

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

ARTICLE I. NAME, DUTIES, AND POWERS

1. NAME. The governing body of the City and Borough of Juneau Docks and Harbors shall be known as the City and Borough of Juneau Docks and Harbors Board, hereafter referred to as the Board.
2. DUTIES AND POWERS OF THE BOARD. The duties and powers of the Board regarding the operation of the municipally owned and operated port and harbor facilities are established by Charter Section 3.21 and Chapter 85.02 of the Code of the City and Borough of Juneau.

ARTICLE II. BOARD MEMBERSHIP AND APPOINTMENT

1. NUMBER OF DIRECTORS. The Board shall consist of nine (9) members.
2. APPOINTMENT. All Board members shall be appointed by the City and Borough of Juneau Assembly as provided by Section 85.02.010 of the Code of the City and Borough of Juneau.
3. TERM OF APPOINTMENT. As provided in Section 85.02.010, Board members shall be appointed for staggered three-year terms and until their successor is appointed. Appointment terms will not violate the conditions set forth in Section 85.02.010.
4. VACANCIES. When the conditions set forth in Section 85.02.030 of the Code of the City and Borough of Juneau occur, the Chair will notify the Clerk's Office that a vacancy exists.

Vacancies on the Board shall be filled by the City and Borough of Juneau Assembly as provided by Section 85.02.030 of the Code of the City and Borough of Juneau and the Assembly Rules of Procedure.

A member filling a vacancy shall be seated immediately upon the call of the roll at the first Board meeting after the new member is appointed.

5. MEMBERS. The duties and responsibilities of the Board members shall include but are not limited to those set forth in Sections 85.02.060, 85.02.063, and 85.02.065.

ARTICLE III. OFFICERS

1. OFFICERS. Officers of the Board shall consist of a Chair, Vice Chair, and any other officers as the Board may from time to time deem necessary.

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2. ELECTION OF OFFICERS. Officers shall be elected at the annual Board meeting or at such time as offices become vacant.
3. TERM. Each officer shall serve for a term as provided in CBJC 85.02.010 and CBJC 85.02.030.
4. REMOVAL. Any officer may be removed from his or her office. Removal may be recommended by an affirmative vote of at least six (6) Board members at a meeting called for that purpose; final removal will be decided by the Assembly in accordance with CBJC 85.02.010 or 85.02.030.
5. CHAIR. The Chair shall preside at all Board meetings, unless participating remotely.

The Chair may assign tasks to Board members and committees and is charged with ensuring that all business of the Board is carried out.

The Chair shall act as spokesperson for the Board and will have such other duties and responsibilities as delegated to him or her by the Board.

6. VICE CHAIR. The Vice Chair shall act as the Chair in the absence of the Chair, including when the Chair is participating remotely.

ARTICLE IV. COMMITTEES

1. STANDING COMMITTEE. There shall be the following standing committee of the Board:

* Operations & Planning

The Board or the Chair, upon ratification of the Board, shall appoint a Board member to serve as the committee Chair.

2. SPECIAL COMMITTEES. The Board or the Chair, upon ratification of the Board, may establish special committees to facilitate any Board business.

The Board or the Chair, upon ratification of the Board, shall appoint a Board member to serve as the committee Chair of each special committee.

A special committee shall serve for a period of time or for the accomplishment of a particular task or tasks as determined by the Chair. No special committee shall serve beyond the annual Board meeting unless reconstituted by the newly elected Chair.

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ARTICLE V. MEETINGS

1. REGULAR. The Board shall meet at least once each month at a place and time designated by the Chair.

2. ANNUAL. An annual meeting shall be held on the last Thursday of July each year.

The annual Board meeting may be postponed by the Board to a certain day.

At the annual meeting, a Chair, a Vice Chair, and other such officers as the Board shall deem necessary, shall be elected.

3. Reserved.

4. SPECIAL. Special Board meetings may be called at any time by the Chair or any three (3) Board members for good cause, which must be reaffirmed at the beginning of any special meeting. Any special meeting must provide at least 24-hours public notice of the meeting and the agenda, except in an emergency.

Only business identified in the notice of the meeting may be transacted at a special Board meeting.

5. COMMITTEE. Committee meetings may be called at any time by a committee Chair or by a majority of the committee's membership. Committee meetings must provide at least 24-hours public notice of the meeting and the agenda.

Any topic or item may be discussed that falls within the purview of the committee's charge as determined by the Chair, committee Chair, or a majority of the committee's membership.

6. QUORUM. For all Board meetings, a quorum shall consist of five (5) members in attendance or participating remotely. For all committee meetings, a quorum shall consist of a majority of the membership.

7. ADJOURNMENT, CONTINUATION, AND POSTPONEMENT OF MEETINGS. If a quorum is not present at a meeting, the Chair or committee Chair may adjourn such meeting to a time and place he or she determines most appropriate; provided that notice of the time and place of the adjourned meeting and the meeting agenda shall be given to each Board or committee member and the general public at least twenty-four (24) hours prior to such meeting.

If a quorum is present at a meeting, such meeting may be continued or adjourned from day to day and no additional notice of such continuation or adjournment need be given.

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8. VOTES. No person other than a Board member is entitled to vote at any Board or committee meeting, except appointed members of special committees within those committees.

Each Board member shall be entitled to one (1) vote. No proxy votes may be used to constitute a quorum, transact business, or otherwise. To register a vote, the Board member must be present at the meeting or participating remotely at the time the vote is taken.

