ASSEMBLY HUMAN RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA

May 19 2014 6:00 PM

Assembly Chambers

I. ROLL CALL

Chair Jesse Kiehl called the meeting to order at 6:00p.m.

Committee members present: Jesse Kiehl, Jerry Nankervis, Loren Jones (telephonic)

Committee members absent: Kate Troll

Other Assemblymembers present: Mary Becker, Randy Wanamaker

Staff present: Deputy Clerk Beth McEwen, City Attorney Amy Mead, Deputy City Manager Rob Steedle, Police Chief Bryce Johnson, Lt. Kris Sell, Officer Bob Dilley, Senior Planner Beth McKibben, Municipal Clerk Laurie Sica

II. APPROVAL OF AGENDA

Ms. McEwen noted the draft Commercial Passenger Vehicle Regulations were to be found in the red folder.

III. APPROVAL OF MINUTES

A. March 17, 2014 Regular Human Resources Committee Meeting

There being no objection, the minutes of the March 17, 2014 regular Assembly Human Resources Committee meeting were approved.

B. April 7, 2014 Regular Human Resources Committee Meeting

There being no objection, the minutes of the April 7, 2014 regular Assembly Human Resources Committee meeting were approved.

IV. PUBLIC PARTICIPATION

None.

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

A. Board Matters

1. Juneau Human Rights Commission Annual Report & Appointments

Chairman Kiehl noted the Juneau Human Rights Commission annual report was in the HRC packet. No representative was present from the commission to address the HRC. Mr. Jones pointed out that page two of the annual report mentioned the fact that the commission was no longer going to be doing the "I AM JUNEAU" events due to lack of funding. He asked if at one time the Assembly had funded the commission in the amount of $5,000 but that money was not continued in future years. Mr. Kiehl remarked that he recalled the Assembly funding the events up to $2500 but nevere to the amount of $5,000. Mr. Kiehl said that funding was not available this year but there still remains a pool of money available to all CBJ boards and commissions for which they may apply. He said that lacking that separate allocation is most likely the reason the prompt for that line in the annual report.

There were three open seats on the commission and one incumbent, Steve Wolf, applied for reappointment. Ms. McEwen noted that commission Chair Alavini Lata said they have had a hard time meeting recently due to lack of quorum and in fact, the commission was scheduled for a meeting at 5:30p.m. that same evening and no one showed up for the meeting.

<u>MOTION</u> by Mr. Nankervis to recommend the Assembly reappoint Steve Wolf to the Juneau Human Rights Commission to a term expiring May 31, 2017 and asked for unanimous consent. Hearing no objection, the motion carried.

B. Liquor Licenses

None.

C. Other Business

1. Community Development Block Grant Process

Senior Planner Beth McKibben provided a memo in the packet with some proposed changes to the schedule and process for the HRC/Assembly review of the Community Development Block Grant applications. Ms. McKibben explained that the comments made last October regarding the schedule prompted her to work with Ms. McEwen to revise the schedule.

The main goal was to better align the applications with the Assembly Human Resources Committee schedule since there usually is not an HRC meeting in October due to the election/reassignment of Assembly Standing Committees. They also revised the schedule to allow the applicants more time to put their information together for staff review in advance of the staff recommendation to the HRC. The final change was to eliminate the separate presentation to the HRC where they talk about the CBJ process and the grant process separately. Ms. McKibben explained the change would be to invite the Assemblymembers to the same meeting staff conducts for the proposers.

Additional discussion took place regarding the calendar and how the pieces fit. Ms. McKibben said that the final grant application is always due in Fairbanks by the first Friday in December. Due to the Assembly election schedule, there are some portions of the scheduling that there is not much control over but she felt the schedule as proposed could accomplish what they hoped for.

Mr. Jones said he was very happy with the changes and felt it would give the HRC an earlier shot at reviewing the initial proposals and also give the applicants more time to prepare the materials.

Mr. Kiehl asked for clarification on the late September HRC recommendation vs. the Assembly resolution for approval. Ms. McKibben explained that once staff gets the recommendation from the HRC, they then schedule the resolution for the Assembly to be at one of the Assembly's November meeting. During the period between the HRC meeting and the Assembly's November meeting, staff works with the applicant to develop the full grant proposal. The information that is requested of pre-proposers to provide is not as in depth as what is required of the full application. That late September time frame for the HRC recommendation gives staff and the applicant additional time to do the full application so that it would be ready by the time the Assembly passed the resolution so the full grant packet could be sent to Fairbanks in time for the December deadline.

There being a consensus from the HRC, Chairman Kiehl requested staff to proceed according to the adjusted schedule.

2. DRAFT Resolution 2686: A Resolution Repealing Resolution 2662 and Reestablishing the Rules of Procedure for Assembly Advisory Boards.

Ms. Mead explained that when the project to combine/standardize the resolutions pertaining to the Advisory Boards was drafted, some of the language in one of the six resolutions was accidently omitted and this resolution was a housekeeping measure to incorporate that language back into the Advisory Board Rules of Procedure. That language relates to the removal of board members at the Assembly's discretion.

