committee

Any member of the Assembly may sit with any committee at all times; such member shall have the right to participate in committee discussion except that members of the committee shall have priority in obtaining the floor and only committee members may vote. Reasonable opportunity for the public to be heard shall be allowed at committee meetings other than those designated as work sessions.

B. Special Committees. The Assembly shall have such special committees as may be considered necessary. Special committees automatically terminate upon completion of the committee's assignment.

C. Selection, Process and Duties of Committees of the Assembly.

1. Standing Committees.
  - (a) With the exception of the Committee of the Whole, the Finance Committee, and the Human Resources Committee in proceedings pursuant to Rule 5(C)(2)(f), there shall be not more than four Assemblymembers appointed to each standing committee of the Assembly. Each Assemblymember will be appointed to at least one, but not more than three, standing committees, in addition to the Finance Committee and the Committee of the Whole.

- (b) Nominations for standing committee appointments and for the position of chair of each such committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance and diversity of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each committee who has expertise in the areas assigned to the committee.
  - (c) Each year following the regular municipal election, all Assemblymembers will be given an opportunity to indicate in writing which of the standing committees they request to serve on. At least two of the nominations for appointment for each standing committee shall be made from those Assemblymembers, if any, who have requested to serve on the committee for which the appointments are to be made. The nomination for membership and chair positions shall be made by the Mayor and ratified by the Assembly within seven days of the first meeting after the certification of the regular municipal election each year. All committee members shall be appointed to serve for a term expiring upon ratification by the Assembly of the committee appointments following the next regular municipal election. All committee members serve at the pleasure of the Assembly.
  - (d) A standing committee may at the call of its chair or the vote of its membership take up any matter within the scope of its charge established by these rules and not pending as legislation authorized by the Assembly. Matters not within the scope of any standing committee, or within the scope of more than one standing committee shall be assigned by the Mayor.
  - (e) Each committee shall refer information to and coordinate activities with other appropriate committees. Issues referred to another committee and any directions to the Manager must have the concurrence of a majority of the committee members.
2. Human Resources Committee. The Human Resources Committee may take up issues relating to the health and well-being of Juneau citizens and their participation in local government. The duties of the Human Resources Committee shall include:
- (a) Nominating citizens to all CBJ boards and commissions. Appointment to such bodies shall be made by the full Assembly;
  - (b) Making recommendations to the full Assembly regarding the issuance, renewal or transfer of liquor licenses, restaurant designation permits, and marijuana licenses;

- (c) Reviewing and proposing amendments to these Rules;
  - (d) *Reserved.*
  - (e) Overseeing Juneau's relations with its sister cities;
  - (f) Membership for Certain Appointments. The Human Resources Committee shall meet as needed to recommend appointments to the Planning Commission, the Hospital Board, the Ski Area Board, the Aquatics Board, the Docks and Harbors Board, and the Airport Board. The Mayor and all Assemblymembers shall serve as members of the Committee and the Human Resources chair shall serve as chair at these meetings.
3. Finance Committee. The Finance Committee may take up issues relevant to the fiscal status of the CBJ. The Mayor and all Assemblymembers shall serve as members of the Finance Committee. The duties of the Finance Committee shall include:
- (a) Review of the Manager's proposed budget and recommendations to the Assembly for a final budget;
  - (b) Review of the fiscal policies of the CBJ as deemed necessary by the committee.
4. Committee of the Whole. The Committee of the Whole may take up those issues within the jurisdiction of multiple committees and those warranting detailed review prior to consideration by the Assembly. The Mayor and all Assemblymembers shall serve as members of the Committee of the Whole. Generally, the rules of the Assembly shall be followed in the Committee of the Whole, provided that, at the discretion of the chair, the rules may be relaxed and the rules relating to participation by the presiding officer and the number of times a member may speak shall not be in effect unless otherwise ordered by a majority of the committee. In preparing the committee agenda the chair shall consult with the Mayor.
5. Lands Committee. The Lands Committee may take up issues relevant to the lands, water or air within the City and Borough. The duties of the Lands Committee shall include recommendations to the Assembly regarding:
- (a) The preparation and revision of a land management plan and the acquisition and disposal of CBJ lands;
  - (b) The administration of the lands fund and the mineral holdings of the CBJ.
  - (c) Implementation of the Long Range Waterfront Development Plan, and issues relating to use and development of the CBJ waterfront.
  - (d) Promotion of improved housing availability in the City and Borough.

6. Public Works and Facilities Committee. The PWFC may take up issues relevant to the infrastructure of CBJ, including transportation and utilities. The duties of the PWFC shall include:
  - (a) Making recommendations to the Assembly regarding the capital improvement program required by Charter section 9.2 and other capital improvement plans and lists;
  - (b) Advising each newly elected Assembly of unfinished capital projects to be continued;
  - (c) Making recommendations to the Assembly regarding the preparation and revision of an areawide transportation plan.
  - (d) Making recommendations related to energy efficiency, renewable resources, waste reduction and recycling, global warming and green building.
7. Special Committees. Nominations for special committee appointments and the chair position of each special committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for special committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each such committee who has expertise in the areas assigned to the committee. All members shall serve at the pleasure of the Assembly.

D. *Reserved.*

E. Quorum of Committees. For the Committee of the Whole and the Finance Committee, a majority of the membership shall constitute a quorum. For committees with seven or eight members, four of the membership shall constitute a quorum, for committees with five or six members, three of the membership shall constitute a quorum. For committees with four or fewer members, two of the membership shall constitute a quorum for the transaction of business.

F. Voting. The minimum vote required to take official action shall be the same as that constituting a quorum; provided, however, that in the case of a tie vote, the action fails.

#### **RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.**

A. Appointment of Liaisons. The Mayor shall nominate one member of the Assembly to serve as the liaison to each of the following City and Borough boards and commissions:

Planning Commission  
Hospital Board  
Docks and Harbors Board  
Airport Board  
School Board  
Ski Area Board  
Aquatics Board

The nominations shall be subject to ratification by the Assembly. Liaisons to other entities may be appointed from time to time.

B. Role of Liaison. Assembly liaisons serve as a link between the Assembly and the board or commission to establish and maintain communication between the bodies on issues, projects, and other matters of mutual concern and interest. Assembly liaisons are not required to regularly attend board or commission meetings; but if they do, they shall not have the power to vote on the board or commission, and are not to be counted in determining whether a quorum of the board or commission is present.

C. Other Meetings. The Assembly encourages its members to attend meetings of other boards, commissions, and citizen groups and inform the Assembly on the activities of those bodies and the issues before them, as appropriate.

#### **RULE 7. DEBATE.**

A. Speaking on the Question. A member or the Manager may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.

B. Asking Questions. After obtaining recognition from the chair, a member may ask direct questions of another member of the Assembly or to a person appearing before the Assembly. The questions may not be argumentative.

C. Decorum. Members shall not question the motives, competency or integrity of any person except as necessary to decide an appeal, personnel evaluation, contract award, or other matter in which such issues are clearly relevant. The chair shall admonish any member violating this rule and if violations are severe or repeated, may without a vote declare a recess not to exceed ten minutes.

## **RULE 8. RULES OF PUBLIC PARTICIPATION.**

When permitted by Rule 14, public participation during hearings on ordinances and matters other than appeals will be conducted according to the following rules, which will be posted in the Assembly Chambers:

- A. The hearing will be conducted by the Mayor as chair.
- B. The Mayor will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.
- C. The Mayor may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Assembly to members of the public. The time limit may be extended by a majority of the Assembly. The time limit for individual speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the Mayor may grant additional time to a person speaking on behalf of a group present in the chambers.
- D. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Manager's office more than three business days before a meeting and comprising ten pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Clerk at the meeting provided that the submission includes at least 15 copies.
- E. The Mayor will set forth the item or subject to be discussed and will rule non germane comments out of order.
- F. All speakers, public, and members of the Assembly will be recognized by the chair by surname.
- G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Mayor, their place of residence.
- H. Members of the Assembly will not direct questions to each other or to the chair during public participation except as to the conduct of the hearing.
- I. Members of the Assembly may direct questions to members of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.
- J. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.
- K. The public may direct questions to the chair only as it pertains to the conduct of the hearing.

L. The Manager may participate in the same manner as the members of the Assembly.

M. There shall be an opportunity for public participation on non-agenda items at each regular meeting of the Assembly. Such public participation shall be limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed five minutes. Assemblymembers may ask questions of the speaker, but shall not deliberate at that time on matters raised, or answer questions directed to the members.

#### **RULE 9. MOTIONS.**

A. Seconds. Seconds to motions are not required.

B. Renewal of Defeated Motions. Defeated motions may be renewed only under suspension of the rules.

C. Priority of Privileged Motions. Privileged motions shall have the following priority:

1. Fix time to adjourn
2. Give notice of reconsideration
3. Adjourn
4. Recess
5. Question of privilege of the body
6. Question of personal privilege

#### **RULE 10. CLERICAL ERRORS.**

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or errors in spelling, may be corrected by the Attorney upon discovery of the error.

#### **RULE 11. VOTE REQUIRED.**

The affirmative vote of five members of the Assembly shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances, which require the affirmative vote of at least six members:

- A. Limiting, extending, or closing debates
- B. Suspension of the rules
- C. Setting of or postponement of special orders
- D. Objection to consideration of question

- E. Motion for immediate vote (previous question)
- F. Rescind
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken

**RULE 12. PARLIAMENTARIAN.**

The Attorney shall act as the parliamentarian.

