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## MEMORANDUM

**DATE:** 12/01/2023

**TO:** Zane Jones, Chair, Historic Resources Advisory Committee

**FROM:** Forrest Courtney, Planner I, and Scott Ciambor, Planning Manager

**SUBJECT:** Historic Resources Advisory Committee Housekeeping (HRAC)

Beginning with the December meeting, Forrest Courtney will become the CDD staff liaison for HRAC. With this change and the addition/loss of HRAC members, it is a good time for a housekeeping discussion for successful meetings moving forward.

Staff met with Chair Jones and came up with the following topics to cover:

1. HRAC Agenda Guidelines
  - a. The Chair must set the agenda. CDD staff will not be proposing an agenda for approval. CDD staff liaison will work with the Chair to set the agenda if requested.
  - b. Agenda items and materials should be passed from committee members through the Chair to the liaison.
  - c. Agenda will be set and materials distributed at least one week before the meeting.
2. Governing Documents
  - a. Committee members should review Land Use Code 49.10.410, Resolution 2686, Resolution 2976, and committee bylaws for guidance on the committee's charge and purpose within the CBJ committee structure.
  - b. Meetings should be run following Roberts Rules of Order. The Clerk's office indicated meetings should be less formal than the Assembly but should follow the framework for meeting procedure, non-committee member participation, motions, etc.
3. Public Participation
  - a. Encouraged during the appropriate time of the meeting.
  - b. Comment is limited to three minutes; public comment is not a Q&A session.
  - c. Requesting subject matter experts to attend specific meetings to give presentations could be a good way for the committee to gain new perspectives.
  - d. Starting at the December meeting, there will be a sign-in sheet for the public where they can also sign up to speak if they wish.

4. City-Museum Liaison
  - a. Look into the possibility of a city museum liaison attending the meetings more regularly as they did in the past.
5. Meeting Space
  - a. If the committee desires a larger meeting space to provide more room for non-committee members during the discussion of popular topics, it can be looked into.
6. Elections
  - a. The committee must elect a Recorder.
  - b. The Recorder is responsible for the meeting minutes.
7. Annual Meeting
  - a. At the December monthly meeting, discuss with the membership when they would like to have the retreat-style annual meeting.
8. CLG
  - a. The department does not have adequate staff time this year to apply for another project as we must complete reporting requirements for Phase I and II of the Townsite Survey.
  - b. Staff plans to attend the National Alliance of Preservation Commissions Forum (NAPC) July 31-Aug 4, 2024.
  - c. There is a potential funding opportunity through CLG to allow a committee member to attend the NAPC Forum.
  - d. Discuss at the December meeting if there is any interest in attending.
9. Vacancy
  - a. Ask Committee members to think about other members of the community who would be great applicants to fill two current vacancies.
10. CDD Staff Liaison
  - a. Forrest Courtney will be assuming the liaison role beginning at the December meeting.
  - b. Staff's time is more limited than previous liaisons could facilitate.
  - c. Staff should not be writing letters for the committee or any other form of opinion piece. If the material has HRAC's name, it should come entirely from HRAC.

## 49.10.410 - Historic resources advisory committee.

- (a) *Establishment.* There is established the Juneau historic resources advisory committee.
- (b) *Membership.* The committee shall consist of nine members appointed by the assembly. Members shall be appointed for a term of three years. The assembly shall invite applications for membership from archaeologists, historians, architects, people knowledgeable in the customs and language of the Tlingit and Haida people, owners of locally recognized historic property, people familiar with the operations and issues relating to the city museum, teachers, and the general public.
- (c) *Officers.* The committee shall select its own officers.
- (d) *Meetings.* The committee shall meet monthly.
- (e) *Staffing.* The community development and library departments shall provide such staff support and assistance as the committee may require to the extent funds are available.
- (f) *Duties.* The duties of the committee shall include:
  - (1) Reviewing and making recommendations about local projects that might affect properties identified in the local historic preservation plan;
  - (2) Reviewing and developing nominations to the National Register of Historic Places for properties within the City and Borough;
  - (3) Cooperating and consulting with the assembly, the historic district commission, the community development department and the state historic commission on matters concerning historical districts and historic, prehistoric and archaeological preservation in the City and Borough;
  - (4) Reviewing and making recommendations about the collections, exhibitions, educational programs, long range plans, and other pertinent activities of the Juneau-Douglas City Museum;
  - (5) Cooperating and consulting with the library department on matters concerning the Juneau-Douglas City Museum; and
  - (6) Performing other actions which are necessary and proper to carry out the above duties.

(Serial No. 87-49, § 2, 1987; Serial No. 93-41, §§ 3, 4, 5, 1993; Serial No. 99-22, § 5, 1999; Serial No. 2001-01, § 2, 2-5-2001; Serial No. 2014-06(b), § 4, 2-24-2014, eff. 3-26-2014 )

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.