Mr. Jones asked if this action had always required the vote of six members of the Assembly as opposed to a regular majority of five. Ms. Mead said the requirement for six members to vote on this was the language from the original resolution but that it could be changed, if the committee wished to do so. Mr. Jones said he did not object to the six member requirement but rather just wanted to check to make sure that was how it was previously written.

Mr. Nankervis said for purposes of discussion, he would be willing to just go with the regular majority of five members needed to pass a motion but he would be open to hearing from the other members as well as staff to see what their thoughts were.

Ms. Mead explained that there are certain motions that have to be passed by the Assembly by a super majority such as Charter amendments but in this case, it would be a discretionary call. Mr. Jones said he was very comfortable requiring a six member vote. He said these are advisory boards and they want volunteers but for the Assembly to take action to remove someone, it should require a super majority.

Ms. Sica explained that with her experience with Roberts Rules of Procedure, granting something takes a simple majority vote but taking away a right or privilege often requires a super majority. Mr. Kiehl commented that having a higher standard for removing people lends some stability to the boards and commissions and keeps the Assembly from cleaning house on the boards and commissions whenever there is a shift in the majority on the Assembly. He feels that requiring the super majority provides for additional institutional stability.

<u>MOTION</u> by Mr. Jones to forward Resolution 2686 to the Assembly for adoption. *Hearing no objection, the motion carried.*

3. DRAFT Ordinance 2014-17: An Ordinance Amending the Commercial Passenger Vehicle Code.

   Mr. Kiehl noted the draft ordinance was in the packet and the draft regulations were provided in the red folder.

   Lt. Kris Sell reported that the changes to the ordinance and regulations were drafted at the request of the Juneau Police Department. She explained that there are a number of criminally offensive sexual behaviors that would cost someone their Commercial Passenger Vehicle (CPV) license because they are exposed to vulnerable populations such as the school using those drivers to transport unaccompanied minors. Lt. Sell said that when someone applies to have a CPV permit, there isn't anything currently in the code that allows JPD to deny the application up front. She said, it would seem that one interpretation would be that the permit would have to be issued and then immediately taken back based on the criminal behavior. She said that seemed to be unnecessary gymnastics when it would be easier to clean up the ordinance to state that one of these types of convictions which would cost someone their license would also cause the application for a permit to be denied in the first place.

   Mr. Jones asked the City Attorney about the wording in the ordinance at line 2, page 2, which currently reads "**criminally offensive sexual behavior"** compared to the wording on line 18 which reads "**<u>for criminally sexual behavior."</u>** He said he didn't think there was any criminally "in-offensive" sexual behavior and that one of those sections needed to have the word "offensive" removed or added and that the same should be done for the regulations under 20 CBJAJC 40.310(6) as well. Ms. Mead agreed and said she would suggest removing the word "offensive" from the ordinance as well as the regulations.

   MOTION by Mr. Jones that the Human Resources Committee forward Ordinance 2014-17, with the above language change, to the Assembly for adoption. *Hearing no objection, the motion carried.*

IV. STAFF REPORTS

V. COMMITTEE MEMBER COMMENTS AND QUESTIONS

Mr. Jones said he was asked by a fellow Assemblymember to bring up an issue related to the Commercial Passenger Vehicle Code. He explained they would like to try to find a way to change the CPV Code and Regulations to allow for an "on-call" type of shuttle service to and from the Ferry Terminal.

The committee discussed this issue at some length and Officer Dilley was asked to comment on the differences between the current CPV code for shuttles and taxis. Ofc. Dilley explained that the code and regulations as currently written defines a shuttle as operating on a set route and they cannot just pick and choose where they want to stop. They need to start at the starting point, stop at private property routes around the borough, but the code doesn't allow them to do passenger directed services, that has been reserved for the taxi cabs, or least it has been in the past.

Mr. Kiehl said that if the committee is amenable, he will add this to a future HRC agenda. He said his inclination would be to look to see what Sitka does since they seem to have that type of service in place. Mr. Nankervis said he thought that was what MGT did in years past. Mr. Nankervis also asked Ofc. Dilley if it was accurate that shuttle owners have to have three shuttles in order to operate a shuttle. Ofc. Dilley said shuttle operators are not limited on how many shuttles they have to have on the road or available in service. He said the only one limited is taxi cabs, they have to have a certain number of cabs on the street available for service per company.

Mr. Kiehl said he will do some additional research and schedule this for a future HRC meeting to have a more refined discussion. Mr. Nankervis asked if they could have staff members present at the time this is scheduled to be available for questioning. It was decided that this would be scheduled for additional discussion at a meeting after the tourism season wraps up so that it was not being discussed during the CPV operators' busy season.

VI. ADJOURNMENT

There being no further business to come before the committee, Chairman Kiehl adjourned the meeting at 6:30p.m.

DRAFT MINUTES

ASSEMBLY HUMAN RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA

March 17 2014 6:00 PM

City Hall Assembly Chambers

I. ROLL CALL

Chair Jesse Kiehl called the meeting to order at 6:00p.m.

Committee members present: Jesse Kiehl, Loren Jones, Kate Troll, and Jerry Nankervis.