**RULE 13. SESSIONS.**

Each regular or special meeting of the Assembly constitutes a session for purposes of the rules.

**RULE 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM.**

No person except a member or the Manager may participate in Assembly proceedings except as provided in the agenda item for public participation and except that the Attorney or Clerk may comment on professional or procedural aspects. Public participation shall be permitted on a motion to recess into executive session prior to the vote on such a motion. Public participation shall be permitted on all items on the agenda, except for meetings advertised as work sessions only, but shall not be permitted on items before the body for information or scheduling purposes except to the extent such public participation concerns scheduling only.

**RULE 15. RECONSIDERATION.**

A. What May Be Reconsidered. Main motions, amendments to main motions, privileged motions involving substantive questions, and appeals are subject to reconsideration. Procedural motions may not be reconsidered.

B. Who May Reconsider. Any member, whether or not that member voted on the prevailing side, may give notice of or move for reconsideration.

C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.

D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.

E. Successive Reconsideration. There may be only one reconsideration even though the action of the Assembly after reconsideration is opposite from the action of the Assembly before reconsideration.

F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.

G. Effect. A motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken.

#### **RULE 16. TELEPHONIC PARTICIPATION.**

A. A member may participate via telephone in an Assembly meeting, or an Assembly Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate via telephone, the Deputy Mayor shall preside.

B. No more than the first three members to contact the Clerk regarding telephonic participation in a particular meeting may participate via telephone at any one meeting.

C. The member shall notify the Clerk and the presiding officer, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend by telephone and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.

D. At the meeting, the Clerk shall establish the telephone connection when the call to order is imminent.

E. A member participating by telephone shall be counted as present for purposes of quorum, discussion, and voting.

F. The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting the presiding officer shall confirm the connection.

G. The member participating by telephone may ask to be recognized by the presiding officer to the same extent as any other member.

H. To the extent reasonably practicable, the Clerk shall provide backup materials to members participating by telephone.

I. If the telephone connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection, provided that if the member participating by telephone is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the telephone connection is established or restored.

J. Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating by telephone.

K. Participation by telephone shall be allowed for regular, special, and committee meetings of the Assembly.

L. Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

M. Any member of the public present with the member participating by telephone shall be allowed to speak to the same extent he would if physically present at the meeting.

N. As used in these rules, "telephone" means any system for synchronous two-way voice communication. "Mayor" includes the Acting Mayor or any other member serving as chair of the meeting.

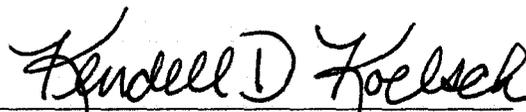
**RULE 17. ADOPTION OF ROBERT'S RULES OF ORDER.**

The conduct of the meetings of Assembly shall be governed by the Mayor according to Robert's Rules of Order, 11<sup>th</sup> Edition, except as otherwise provided by Charter, law, or these rules.

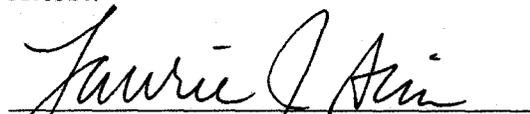
**Section 2. Repeal of Resolution.** Resolution No. 2550 is repealed.

**Section 3. Effective Date.** This resolution shall be effective immediately after its adoption.

Adopted this 23<sup>rd</sup> day of January, 2017.

  
Kendell D. Koelsch, Mayor

Attest:

  
Laurie J. Sica, Municipal Clerk

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix B**

Resolution 2686

*A Resolution Repealing Resolution 2662 and Reestablishing the  
Rules of Procedure for Assembly Advisory Boards.*

Presented by: The Manager  
Introduced: 06/09/2014  
Drafted by: A. G. Mead

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

**Serial No. 2686**

**A Resolution Repealing Resolution 2662 and Reestablishing the Rules of Procedure for Assembly Advisory Boards.**

WHEREAS, citizen advisory boards are an important community resource for the Assembly; and

WHEREAS, "Advisory Board" is a general term and includes those boards, commissions, and committees that only have the authority to advise or make recommendations to the Assembly, but that do not have the authority to establish policies or make decisions for the Assembly; and

WHEREAS, it is necessary for the orderly conduct of board business that policies and rules of procedure are adopted.

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

**SECTION 1. RULES OF PROCEDURE. The following rules of procedure are adopted:**

**Rule 1. Membership.**

**A. Residence.** Members of Boards, Commissions or Committees shall be residents of the City and Borough of Juneau with special consideration to be made in certain instances to provide for necessary expertise as the need arises.

**B. Non-discrimination.** Unless otherwise required by federal or state programs, nominations to boards, commissions, or committees shall be made with due regard to talent, interest or requirements of code or ordinance, and without regard to race, creed, color, age, religion, national origin, sex, marital status, political ideology, sexual orientation, or sensory, mental or physical handicap.

**C. Diversity.** Committee appointments shall reflect a membership appropriate for accomplishing the goals of the committee, and should include cultural, social, political, technical and economic viewpoints sufficient to ensure wide-ranging and active debate.

**D. Board Vacancies.** Candidates for nomination to vacancies on advisory boards shall be solicited from residents through appropriate public announcement of vacancies. Vacancies shall be announced for a period of at least ten days between the public announcement of a vacancy and the date on which nominations take place, unless the Assembly has determined that a lesser time is appropriate under the circumstances of a particular appointment. During such periods, residents may convey recommendations of candidates for nomination to vacancies to members of the Assembly or the Clerk's office.

**1. Definitions:**

a. "Advisory Board" is a general term and includes those bodies entitled "board," "committee," "commission," "council," or the like, and comprise a governmental body of the City and Borough of Juneau having authority only to advise the Assembly rather than to establish policies or make decisions for the Assembly.

b. "Vacancies" include vacancies in positions which have never been filled; vacancies caused by the vacation of a position by an incumbent for any reason prior to expiration of term of office; and vacancies which will occur at the expiration of an incumbent's term whether or not the incumbent has signified a desire to succeed himself or herself.

c. A vacancy on a City and Borough advisory board shall exist under the following conditions:

- (i) If a person appointed to membership fails to qualify and take office within 30 days of appointment;
- (ii) If a member departs from the City and Borough with the intent to remain away for a period of 90 or more days;
- (iii) If a member submits his or her resignation to the Assembly;
- (iv) If a member is physically unable to attend board meetings for a period of more than 90 days; or
- (v) If a member misses more than 40 percent of the board meetings in a 12-month period.

The chair of the advisory board shall notify the Clerk's office of any vacancy on the board. Upon notification, the Clerk shall follow the procedures for filling vacancies as outlined in this section.

## **Rule 2. Appointment Process.**

**A. Applications.** All new applications are kept on file with the Municipal Clerk's office for one year. In the event a vacancy occurs in the interim, the applicants will be contacted by the Clerk's office to determine if the applicant would like his or her application submitted for the vacant seat. Applications, except those of appointed board members, are purged after the one-year period has expired and applicants will need to reapply for future vacancies.

**B. Reappointment Of Committee Members.** Incumbent committee members may seek reappointment at the end of their term of office. Incumbent members will need to submit new applications to be considered in the same manner as all other applications. Factors considered in re-appointing incumbents are the enthusiasm of the individual, need for continuity, and the attendance record of the individual. Appointments and reappointments are based on merit, and incumbent members are not automatically reappointed.

**C. Terms.** Members of advisory boards shall be appointed for a term of three years unless otherwise specified in their governing legislation. The Assembly shall endeavor to make appointments during the month in which the terms expire, provided that a board member shall continue to serve until a successor is appointed and takes office. Appointments to fill vacancies shall be for the unexpired term. In the event a seat has 6 months or less remaining to the unexpired term, the Assembly, at its discretion, may choose to appoint the member to the remainder of the current term as well as to the full term immediately following the expiration date of the unexpired term. The members of the boards who are serving at the time of adoption of this resolution shall continue to serve the duration of their terms of office.

**Rule 3. Officers.** Officers of each board shall consist of a Chairperson, Secretary, Treasurer, and any other officers as the board may from time to time deem necessary. Officers shall be elected at the first regular meeting after which the regular annual appointments of board members are made by the Assembly. Each officer shall serve for a one-year term or until such time as offices become vacant. The advisory board shall elect one of its members as a Secretary to record, keep, and file with the Clerk minutes of all committee meetings.

**Rule 4. Staff Liaisons.** The Manager may appoint a staff member or members as appropriate or as requested by the Assembly to serve as a liaison to an advisory board. The Manager, at the time of appointment, will provide the staff liaison with a memo outlining the duties of the assignment. The role of the staff liaison is to serve as a link between the board and the City's departmental staff and the Assembly. Boards shall not direct the work of staff liaisons in their advisory role to the Assembly. Liaisons shall not have the power to vote on the board or commission, and are not to be counted in determining whether a quorum of the board or commission is present.

**Rule 5. Ad-Hoc Committees/Task Forces.** Ad-Hoc Committees shall be appointed by the Mayor to develop recommendations on a single issue. The appointment of members shall be accompanied by a memorandum outlining the committee's charge, defining the deliverables, and giving the sunset date of no more than two years from the date of appointment.