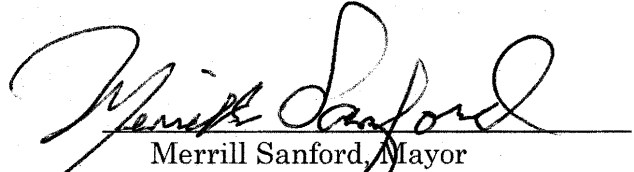
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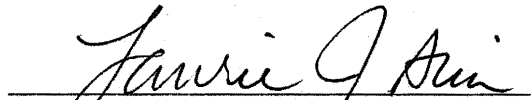
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**SECTION 3. EFFECTIVE DATE.** This resolution shall be effective immediately upon adoption.

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

  
Merrill Sanford, Mayor

Attest:

  
Laurie J. Sica, Municipal Clerk



Presented by: COW  
Presented: 02/28/2022  
Drafted by: R. Palmer III

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

Serial No. 2976

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

WHEREAS, similar to the First Amendment of the U.S. Constitution, Article I § 5 (Freedom of Speech) of the Alaska Constitution states “Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right”; and

WHEREAS, similar to the First Amendment of the U.S. Constitution, Article I § 6 (Assembly; Petition) of the Alaska Constitution states “The right of the people peaceably to assembly, and to petition the government shall never be abridged”; and

WHEREAS, the Ninth Circuit Court of Appeals decisions provide guidance when speech or gestures at an Assembly meeting are protected by the First Amendment; and

WHEREAS, the Ninth Circuit Court of Appeals concluded that a person speaking during public comment at a city council meeting generally has strong First Amendment protections except when their speech actually “disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting,” *White v. City of Norwalk*, 900 F.2d 1421 (9th Cir. 1990); and

WHEREAS, the Ninth Circuit Court of Appeals stated in *White* that “A speaker may disrupt a Council meeting by speaking too long, by being unduly repetitious, or by extended discussion of irrelevancies. The meeting is disrupted because the Council is prevented from accomplishing its business in a reasonably efficient manner.”; and

WHEREAS, a public comment decorum rule may only allow “a presiding officer to eject an attendee for actually disturbing or impeding a meeting.” *Acosta v. City of Costa Mesa*, 718 F.3d 800, 815 (9th Cir. 2013); *Norse v. City of Santa Cruz*, 629 F.3d 966, 976 (9th Cir. 2010); and

WHEREAS, the Ninth Circuit Court of Appeals concluded that a public comment decorum rule that simply prohibits the making of “personal, impertinent, profane, insolent, or slanderous remarks” is an unconstitutional prohibition on speech unless that speech actually disrupts a city council meeting. *Acosta v. City of Costa Mesa*, 718 F.3d 800, 813-14 (9th Cir. 2013); and

WHEREAS, the Ninth Circuit Court of Appeals concluded that police officers did not use excessive force for removing people that disrupted a city council meeting by refusing to leave—after being given a warning—that they were preventing the city council meeting from continuing. *Williamson v. City of Nat'l City*, 23 F.4th 1146 (9th Cir. 2022); and

WHEREAS, given the legal precedent, the desire to protect people’s rights to access their government, the desire to ensure the Assembly has clear rules for public participation, and upon balancing the interests of the community and the government, the following amendments are necessary for the orderly conduct of business at Assembly meetings.

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

- B. Public Hearing
  - C. Assembly Action
- XI. New Business
  - A. Administrative or Committee Reports
  - B. Public Hearing
  - C. Assembly Action
- XII. Staff Reports
- XIII. Assembly Reports
  - A. Mayor's Report
  - B. Committee & Liaison Reports
  - C. Presiding Officer Reports
- XIV. Assembly Comments and Questions
- XV. Continuation of Public Participation on Public Participation on Non-agenda Items
- XVI. Executive Session
- XVII. 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. However, the location of a regular meeting may be changed up to 24 hours in advance of the meeting (a) by the Assembly, at a preceding regular or special meeting, by motion or otherwise, upon designating a different place for a particular meeting; or (b) by the Mayor or any three Assemblymembers due to extenuating circumstances (i.e. public health requirement, equipment or facility problem in Assembly Chambers) to hold the meeting virtually with remote participation (i.e. video conferencing technology).

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.

E. Public seating area. People in a meeting room must comply with all laws, including occupancy and public health requirements.