Staff members present: Deputy Clerk Beth McEwen

II. APPROVAL OF AGENDA

Mr. Kiehl noted that there was one additional application for the Juneau Affordable Housing Commission in the red folder.

III. APPROVAL OF MINUTES

A. February 3, 2014 Special Human Resources Committee Meeting

Hearing no objection, the minutes of the February 3, 2014 Special Human Resources Committee meeting were approved.

B. February 24, 2014 Regular Human Resources Committee Meeting

Hearing no objection, the minutes of the February 24, 2014 Regular Human Resources Committee meeting were approved.

IV. PUBLIC PARTICIPATION

None.

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

A. Board Matters

1. 1% for Art Selection Panel – Eaglecrest Learning Center – Appointments

The packet contained a memo and applications for appointment by the Assembly to the 1% for Art Selection Panel for the Eaglecrest Learning Center.

The Juneau Arts and Humanities Council appointed Jess Parks and Sherri von Wolfe to the panel and the Manager appointed Eaglecrest Boardmember Alexis Howard and the Department Representative is Jeffra Clough. There were two seats for appointment by the Assembly and two applications from Susan Jabal and Barbara Lindh.

MOTION **by Mr. Nankervis that the HRC recommend the Assembly appoint Susan Jabal and Barbara Lindh to the two seats on the 1% for Art Selection Panel for the Eaglecrest Learning Center.** *Hearing no objection, the motion passed.*

2. Board of Equalization - Appointments & Annual Report

The packet contained the annual report from the Board of Equalization (BOE). BOE members Pat Watt and David Epstein were present at the meeting but did not have any additional information to add to the annual report. The committee thanked them for attending and for their service.

The BOE had three open seats for terms expiring December 31, 2016 with one application for reappointment from Paul Nowlin.

MOTION **by Mr. Nankervis to recommend the Assembly reappoint Paul Nowlin to the Board of Equalization to a term expiring December 31, 2016.** *Hearing no objection, the motion passed.*

Ms. Troll asked if the remaining seats would continue to be advertised. Ms. McEwen explained that those seats have been advertised for a number of years and will continue to be advertised until filled.

3. Personnel Board - Appointments & Annual Report

The packet contained the annual report from the Personnel Board.

The Personnel Board had two open Labor Representative seats for terms expiring January 31, 2017 and a recommendation by the Juneau Central Labor Council for the appointment of Rodney Hesson and Cindy Spanyers to those seats.

MOTION **by Ms. Troll to recommend the Assembly appoint Rodney Hesson and Cindy Spanyers to the Labor Representative seats on the Personnel Board to terms expiring January 31, 2017.** *Hearing no objection, the motion passed.*

4. Juneau Affordable Housing Commission - Appointment

There was one open seat on the Juneau Affordable Housing Commission for a term expiring January 31, 2015 and two applications received from Russ McDougal (in the packet) and Brian Jackson (in the red folder).

MOTION **by Mr. Jones to recommend the Assembly appoint Russ McDougal to the open seat on the Juneau Affordable Housing Commission to a term expiring January 31, 2015.** *Hearing no objection, the motion passed.*

B. Liquor Licenses

1. Liquor Licenses - Competing New Restaurant/Eating Place Liquor Licenses: Joan

Deering d/b/a Paradise Cafe & Bakery and Timberwolf Ventures Inc. d/b/a Lunchbox

Mr. Kiehl explained that this matter is pertaining to the competing applications for two separate Restaurant/Eating Place liquor licenses. He said he felt there were two questions before the committee to address:
1) The question of whether the Assembly waives its right to protest each of the applications; and
2) Whether the HRC would make any recommendation to the Assembly indicating a preference between the two applicants to be forwarded to the Alcohol Beverage Control (ABC) Board.

Mr. Kiehl said that he did not see any basis for a protest recommendation for either application.

MOTION **by Mr. Jones that the Human Resources Committee recommend the Assembly waive its right to protest both of these licenses.** *Hearing no objection, the motion passed.*

Mr. Kiehl asked for any additional information from staff regarding this process before the committee took action. Ms. McEwen explained that the CBJ Code was silent on how it dealt with competing applications but that the state regulations provided for the ABC board to determine via coin toss if all matters for both applications are equal. She also explained that the ABC Board had to do just that at its February 2014 meeting for two license applications from the Fairbanks area.

Ms. McEwen directed the HRC members to that following three codes sections when considering their decision:
CBJ 20.25.025(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:
(1) The character and public interests of the surrounding neighborhood; ...
(3) The concentration of other licenses of the same and other types in the area;...
(11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.

Discussion took place with HRC members trying to determine if they wanted to forward any recommendations to the Assembly giving a preference for one application or the other.

Ms. Troll expressed her preference for the application for Paradise Bakery Cafe based on the fact that it is open year round vs. seasonal and the proximity of other licenses in the area is not as concentrated as they are downtown.

