

Agenda

Planning Commission - Rules and Procedures City and Borough of Juneau

June 18, 2021
Virtual Meeting Only
1:00 PM

This virtual meeting will be by video and telephonic participation only. To join the webinar, paste this URL into your browser: <https://juneau.zoom.us/j/95753069996>. To participate telephonically, call: 1-346-248-7799 or 1-669-900-6833 or 1-253-215-8782 or 1-312-626-6799 or 1-929-436-2866 or 1-301-715-8592 and enter Webinar ID: 957 5306 9996.

- I. ROLL CALL
- II. APPROVAL OF AGENDA
- III. AGENDA TOPICS
 - A. Rules of Order Updates
- IV. COMMITTEE MEMBER COMMENTS AND QUESTIONS
- V. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Rules of Order Updates

ATTACHMENTS:

Description	Upload Date	Type
□ Rules of Order Updates	6/17/2021	Miscellaneous



CITY AND BOROUGH OF JUNEAU PLANNING COMMISSION RULES OF ORDER

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

Rule 1. COMMISSION OFFICERS AND ROLES

- A. The officers of the Planning Commission (Commission) shall be Chair, Vice-Chair, Clerk, and Assistant Clerk.
- B. Officers shall be elected by a majority vote of the members of the Commission held annually at the start of the first regular meeting of the year
- C. Officer Duties:
 1. The Chair shall preside over regular Planning Commission meetings, establish committees, and coordinate with the CDD Director on issues including meeting agendas.
 2. The Vice-Chair shall preside over Committee of the Whole meetings and fulfill the duties of the Chair when the Chair is absent or otherwise unable to fulfill those obligations.

Rule 2. MEETINGS

- A. Date and Time of Regular Meetings. The regular meetings of the Planning Commission shall be at 7:00 p.m. on the second and fourth Tuesdays of each month.
- B. Place of Meetings. Planning Commission meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless public notice is provided for a different location.
- C. All Meetings Public. All meetings of the Planning Commission and any of its committees shall be open to the public except for executive sessions.
- D. Special Meetings and Committee of the Whole Meetings. Special and Committee of the Whole meetings may be called at any time by the Chair and must be called if requested by at least three members of the Commission.
- E. Time of Adjournment. Meetings will adjourn no later than 11:00 p.m. unless extensions are allowed by a majority of the members of the Commission present who are not recused from hearing the business under consideration at the time. Meetings may be extended past 11:30 p.m. only in accordance with Rule 13 and with consent of the Chair. No new business will be considered after 10:30 p.m. unless agreed to by a majority of the members present who are not recused from hearing the new business.

Commented [ML1]: (full commission to consider shift to 6:00 pm start)

Commented [ML2]: If the Commission decides to start at 6, all of these deadlines might be moved to an hour earlier.

Rule 3. PUBLIC NOTICE OF MEETINGS

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

Commented [ML3]: Consider "other electronic media"?

Rule 4. STAFF ATTENDANCE

At least one Community Development Department staff member will attend all meetings of the Commission and its committees.

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Rule 5. ORDER OF BUSINESS

The order of business for Planning Commission meetings shall be:

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- I. Roll Call
- II. Request for Agenda Changes and Approval of Agenda
- III. Approval of Minutes
- IV. Brief Review of the Rules for Public Participation
- V. Public Participation on Non-Agenda Items
- VI. Items for Reconsideration
- VII. Consent Agenda
- VIII. Unfinished Business
- XI. Regular Agenda
- X. Board of Adjustment
- XI. Other Business
- XII. Staff Reports
- XIII. Committee Reports
- XIV. Liaison Reports
- XV. Continuation of Public Participation on Non-Agenda Items
- XVI. Planning Commission Comments and Questions
- XVII. Executive Session
- XVIII. Adjournment

Rule 6. COMMITTEES

A. Appointment and Membership. The Chair, with the approval of the Commission, shall (i) appoint members to the standing committees and appoint the chairs of those committees; and (ii) create committees as deemed necessary, and appoint members and chairs of those committees. Standing committees shall consist of at least four members of the Commission. The Chair is an ex officio member of all committees; the Chair can debate and vote but is not required for purposes of establishing the minimum quorum necessary for action. The Chair can count toward establishing a quorum if present.