## **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, the Manager, or any member, 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, Housing, and Economic Development Committee
5. Public Works and Facilities Committee
6. Joint Assembly/School Facilities Committee (per Charter 13.8)

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 Docks and Harbors Board, the Airport Board, and the Systemic Racism Review Committee. 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. Finance Committee meetings will be conducted as work sessions unless public testimony is permitted by call of the Chair at least 24 hours in advance of the meeting. 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. Committee of the Whole meetings will be conducted as work sessions unless public testimony is permitted by call of the Chair at least 24 hours in advance of the meeting.
  5. Lands, Housing, and Economic Development Committee. The Lands, Housing, and Economic Development Committee may take up issues relevant to the lands, housing, economic development, water or air within the City and Borough. The duties of the Lands, Housing, and Economic Development 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; and
  - (e) Promotion of a vibrant and diverse local economy.
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.

G. Role of Board Liaison. Board liaisons shall be recommended by the board to the Assembly for approval. Any board liaison to an Assembly committee should sit with the committee at all times. A board liaison may have the right to participate in committee discussions at the pleasure of the chair of the Assembly committee except



that Assembly members of the committee shall have priority in obtaining the floor. Only Assembly members on the committee may vote.

#### **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 Assembly 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 should regularly attend appointed board or commission meetings. 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. An Assembly liaison may participate in board or commission discussions when invited by the board chair.

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 should 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 and at [www.juneau.org](http://www.juneau.org):

- 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.
- D. People are encouraged to submit written presentations and exhibits to the Municipal Clerk and the Assembly via email ([boroughassembly@juneau.org](mailto:boroughassembly@juneau.org)).
- E. The Mayor will set forth the item or subject to be discussed and will rule non-germane speech out of order. A member of the public may not be stopped for speaking because of the viewpoint being expressed. However, a person may be stopped for disrupting, disturbing, or impeding the meeting when speaking longer than the time limit, when being unduly repetitious, or when discussing or presenting irrelevant matters. Such non-germane speech disrupts, disturbs, or impedes public meetings when the Assembly is prevented from accomplishing its business in a reasonably efficient manner or when the speech interferes with the rights of other speakers. A person stopped for non-germane speech during a meeting is welcome to submit a writing, presentation, recording, and exhibit to the Municipal Clerk and to the Assembly via email ([boroughassembly@juneau.org](mailto:boroughassembly@juneau.org)).
- 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, the area of town in which they reside.
- 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 should 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.

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 should not deliberate at that time on matters raised, or answer questions directed to the members.

N. Members of the public that want to provide oral public comment via remote participation must notify the Municipal Clerk prior to the meeting (i.e. call the Municipal Clerk Office or register online, when available). A person is not required to notify the Municipal Clerk prior to the meeting when providing in-person oral public comments.

O. Reasonable accommodations are available upon request. To the extent allowed by law (i.e. A.S. 15.13.040 & A.S.15.13.145), a spokesperson designated by a person with a disability wishing to provide oral public testimony should advise the Municipal Clerk. 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.org](mailto:city.clerk@juneau.org).

#### **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. REMOTE PARTICIPATION.**

When a meeting is conducted entirely remotely (i.e. video conferencing technology), then all members are expected to attend remotely. The following apply to meetings that are held completely in-person or as a hybrid (partially in-person and partially remotely):

A. A member may participate remotely 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 remotely, the Deputy Mayor shall preside.

B. No more than the first three members to contact the Clerk regarding remote participation in a particular meeting may participate remotely 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 remotely by 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 remote connection technology when the call to order is imminent.

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

F. The member participating remotely shall make every effort to participate in the entire meeting and must have video turned on except during breaks. From time to time during the meeting the presiding officer shall confirm the connection.

G. The member participating remotely 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 remotely.

I. If the remote technology 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 remotely is necessary to achieve a quorum, the meeting shall be 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 participating remotely.

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

L. Remarks by members participating remotely 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 remotely shall be allowed to speak to the same extent the person was physically present at the meeting.

N. As used in these rules, "remote" means any system for synchronous two-way voice communication (i.e. telephone) or video conferencing technology. If a member needs to participate remotely, video conferencing technology is preferred. "Mayor" includes the Acting Mayor or any other member serving as chair of the meeting.

O. Regular and special meetings of the following entities must be recorded and live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public meeting:

- i. Assembly
- ii. Assembly Standing Committees
- iii. Planning Commission
- iv. Hospital Board
- v. Docks and Harbors Board
- vi. Airport Board
- vii. Ski Area Board
- viii. Systemic Racism Review Committee

Any other board, commission, or committee meeting with anticipated substantial public interest should be recorded and live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public 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. 2949 is repealed.

**Section 3. Effective Date.** This resolution shall be effective at midnight on February 28, 2022.

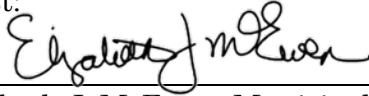
Adopted this 28<sup>th</sup> day of February, 2022.