Mr. Kiehl invited Daren Booten who was representing Lunchbox to come forward to speak to this issue. Mr. Booten said they also represent the

Alaska Shirt Company and Trove and they have done a tremendous amount to bring traffic back to that area of town during the non-tourist season. He said that Lunchbox does have the option to become a year-round facility. They have the existing space where Mama Grizzly's was. They have the coffee cart and the ice cream outside. He said they plan to store the beer and wine upstairs at this time but the plan is in October is to remodel that space to create more seating upstairs for year-round operation. He said it is not strictly seasonal. The Tram liquor license is for a location at the top of the Tram, not at the bottom. He said their traffic volume is huge and their potential for tax revenues is great. They will be open from 7am until late as they are right across the street from the Tram and cruise ship terminal.

Mr. Jones asked if any of the other businesses in the Tram Plaza building will be operating in the non-tourist season. Mr. Booten said they are not. Mr. Jones asked about the new location of Tracy's Crab Shack behind Trove. Mr. Booten said Trove is open year round and that Tracy is actually considering keeping her business open as a year round operation in the inside area in the building occupied by Trove. Mr. Jones said that at the most recent Planning Commission meeting, the PC approved the zoning only for the outside area occupied by Tracy's Crab Shack and nothing for inside the Trove building. Mr. Jones said the Twisted Fish is closed in the winter except for catering special events.

Mr. Nankervis asked for clarification if this was one of Jack Tripp's properties. Mr. Booten said it was completely separate from Mr. Tripp.

Mr. Kiehl thanked Mr. Booten for his testimony. He called for additional committee discussion on the matter.

Ms. Troll said she appreciated hearing the testimony and also Mr. Jones' comments regarding the proximity of both applicants to other liquor licenses establishments. She said the only preference that she can see them articulating would have to do with seasonality vs. an established year round business. She explained that they knew that one license is for sure for a year round business whereas the other license might become year round so her preference would be for the year round business.

Mr. Jones asked staff if there was anything in state statute that would allow them to make a decision based on whether one business may bring in a higher tax revenue than another. Ms. McEwen said there is nothing in the CBJ code that would apply. She also indicated that for protest purposes state statutes require any protests be stated with specificity as to the grounds for the protest and cannot be arbitrary, capricious, or unreasonable and that may apply in this case as well.

Mr. Nankervis went through the CBJ Code section 20.25.025 comparing the two applicants. He said he did think that there were more licenses concentrated within a tighter walking distance in the downtown area than there were in the valley location but there are other licenses nearby the valley location including the Frontier Suites, Marlintini's, and others. He said he can also appreciate the points made by the other members. He said the year round business at Paradise may be equal to any higher volume of sales during the tourist season downtown so he is struggling with trying to come up with a preference of one over the other.

Mr. Kiehl said he also shares the struggle of making a decision. He said he would be pulled towards revitalizing the downtown area in the off season but he also sees the Paradise location as one that has become a neighborhood gathering place in the daytime. He said he doesn't see a compelling reason for the Assembly to weigh in for one over another.

Ms. Troll asked procedurally where this left the committee. Mr. Kiehl said that unless someone had a motion to bring forward, they have already voted on the motion to recommend the Assembly waive its right to protest both licenses. With no further motions, they will continue with orders of the day and not express any recommendation to the Assembly on a preference for one license over another.

There being no objection, they moved forward with orders of the day.

2. Tides Complex, Inc. Dragon Inn Chinese Cuisine d/b/a Chinese Restaurant & Motel Liquor License #4405 Renewal

Mr. Kiehl noted the documents in the packet including the letter sent to the licensee regarding the protest recommendation. Mr. Kiehl asked if there was any additional information from staff than what was included in the packet. Ms. McEwen said there are no updates as of the close of business that day. She said that since the letter she sent out was dated March 12, for due diligence purposes, the HRC should provide a recommendation to the Assembly for action at its Special Assembly meeting on March 24 rather than taking action at the March 17 Assembly meeting.

Mr. Nankervis asked if amount of $38,754.08 in arrears was still accurate. Ms. McEwen said according to the information from staff, that arrears had not yet been satisfied.

MOTION **by Mr. Jones that the HRC recommend the Assembly protest the Liquor License #4405 renewal for Tides Complex, Inc. based on the outstanding water and sewer bill currently owing in the amount of $38,754.08 plus $480.00 for lock boxes.** *Hearing no objection, the motion passed.*

Mr. Kiehl noted, for the record, that there was no one present in the room representing the liquor license holder or he would have invited them to speak to the committee on this topic.

C. Other Business

None.

IV. STAFF REPORTS

A. Review of HRC Meeting Schedule April-July 2014

Discussion took place regarding the memo from staff that addressed the upcoming schedule of HRC meetings. Mr. Kiehl suggested that the proposed meetings of the Full Assembly sitting as the HRC to interview enterprize board applicants be scheduled for Thursday nights so that Mr. Nankervis can participate in person rather than from a fishing boat.

The dates the committee agreed upon were set as follows:
June 9 Regular Meeting - canceled
June 30 Regular Meeting - keep as scheduled
July 10 & July 17 - Meetings of the Full Assembly sitting as the HRC for the enterprize board interviews/appointments.

V. COMMITTEE MEMBER COMMENTS AND QUESTIONS

None.

VI. ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 6:30p.m.

ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

March 17, 2014 Regular Human Resources Committee Meeting

ATTACHMENTS:

	Description	Upload Date	Type
☐	March 17, 2014 Regular Human Resources Committee Meeting DRAFT Minutes	5/16/2014	Minutes

DRAFT MINUTES
REGULAR HUMAN RESOURCES COMMITTEE (HRC) MEETING
Monday, April 7, 2014; 6:00p.m.
Municipal Building – Chambers

I. Call To Order / Roll Call

Committee members present: Jesse Kiehl, Loren Jones (telephonic), Kate Troll, and Jerry Nankervis

Absent: None.

Staff present: Municipal Clerk Laurie Sica, Amy Mead, Municipal Attorney; Bob Bartholomew, Finance Director; Sherry Petticrew, Assistant Attorney; David Campbell, Lieutenant – Executive Officer.

II. Agenda Changes – None.

III. Public Participation on Non-Agenda Items – None.

IV. Approval of Minutes – None.

VI. New Business

A. Boards/Commissions

1. Board of Equalization – Appointments

MOTION by Mr. Nankervis to recommend the appointment of Barbara Sheinberg to the Board of Equalization for a term to expire December 31, 2016. Hearing no objection, it was so ordered.

2. Wetlands Review Board – Appointments

MOTION by Mr. Nankervis to recommend the reappointment of Andrew Campbell, Lisa Hoferkamp and Nina Horne to the Wetlands Review Board, for terms expiring December 31, 2016. Hearing no objection, it was so ordered.

B. Liquor Licenses

1. Seong S. Kim d/b/a Seong's Sushi & Chinese Takeout

Chair Kiehl verified with CBJ staff that no payments had been made to date regarding outstanding sales tax.

MOTION by Mr. Nankervis to recommend to the Assembly that it protest the Liquor License Renewal #4192, Seong S. Kim, d/b/a Seong's Sushi Bar and Chinese Takeout, based upon the unpaid sales tax, penalties and interest. Hearing no objection, it was so ordered.

2. Peterson Pacific Holdings, Inc. d/b/a Louie's Douglas Inn

Chair Kiehl verified with CBJ staff that all outstanding accounts were paid and that this was a "no premises" license, therefore no police, fire or CDD issues of concern.

MOTION by Ms. Troll, to recommend to the Assembly that it waive the right to protest Liquor License Renewal #673, Peterson Pacific Holdings, Inc., d/b/a Louie's Douglas Inn. Hearing no objection, it was so ordered.

C. Other Business

1. Ordinance 2014-27
An Ordinance Amending the Penal Code Relating to Harassment.

David Campbell, JPD Lieutenant – Executive Officer, said this ordinance would update the CBJ Harassment Ordinance CBJ 42. 20.110. The current ordinance dealt with making obscene or harassing phone calls but it did not address any other type of electronic communications. The state statute did include other types and JPD proposed to adopt the same language.

Mr. Jones asked if "…obscene electronic communication or a telephone call or electronic communication that threatens physical injury or sexual contact…" included Twitter, Facebook, instant messaging, or was it strictly telephone or fax. Lt. Campbell said it was open to include all forms of electronic communication, whether it was texting, e-mail, Twitter, Facebook, so that as technology change, the code would stay current in the future.

Sherry Pettigrew, CBJ Prosecutor, said she had seen several cases come through that were not covered by city code, and did not rise to a state offense. There were cases of people violating protective orders via texting, Facebook, e-mail, Snapchat, Twitter, and there was nothing to cover this offense. The code needed to come in line with all the ways it was possible to threaten another.

Mr. Nankervis asked currently, without the change, if the crime didn't fit into the city ordinance, CBJ would charge this to the State District Attorney's office under the state harassment statute, but it seems that the level of the crime does not arise to actual prosecution. Lt. Campbell said that now this type of harassment was classified as a B misdemeanor and they were dealing with more severe crimes. In 2012-13 there were eleven cases that met the state statute, and the code has a loophole that should be closed.

Ms. Troll, page 1, line 22, section 2, she said there was a typo and the word "or" should be "to." She thanked staff for the summary of the code amendment.

Mr. Jones asked if since there could be any elevation of this from a misdemeanor to a felony, and were all felonies prosecuted at the state level. Lt. Campbell said all felonies were prosecuted at the state level and the city attorney's office only dealt with misdemeanor offenses.

MOTION by Mr. Nankervis, to forward Ordinance 2014-27 to the Assembly for introduction. Hearing no objection, it was so ordered.

VII. Unfinished Business – None.

VIII. Other Business – None

IX. Adjournment - There being no further business, the meeting adjourned at 6:20 p.m.

Submitted by Laurie Sica, Municipal Clerk

ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

April 7, 2014 Regular Human Resources Committee Meeting

ATTACHMENTS:

	Description	Upload Date	Type
	April 7, 2014 Regular Human Resources Committee Meeting DRAFT Minutes	5/16/2014	Minutes

Juneau Human Rights Commission
2014 Yearly Report
7/1/2013-6/30/2014

The Juneau Human Rights Commission (JHRC) has met twice a month and worked diligently outside of meetings as well to develop programs and ideas to create greater understanding between public agencies and minority groups and to promote harmonious intergroup relations within various sub-communities of Juneau.