B. Committee Chair. A committee chair or in their absence, the senior commissioner present, shall have full responsibility for conducting the affairs of a committee and reporting the same to the Commission. Committee chairs shall act as spokespersons for their committees at public meetings and hearings. Public testimony shall be allowed at committee meetings only with permission from the Chair.

C. Standing Committees.

- 1. **Title 49 Committee**. The purpose of this committee is to review the land use code and recommend changes to the land use code, as needed, to the Commission.

2. **Governance Committee.** The purpose of this committee is to review and recommend updates to these rules and procedures as necessary and to consider other action as may be beneficial to facilitate Commission and committee meetings and debate. The Chair of the Governance Committee shall keep a record of Commissioner attendance at Commission and committee meetings.

2-3. **CIP Committee.** The purpose of this committee is to lead Commission participation in development of the annual CBJ CIP project list, including by helping efforts to ensure the projects reflect CBJ planning priorities as enumerated in the Comprehensive Plan, detailed Area Plans, and other plans adopted by the Assembly.

Rule 7. OTHER BOARDS, COMMISSIONS AND COMMITTEES

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

1. **Assembly Lands Committee.**
2. **Assembly Public Works and Facilities Committee.**
3. **Juneau Commission on Sustainability.**

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

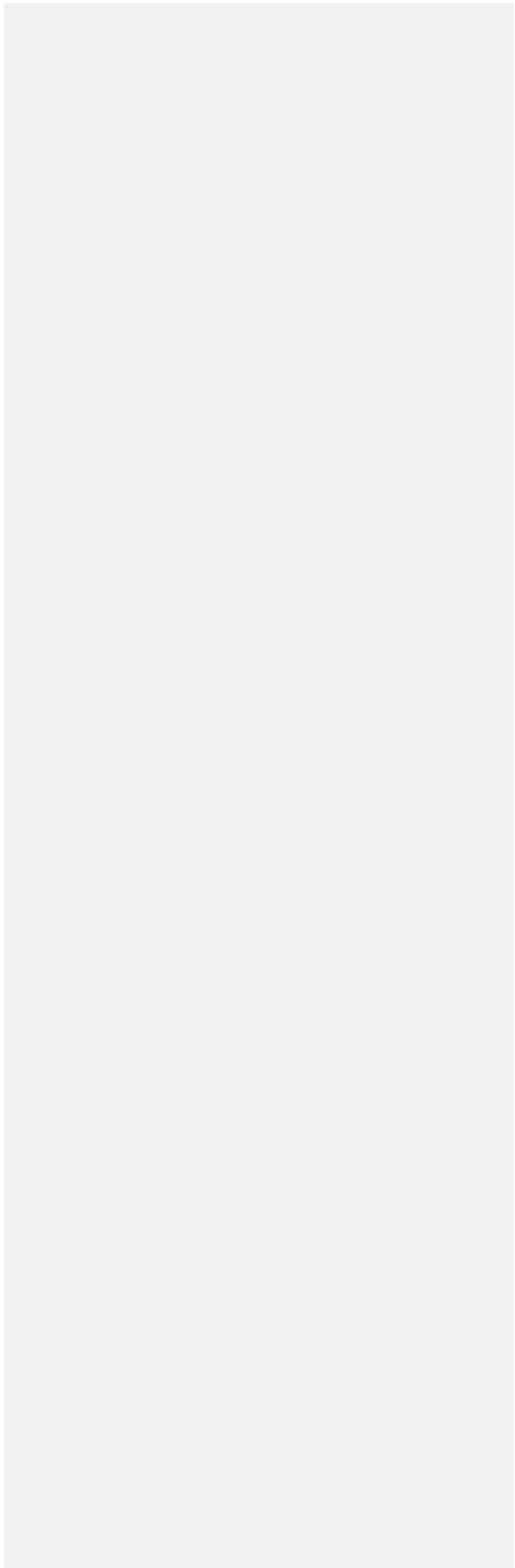
1. **Wetlands Review Board.** Two members of the Commission shall be appointed to serve as full, voting members of the Wetlands Review Board.

Rule 8. PROTOCOLS FOR COMMISSIONER DEBATE AND DISCUSSIONS

A. Speaking on the Question. In all questions and comments, members of the Commission shall endeavor to provide the Commission with relevant facts and arguments and shall strive to avoid redundancy. The Chair may disallow non-germane questions and comments. Members of the Commission, the Director of Community Development, and staff may speak more than once to the same question at the same stage of proceedings. In determining the order of speakers, the Chair shall give priority to members who have not spoken on the question.

