



# CITY AND BOROUGH OF JUNEAU PLANNING COMMISSION RULES OF ORDER

The following rules and guidelines are hereby adopted by the Planning Commission of the City and Borough of Juneau.

## **Purpose.**

These Rules of Order are intended to guide meetings and other operations of the City & Borough of Juneau (CBJ) Planning Commission in a manner that ensures consistency, fairness, and an equitable opportunity for members of the Commission and the public to participate in an open and orderly manner.

## **Rule 1. COMMISSION OFFICERS AND ROLES**

- A. The officers of the Planning Commission (Commission) shall be Chair, Vice-Chair, Clerk, and Assistant Clerk.
- B. Officers shall be elected by a majority vote of the members of the Commission held annually at the start of the first regular meeting of the year.
- C. Officer Duties:
  - 1. The Chair shall preside over regular Commission meetings, establish committees, and coordinate with the Community Development Department Director (Director) on issues including meeting agendas.
  - 2. The Vice-Chair shall preside over Committee of the Whole meetings and fulfill the duties of the Chair when the Chair is absent or otherwise unable to fulfill those obligations.
  - 3. If neither the Chair nor Vice-Chair is available, another member of the Commission shall be identified to fulfill the designated duties.

## **Rule 2. MEETINGS**

- A. Date and Time of Regular Meetings. The regular meetings of the Commission shall be at ~~7:00~~6:00 P.M. on the second and fourth Tuesdays of each month.
- B. Commission Attendance. Members of the Commission are expected to attend meetings and arrive on time. If a member of the Commission arrives, or joins remotely, after the Commission has begun proceedings on an item, that member will not be allowed to participate in the hearing

on that issue.

If a member of the Commission cannot attend a Commission or Committee meeting or will be late to a meeting, that member ~~is expected to~~will notify the ~~Director and~~ Chair with as much notice as possible. If a member is absent without providing notice, that absence will be considered unexcused. If any member reaches three unexcused absences from regular, special, and subcommittee meetings in one calendar year, the ~~Director~~ Chair will notify the Assembly Human Resources Committee (HRC).

- C. Place of Meetings. Commission meetings shall be held in the Assembly Chambers at the Municipal Building at **155 South Seward Street**, Juneau, Alaska, unless public notice is provided for a different location. Meetings will also be available by remote platform.
- D. All Meetings Public. All meetings of the Commission and any of its subcommittees shall be open to the public except for executive sessions.
- E. Special Meetings and Committee of the Whole Meetings. Special and Committee of the Whole meetings may be called at any time by the Chair and must be called if requested by at least three members of the Commission.
- F. Time of Adjournment. Meetings will adjourn no later than ~~11:00~~10:00 P.M. unless extensions are allowed by a majority of the members of the Commission present who are not recused from hearing the business under consideration at the time. Meetings may be extended past ~~11:30~~10:30 P.M. only in accordance with Rule 14 and with consent of the Chair. No new business will be considered after 10:30 P.M. unless agreed to by a majority of the members present who are not recused from hearing the new business.

### **Rule 3. PUBLIC NOTICE OF MEETINGS**

Notice of all meetings of the Commission and its subcommittees shall be supplied to a newspaper of general circulation and posted on the City and Borough website and on the Municipal Bulletin Board.

### **Rule 4. STAFF ATTENDANCE**

At least one Community Development Department (CDD) staff member will attend all meetings of the Commission and its subcommittees.