**Rule 6. Reports.** Advisory Boards shall report to the Assembly at least annually. Reports to the Assembly shall be approved by a majority vote of the board. Minority reports may accompany the report approved by the Majority. Each board shall submit to the Assembly a brief annual report setting forth the activities and accomplishments of the committee and the attendance record of each committee member during the preceding twelve months. The Assembly will strive to review each board's annual report at the same time it takes up the annual appointments of members. A representative of the board should be present at any Assembly or Assembly committee meeting at which the report is to be considered.

**Rule 7. Evaluation.** The Assembly may periodically evaluate each advisory board. Such evaluation shall consider the board's mandate, its goals and objectives, its success at reaching its goals and objectives, its activities, the extent to which it has attracted citizen participation, and suggestions for methods of improving the disposition of board business. A report of the evaluation shall be made and returned to the advisory board and shall include recommendations for future functions of the board.

**Rule 8. Removal.** Unless otherwise specifically provided, members of boards, committees and commissions which are created by non-code ordinances, resolutions or motion and are appointed by the assembly serve at the pleasure of the assembly and may be removed at any time by an affirmative vote of six members of the assembly.

**Rule 9. Procedure.** Advisory committee procedure shall be governed by Robert's Rules of Order except where superseded by the Assembly Rules of Procedure, as such may be amended from time to time.

**SECTION 2. REPEAL OF RESOLUTION.** Resolution 2662 is hereby repealed.

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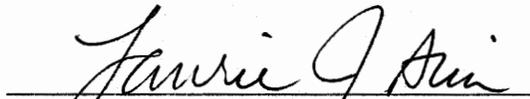
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**SECTION 3. EFFECTIVE DATE.** This resolution shall be effective immediately upon adoption.

Adopted this 9<sup>th</sup> day of June, 2014.

  
Merrill Sanford, Mayor

Attest:

  
Laurie J. Sica, Municipal Clerk

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix C**

Alaska Open Meetings Act Information  
by  
Former CBJ Attorney John Corso,  
and Amended by CBJ Municipal Attorney Amy Mead

## ALASKA OPEN MEETINGS ACT

Prepared by: John R. Corso  
(Amended by: Amy Mead)  
City & Borough Attorney  
Juneau, Alaska

### Introduction

The Alaska Open Meetings Act (OMA) is a state statute which requires that all meetings of state and local government bodies be open to the public. A copy of the statute, AS 44.62.310-12, is attached.

The OMA is not unique to Alaska. Most states as well as the federal government have an open meetings law. In addition, the CBJ Charter, §3.12, requires that Assembly meetings be open to the public. Charter §3.16 extends this requirement to other municipal bodies. Alaska's policy regarding open meetings is strongly stated in the OMA. The Alaska Supreme Court and the superior court judges in Juneau have strictly followed the statutory policy and have repeatedly affirmed the policy that governmental action should be taken openly and deliberations conducted in public.

### What is a Public Body

AS 44.62.310(a) contains an exhaustive list of the types of bodies subject to the OMA. The law clearly covers the Assembly, the Planning Commission, the School Board, the Hospital, Harbor and Eaglecrest Boards, and all subcommittees and citizen advisory committees associated with these bodies. The OMA also applies to temporary and ad hoc committees of a public body. It is not limited to elected bodies and has been applied to such groups as university tenure committees, interagency task forces, and similar bodies.

### What is a Meeting

The Alaska Supreme Court has broadly interpreted the term "meeting", and has held that investigation, fact gathering, discussion, and deliberation, whether formal or informal, by a public body is covered by the OMA. The OMA does not, however, regulate the social activities of public officials.

What constitutes a meeting for purposes of the OMA is addressed by the OMA, which provides two standards: one for bodies that have the authority to make establish policies or make decisions, and another for bodies that may advise or make recommendations. **For policy-making bodies, the law says that a "meeting" occurs when more than three members or a majority of the members, whichever is less, are present and they collectively consider a matter upon which their body is empowered to act. For advisory bodies, a "meeting" occurs when more than three members or a majority of the members, whichever is less, gather at a prearranged meeting for the purpose of considering a matter upon which the governmental body is empowered to act.** Notice that the OMA does not apply to impromptu or chance encounters of members of an advisory body.

### Executive Sessions

Under the OMA, a public body is allowed to discuss certain subjects in executive session. These subjects are very limited. Also, certain steps must be followed in order to properly convene an executive session. AS 44.62.310(b) and (c) address executive sessions.

### How to Call an Executive Session

In order to call an executive session under the OMA, the meeting must first be convened as a public meeting. Then, the question of holding an executive session to discuss one of the subjects listed in AS 44.62.310(c) must be decided by a majority vote of the body. In reaching this decision, the reason the session is being called and why it is necessary to hold an executive session to discuss the subject should be clearly stated on the record by the body. You should do more than simply recite the applicable statutory exception in making this decision. Before the vote on whether to hold an executive session, the topics to be discussed should be stated and one more of the exceptions set out in AS 44.62.310(c) should be invoked. However, too much detailed discussion of the subject in the open session would defeat the purpose of the executive session. You will need to strike a reasonable balance here. The Superior Court in the First Judicial District recently held that a public body must create a clear, contemporaneous record of its decision-making process to justify an executive session.

### Subjects Which are Proper for Executive Session

It is appropriate to go into executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit. This generally includes such matters as negotiations in property acquisitions, discussion of the status, strategy, and settlement negotiations on claims and lawsuits against the municipality, and labor contract negotiations. In these types of situations, if the opposing party were privy to the discussion, it would clearly have an adverse effect on the ability of the municipality to achieve the best resolution of the matter for the municipality and the public.

Keep in mind that under AS 44.62.312(b), the exception for discussion of financial matters is to be construed narrowly and unnecessary executive sessions are to be avoided. Thus, if an open discussion of financial matters would have only a possible, hypothetical, long-range, or indirect effect upon municipal finances, or would perhaps be embarrassing to the municipality but would not adversely affect the finances of the municipality, you should remain in open session.

Executive sessions are also authorized to discuss matters that tend to prejudice the character or reputation of a person. The Alaska Supreme Court has given a reasonably liberal interpretation to this provision. The court has indicated that a discussion of the character of a person may lead to adverse comments and that this is particularly so when comparing the character of one person (e.g., a job or committee applicant) to that of another. Note, however, that the person to be discussed has the right to request that the discussion be conducted in public. This means that the person or persons who may be discussed in executive session must be notified prior to the meeting so that they can decide whether they will request a public discussion.

An executive session may also be called to discuss subjects which by law, charter, or ordinance are required to be confidential. A municipal code or charter may specify that discussion of such matters as

labor negotiations, pending lawsuits, or evaluations of the manager and municipal attorney are to be conducted in executive session.

### What Can be Done in the Executive Session

Once in the executive session, you are only allowed to consider the subjects mentioned in the motion calling for executive session. You can discuss other subjects only if they are auxiliary to the subject for which the session was called (i.e., subsidiary or supplemental to the main subject, or of assistance in its consideration).

No action may be taken in the executive session. The subjects may be discussed and debated, but all official action must be taken in open session. The OMA contains an exception allowing the body to give instructions to an attorney or labor negotiator in executive session, but CBJ bodies must follow the more restrictive CBJ Charter requirement that no action may be taken in executive session.

### Coming Out of Executive Session

At the conclusion of the executive session, the body should reconvene in public session. This is the point at which action may be taken. For example, the body may direct the manager to proceed in accordance with direction given by the body in executive session. Of course, if the direction given is spelled out in detail in public, the purpose of holding the session may be defeated. There may be instances where the body can make a full public report after the session, such as when there is no further need for confidentiality. Finally, there will be times when no action is to be taken at all, such as when the session involved only a status report on negotiations, in which case the body may simply reconvene and move on to the next agenda item.

### Exemptions from the OMA

AS 44.62.310(d) provides for certain exemptions from the OMA. It provides that the OMA does not apply to meetings of a hospital medical staff, or meetings of the governing body or any committee of the hospital when holding a meeting solely to act upon matters of professional qualifications, privileges, or discipline. Thus, when a committee of the hospital holds a meeting solely to act upon matters of professional qualifications, it does not even need to go through the formality of moving for and voting upon a motion for executive session.

The OMA does not apply to meetings of CBJ staff. It does not apply to meetings held for the purpose of participating in a gathering of a national, state, or regional organization such as the Alaska Municipal League or the American Planning Association.

### Public Notice of Meetings

The OMA provides in AS 44.62.310(e) that reasonable public notice must be given for all meetings. The notice must include the date, time and place of the meeting, and if the meeting is by teleconference, the location of any teleconferencing facilities that will be used. The notice must be posted at City Hall, and may also be given by print and broadcast media. Each body should give notice in a consistent fashion for all its meetings. There is no requirement to publish an agenda. The CBJ Charter requires that at least 24 hours notice of special meetings be given. Written notice of a special meeting must be delivered to the newspaper and radio and television stations, and no business may be transacted at a special meeting unless the item is on the agenda.

### Public Participation

State law, AS 29.20.020, and the CBJ Charter require that "the public shall have a reasonable opportunity to be heard". This requirement does not mean that the public has a right to dominate or disrupt a meeting, and the chair may impose reasonable rules on the manner and extent of public participation.

What Happens if the OMA is Violated

A court may void any action taken by a public body in violation of the OMA. It is also possible for the body to undertake "substantial reconsideration" of an issue discussed or decided upon at a meeting held in violation of the OMA. The courts would decide whether the validation meeting sufficiently functioned as a true reconsideration of the matter, and whether the public interest would be served by voiding the action. Members of the body may not be sued in their individual capacity for violations of the OMA.