B. Asking Questions. After obtaining recognition from the Chair, a member may ask direct questions of another member of the Commission, City and Borough of Juneau (CBJ) staff, or of a person appearing before the Commission. All questions shall be respectful and may not be argumentative.

- C. Decorum. Members of the Commission shall not question the motives, competency, or integrity of any person except as necessary to decide a matter in which such issues are relevant. The Chair shall admonish any member violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.



Rule 9. PROTOCOL FOR MEETINGS

A. Order and Procedure for Public Hearings on Action Items:

1. The Chair will open the hearing on an individual item for action and read the title of the matter at hand.
2. Community Development staff will present a report and recommendation and will respond to initial Commission questions. Staff is encouraged to limit its presentation to no more than 10 minutes. Members of the Commission are encouraged to hold questions until the completion of the initial presentation.
3. The applicant or the applicant's representative will have an opportunity to present information regarding the request and respond to initial Commission questions. This presentation is limited to no more than 10 minutes. The limit shall be extended as long as necessary to answer any questions addressed to the speaker by the members of the Commission. If the applicant wishes to use electronic slides (PowerPoint or the equivalent) during a presentation, the applicant must supply an electronic version of those slides to Community Development staff no later than 12 p.m. on the Friday before the hearing. This deadline may be altered for meetings held other than at the regular meeting time.
4. Public participation will be opened, and the public will be invited to comment. Public participation shall be carried out in accordance with Rule 10. Members of the Commission may pose questions through the Chair in accordance with Rule 8.
5. Public participation will be closed.
6. The applicant or the applicant's representative will have an opportunity to present additional information regarding the request and respond to questions from the Commission. This presentation shall be limited to no more than 5 minutes; this time limit shall be extended as long as necessary to answer any questions addressed to the speaker by members of the Commission. The applicant will be excused to return to his or her seat.
7. The Commission will deliberate and make its decision.

B. The Chair will set forth the item or subject to be discussed and will rule non-germane comments out of order.

C. All speakers, members of the public, and members of the Commission will be recognized by the Chair by surname.

D. When recognized by the Chair, staff may participate in the same manner as the members of the Commission except that staff cannot vote.

E. Once public participation is closed, it cannot be reopened except in accordance with Rule 13.

- F. Except in accordance with Rule _____, Telephonic-telephonic participation by an applicant or member of the public is not permitted. An applicant or member of the public that wishes to participate at a meeting, but cannot attend the meeting, may submit comments in writing pursuant to these Rules or send a representative to present on his or her behalf.

Rule 10. PUBLIC PARTICIPATION AT MEETINGS

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

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

- B. Submission of Written and/or Illustrative Material. Members of the public are encouraged to submit written comments, reports, and exhibits. Such material, especially maps, graphics, photographs, and responses to specific code sections, generally aids the Commission in making its decision. However, material submitted close to the hearing date, especially voluminous

written material offered at a public hearing, can result in inequities. The Commission adopts this written and/or illustrative material policy to give staff and the applicant a reasonable opportunity to analyze public comments, to give the public a reasonable opportunity to submit material before and after publication of the staff report, to give the members of the Commission a reasonable opportunity to review the meeting packets, and to give the Commission the ability to balance the relevance and prejudice of any late material. Members of the public should assume that the members of the Commission have read all materials submitted in advance of the hearing.

1. **Publication of Staff Report.** The original staff report should be published by close of business eight days before the hearing (Monday). If justice so requires, the Director may extend the publishing deadline to close of business six days before the hearing (Wednesday).
2. **Timely Material for Packet.**
 - a) Material—including public comments, applicant comments, and supplemental staff reports—submitted to the Community Development Department before noon four days before the hearing (Friday at noon) is considered timely submitted and will be included in a packet for that meeting. Material submitted less than four days before a meeting is subject to the late submittal policy below. If justice so requires and with consultation with the Chair, the Director may extend the timely material deadline to noon the day before the hearing (Monday).
 - b) If a member of the public wishes to use electronic slides (PowerPoint or the equivalent) during public testimony, an electronic version of those slides must be provided to the Community Development staff by the same deadline for timely written material.
3. **Late Material.** Maps, graphics, photographs, and no more than the equivalent of two single-sided printed pages of written information are allowed to be submitted at the hearing when a person presents. Specifically, if the applicant, staff, or member of the public wishes to submit material after the timely material deadline (Friday at noon), that person or a representative for that person must (1) attend the meeting and present the material to the Commission during the opportunity for public comment, and (2) provide fifteen copies of the written and/or illustrative material.
4. **Written Comments.** Written comments, with the exception of e-mail transmissions, must be signed, and the source of illustrative materials must be identified. E-mail transmissions must show the author's name. Anonymous submissions will not be accepted.