### **Rule 5. ORDER OF BUSINESS**

The order of business for Commission meetings shall be:

- I. Land Acknowledgement
- II. Roll Call
- III. Request for Agenda Changes and Approval of Agenda
- IV. Approval of Minutes
- V. Brief Review of the Rules for Public Participation
- VI. Public Participation on Non-Agenda Items

- VII. Items for Reconsideration
- VIII. Consent Agenda
- IX. Unfinished Business
- X. Regular Agenda
- XI. Other Business
- XII. Staff Reports
- XIII. Committee Reports
- XIV. Liaison Reports
- XV. Continuation of Public Participation on Non-Agenda Items
- XVI. Planning Commission Comments and Questions
- XVII. Executive Session
- XVIII. Adjournment

## **Rule 6. COMMITTEES**

- A. Appointment and Membership. The Chair shall (i) appoint members to the standing subcommittees and appoint the chairs of those subcommittees; and (ii) create subcommittees, as deemed necessary, and appoint members and chairs of those subcommittees. Standing committees shall consist of at least four members of the Commission. The Chair is an ex officio member of all subcommittees; the Chair can debate and vote and is not required for purposes of establishing the minimum quorum necessary for action. If present, the Chair counts toward establishing a quorum.
- B. Committee Chair. A subcommittee Chair or, in their absence, the most senior member of the subcommittee present, shall have full responsibility for conducting the affairs of the subcommittee and reporting the same to the Commission. Subcommittee Chairs shall act as spokespersons for their subcommittee at public meetings. Public testimony shall be allowed at subcommittee meetings only with permission from the Chair of that subcommittee.
- C. Standing Committees.
  - 1. Title 49 Committee. The purpose of this committee is to review the land use code and recommend changes to the land use code, as needed, to the Commission.
  - 2. Governance Committee. The purpose of this committee is to review and recommend updates to these rules and procedures as necessary, and to consider other actions as may be beneficial to facilitate Commission and subcommittee meetings and debate.
  - 3. CIP Committee. The purpose of this committee is to lead Commission participation in development of the annual CBJ CIP project list, including efforts to ensure the projects reflect CBJ planning priorities as enumerated in the Comprehensive Plan, Area Plans, and other plans adopted by the Assembly.

## Rule 7. OTHER BOARDS, COMMISSIONS AND COMMITTEES

- A. Appointment of Liaisons. Commission liaisons serve as connections to establish and maintain communication between the Commission and other boards, commissions, or committees on issues, projects, and other matters of mutual concern and interest. A liaison is not a member of the other body, ~~does not~~ ~~or~~ counted to determine a quorum, has no voting power on the body, and is encouraged, but not required, to attend ~~all~~ meetings of the body. The Chair shall appoint one liaison to each of the following:

1. Assembly Lands, Housing, and Economic Development Committee.
2. Assembly Public Works and Facilities Committee.
3. Juneau Commission on Sustainability.

- ~~B. Appointments to seats on other Boards, Commissions, or Committees. The Chair shall appoint members to serve on other boards, commissions, and committees, in seats designated for the Commission, as follows:~~

- ~~1. Wetlands Review Board. Two members of the Commission shall be appointed to serve as full, voting members of the Wetlands Review Board.~~

## Rule 8. PROTOCOLS FOR COMMISSIONER DEBATE AND DISCUSSIONS

- A. Speaking on the Question. In all questions and comments, members of the Commission shall ~~endeavor to~~ provide the Commission with relevant facts and arguments and shall ~~strive to~~ avoid redundancy. The Chair may disallow non-germane questions and comments. Members of the Commission, the Director, and CDD staff may speak more than once to the same question at the same stage of proceedings. In determining the order of speakers, the Chair shall give priority to members who have not spoken on the question.
- B. Asking Questions. After obtaining recognition from the Chair, a member may ask direct questions of another member of the Commission, the Director, CDD staff, or of a person appearing before the Commission. All questions shall be respectful and may not be argumentative.
- C. Decorum. Members of the Commission shall not question the motives, competency, or integrity of any person except as necessary to decide a matter in which such issues are relevant. The Chair shall admonish any member violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

## Rule 9. PROTOCOL FOR MEETINGS

- A. Order and Procedure for Public Hearings on Action Items:
1. The Chair will open the hearing on an individual item for action and read the title of the matter at hand.