When In Doubt, Ask for Legal Advice

It is recommended that if you have any questions regarding the propriety of a meeting, whether your body is subject to the OMA, whether or not it is proper to go into executive session on a matter, or if you simply have a question regarding the OMA, that you call the city and borough law department at 586-5242. We are pleased to provide you with assistance on these issues, and we do so routinely for all of the CBJ bodies, boards and committees.

**ALASKA STATUTES**  
**TITLE 44. STATE GOVERNMENT**  
**CHAPTER 62. ADMINISTRATIVE PROCEDURE ACT**  
**ARTICLE 6. OPEN MEETINGS OF GOVERNMENTAL BODIES**

**§ 44.62.310. Government meetings public**

(a) All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law. Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. The vote at a meeting held by teleconference shall be taken by roll call. This section does not apply to any votes required to be taken to organize a governmental body described in this subsection.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

(c) The following subjects may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
  - (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
  - (3) matters which by law, municipal charter, or ordinance are required to be confidential;
  - (4) matters involving consideration of government records that by law are not subject to public disclosure.
- (d) This section does not apply to
- (1) a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding;
  - (2) juries;
  - (3) parole or pardon boards;
  - (4) meetings of a hospital medical staff;
  - (5) meetings of the governmental body or any committee of a hospital when holding a meeting solely to act upon matters of professional qualifications, privileges or discipline;
  - (6) staff meetings or other gatherings of the employees of a public entity, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents; or
  - (7) meetings held for the purpose of participating in or attending a gathering of a national, state, or regional organization of which the public entity, governmental body, or member of the governmental body is a member, but only if no action is taken and no business of the governmental body is conducted at the meetings; or
  - (8) meetings of municipal service area boards established under AS 29.35.450--29.35.490 when meeting solely to act on matters that are administrative or managerial in nature.
- (e) Reasonable public notice shall be given for all meetings required to be open under this section. The notice must include the date, time, and place of the meeting and, if the meeting is by teleconference, the location of any teleconferencing facilities that will be used. Subject to the publication required by AS 44.62.175(a) in the Alaska Administrative Journal, the notice may be given by using print or broadcast media. The notice shall be posted at the principal office of the public entity or, if the public entity has no principal office, at a place designated by the governmental body. The governmental body shall provide notice in a consistent fashion for all its meetings.
- (f) Action taken contrary to this section is voidable. A lawsuit to void an action taken in violation of this section must be filed in superior court within 180 days after the date of the action. A member of a governmental body may not be named in an action to enforce this section in the member's personal capacity. A governmental body that violates or is alleged to have violated this section may cure the violation or alleged violation by holding another meeting in compliance with notice and other requirements of this section and conducting a substantial and public reconsideration of the matters considered at the original meeting. If the court finds that an action is void,

the governmental body may discuss and act on the matter at another meeting held in compliance with this section. A court may hold that an action taken at a meeting held in violation of this section is void only if the court finds that, considering all of the circumstances, the public interest in compliance with this section outweighs the harm that would be caused to the public interest and to the public entity by voiding the action. In making this determination, the court shall consider at least the following:

- (1) the expense that may be incurred by the public entity, other governmental bodies, and individuals if the action is voided;
- (2) the disruption that may be caused to the affairs of the public entity, other governmental bodies, and individuals if the action is voided;
- (3) the degree to which the public entity, other governmental bodies, and individuals may be exposed to additional litigation if the action is voided;
- (4) the extent to which the governing body, in meetings held in compliance with this section, has previously considered the subject;
- (5) the amount of time that has passed since the action was taken;
- (6) the degree to which the public entity, other governmental bodies, or individuals have come to rely on the action;
- (7) whether and to what extent the governmental body has, before or after the lawsuit was filed to void the action, engaged in or attempted to engage in the public reconsideration of matters originally considered in violation of this section;
- (8) the degree to which violations of this section were willful, flagrant, or obvious;
- (9) the degree to which the governing body failed to adhere to the policy under AS 44.62.312(a).

(g) Subsection (f) of this section does not apply to a governmental body that has only authority to advise or make recommendations to a public entity and has no authority to establish policies or make decisions for the public entity.

(h) In this section,

- (1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;
- (2) "meeting" means a gathering of members of a governmental body when
  - (A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or
  - (B) the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act and the governmental body has only authority to advise or make

recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

(3) "public entity" means an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.

**§ 44.62.312. State policy regarding meetings**

- (a) It is the policy of the state that
- (1) the governmental units mentioned in AS 44.62.310(a) exist to aid in the conduct of the people's business;
  - (2) it is the intent of the law that actions of those units be taken openly and that their deliberations be conducted openly;
  - (3) the people of this state do not yield their sovereignty to the agencies that serve them;
  - (4) the people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know;
  - (5) the people's right to remain informed shall be protected so that they may retain control over the instruments they have created;
  - (6) the use of teleconferencing under this chapter is for the convenience of the parties, the public, and the governmental units conducting the meetings.
- (b) AS 44.62.310(c) and (d) shall be construed narrowly in order to effectuate the policy stated in (a) of this section and to avoid exemptions from open meeting requirements and unnecessary executive sessions.

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix D**

"How to Calendar CBJ Meetings"

*Trumba Event Submission Form Instructions  
aka: How to Schedule a Meeting/Reserve a Room  
on the CBJ Meeting Calendar*

## Trumba Event Submission Form Instructions

### aka: How to Schedule a Meeting/Reserve a Room on the CBJ Meeting Calendar

The first thing is to go to the online CBJ Meeting Calendar <http://www.juneau.org/calendar/index.php> (and if applicable the Library Meeting Calendar <http://www.juneau.org/library/calendar.php>) to see if the date/time/location you wish to schedule appears to be available.

When you click on the “Event Submission Form” from the left side menu, you will have a fillable form as shown below. I have populated the fields in the below form showing the standard formats for how we would like you to submit your information. Please note – the Event Title should include the title of the event **AND** the meeting room location (i.e.: Chambers, City Hall Conf. Room #224) etc... as shown in the example below, I have entered the Event Title as: **Absentee Voting Prep, Assembly Chambers.**

The screenshot shows a web browser window displaying the Trumba Event Submission Form. The browser address bar shows <http://www.juneau.org/calendar/eventform.php>. The page header includes the City and Borough of Juneau logo and navigation links for Community, Business, Visitors, Images, State Links, Calendar, Jobs, and Search. The left sidebar contains a menu with options like 'Return to CBJ Homepage', 'CBJ Calendar', 'Assembly Calendar', 'Library Calendar', and 'Event Submission Form'. Below the menu are sections for 'Calendar Controls' (View: Month), 'Departments' (Administration, Airport, Animal Control, Assembly), 'Group Type' (1% for Art Committees, Airport Board, Americans With Disabilities Act Committee), 'Meeting Type' (Public Notice, Staff, Other), and a 'Search' box. The main form area is titled 'City And Borough of Juneau Calendar' and contains the following fields:

- Submitter Information:** Name (Beth McEwen), Email (Beth\_McEwen@ci.juneau.ak.us), Phone # (586-0203), Meeting Type (Staff).
- Event Information:** Event title (Absentee Voting Prep, Assembly Chambers), Address of the Building (and Meeting Room) (Assembly Chambers, 155 S. Seward St., Juneau, AK 99801), Start date (September 13, 2013), Time (All day), Duration (1 day), Repeat (None), Group Type (CBJ Staff), Departments (City Clerk, Elections), Public Contact (City\_Clerk@ci.juneau.ak.us 586-5278), Meeting Room (Library Use Only), Web link (http://www.juneau.org/clerk/elections/), Public Notes (Absentee Voting will be held in the Assembly Chambers 8am-4:30p.m. Monday through Friday, September 16-30, 2013).

At the bottom of the form, there is a 'Next >' button, a 'Powered by Trumba | Help' link, and a privacy notice: 'We care about your privacy. Information provided via this form will not be resold or redistributed.' The footer of the page shows '©2013 City and Borough of Juneau' and 'Contact Webmaster'.

Please Note: For the “Meeting Room” fillable piece, select “Meeting NOT at Library” if the meeting is not in a library meeting room. When requesting a CBJ Library Meeting Room, please select the appropriate Library Room from the pull down list using the arrow. Also, anything you enter into the Public Note section will be viewable by anyone accessing the calendar so only include those notes in this field that you wish the public to see.