C. **Decorum.** The Chair is responsible for ensuring that members of the public have a reasonable opportunity to address the Commission during public participation periods and for maintaining proper order and decorum throughout each meeting. Audible communication from or in the audience, including communication directed to the Commission, CBJ staff, or applicant during meetings is not allowed. The Chair shall also ensure that during oral testimony, members of the

public direct their comments and questions to the Chair and not to the applicant, staff or other members of the public. Questions shall be respectful and may not be argumentative. The Chair shall admonish any member of the public violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

Rule 11. 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 Commission
 6. Question of personal privilege

Rule 12. CLERICAL ERRORS

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

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Rule 13. VOTE REQUIRED

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

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- A. Limiting, extending, or closing debates.
- B. Suspension of the rules.
- C. Setting of or postponement of special orders.
- D. Objection to consideration of question.
- E. Motion for immediate vote (previous question).
- F. Rescind.
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken.
- H. Reopen public participation.
- I. Extend a meeting past 11:30 p.m.

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Charter 3.16 (e) allows the prevailing vote to be reduced by one vote for every two members of the Commission who are present, but who do not vote because they have a conflict of interest or have been excused from voting by a vote of all the remaining members of the Commissioners who

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may vote on the question. However, the prevailing vote may not be reduced to less than one-third of the membership of the Commission. A quorum of the Commission shall consist of a majority of the full membership.

Rule 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM

No person except a member of the Commission, the Director of Community Development, the City Attorney, planner assigned to the agenda item, and other CBJ staff, may participate in Commission proceedings other than through opportunities provided for applicant presentations and public participation. Public participation shall be permitted on a motion to recess into executive session prior to the vote on such a motion. Public participation shall be permitted on all items on the agenda other than items before the Commission for information purposes.

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

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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 of the Commission, whether or not that member voted on the prevailing side, may give notice of or move for reconsideration.
- C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.
- D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.
- E. Successive Reconsideration. There may be only one reconsideration even if the action of the Commission after reconsideration is opposite from the action of the Commission before reconsideration.
- F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.
- G. Effect. A successful motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken. The motion for reconsideration is debatable to the same extent as the underlying motion.

Rule 16. ~~TELEPHONIC ELECTRONIC~~ PARTICIPATION

- A. A member of the Commission may participate by telephone or video in a regular Commission

meeting, Committee of the Whole, or committee meeting if the member identifies appropriate circumstances preventing physical attendance at the meeting in advance.

- B. The member of the Commission shall notify the Director and the presiding officer, if reasonably practicable, at least four hours in advance of the meeting which the member proposes to attend by telephone or video.
- C. A member of the Commission participating by telephone or video shall be counted as present for purposes of quorum, discussion, voting, and attendance.
- D. The member of the Commission participating by telephone or video shall make every effort to participate in the entire meeting. From time to time during the meeting the presiding officer shall confirm the connection.
- E. The member of the Commission participating by telephone or video may ask to be recognized by the presiding officer to the same extent as any other member.
- F. If the presiding officer chooses to participate by telephone or video at any meeting, the alternate officer shall preside
- G. To the extent reasonably practicable, the Director shall provide meeting materials to the member of the Commission participating by telephone.
- H. If the telephone connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled. The Secretary shall attempt to establish or restore the connection. If the member of the Commission participating by telephone is necessary to achieve a quorum and the connection is lost, the meeting shall take an at-~~ease~~, recess, or adjourn as necessary until the telephone connection is established or restored.
- I. Meeting times shall be expressed in Alaska Time regardless of the time at the location of any member of the Commission participating by telephone.
- J. ~~Remarks by members of the Commission participating by telephone shall be transmitted so as to~~ Telephonic or video communication shall be audible ~~by to~~ all members of the Commission, staff, and the public in attendance at the meeting.
- K. Except as provided in Rule 17, telephonic or video participation by Commission members is prohibited for appeal hearings. In-person attendance is required.