2. CDD staff will present a report and recommendation and will respond to initial Commission questions. CDD staff is encouraged to limit its presentation to no more than 10 minutes. Members of the Commission are encouraged to hold questions until the completion of the initial presentation.
  3. The applicant or the applicant's representative will have an opportunity to present information regarding the request and respond to initial Commission questions. This presentation is limited to no more than 10 minutes. The limit shall be extended as long as necessary to answer any questions addressed to the speaker by the members of the Commission. If the applicant wishes to use electronic slides (PowerPoint or the equivalent) during a presentation, the applicant must supply an electronic version of those slides to CDD staff in accordance with Rule 11. This deadline may be altered for meetings held other than at the regular meeting time.
  4. Public participation will be opened, and the public will be invited to comment. Public participation shall be carried out in accordance with Rule 10. Members of the Commission may pose questions through the Chair in accordance with Rule 8.
  5. Public participation will be closed.
  6. The applicant or the applicant's representative will have an opportunity to present additional information regarding the request and respond to questions from the Commission. This presentation shall be limited to no more than 5 minutes; this time limit shall be extended as long as necessary to answer any questions addressed to the speaker by members of the Commission.
  7. The Commission will deliberate and make its decision.
- B. The Chair will set forth the item or subject to be discussed and will rule non-germane or inappropriate comments out of order.
  - C. All speakers, members of the public, the Director, CDD staff, and members of the Commission will be recognized by the Chair by surname.
  - D. When recognized by the Chair, CDD staff may participate in the same manner as the members of the Commission except that staff cannot vote.
  - E. Once public participation is closed, it cannot be reopened except in accordance with Rule 14.
  - F. Except in accordance with Rule 17, remote participation by an applicant or member of the public is not permitted. A member of the public that wishes to participate at a meeting, but cannot attend the meeting, may submit comments in writing pursuant to these Rules or send a representative to present on his-or-her~~his-or-her~~their behalf. Applicants or members of the public that choose to participate remotely do so at their own risk. If remote connection is lost, the public

hearing may continue without the applicant's participation.

## **Rule 10. PUBLIC PARTICIPATION AT MEETINGS (ORAL)**

A. Public Testimony. Public participation in the form of oral testimony during hearings on permit applications, ordinances, resolutions, matters other than appeals, and on non-agenda items, will be conducted according to the following rules:

1. Subject Matter. Members of the public present during a hearing shall be given one opportunity to be heard during the hearing. In addition, there shall be a time during all regular Commission meetings for members of the public to address the Commission concerning any matter relevant to the Commission's jurisdiction and not on the agenda for specific public hearing at that meeting. Questions posed to Commissioners or CDD staff will not be answered directly during the time allotted for public testimony.
2. Time Limits for Public Testimony. Unless otherwise specified by the Chair, public testimony on agenda items is limited to five minutes per speaker. The five-minute limit shall be extended as long as necessary to answer any questions addressed to the speaker by the Commission or ~~CDD~~ the Director, or CDD staff. The Chair may set a different time limit if it appears necessary to gain maximum participation and conserve time and may, for the same reason, disallow questions from the Commission to members of the public. The time limit may also be changed by a majority of the Commission, which the Chair cannot overrule. Except as otherwise provided in these Rules, the time limit for individual speakers shall be uniform for all speakers and shall be strictly enforced. The time limit for public testimony on non-agenda items is limited to three minutes.
3. Public Representatives. Members of the public shall not have the right to transfer their unused time to another. However, an individual may speak on behalf of a group of ~~other~~ individuals provided that all individuals are present, either in person or remotely, during the meeting. If present in person, all individuals must have signed in on the sign-in sheet provided, and have indicated on the sign-in sheet that the representative individual will present on their behalf. If participating remotely, all individuals must have provided an email to the Director and Chair by 12:00 PM the day of the meeting stating that the representative individual will present on their behalf. Under these circumstances, the time limit for the oral testimony presented by the representative individual shall be extended by one minute for each individual represented up to a maximum of five additional minutes. Individuals that are represented in this manner shall not also have the right to present oral testimony for themselves. The Chair has discretion over the order in which public testimony will be taken from members of public participating in person and members of the public participating remotely.
4. Identification. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Chair, their place of residence. The public will write this information on the sign-in sheet provided.