Through the 2014 fiscal year, the JHRC continued events under a community inclusive theme “I am Juneau.” The idea was to have events where groups could share their culture through food, music, dance and conversation. The goal each year is to create the greatest impact on the population while maintaining a focus on community awareness and inclusivity. The events were:

September 21, 2013- World Music & Dance Fest
January-March- Essay Contest; Gender inequities in America

Those that attended were very positive about the quality of the events. People learned new information about other groups in Juneau, and groups’ cultural traits were acknowledged and honored. What the commission has done this year, unlike previous years, was focus on making and impact on the community’s youth. The dance event for example featured an array of young Scottish dancers whose ages ranged from 5-16. This year’s dance event had the greatest turn out with over 250 participants and audience.

Youth from the Janice D Holst School of Dance presented a wonderful message against drugs and paid tribute to their instructor who has not retired from teaching Dance. Pictured above is the Highland Scottish Dancers.

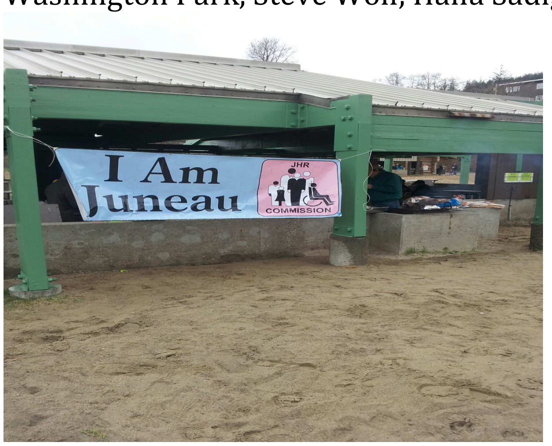
The essay contest targeted middle high school students. This year, student wrote on differences of gender inequalities and its impact of Americans and American society in the past 100 years. The contest started January 20th. All entries were sent to the City Clerks office in care of JHRC Essay Contest by end of business in April 4, 2014. Essays include da tittle page with the student's name, grade, and teacher name. Essays were not to exceed 500 words and must be typed, double spaced in 12 Times New Roman. Prizes are $100 for each first place essay for each grade level. Winners may also be eligible for publication in local and national outlets. All the events were advertised with flyers, radio promotions and by word of mouth. Commission members attended radio interviews and ads were published in the Juneau Empire. The prize money was donated. We thank board member Steve Wolf for his generosity.

The commission without funding was unable to continue the speaker series. This year's series would have centered on LGBT issues. The Juneau Human Rights Commission has no further plans for the 5th annual I AM JUNEAU event. We have shortened the events to the least costly, which are the dance/music events and the cultural pick nicks salted for:

7/19/2014 - Essay Contest
*9/20/20114 - Dance Festival
Continuous throughout the year - Community Dialogue and Fireside

*Because of the financial deficit the city is in, the commission has been unable to secure a venue for the cultural dance event so this may be off the table as well.

This year the commission also participated in discussions regarding human trafficking, racism in the schools, and attended conversations about race. The discussions were held monthly at the Northern Lights Church. We continue to meet with local faith groups, labor unions, and nonprofits in coordinating internal dialogue of human rights. We currently have five active members. Alavini Lata, Washington Park, Steve Wolf, Haifa Sadigi, and Catlin Teaster.



ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Juneau Human Rights Commission Annual Report & Appointments

ATTACHMENTS:

	Description	Upload Date	Type
☐	Juneau Human Rights Commission Annual Report	5/16/2014	Presentation

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 15, 2014

TO: Human Resources Committee

FROM: Beth McKibben, Planner BMc
Community Development Department

SUBJECT: Community Development Block Grant Application Process

INTRODUCTION

This memorandum contains the staff recommendation for amending the standardized process for soliciting and selecting which community project will apply for a federal Community Development Block Grant (CDBG) administered in Alaska by the State Department of Community and Economic Development (DCED). Grant proposals must be sponsored by a local government and sent to DCED, where the proposals will be reviewed and compete against each other on a statewide basis. A local government has the choice of generating its own project ideas or soliciting ideas from the general public. The CBJ has worked with community organizations to develop proposals and has been successful in obtaining CDBG grants using this method in the past.

DISCUSSION

In 2011 staff presented, and the Human Resources Committee approved, this standardized process for soliciting projects, and recommending which project CBJ applies for. This process was used successfully in 2011 and CBJ and AWARE received a CDBG grant. The purpose of the process is to create a level playing field for applicants, so that all applicants are submitting similar types and amounts of information about their proposal. This helps CBJ staff and elected officials to evaluate the projects. Furthermore, the process helps educate applicants about the CDBG program as well as what sort of information are needed in order to apply. An added benefit to this process is that information needed for the application, for example, the budget and matching funds, will be gathered early on, which helps make the actual writing of the grant application less rushed. The outreach and public meetings that are integrated into the process are useful in documenting community outreach, which is required in the application.