Rule 17. VIDEO MEETING ALTERNATIVES

- A. Special considerations, such as health advisories, may require the suspension of in-person Planning Commission meetings. In those situations, alternative protocols for remote meetings using audio/video technology will be utilized.
- B. For remote meetings:
 - a. Rules 9(F), 10(A)(3), 10(B)(2)(a), 10(B)(3), 16(A), and 16(B) will be suspended;
 - b. Materials must be submitted electronically to CDD no later than the Thursday before the

meeting, if it is not possible to submit materials electronically, the applicant is directed to call CDD to arrange delivery of materials;

- c. Written public comment must be received via email by 12pm the day prior to the scheduled meeting; and
- d. Members of the public may call in or join the online platform to provide verbal comment during the public hearing.

C. Additional protocols may be developed by the Chair and CDD Director for review and adoption by the full Commission. Such alternate meeting protocols will follow the general rules and procedures for the Planning Commission as closely as practical, with the broadest public access and participation, consistent with the available system technical capabilities.

D. Commissioners and staff will maintain decorum matching that expected of public meetings.

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Rule 18. ADOPTION OF ROBERT’S RULES OF ORDER

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

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REPEAL AND EFFECTIVE DATE

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

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Michael LeVine, Chair Planning Commission

Date

Filed with the City Clerk

Date

Presented by: Manager
Presented: 05/24/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-22

An Ordinance Reestablishing the City and Borough of Juneau COVID-19 Mitigation Strategies and Providing for a Penalty.

WHEREAS, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19; and

WHEREAS, the Juneau International Airport and the Juneau ferry terminal are the primary point-of-entries for persons traveling into Juneau; and

WHEREAS, on February 14, 2021, the State of Alaska identified that non-residents traveling into the State no longer had to pay the \$250.00 for a COVID-19 test upon arrival and fully vaccinated people did not have to follow strict social distancing requirements while awaiting test results; and

WHEREAS, while more community members are getting vaccinated for COVID, the community has not reached herd immunity, children are not eligible for vaccines, and variants of concern (B.1.1.7, P1) have recently been detected in Juneau; and

WHEREAS, Alaska continues to experience COVID-19 outbreaks and multiple regions in Alaska are at moderate or high alert levels; and

WHEREAS, as of May 19, 2021, there have been more than 1,486 confirmed cases in the City and Borough of Juneau, of which a substantial percentage are travel related or attributable to community spread; and

WHEREAS, the current COVID-19 Mitigation Strategies were reestablished with Emergency Ordinance 2021-11(am) (April 26, 2021); and

WHEREAS, the Centers for Disease Control and Prevention (CDC) recently revised its guidance for fully vaccinated people; and

WHEREAS, any business or facility is free to require masks at their business or facility; and

WHEREAS, the updated COVID-19 Mitigation Strategies will help provide better structure and certainty as the community balances the needs to mitigate harm from COVID-19 and keep the economy open.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. COVID-19 Mitigation Strategies.

- (a) **Adoption.** The City and Borough of Juneau COVID-19 Mitigation Strategies identified in Exhibit A are adopted.
- (b) **Determination of Incident Risk Level.** The Manager is authorized to determine which Incident Risk Level best fits the City and Borough of Juneau based on a comprehensive range of public health factors related to COVID-19.
- (c) **Public Notice.** The Manager shall conspicuously identify the Incident Risk Level on the City and Borough of Juneau's webpage and widely distribute public notice when the level changes.
- (d) **Exemptions.**
- (1) **Exemption Request.** An entity or person may request an exemption from the COVID-19 Mitigation Strategies by submitting a site specific COVID-19 Mitigation Plan to the CBJ Emergency Operations Center by emailing covidquestions@juneau.org. The Emergency Operations Center may issue an exemption if the COVID-19 Mitigation Plan has sufficient measures and policies to mitigate the spread of COVID-19 in light of the Incident Risk Level.
 - (2) **Public Records.** All exemption requests, communication, and responses are presumptively public records. If an entity or person requests that the City and Borough of Juneau withhold any information contained in your COVID-19 Mitigation Plan from public release because the information is protected under AS 40.25.120(a), you must submit the following information with the request:
 - (A) Identify each set of discrete information that the entity or person asserts is confidential;
 - (B) Identify each specific legal authority that the entity or person asserts applies to each such set of information; and
 - (C) For each such set of information, explain why the entity or person asserts the information is confidential based on each legal authority the entity or person asserts applies to that information.