Public Contact:

Duration: 0 hours - 0 minutes [Specify End](#)

Meeting Room (Library Use Only):

Web link:

Public Notes:

\* Indicates required fields

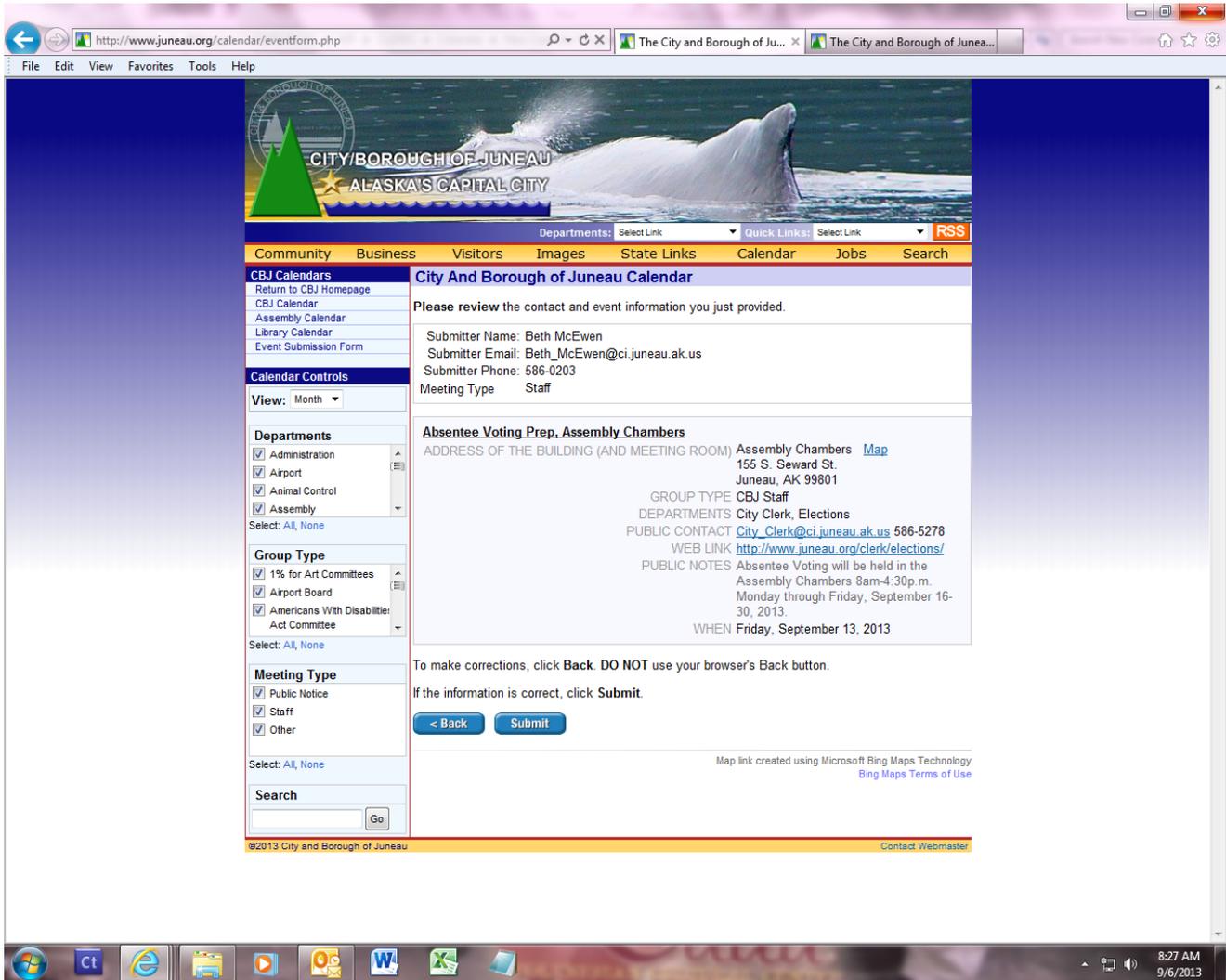
[Next >](#) Powered by [Trumba](#) | [Help](#)

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We care about your privacy.  
Information provided via this form will not be resold or redistributed.

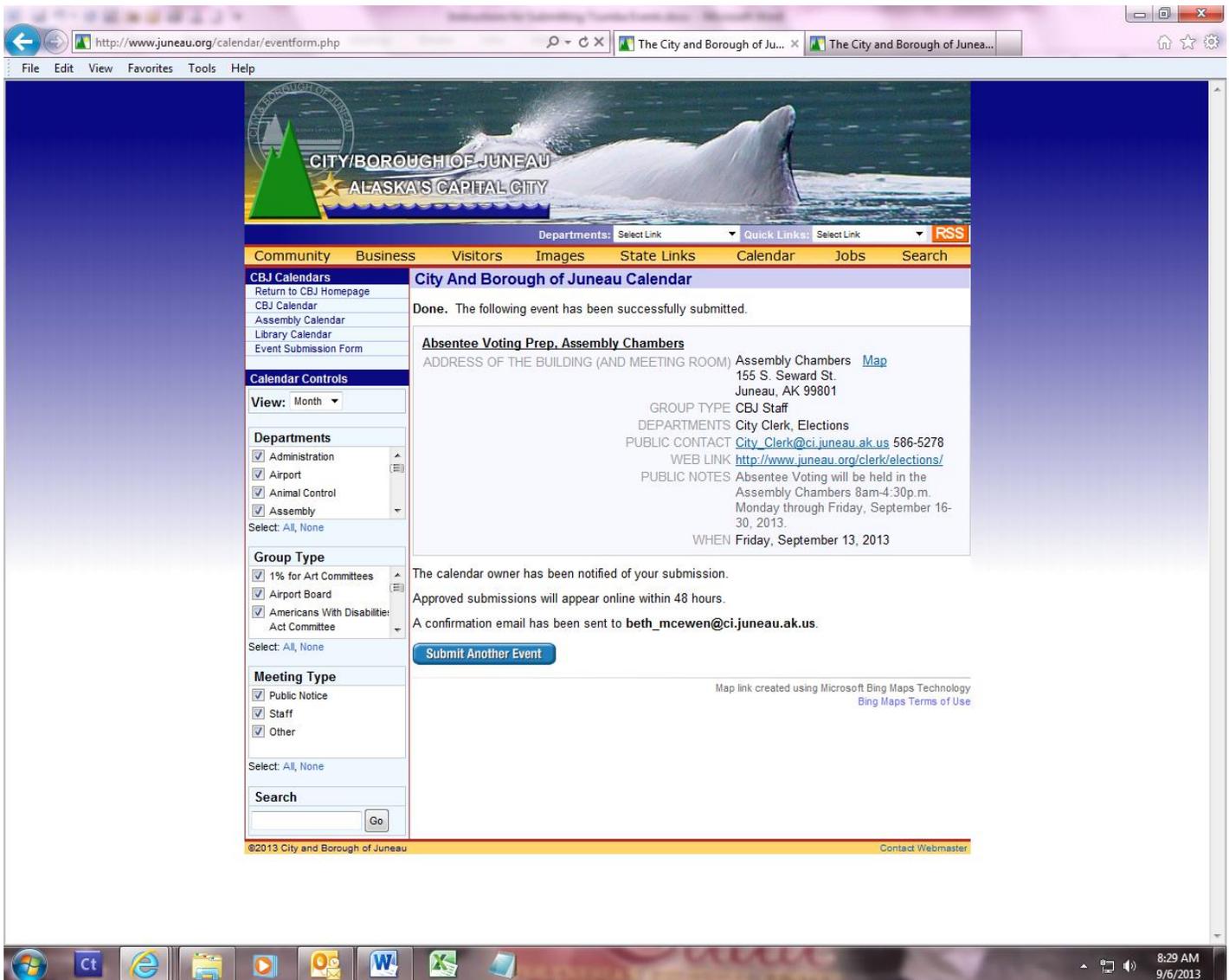
[Contact Webmaster](#)

Once you have entered all your information into the fillable form and click on the  Button this is what you see:

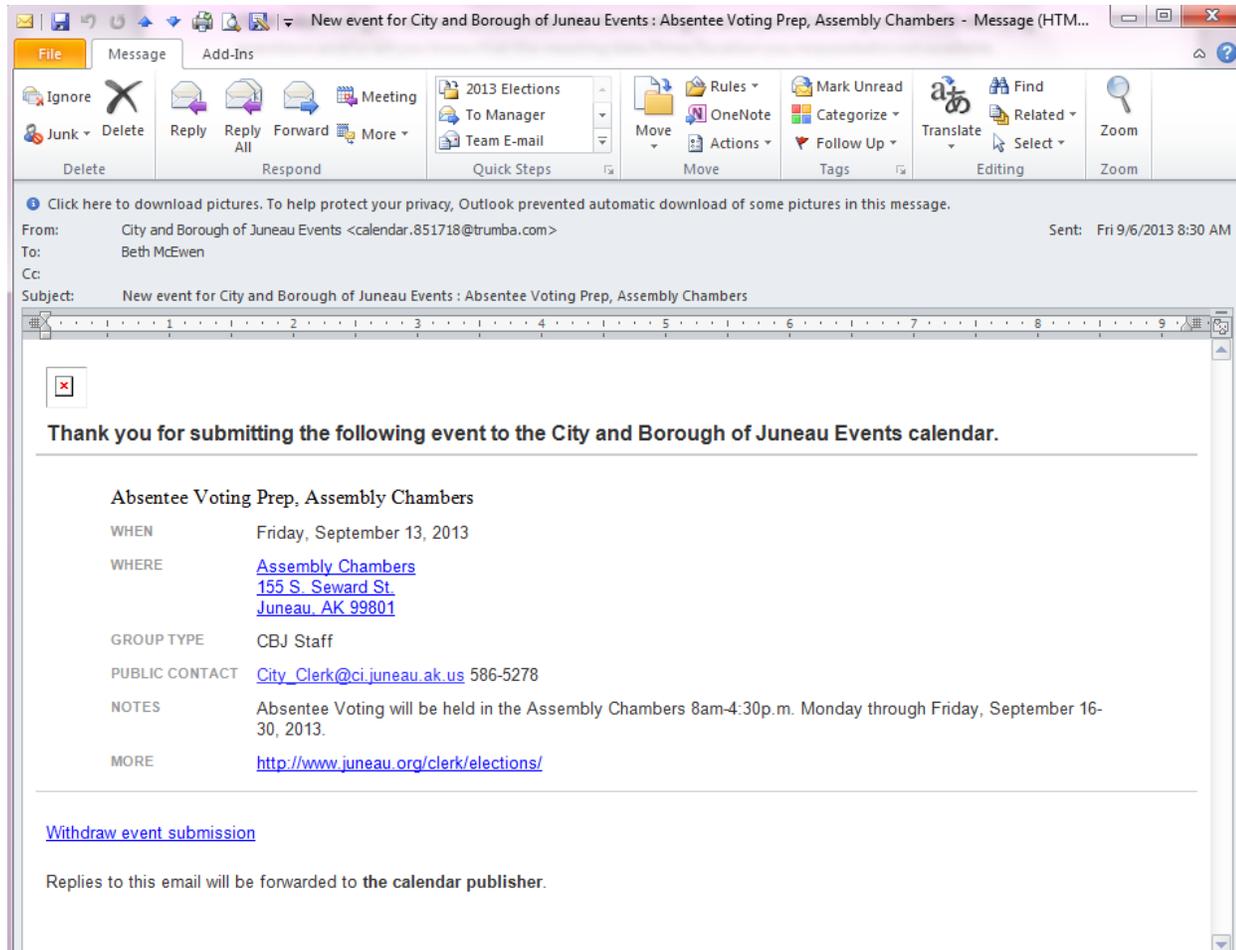


If you need to make changes, you use the blue  Button at the bottom of the screen. If this looks OK, select the blue  Button at the bottom of the screen.

Once you selected the "Submit" Button from the previous page, the following is the confirmation screen that will come up.



What comes through to the [City.Clerk@juneau.org](mailto:City.Clerk@juneau.org) email address when an event is submitted:



***A couple of tips on inputting/formatting your calendar request:***

- When entering your title – please include the room you are requested after the event in the title field:  
**Absentee Voting Prep, Assembly Chambers.**
- In the “Address of the Building (and meeting room)” section, please put the actual street address which will be mapped by Google when Clerk’s staff confirms the meeting. Example: 155 S. Seward Street, Juneau, AK 99801 for the address of City Hall.
- When selecting “Department” select any/all departments that may apply to this meeting from the pull down menu options.
- Please keep in mind that all use of City Hall Rooms are subject to bumping by the Assembly or one of its committees and/or by the Manager/Clerk staff for election or other uses.
- Please also note that the use of the library meeting rooms by CBJ Boards should all be done through the Clerk’s office. If you wish staff meetings held in a library meeting room to show up on the main CBJ Meeting Calendar, please route those requests through the Clerk’s Event Submission Form.
- If the request is for a library meeting room strictly for staff purposes and not subject to the Open Meetings Act and you don’t care if it shows up on the CBJ Meeting Calendar, you can work directly with the Library staff to book the room.

## **Calendar Request Processing**

Clerk's staff will go in and accept and calendar the meeting or send you a follow up email with clarifying questions and/or let you know that the meeting date/time/location you requested is not available.

To verify that your meeting is in the online calendar, we encourage you to check the calendar within 48 hours to confirm your meeting is actually booked and showing up on the calendar.

The Event Submission Form is for use when initially scheduling or deleting a meeting. If you need to delete the meeting, click on the withdraw event submission in the email you received from Trumba. If you are making changes to a meeting that you have already submitted, please send an email with the details of the change to [City.Clerk@juneau.org](mailto:City.Clerk@juneau.org) and we will make the changes as requested and send you a confirming email.

---

### **Thank you for submitting the following event to the City and Borough of Juneau Events calendar**

---

test	
DATE	Saturday, October 31, 2015
TIME	6:00 pm ADT
WHERE	155 S Seward St
GROUP TYPE	CBJ Staff
PUBLIC CONTACT	Sandi Mercer

---

[Withdraw event submission](#)

Replies to this email will be forwarded to **the calendar publisher**.

### **Building Access:**

- All meetings open to the public and/or subject to the Open Meetings Act need to be held in a facility that is compliant with the Americans with Disabilities Act.
- If you are requesting use of library meeting rooms for CBJ staff only outside of the hours that the library is open to the public you will also need to work directly with Cathy Turner at the library by calling 586-0448 or sending an email to [Cathy.Turner@juneau.org](mailto:Cathy.Turner@juneau.org) ensure access to the building during your scheduled time. This is a separate step that is done separately from your calendar/room request.
- Clerk's staff has been notified by CDD staff that the Marine View Building outside doors are locked after 5pm and therefore any meetings open to the Public or subject to the Open Meetings Act should not be scheduled for either the 3<sup>rd</sup> floor or the 4<sup>th</sup> floor conference rooms in that building after 5pm.
- Access to City Hall Chambers and/or Conference Room #224 after 4:30pm is through the 'blue' ADA accessible door next to the mural.
- Clerk's staff will program the 'blue' door and the elevator to be open from 4:30p.m. until the last meeting is scheduled to end for that evening.

- If there is more than one meeting being held in City Hall on the same evening, the staff members attending the meeting with the latest end time are responsible for ensuring that the blue door is locked.
- If you are the last staff member to leave the building and the green light is showing on the keypad next to the blue door, enter the override code **5278#** (This is the same as the last four digits in Clerk's Office phone number if you ever forget the code.)

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix E**

**HELPFUL DOCUMENTS**

**Sample Agenda ..... page E1**

**Sample Script for Chairpersons ..... pages E2-E4**

**Sample Minutes ..... pages E5-E6**

**Laurie Sica Tips for Writing Minutes... pages E7-E8**

**SAMPLE AGENDA**  
**[NAME OF BOARD] ASSEMBLY ADVISORY BOARD MEETING**  
**[DATE] Thursday, June 13, 2013; 12:00 p.m. (Noon)**  
**[LOCATION] Municipal Building – Chambers**

**I. Call To Order**

**II. Agenda Changes**

**III. Public Participation on Non-Agenda Items**

**IV. Approval of Minutes**

- A. [Date of last meeting's minutes up for approval]  
May 6, 2013 Assembly Advisory Board

**V. Unfinished Business**

- A. Report on board testimony to the Assembly at the date meeting

**VI. New Business**

- A. Election of Officers  
B. Goals for the next year

**VIII. Committee, Liaison, and/or Staff Reports**

**IX. Executive Session**

[Please note that if your group anticipates going into Executive Session, the reasons for going into executive session are very limited and in some cases, there are specific advance notice requirements that must occur prior to the meeting. Please see the section in our board information booklet on the Open Meetings Act and/or contact the City Attorney if you have any questions about this agenda item.]

**X. Other Business**

**XI. Adjournment**

Please note, this sample agenda is loosely based on the agenda structure for Assembly meetings as found in the Assembly Rules of Procedure Resolution as well as the agenda structures found in Roberts Rules of Order. CBJ Boards can use this template and add or delete or rearrange agenda items as it fits with their particular board's mission and work.

## SAMPLE SCRIPTS FOR BOARD CHAIRPERSONS

*Chairperson's script in italics below*

### **I. Call To Order**

Chair: *I'd like to call the (Date/Name of Group) June 13, 2013 Assembly Advisory Board meeting to order. Will the clerk please note the roll? [If a quorum is not present – the only action that can be taken is to set the date/time/location for the next meeting and adjourn.]*

### **II. Agenda Changes**

Chair: *Are there any agenda changes? Hearing none, we will accept the agenda as presented.*

### **III. Public Participation on Non-Agenda Items**

[The time limit and manner in which the public heard is up to the call of the chair.]

Chair: *We reserve up to 10 (however much time the chair designates) minutes for non-agenda items for members of the public, two minutes (time is determined by dividing the total time by the number of individuals signed up to testify) each. Is there any member of the public that wishes to address the board on a non-agenda item?*

Chair: *Hearing none we will move on to the approval of the minutes. – or –*

Chair: *Can you please come forward and state your name for the record? (Address is not required)*

### **IV. Approval of Minutes**

Chair: *We have before us the minutes of the (Date/Name of Group) meeting, do I have a motion? [Upon recognizing a member of the board] Mr./Ms. \_\_\_\_\_.*

[Sample motion by board member: "I move the (date) minutes of the (Name of Group) meeting and ask unanimous consent."] – or –

[Sample motion by board member: "I move the minutes of the (Date/Name of Group) meeting and would like to propose the following correction: Page 1, paragraph 2, second sentence needs to state: ".....".

Sample 1: Chair: *You've heard the motion, hearing no objection, the minutes are approved. –or –*

Sample 2: Chair: *The minutes have been moved with corrections as noted; are there any objections to their approval? Hearing none, the minutes will be approved as corrected.*

### **V. Unfinished Business**

Chair: *That brings us to our unfinished business, the first item is V.1.a. name of agenda item*

Chair: *Is there a staff report?*

[It is up to the chair to decide if public testimony will be taken on any of the items on the agenda, often times, this is done on a case by case basis depending on the type of agenda item under consideration.]

Chair: *Is there anyone from the public wishing to speak on item V.1.a...? Hearing none, public testimony is now closed. – or –*

Chair: *Can you please come forward and state your name for the record?*

Following the public testimony, the Chair asks the members of the board if they have any questions for the person testifying. If there are no questions, the Chair thanks the individual for their testimony and opens the floor for action by the board.