In September 2013 staff made the scheduled presentation to the Human Resources Committee. At that time there was discussion about the process time line and the HRC recommended some modifications to accommodate the fact that there is not usually an HRC meeting in October because of elections. Another proposed change to the process is to remove the September

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

presentation to the HRC and instead invite the HRC and/or full Assembly to the public meeting in August. This change is proposed for several reasons. It streamlines the process, allows the HRC/Assembly to hear the same presentation the project proposers hear, as well as the questions they might ask, and it provides time to bring the proposals to the HRC in late September, without having to hear the program overview in early September.

Proposed deletions are shown as ~~strikethrough~~ and proposed new language is shown as **bold underline**.

RECOMMENDATION

Staffs recommends the Human Resources Committee review the proposed revisions to the CDBG process and accept it with or without modifications.

ATTACHMENTS

A- Draft revised CDBG Process

CBJ Process for applying for CDBG Grants

This process is designed to help potential grant applicants understand the application process for Community Development Block Grants (CDBG) and the CBJ process for choosing which project will be applied for in a given year.

July — No later than July 15 advertise for solicitation of project ideas.

Reach out to social service agencies with notice of solicitation.

August — No later than August 15 schedule public meeting – invite general public and proposers of projects - topic to discuss CDBG application and grant process, eligible projects, ranking, and timelines.

> Using the grant handbook/application as guidance proposers will be given direction on what sort of information will be needed for ranking and recommendation to Human Resources Committee(HRC) –project description, rough budget, what matching funds available, how the project meets goals of CDBG program, etc.
>
> Notices of this meeting advertisement and meeting notes will be kept for grant application documentation of public outreach.
>
> **<u>The Assembly, specifically the Human Resources Committee, will be invited to this public meeting in order to become familiar with the grant program and process.</u>**

September — First week of September notice of CDBG applications is expected from Division of Community and Regional Affairs (DCRA).

~~Do presentation to HRC committee at their September meeting about the CDBG program, grant application process and ranking and their roll (recommending project to Assembly) (written staff report too) as well as prior projects recommended, and which were funded.~~

About one month after public meeting with project proposers, schedule deadline for material requested at that meeting (budget, description, etc.).

Late September
~~Early October~~ — Set up staff review committee, and schedule review.

After initial review, allow project proposers an opportunity to submit additional information with final deadline for all applications.

Final staff review. Ideally within one meeting decide on project to recommend to HRC.

Notice proposers of staff recommendation to HRC. Send copy of staff report to HRC when available.

Schedule project recommendation at the HRC meeting in ~~October~~ **<u>late September.</u>**

~~October~~
<u>Late September</u> — Written staff report and presentation to HRC providing staff recommendation for project to submit CDBG application.

Copy of staff report and notice of HRC meeting to all project proposers

~~October~~
<u>Late September</u> — Based on HRC action at meeting, begin working with project proposer to develop application.

~~November~~
<u>Early October</u> — Notify other project proposers of HRC recommendation.

With applicant, develop schedule and distribute work load for CDBG application.

November — Schedule authorizing resolution for Assembly meeting in November.

December — Applications due in Fairbanks first week of December.

ATTACHMENT A

ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Community Development Block Grant Process

ATTACHMENTS:

	Description	Upload Date	Type
	Community Development Block Grant Process Memo	5/16/2014	Cover Memo

Presented by: The Manager
Introduced:
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 bodies which include in their title the word Board, Committee, Commission, or Council and is a governmental body of the City and Borough of Juneau having only authority to advise or make recommendations to the Assembly without authority to establish policies or make decisions for the Assembly and does not include the Docks & Harbors Board, Airport Board, Hospital Board, Eaglecrest Ski Area Board and the Planning Commission; and

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

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

SECTION 1. MEMBERSHIP.

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

Policy 2. 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.

Policy 3. **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.

Policy 4. 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.

A. Definitions:

1. "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.

2. "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.

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

(a) If a person appointed to membership fails to qualify and take office within 30 days of appointment;

(b) If a member departs from the City and Borough with the intent to remain away for a period of 90 or more days;

(c) If a member submits his or her resignation to the Assembly;

(d) If a member is physically unable to attend board meetings for a period of more than 90 days; or

(e) If a member misses more than 40 percent of the board meetings in a 12-month period.

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.

Policy 5. 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.

Policy 6. 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.

Policy 7. 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.

Policy 8. 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.

Policy 9. 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.

Policy 10. 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.

Policy 11. 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.

SECTION 2. 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 3. REPEAL OF RESOLUTION. Resolution 2662 is hereby repealed.

SECTION 4. EFFECTIVE DATE. This resolution shall be effective immediately upon adoption.

Adopted this _______ day of _______________________, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Resolution 2686: A Resolution Repealing Resolution 2662 and Reestablishing the Rules of Procedure for Assembly Advisory Boards.

ATTACHMENTS:

	Description	Upload Date	Type
☐	DRAFT Resolution 2686: A Resolution Repealing Resolution 2662 and Reestablishing the Rules of Procedure for Assembly Advisory Boards.	5/16/2014	Resolution

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-17

An Ordinance Amending the Commercial Passenger Vehicle Code.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 20.40.160 Administrative sanctions, is amended to read:

20.40.160 Administrative sanctions <u>and permit denials</u>.

(a) A permit may be <u>denied,</u> suspended or revoked if the permittee has violated any provision of this chapter, failed to comply with a lawful written order of the commercial passenger vehicle administrator, or has committed any criminal offense, infraction, or regulatory violation specified in regulations issued pursuant to this chapter as grounds for <u>denial,</u> suspension or revocation.

(b) <u>An application shall be denied, or a</u> ~~A~~ permit ~~shall be~~ immediately suspended<u>,</u> upon the administrator's receipt of a criminal charging document or verifiable information disclosing the circumstances of an arrest <u>or conviction</u> of the <u>applicant or</u> permittee for criminally offensive sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41, or substantially similar offenses under the laws of another jurisdiction within the United States.

Section 3. **Amendment to Section.** CBJ 20.40.210 Professional driver's permit qualifications and application, is amended to read:

20.40.210 Professional driver's permit qualifications and application.

(a) In order to qualify for a professional driver's permit, an applicant must possess a current state driver's license.

(b) In order to qualify for a professional driver's permit a driver shall not have been convicted of a felony within the preceding ten years or more than three misdemeanors within the preceding five years, or had an operator's license suspended more than once or revoked at any time within the preceding three years; provided, however, that if the crime for which the driver is convicted is for criminally sexual behavior, as defined as the offenses set forth in Article 4 of AS 11.41 or substantially similar offenses of the laws of another jurisdiction within the United States, or a ~~the~~ felony for which the driver is convicted in any way involved a commercial passenger vehicle, the police department shall not issue a professional driver's permit to that person, regardless of when the conviction occurred~~. This subsection (b) is not intended to restrict the ability of current drivers licensed pursuant to CBJ 20.40.200 in good standing to continue to operate~~.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this ________ day of ________________________, 2014.

____
Merrill Sanford, Mayor

Attest:

____
Laurie J. Sica, Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 20, Chapter 40
Commercial Passenger Vehicle Regulations (Revised)

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE MANAGER ADOPTS THE FOLLOWING REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJ 01.60 and CBJ 20.40.130(b).

Section 2. Amendment of Regulation. 20 CBJAC 40.250 Procedures for permit denials and administrative sanctions, is amended to read:

20 CBJAC 40.250 Procedures for permit denials and administrative sanctions.

…

(b) Except for summary action under (a), the procedure for the imposition of administrative sanctions against a driver <u>or a permit denial</u> shall be as follows:

(1) The administrator shall give written notice to the affected driver <u>or applicant</u> seven days in advance of imposing an administrative sanction <u>or denial</u>. The notice shall include the following information:

(A) the grounds for sanction <u>or reasons for denial</u>; and

(B) that the permittee <u>or applicant</u> has an opportunity for a hearing before the chief of police to respond to the notice and introduce evidence to refute or mitigate the denial, suspension, or revocation. Upon written request filed within seven days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.

(2) The administrator shall at the same time give written notice to the holder of the certificate to which the driver is registered.

(3) All notices directed to a driver or holder may be served by personal delivery, or by first-class mail addressed to the permittee <u>or applicant</u> at the address of record provided by the permittee <u>or applicant</u> to the administrator.

(4) After the hearing, the chief of police shall issue a written final administrative decision of the City and Borough, which may be appealed to the Superior Court if such appeal is brought within 30 days.

…

Section 3. **Amendment of Regulation.** 20 CBJAC 40.310 Professional driver's permit, is amended to read:

20 CBJAC 40.310 Professional driver's permit.

(a) *Application.* An application for a professional driver's permit shall be made in writing upon an approved form filed with the administrator, and shall include all required attachments. Renewal applications shall be submitted 30 days prior to the expiration date of the current permit. The form shall require at least the following information from the applicant:

(1) Name and address;
(2) Place or places of residence for the past ten years;
(3) Age, height, color of eyes and hair;
(4) Reserved;
(5) A statement that the applicant has read CBJ 20.40 and these regulations;
(6) A complete criminal history and driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary as well as a record of any conviction at any time for criminally offensive sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41, or substantially similar offenses under the laws of another jurisdiction within the United States; and
(7) Health certificates, which shall be provided as follows:

…

-

Section 4. **Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on ________________, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: ___________________________

____
Kimberly A. Kiefer
City Manager

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: ____________________________ ________________________________

Amy Gurton Mead
City Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of ____________. They were adopted by the Assembly.

Date: ____________________________ ________________________________

Laurie J. Sica, Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ___:___ a.m./p.m. on the _____ day of __________________, ________.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: ____.

Date: ____________________________ ________________________________

Laurie J. Sica, Clerk

ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

DRAFT Ordinance 2014-17: An Ordinance Amending the Commercial Passenger Vehicle Code.

ATTACHMENTS:

	Description	Upload Date	Type
☐	DRAFT Ordinance 2014-17: An Ordinance Amending the Commercial Passenger Vehicle Code.	5/16/2014	Ordinance
☐	DRAFT CPV Regulations - RED FOLDER ITEM	5/19/2014	Cover Memo