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Beth A. Weldon, Mayor

Attest:



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Elizabeth J. McEwen, Municipal Clerk

**BY-LAWS**  
**Historic Resources Advisory Committee**  
**City and Borough of Juneau, Alaska**

**ARTICLE I: NAME**

The name of this committee shall be the Historic Resources Advisory Committee and is established by the authority of City and Borough ordinance 49.10.410.

**ARTICLE II: PURPOSE**

The purpose of the Historic Resources Advisory Committee is

Section 1. To review and make recommendations about local projects that might affect properties identified in the local historic preservation plan,

Section 2. To serve as the advisory board for the City's Juneau-Douglas City Museum.

Section 3. To review and develop nominations to the National Register of Historic Places for properties within the City and Borough of Juneau; and

Section 4. In accordance with CBJ Resolution 1195, the CBJ Assembly is the Juneau Historic District Commission. The purpose of the Historic Resources Advisory Committee is to cooperate and consult with the Juneau Assembly, the Historic District Commission, the City's Parks and Recreation Advisory Committee, the Community Development Department and the Alaska Historic Commission on matters concerning historical districts and historical, prehistoric and archaeological preservation in the City and Borough of Juneau.

**ARTICLE III: MEMBERSHIP**

Section 1. The Historic Resources Advisory Committee consists of nine members appointed by the Assembly.

Section 2. The Assembly shall invite applications for membership from archaeologists, historians, architects, and people knowledgeable in the customs and language of the Tlingit and Haida people, owners of locally recognized historic property, people familiar with the operations and issues relating to museums, and the general public.

Section 3. Members shall be appointed for a staggered term of 3 years beginning in July and shall serve without compensation.

Section 4. Vacancies are determined in accordance with the CBJ Advisory Board Rules of Procedure as established by the CBJ Assembly through resolution.



## **ARTICLE IV: MEETINGS**

Section 1. Regular meetings shall be held monthly except for July at a day and time acceptable by the current committee.

Section 2. Meetings shall be open to the public and conducted according to Robert's Rules of Order. Notice of meetings shall be in accordance with the City and Borough of Juneau Public Notice policies and procedures.

Section 3. Special meetings may be called at anytime by the Chairperson or at the request of a Commission. Notice of special meetings shall be in accordance with the City and Borough of Juneau Public Notice policies and procedures.

Section 4. Agendas and Minutes of the meetings shall be mailed out or emailed as soon as possible but at least seven days prior to the next meeting.

Section 5. A quorum of the Committee shall consist of a majority of the full membership, whether there are any vacant seats or not. For a body with nine seats, a quorum consists of a minimum of five members. A quorum must be present for any business to be conducted. 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.

Section 6. If a member has a conflict of interest, that member shall abstain from voting on that particular issue. CBJ Charter Section 3.16 along with CBJ Code Section 01.45 govern the rules of procedure as it relates to quorum, declaring a conflict of interest and the number of members required to vote when a conflict has been declared.

## **ARTICLE V: OFFICERS**

Section 1. The officers shall consist of a chairperson, vice chairperson, and a recorder. Terms shall be for one year, election of officers will take place at the Annual Retreat and the officers will begin their new duties at the first meeting after their election.

Section 2. The duties of the Chairperson are as follows:

- Preside at all regular and special meetings of the Committee.
- Shall see to it that all correspondence and business of the Committee are carried out.
- Will act as spokesperson for the Committee.
- Appoint task forces and ad hoc committees as deemed necessary.
- Act as liaison between the Committee and Borough Assembly.
- Prepare and distribute an agenda in cooperation with staff liaison for each meeting.

Section 3. The duties of the Vice Chairperson are that he/she shall preside in the absence of the Chairperson and perform all of the duties of that office.

Section 4. The duties of the Recorder are as follows:

- Keep a record of members present and of the business transacted at each meeting and the actions taken.
- Keep the minutes and transmit them to the City Borough Clerk. Minutes must include the date, time and place of the next meeting and to the other members of the Committee.

## ARTICLE VI: AMENDMENTS

These By-Laws may be amended, repealed or added to by an affirmative vote of not less than a two-thirds (2/3) vote of the Committee, provided the amendments were submitted in writing 30 days in advance. These bylaws will become effective upon approval by the Assembly Human Resources Committee.

Adopted by the Historic Resources Advisory Committee on October 2, 2013.

/s/ Gary Gillette  
Chairman

/s/ Shauna McMahon  
Recorder

Approved by the Assembly Human Resources Committee on November 25, 2013.

A handwritten signature in black ink, appearing to read "Elizabeth J. McEwen". The signature is fluid and cursive, with the first name "Elizabeth" and last name "McEwen" clearly distinguishable.

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Elizabeth J. McEwen, MMC  
CBJ Deputy Clerk