Should the City and Borough of Juneau receive a request for records under the Public Records Act applicable to any item marked confidential, the City and Borough of Juneau should notify the person or entity asserting confidentiality as soon as practicable prior to making any disclosure. The person or entity asserting confidentiality acknowledges it has five (5) calendar days after receipt of notice to notify the City and Borough of Juneau of its objection to any disclosure, and to file any action with any competent court to protect its interests. Should the person or entity asserting confidentiality fail to notify the City and Borough of Juneau of its objection or fail to file suit within five (5) calendar days, the CBJ may disclose the records.

(e) **Violation.** A person who violates a mitigation strategy in Exhibit A shall be subject to a civil fine not to exceed \$25.00 per violation, which shall be considered incorporated into CBJC 03.30.070(a); payment of the civil fine shall be accepted in satisfaction of the violation; and the violation shall be subject to CBJC 03.30.070(b)-(c) and CBJC 03.30.075-03.30.085. In addition to a civil fine, the City and Borough of Juneau may use all available civil enforcement options (i.e. injunction, revocation of certificate of occupancy, civil lawsuit, etc.) to assure compliance with this ordinance.

(f) **Amendments.** The Manager shall keep Exhibit A consistent with Centers for Disease Control and Prevention (CDC) guidance and present the revisions to Exhibit A at regular or special Assembly meetings for ratification.

(g) **Mask or Face Covering Mandate.**

(1) **Requirement.** All individuals must wear a mask or a face covering over their nose and mouth (i) as provided for in Exhibit A; (ii) when using public transportation, like Capital Transit; and (iii) when entering an area that is posted requiring use of a mask or face covering. This ordinance is subject to the conditions and exceptions stated below.

(2) **Face Shield.** A face shield is generally not permitted in lieu of a mask or face covering because face shields are less effective in stopping the spread of COVID-19. However, a face shield may be permitted in lieu of a mask or face covering for the following individuals, who must wear a face shield whenever a mask or face covering would be required unless it is impossible to do so:

(A) Any individual who cannot tolerate a mask due to a physical or mental disability;

(B) Individuals who are communicating with someone who is deaf or hard of hearing; or

(C) Individuals performing an activity that cannot be conducted or safely conducted while wearing a mask (for example a driver experiencing foggy glasses, a dental patient receiving care, or an equipment operator where there is a risk of dangerous entanglement).

- (3) **Employment.** Employers are responsible to make sure employees who are present in the workplace have access to and wear masks or face coverings as required by this ordinance.
- (4) **Exceptions.** This ordinance does not apply to the following categories of people or activities:
- (A) Any child under the age of 2 years. These very young children should not wear a face covering because of the risk of suffocation. Additionally, masks are recommended, but not required for children ages 2-5. Daycare settings that serve preschool children are encouraged but not required to enforce mask usage for children age 2 and older.
 - (B) Individuals who are incarcerated, in police custody, or inside a courtroom; these individuals should follow guidance particular to their location or institution.
 - (C) Musicians, presenters, ministers, and others communicating to an audience or being recorded, for the duration of their presentation/practice/performance where mask usage impairs communication, and so long as safe physical distancing is maintained.
 - (D) Individuals removing their mask or face covering to eat, drink, or briefly scratch an itch.
 - (E) Employees within their own fully enclosed office or workspace, and employees within an unenclosed workspace if they are totally alone.
 - (F) Individuals doing high intensity exercise outdoors.
- (5) **Denial of Service.** A person violating this ordinance is prohibited from entering, occupying, or remaining in the setting in which a mask or face covering is required. Provided, however, that this ordinance shall be applied in a manner consistent with the Americans with Disabilities Act (ADA) and any other applicable provision of law. Businesses and the City Manager for City and Borough of Juneau facilities, may choose to allow individuals who request an accommodation under the ADA to wear a face shield, or may consider accommodating these individuals through alternative means of providing goods or services, such as curbside, delivery, or telephonic service.
- (6) **Proof of Medical Reason or Disability.** If a person declines to wear a mask or face covering because of a medical condition or disability as described above, this ordinance does not require them to produce medical documentation verifying the stated condition or disability.

(7) Additional City and Borough of Juneau Facility Provision.