- B. Decorum. The Chair is responsible for ensuring that members of the public have a reasonable opportunity to address the Commission during public participation periods and for maintaining proper order and decorum throughout each meeting. Audible communication from or in the audience, including communication directed to the Commission, CBJ staff, or applicant during meetings is not allowed. The Chair shall ~~also~~ ensure that during oral testimony, members of the public direct their comments and questions to the Chair and not to the applicant, CBJ staff or other members of the public. Questions shall be respectful and may not be argumentative. The Chair shall admonish any member of the public violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

#### **RULE 11. WRITTEN and/or ILLUSTRATIVE MATERIALS**

Members of the public are encouraged to submit written comments, reports, and exhibits. Such material, especially maps, graphics, photographs, and responses to specific code sections, generally aids the Commission in making its decision. However, material submitted close to the hearing date, especially voluminous written material offered at a public hearing, can result in inequities. The Commission adopts this written and/or illustrative material policy to give CDD staff and the applicant a reasonable opportunity to analyze public comments, to give the public a reasonable opportunity to submit material before and after publication of the staff report, to give the members of the Commission a reasonable opportunity to review the meeting packets, and to give the Commission the ability to balance the relevance and prejudice of any late material. Members of the public should assume that the members of the Commission have read all materials submitted in advance of the hearing.

- A. Publication of Staff Report. The original staff report should be published by close of business ~~eight~~ seven (7) days before the hearing (~~Monday~~ Tuesday). If justice so requires, the Director may extend the publishing deadline to close of business six days before the hearing (Wednesday).
- B. Timely Material for Packet.
1. Material—including public comments, applicant comments, and supplemental staff reports—submitted to CDD before 12:00 PM four days before the hearing (Friday at noon) is considered timely submitted and will be included in a packet for that meeting. Material submitted ~~less than four days before a meeting~~ after the Friday 12:00 PM deadline is subject to the late submittal policy below. If justice so requires and with consultation with the Chair, the Director may extend the timely material deadline to ~~noon~~ 12:00 PM the day before the hearing (Monday).
  2. If a member of the public wishes to use electronic slides (PowerPoint or the equivalent) during public testimony, an electronic version of those slides must be provided to the Community Development CDD staff by the same deadline for timely written material.
- C. Late Material. Maps, graphics, photographs, and no more than the equivalent of two single-sided printed pages of written information are allowed to be submitted at the hearing when a person

presents. Specifically, if the applicant, CDD staff, or member of the public wishes to submit material after the timely material deadline (~~Friday 12 PM~~Rule 11 B), that person or a representative for that person must ~~(1) attend the meeting,~~ provide 15 copies of the written and/or illustrative material, and present the material to the Commission during the opportunity for public comment, ~~and (2) if appearing in person, provide fifteen copies of the written and/or illustrative material; if appearing remotely, email the material to the Community Development Department no later than 8 AM the day of the hearing.~~

- D. Written Comments. Written comments, with the exception of e-mail transmissions, must be signed, and the source of illustrative materials must be identified. E-mail transmissions must show the author's name. Anonymous submissions will not be accepted.

## **Rule 12. MOTIONS**

- A. Seconds. Seconds to motions are not required.
- B. 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 Commission
  6. Question of personal privilege

## **Rule 13. CLERICAL ERRORS**

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or spelling, may be corrected by the City Attorney without Commission approval upon discovery of the error.

## **Rule 14. VOTE REQUIRED**

The affirmative vote of five members of the Commission 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.
- H. Reopen public participation.



I. Extend a meeting past 11:30 PM

Charter 3.16 (e) allows the prevailing vote to be reduced by one vote for every two members of the Commission who are present, but who do not vote because they have a conflict of interest or have been excused from voting by a vote of ~~all~~ the remaining members of the Commission who may vote on the question. However, the prevailing vote may not be reduced to less than one-third of the membership of the Commission. A quorum of the Commission shall consist of a majority of the full membership.

**Rule 15. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM**

No person except a member of the Commission, the Director, the City Attorney, the planner assigned to the agenda item, and other CBJ staff, may participate in Commission proceedings other than through opportunities provided for applicant presentations and public participation. 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 other than items before the Commission for information purposes.

Unless specifically authorized at the meeting by a majority of the Commission or by the Chair, public participation shall not be permitted at the Committee of the Whole meetings, subcommittee meetings, and meetings advertised as work sessions only.

**Rule 16. 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 of the Commission, 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 if the action of the Commission after reconsideration is opposite from the action of the Commission 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 successful motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken. The motion for reconsideration is debatable to the same extent as the underlying motion.

**Rule 17. REMOTE PARTICIPATION AT MEETINGS** [Note: Includes In-person and Hybrid (in-person/remote) Meetings]

- A. Members of the public, CDD staff, and the Commission may participate remotely in regular or special Commission meetings, Committees of the Whole, or subcommittee meetings.
- B. Members of the public participating remotely shall comply with the protocols and requirements of Rule 10 and Rule 11.
- C. Members of the Commission, for in person or hybrid meetings, shall endeavor to notify the Director and the presiding officer by 8:00 AM the day of the meeting which the member proposes to attend remotely. Commissioners are encouraged to appear in person to the fullest extent practicable.
- D. A member of the Commission participating remotely shall be counted as present for purposes of quorum, discussion, voting, and attendance.
- E. A member of the Commission participating remotely shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.
- F. The member of the Commission participating remotely may ask to be recognized by the presiding officer to the same extent as any other member.
- G. If the Chair participates remotely at any meeting, the Vice-Chair or otherwise identified member of the Commission shall preside.
- H. To the extent reasonably practicable, the Director shall provide meeting materials to the member of the Commission participating remotely.
- I. If the remote connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled. ~~The Secretary~~ CDD staff shall attempt to establish or restore the connection. If the member of the Commission participating remotely is necessary to achieve a quorum and the connection is lost, the meeting shall take an at-ease, recess, or adjourn as necessary until the remote connection is established or restored.
- J. Meeting times shall be expressed in Alaska Time regardless of the time at the location of any member of the Commission participating remotely.
- K. Remote communication shall be audible to all members of the Commission, CDD staff, and the public in attendance at the meeting.

- L. Except as provided in Rule 18, remote participation by members of the Commission is prohibited for appeal hearings. In-person attendance is required.
- M. As used in these Rules, “remote” means any system for synchronous two-way voice communication (e.g. telephone) or video conferencing technology. If a member of the Commission participates remotely, video conferencing is preferred.

**Rule 18. REMOTE MEETINGS** [Note: Does not include Hybrid (in-person/remote) Meetings]

- A. Special considerations, such as health advisories, may require the suspension of in-person Commission meetings. In those situations, alternative protocols for remote meetings will be utilized.
- B. For remote meetings:
  - 1. Rules 9(F), 10(A)(3), ~~10(B)(2)(a), 10(B)(3),~~ and 17(B) will be suspended;
  - 2. Any materials that the applicant wishes to use as part of a presentation during the hearing must be submitted electronically to CDD no later than the Thursday before the meeting. If it is not possible to submit materials electronically, the applicant should call CDD to arrange delivery of materials.
- C. Additional protocols may be developed by the Chair and the Director for review and adoption by the full Commission. Such alternate meeting protocols will follow the general rules and procedures for the Commission as closely as practical, with the broadest public access and participation, consistent with the available system technical capabilities.

**Rule 19. ADOPTION OF ROBERT’S RULES OF ORDER**

Meetings shall be conducted according to Robert’s Rules of Order, ~~11th~~ 12th Edition.

**REPEAL AND EFFECTIVE DATE.**

The existing Planning Commission Rules of Order are repealed, and these Rules of Order shall be effective upon filing with the City Clerk.

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Michael LeVine, Chair Planning Commission

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Date

Filed with the City Clerk

Date