A board member, upon recognition by the chair, makes a motion, in the affirmative so that an agenda item can come before the board for action and/or discussion. When a motion is made, the chair then restates the motion and the motion then belongs to the body and is ready for action to be taken. An Example follows:

[Boardmember's name]: "I move the (Name of Board) recommends ... to the Assembly and ask for unanimous consent. – or –"

[Boardmember's name]: "I move the (Name of Board) recommends ... to the Assembly and would like to speak to the motion."

(CBJ rules of procedure do not require a "second" after a motion is made.)

Chair: *Mr. [Boardmember's Name], you have the floor.*

Following discussion of the motion by all members wishing to speak, the Chair then restates the motion before the body and asks for unanimous consent or asks that a vote be taken.

The Assembly rules of procedure #5A states: Any member of the Assembly may sit with any board at all times; such member shall have the right to participate in board discussion except that members of the board shall have priority in obtaining the floor and only board members may vote. Reasonable opportunity for the public to be heard shall be allowed at board meetings other than those designated as work sessions.

Chair: *"Is there any additional discussion on the motion? Is there any objection to the motion? Hearing none, the motion carries." – or –*

Chair: *Objection has been noted, will the clerk please call the roll?*

[The clerk calls the roll, announces the total votes for and against the motion, and according to Roberts Rules, it is the chair who declares that the motion carries or fails and then moves on to the next item on the agenda.]

Chair: *That brings us to item V.1.b. \_\_\_\_\_ name of agenda item \_\_\_\_\_. Staff report please. [and the*

process repeats until all agenda items are completed.]

## **VI. New Business**

The same process as above is followed for all agenda items.

## **VII. Committee, Liaison, and/or Staff Reports**

The same process as above is followed for all agenda items.

## **VIII. Executive Session**

[Please note that if your group anticipates going into Executive Session, the reasons for going into executive session are very limited and in some cases, there are specific advance notice requirements that must occur prior to the meeting. Please see the section in our board information booklet on the Open Meetings Act and/or contact the City Attorney if you have any questions about this agenda item.] For CBJ Boards, the primary use of an Executive Session would be by our quasi-judicial bodies (appeal boards) following the close of testimony at an appeal hearing when deliberating their decision on an appeal.

An example of an executive session held by the Assembly on June 14, 2010 meeting and the manner in which it was reflected in the minutes are as follows:

### ***II. EXECUTIVE SESSION***

#### ***A. Update Regarding Contract Negotiations With Arrow Refuse On Solid Waste.***

*MOTION, by Anderson, to enter into executive session to discuss a matter, the immediate knowledge of which could have a detrimental effect on the finances of the municipality, specifically, contract negotiations with Arrow Refuse.*

*Public Comment: None.*

*Assembly Action: Hearing no objection, the Assembly entered executive session at 12:05 p.m. and returned to regular session at 12:55 p.m.*

*Mayor Botelho said that in executive session, the Assembly reviewed the status of contract negotiations with Arrow Refuse on solid waste issues and gave instruction to the City Attorney and City Manager with a request for additional information.*

## **IX. Other Business**

## **X. Adjournment**

*Chair: Are there any other items to come before the body? Hearing none, we are now adjourned.*

## SAMPLE MINUTES FOR CBJ BOARDS

Please review the guidelines for minutes found on page 10 of the CBJ Board Pamphlet. These sample minutes would be an example of what would be written for the meeting held based on our attached Sample Agenda.

### DRAFT MINUTES

[Name of Board] **ASSEMBLY ADVISORY BOARD MEETING**

[Date] **Thursday, June 13, 2013; 12:00 p.m. (Noon)**

[Location] **Municipal Building – Chambers**

I. **Call to Order:** Chair \_\_\_\_\_ called the meeting to order at 12:00 p.m.

Present: Chair \_\_\_\_\_, (Members' Names:) \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, and \_\_\_\_\_ (telephonic)

Absent: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

A quorum was present

Staff & Others Present: (Names of any staff and any presenters and the agencies they represent here.)

II. **Agenda Changes:** Mr. \_\_\_\_\_ asked that the item pertaining to \_\_\_\_\_ be added to the New Business portion of the agenda.

III. **Public Participation on Non-Agenda Items:**

Mr. \_\_\_\_\_ came and spoke to the Assembly Advisory Board about \_\_\_\_\_.

IV. **Approval of Minutes**

**A. May 6, 2013 Assembly Advisory Board Regular Meeting**

Ms. \_\_\_\_\_ noted corrections needed on page 4 of the minutes.

***MOTION*** by Ms. \_\_\_\_\_ to approve the minutes of the May 6, 2013 minutes with the corrections as noted. ***Hearing no objection, the minutes of the May 6, 2013 Assembly Advisory Board were approved as corrected by unanimous consent.***

V. **Unfinished Business**

Chairman \_\_\_\_\_ reported that the he testified at the regular Assembly meeting on Monday, May 27, 2013 on the Advisory Board's issue regarding \_\_\_\_\_. He reported that the Assembly passed a motion in favor of their request.

VI. **New Business**

**A. Election of Officers**

Each year following the Assembly appointments to the Advisory Board, the Board elects its

officers for a one year period. Seats up for election are Chair, Vice-Chair, Secretary, and Treasurer.

Chairman\_\_\_\_\_ opened the floor to nominations for the officer positions.

MOTION by Mr. \_\_\_\_\_ to nominate Ms. \_\_\_\_\_ to serve as Chair. There being no other nominations for Chair, Ms. \_\_\_\_\_ was appointed by unanimous consent.

(same process for all officer positions)

Former Chair \_\_\_\_\_ passed the gavel to incoming Chair \_\_\_\_\_ to preside for the remainder of the meeting.

Chairperson \_\_\_\_\_ asked each of the members to give her their liaison and committee assignment preferences by the following week so she could provide the new list of committee assignments to the board for its approval at the next regular board meeting.

**B. Goals for the next year**

Chair \_\_\_\_\_ asked the members their wishes on setting goals for the upcoming year. Each member provided their top three goals and it was decided by consensus of the board that the following goals will be the top three goals of the board for the upcoming year:

- Goal 1: Work on updating the board’s bylaws
- Goal 2: etc...
- Goal 3: etc...

**VII. Committee, Liaison, and/or Staff Reports**

**A. Finance Committee Report**

Finance Committee Chair reported that the board’s financial request was presented to the Assembly Finance Committee and approved by the Assembly at its meeting on \_\_\_\_\_.

(same process for all committee/liaison reports)

**VIII. Other Business: None.**

**IX. Adjournment** – There being no further business, Chair \_\_\_\_\_ adjourned the meeting at 1:00 p.m.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
\_\_\_\_\_ Clerk/Secretary

# Tips for Writing Minutes

Laurie Sica, MMC, Municipal Clerk, City and Borough of Juneau – 2011



Minutes are a historical record of the decisions and actions of a group, and may also capture the thought process that led to decisions. Most government retention schedules require that minutes be kept permanently, so ensure minutes are accurate and appropriate for the ages.



Minutes are also immediately useful. They help a group keep track of its actions, communicate requests for more information, provide future agenda items, transmit “to-do” lists and convey information for reference.



A group should agree to minute taking standards. There are three styles:

- Action: Skeletal – just the facts. Date, time, place, attendance, motions and decisions, future agenda items and meeting dates.
- Summary: Skeletal + main points, i.e. “Mr. Ed said he was for the project because...,” “Ms. No said she was opposed to the project because...,” “Following discussion...”
- Verbatim: Court transcription (every word).



Minute writers: Be Prepared, Be Bold, and Be Responsive!

- Review the meeting agenda and packet before the meeting.
- Have roll call sheets (if used), motion pads, “fill in the blank drafts” available.
- Position yourself in the best seat to hear and record the meeting.
- Be next to the Chair if possible to be able to communicate during the meeting.
- Speak up if you can not hear, or if the motion should be restated.
- Complete minutes as soon as possible after the meeting – avoid “cold” minutes.
- Spell Check, Grammar Check, AND proofread.

## Minutes should:

### Be Accurate and Complete

What happened – not what the group wishes had happened.

### Focus on key points and decisions

Recording every word said is not necessary. Members may regret their comments at a later date. We are writing “minutes,” not “hours.”

### Focus on the agenda

Leave out “side chat” or rambling on items not on the agenda.

### Focus on the group

Comments and votes do not need to be attributed to individuals unless that is the group’s preference.

### Be Objective

Stick to the words “said” and “asked.” Avoid subjective interpretations, such as, “Mr. Green instructed...” or “Ms. Brown questioned” or “Ms. Black implored...”

### Be Consistent

Use a template - similar to the agenda. Consistent across the organization is preferable, such as Council minutes / Planning Commission minutes, etc.

Use past tense throughout the document.

Salutations should be consistent, i.e., Mr. or Ms. throughout.

### Be Specific

Avoid acronyms on first reference, i.e., Alaska Department of Transportation and Public Facilities can become ADOT/PF after you spell it out once.

Remember that something commonly known today may not be identifiable in the future.

### Be Professional

No spelling or grammatical errors.

### Be Readable

Use a font size comfortable for the readers. Ragged edges are easier to read than justified text. Use spacing, bullets, bold, underlines for key points. Avoid “blocks of gray text.”

### Create a Logical Flow

Minutes should be logically organized even if the meeting was fragmented or confusing. If an agenda items was discussed sporadically throughout the meeting, it is ok to group all the events related to the item in the same place.

### Be Archivable

Use a consistent file name and file as required – always in a central location.

### Be Approved

Provide to the group for motion to approve the minutes at the next meeting.

**CBJ BOARDS, COMMITTEES &  
COMMISSIONS  
INFORMATIONAL PAMPHLET**

**Appendix F**

**PUBLIC RECORDS**

**re: CBJ E-Mails & Telecommunications Policy**

**CBJ Telecommunications Policy #14-04..... page F1**

**Boardmember Telecom. Agreement Form ..... page F4**

**Records Retention Resolution 2356 Excerpt.... page F5**

## INFORMATION AND COMMUNICATIONS TECHNOLOGY POLICY

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### I. INTRODUCTION

Information and communication technologies (ICT), consisting of computers and telecommunications and network resources, are provided by the CBJ to aid its employees in accomplishing the CBJ's objectives. The purpose of this policy is to establish a uniform guideline for the use of ICT. All users when connected to the CBJ networks from private devices as well as CBJ devices are subject to this policy.

CBJ users, including employees, contractors, and volunteers, who violate this policy are subject to discipline up to and including termination from service.

### II. ICT POLICY

- A. All information transmitted received or stored on CBJ ICT is subject to review by, or at the direction of CBJ management. Users should not have any expectation of privacy in the use of the CBJ ICT. The CBJ reserves the right to monitor and review any communications, files, or other use of CBJ ICT without any advance notice to, or the consent, of any user.
- B. All files and email messages saved on CBJ ICT may be considered a matter of public record and subject to disclosure. This includes all files, email messages, or text transmitted, received, or saved on any personal computing equipment (phones, smartphones, tablets, computers, etc.).
- C. Incidental personal use, in compliance with the other provisions of this policy, is allowed as long as it does not:
  - 1. Interfere with the business of the CBJ, or any employee's job performance.
  - 2. Consume significant resources.
  - 3. Give rise to additional costs.
  - 4. Create personal financial gain unrelated to a user's duties with the CBJ, unless the ICT being accessed and used is a bulletin board or web page made available by the CBJ MIS Division for the purpose of enabling employees to market and sell personal property.
- D. CBJ users shall take reasonable precautions to protect access codes, computer passwords or other access mechanisms to avoid unauthorized access. Passwords for systems are created by users for the purpose of excluding unauthorized personnel, not to provide privacy from official review. CBJ users must not divulge their passwords to any other person. Password criteria and other computer policies established by MIS can be found on the MIS intranet page.
- E. Only encryption tools authorized by MIS may be used. Except with the prior written consent of the MIS director, all such tools must be implement key-recovery or key-escrow techniques to permit the CBJ to access and recover all encrypted information (e.g., in the case of the absence of the employee who performed the encryption).
- F. Confidential information (whether owned by the CBJ, its vendors, or other persons) is not to be disclosed to others without prior authorization. The question of "authorization" will be a function of the type and ownership of the confidential information. (For example, different authority may be required for disclosure of CBJ-owned information than for vendor-owned information). "Authorization" for disclosure may be limited to certain specific individuals within the agency on a need-to-know basis.
- G. Users are expressly prohibited from engaging in the following acts. Doing so may subject a user to removal of use privileges and/or disciplinary action, up to and including termination of employment:
  - 1. Engaging in any willful act or omission that may cause a general loss of computer, telecommunications equipment, or network resources, or that will interfere with any CBJ functions.
  - 2. Using any CBJ ICT for illegal activity.

***F1***

3. CBJ users shall access, delete, examine, copy, modify, and retrieve any stored information only to accomplish the CBJ's objectives.
4. ICT shall not be used for financial or personal gain such as running any aspect of a private business, or for the purpose of advocating voting for or against a candidate for federal, state, or municipal office, or a federal, state, or municipal ballot issue, not directly related to the user's work duties. Use of the CBJ's intranet bulletin board to advertise sale items, make global announcements, etc., is exempt from this restriction.
5. The installation or use of any software or hardware on CBJ ICT without prior approval from the user's department director or MIS is prohibited.
6. CBJ users may not download, install, duplicate, or store software or data files that violate applicable copyright or license agreements.
7. CBJ users shall not attempt to circumvent or subvert the CBJ ICT systems or processes intended to protect and secure CBJ information.
8. CBJ users may not use CBJ ICT to store, print, distribute, edit, record or display offensive, defamatory, discriminatory, harassing, disruptive or any other prohibited material, unless explicitly authorized to do so to accomplish the CBJ's objectives.
9. CBJ users may not attempt to gain unauthorized access or attempted access to any other person's computer, email, or voicemail accounts or equipment.
10. Under no circumstances may any posting, message, or document originating at the CBJ be in violation of the letter or the spirit of the CBJ's policies, such as the Equal Employment Opportunity or Harassment policies.
11. CBJ users shall not misrepresent their identity in any way while using CBJ ICT. This includes using another employee's email account, or by modifying another's messages without permission. The content of messages written by others should be forwarded with no changes, except to the extent that edits to the original message are clearly indicated (for example, by using brackets or by using other characters such as \* \* \* to flag edited text).
12. Connecting directly to the CBJ computing or networking systems with a personal device without direct authorization from MIS is prohibited. Remote access rules and criteria for using personal devices to connect the CBJ computing and network resources are driven by MIS. Users are required to comply with any rules posted by MIS on the MIS home page under the link called Computer Policies.

H. All users shall take immediate action to address any inadvertent violation of these rules by immediately contacting MIS, providing specific information describing the violation.

### III. RETENTION AND SECURITY OF E-MAIL MESSAGES

Email messages and computer-stored items are CBJ property and are public documents. Email messages are official documents until they are destroyed, and may have legal and operational effect identical to that of traditional, hardcopy documents. Accordingly, all email messages should be treated as though they may later be viewed by others.

They must be administered as required by the Alaska Archives Act, the Alaska Open Records Act, and CBJ document retention policies. In addition, messages may become evidence in a lawsuit and thus subject to the rules of court regarding discovery. *Do not attempt to evade these requirements by moving or destroying documents in response to legitimate requests under the Open Records Act or because a lawsuit has been or probably will be filed.* Any such attempt is illegal, is detectable, and will subject the CBJ and you to severe penalties.

It is the policy of the CBJ that email messages are temporary informal documents that are routinely destroyed after 90 days unless users make a deliberate decision to preserve them. Users are required to administer email messages generated and received via CBJ ICT as follows:

- A. Immediately upon sending or receiving a message, users should make a determination whether the message has any lasting administrative, legal, or historical value, or if it is evidence in a pending or probable lawsuit.
- B. If the message has no lasting value and does not constitute evidence, users may delete it or may leave it in the Inbox. The Inbox, Deleted Items, and Sent Items folders are set to automatically purge all messages older than 90 days.
- C. If the message has any lasting administrative, legal, or historical value, or if it is evidence in a pending or probable lawsuit, the message should be moved from the Inbox or Sent Items folders folder and preserved in an Outlook folder that is not automatically purged.

#### IV. GENERAL PROVISIONS

Scope: This policy applies to all agencies and employees of the City and Borough of Juneau, Alaska.

- A. Authority to promulgate policy: The City Manager of the City and Borough of Juneau, Alaska, maintains the authority granted by the CBJ Charter to order policy and the guidelines for implementation.
- B. Effective Date: This policy will take effect on date policy is signed.

Dated at Juneau, Alaska, this 9<sup>th</sup> day of December, 2014.



Kimberly A. Kiefer  
City and Borough Manager



**The City and Borough of Juneau**  
Municipal Clerk's Office  
155 South Seward Street, Juneau, Alaska 99801  
Main Phone: 586-5278 Fax: 586-4552

## Telecommunications Policy Board/Commission Member Acknowledgement Form

I have been provided with a copy of CBJ Administrative Policy 14-04: Information and Communication Technology Policy. I certify that I have read the policy and have had the opportunity to ask questions about the content, requirements, and expectations contained therein.

I agree to abide by the policy guidelines as a condition of my continuing service as a board or commissioner with the City and Borough of Juneau.

I understand that if I have questions, at any time, regarding the Telecommunications Policy, I will consult with the City Manager and/or Clerk's offices, the City Attorney, or their designees for clarification. In the alternative, I understand I can also contact the Human Resources office for assistance.

Please read the Telecommunications Policy carefully to ensure that you understand the policy before signing this document.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CBJ Records Retention Schedule (Resolution 2356) Excerpt:**

Series, Title & Description	Retention Period (years)	Remarks
<b>General: All city departments will use this general retention schedule for correspondence unless the department has adopted a particular retention schedule for correspondence as outlined in the following pages.</b>		
Transitory Correspondence: Those records that are created primarily for the informal communication of information, as opposed to communications designed for the perpetuation or formalization of knowledge. Transitory messages do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. The informal nature of transitory messages might be compared to the communication that might take place during a telephone conversation or verbal communications in an office hallway.	90 days	
Subject Files (Functional): Correspondence, reports, and information related to the functional departments of the municipality and which document events, projects, activities and issues.	7	Review for administrative or archival value.
Reading Files: Copies of outgoing letters and memoranda arranged by date.	7	

For more information about the Alaska Public Records Act and how it relates to the CBJ Boardmembers, please see the document from the CBJ Law Department titled "ALASKA PUBLIC RECORDS ACT: *What does the law require and how do I follow it?*" located on our City Clerk's records management website at [http://www.juneau.org/clerk/Records\\_Index.php](http://www.juneau.org/clerk/Records_Index.php).