- (A) **Notice.** The City Manager is required to identify and conspicuously post notices for those City and Borough of Juneau public facilities or areas of public facilities in which people are required to wear a mask or face covering. The Manager should post face covering notices in public facilities and areas of public facilities in which maintaining six feet separation between people is difficult or where there are insufficient physical barriers to keep people six feet apart.
- (B) **Provision of Face Covering.** For people who cannot afford or locate a face covering, the Manager shall make a face covering available on every Capital Transit bus and at any facility owned by the City and Borough of Juneau that requires a mask or face covering.

(8) Definitions.

- (A) “Mask” means a medical grade mask (i.e. N95).
- (B) “Face covering” means a cloth, polypropylene, paper, or other face covering that covers the nose and the mouth and that rests snugly above the nose, below the mouth, and on the sides of the face. The following are not face coverings because they allow droplets to be released: a covering with a valve designed to facilitate easy exhalation; mesh masks; lace masks; other coverings with openings, holes, or visible gaps in the design or material.
- (C) “Face shield” means a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face.

Section 3. Repeal of Emergency Ordinance 2021-11. Emergency Ordinance 2021-11 is repealed.

Section 4. Effective Date. This ordinance shall be effective 30 days after adoption. This ordinance expires at 12:01 a.m. on July 31, 2021, unless terminated earlier by the Assembly by motion.

Adopted this 14th day of June, 2021.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

Ord. 2021-22 Exhibit A

Community Risk Level	Masks / Social Distancing	Large Gatherings	Restaurants, Bars	Personal Services, Gyms	Travel
Minimal: 1c - >70% of total population fully vaccinated	If not fully vaccinated, masks/face coverings must be worn indoors in public areas and outdoors at crowded outdoor events (e.g. live performance, parade, sports event)	No size limitations; however, masks must be worn indoors by individuals who are not fully vaccinated.	R: If not fully vaccinated, patrons must wear masks when not actively eating or drinking. B: No restrictions.	If not fully vaccinated, masks/face coverings must be worn indoors in public areas.	Follow State Health Advisories.
Minimal: 1b - 50 - 69.9% of total population fully vaccinated -	If not fully vaccinated, masks/face coverings must be worn indoors in public areas and outdoors at crowded outdoor events (e.g. live performance, parade, sports event)	Indoor gatherings should be limited to the number of participants that will allow 6 ft of social distancing to be maintained if individuals who are not fully vaccinated are present. Masks must be worn indoors by individuals who are not fully vaccinated.	If not fully vaccinated, patrons must wear masks when not actively eating or drinking. Recommend capacity restrictions that allow 6 ft of social distancing between parties.	If not fully vaccinated, masks/face coverings must be worn indoors in public areas. Recommend capacity restrictions that allow 6 ft of social distancing between individuals.	Follow State Health Advisories.
Moderate	If not fully vaccinated, masks/face coverings must be worn indoors in public areas and outdoors at crowded outdoor events (e.g. live performance, parade, sports event)	Indoor gatherings should be limited to 50* people with safety measures (masks required). Outdoor gatherings are recommended. There are no limits or required safety measures if all individuals at the gathering are fully vaccinated.	If not fully vaccinated, patrons must wear masks when not actively eating or drinking. Bars not to exceed 50% indoor capacity. Strongly recommend restaurants reduce capacity to ensure physical distancing between parties, recommend reservations required. Recommend delivery/ curbside pick up if allowed by law.	Personal Services by appointment only, no waiting areas. Gyms, small group activities outdoors, limit capacity to 50%.	Follow State Health Advisories.
High	Masks/Face coverings must be worn indoors and outdoors in public areas where 6ft of social distancing cannot be maintained. Keep social bubble contained to family members.	Indoor gatherings should be limited to 20* people with safety measures (masks required). Outdoor gatherings with 6ft distancing recommended.	Bars and Restaurants reduce capacity to ensure at least 6 feet of physical distancing between parties and not to exceed 50% with reservations / contact list required. Delivery/curbside pickup if allowed by law. Bars and restaurants closed at 11:00 pm.	Personal Services by appointment only, one customer per service provider, no waiting areas. Gyms, no group activities, limit capacity to 25%	Follow State Health Advisories
Very High	Masks/Face coverings required outside the home. Residents are required to stay at home except as needed for groceries, medical care, and essential workforce needs.	Outdoor gatherings limited to no more than 10 people with proper social distancing. Indoor communal events not allowed.	Restaurants and bars limited to delivery and curbside pickup if allowed by law.	Personal Services and Gyms closed.	Follow State Health Advisories

Presented by: COW
Presented: 06/14/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2949

A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.