An affirmative vote of at least five (5) Board members is required for a main motion to pass the Board. An affirmative vote of the majority of committee membership is required for a main motion to pass a committee. The prevailing vote requirement may be reduced per CBJ Charter 3.16(e).

9. ORDER OF BUSINESS. The following order of business shall be observed at all regular, annual, or special Board meetings and committee meetings insofar as practicable or necessary:

- Call to Order
- Calling of the Roll
- Port Director Request's for Agenda Changes
- Public Participation on Non-agenda Items
- Approval of the Previous Meeting Minutes
- Consent Agenda
- Unfinished Business
- New Business
- Items for Information
- Staff, Committee and Member Reports
- Board Administrative Matters
- Adjournment

As the first order of business after the calling of the roll at the annual Board meeting or at the first regular or special meeting after an officer vacancy has been recognized by the Board, the Chair, Vice Chair and/or other officers shall be elected.

The Port Director may include under the consent agenda:

- A. Actions to Propose Regulations for Public Comment
- B. Bid awards that have received Committee concurrence
- C. Resolutions
- D. Other items requiring Board action which do not involve substantial public policy questions.

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10. BOARD MEETINGS PUBLIC. All Board and committee meetings are open to the public, except that executive sessions may be held in accordance with AS 44.62.310.

11. CONFLICT OF INTEREST. No Board member shall vote or deliberate on any question in which he or she has a conflict of interest as defined by Chapter 01.45 of the Code of the City and Borough of Juneau.

Such a Board member shall not be counted in determining the quorum for such a vote.

12. REMOTE PARTICIPATION.

A. Board members are encouraged to participate in meetings by attending in person when possible. However, a member may participate remotely in a Board or Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Chair chooses to participate remotely, the Vice chair shall preside.

B. The member shall notify the Board secretary, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend remotely.

C. At the meeting, the Board or Committee secretary shall establish a remote connection when the call to order is imminent.

D. A member participating remotely shall be counted as present for purposes of quorum, discussion, and voting.

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

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

H. Any member of the public present remotely shall be allowed to speak to the same extent he/she would if physically present at the meeting.

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ARTICLE VI. PUBLIC HEARINGS, RULES FOR PUBLIC PARTICIPATION, AND APPEALS

1. PUBLIC HEARINGS AND RULES FOR PUBLIC PARTICIPATION. The Board may hold public hearings in accordance with established City and Borough of Juneau procedures to take public or other testimony on any issue dealing with Board duties or responsibilities. Public testimony will be conducted according to the following rules, which will be available at the meeting:

- A. The presiding Chair of the meeting will conduct the hearing.
- B. The presiding Chair will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.
- C. The presiding Chair 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 Board members to members of the public. A majority of the Board or Committee may extend the time limit. 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 presiding officer may grant additional time to a person speaking on behalf of a group present at the meeting.
- D. Citizens will be encouraged to submit written presentations and exhibits to the Board via email at: HarborBoard@juneau.gov.
- E. The presiding Chair will set forth the item to be discussed and will rule non-germane comments out of order.
- F. All speakers, public and members of the Board, must be recognized by the presiding Chair.
- G. Members of the public will precede their remarks by stating their names and organizational affiliation (if applicable), and unless otherwise allowed by the presiding Chair, the area of town they reside in.
- H. Members of the Board will be recognized by their surnames.
- I. Members of the Board will not direct questions to each other or to the Chair during public participation except as to the conduct of the hearing.
- J. Members of the Board may direct questions to a member of the public only to obtain clarification of the material presented. The questions may not be argumentative, nor may they have the effect of unreasonably extending the time limit applicable to public speakers.

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K. The public may direct questions to the Board or the administration. However, the Chair shall have discretion as to the appropriate manner and time for a response. In no case shall the Board engage in debate with the public.

L. The Port Director may participate in the same manner as members of the Board.

M. Reasonable accommodation is available upon request. To the extent allowed by law, a spokesperson designated by a person with a disability wishing to provide oral public testimony should advise the Board. Please contact the Clerk's office prior to any meeting, preferably 36 hours ahead, so arrangements can be made if other accommodation requests like closed captioning or sign language interpreter services are desired. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: City.Clerk@juneau.gov.

2. APPEALS TO THE BOARD. The Board will, in those instances allowed by the Code of the City and Borough of Juneau and under procedures established by the City and Borough of Juneau, hear and adjudicate public appeals regarding the application of Harbor rules, policies, and procedures.

ARTICLE VII. PORT DIRECTOR

1. PORT DIRECTOR. The Port Director serves at the pleasure of the Board as identified in Section 85.02.080 of the Code of the City and Borough of Juneau.

The Port Director shall have the duties and responsibilities, including but not limited to those, identified in Section 85.02.090, 85.02.110, and 85.02.130 of the Code of the City and Borough of Juneau.

ARTICLE VIII. EFFECTIVE DATE AND AMENDMENTS

1. EFFECTIVE DATE OF BYLAWS. These Bylaws, as amended, are effective December 11, 2023.

2. AMENDMENTS. Any of these Bylaws may be amended upon recommendation by the Board to the Assembly, by an affirmative vote of six (6) Board members at any properly noticed regular or special meeting.

Adopted this 11th day of December 2023, by Resolution No. 3021.



Attested by Elizabeth J. McEwen, Municipal Clerk