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

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

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

RULE 1. AGENDA.

- A. Order of Business. At all regular meetings the order of business shall be:
 - I. Flag Salute
 - II. Land Acknowledgment
 - III. Roll Call
 - IV. Approval of Minutes
 - V. Manager's Requests for Agenda Changes
 - VI. Public Participation on Non-agenda Items (Not to Exceed a Total of 20 Minutes, Nor More than Five Minutes for Any Individual)
 - VII. Consent Agenda
 - A. Public Requests for Consent Agenda Changes, Other than Ordinances for Introduction
 - B. Assembly Requests for Consent Agenda Changes
 - C. Assembly Action
 - VIII. Ordinances for Public Hearing
 - A. Administrative or Committee Reports
 - B. Public Hearing
 - C. Assembly Action
 - IX. Unfinished Business
 - A. Administrative or Committee Reports
 - B. Public Hearing
 - C. Assembly Action
 - X. New Business
 - A. Administrative or Committee Reports
 - B. Public Hearing
 - C. Assembly Action

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

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

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

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

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

RULE 2. MEETINGS.

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

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

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

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

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

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, and the Airport Board. The Mayor and all Assemblymembers shall serve as members of the Committee and the Human Resources chair shall serve as chair at these meetings.

3. Finance Committee. The Finance Committee may take up issues relevant to the fiscal status of the CBJ. The Mayor and all Assemblymembers shall serve as members of the Finance Committee. The duties of the Finance Committee shall include:
 - (a) Review of the Manager's proposed budget and recommendations to the Assembly for a final budget;
 - (b) Review of the fiscal policies of the CBJ as deemed necessary by the committee.
4. Committee of the Whole. The Committee of the Whole may take up those issues within the jurisdiction of multiple committees and those warranting detailed review prior to consideration by the Assembly. The Mayor and all Assemblymembers shall serve as members of the Committee of the Whole. Generally, the rules of the Assembly shall be followed in the Committee of the Whole, provided that, at the discretion of the chair, the rules may be relaxed and the rules relating to participation by the presiding officer and the number of times a member may speak shall not be in effect unless otherwise ordered by a majority of the committee. In preparing the committee agenda the chair shall consult with the Mayor.
5. Lands, 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 may not be argumentative.

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

RULE 8. RULES OF PUBLIC PARTICIPATION.

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

A. The hearing will be conducted by the Mayor as chair.

B. The Mayor will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.

C. The Mayor may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and

conserve time, and may for the same reason disallow all questions from the Assembly to members of the public. The time limit may be extended by a majority of the Assembly. The time limit for individual speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the Mayor may grant additional time to a person speaking on behalf of a group present in the chambers.

D. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Manager's office more than three business days before a meeting and comprising ten pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Clerk at the meeting provided that the submission includes at least 15 copies.

E. The Mayor will set forth the item or subject to be discussed and will rule non germane comments out of order.

F. All speakers, public, and members of the Assembly will be recognized by the chair by surname.

G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Mayor, their place of residence.

H. Members of the Assembly will not direct questions to each other or to the chair during public participation except as to the conduct of the hearing.

I. Members of the Assembly may direct questions to members of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.

J. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.

K. The public may direct questions to the chair only as it pertains to the conduct of the hearing.

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

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

RULE 9. MOTIONS.

A. Seconds. Seconds to motions are not required.

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

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

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

RULE 10. CLERICAL ERRORS.

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

RULE 11. VOTE REQUIRED.

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

- A. Limiting, extending, or closing debates
- B. Suspension of the rules
- C. Setting of or postponement of special orders
- D. Objection to consideration of question
- E. Motion for immediate vote (previous question)
- F. Rescind
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken

RULE 12. PARLIAMENTARIAN.

The Attorney shall act as the parliamentarian.

RULE 13. SESSIONS.

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

RULE 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM.

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

RULE 15. RECONSIDERATION.

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

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

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

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

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

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

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

RULE 16. REMOTE PARTICIPATION.

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, 11th Edition, except as otherwise provided by Charter, law, or these rules.

Section 2. Repeal of Resolution. Resolution No. 2947 is repealed.

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

Adopted this 14th day of June, 2021.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk