

ASSEMBLY HUMAN RESOURCES COMMITTEE MINUTES

March 04, 2024 at 6:00 PM

Assembly Chambers/Zoom Webinar



<https://juneau.zoom.us/j/95241164899> or 1-253-215-8782 Webinar ID: 952 4116 4899

A. CALL TO ORDER

Chair Bryson called the Assembly Human Resources Committee meeting to order at 6:01 p.m., HRC Chair Smith participated via Zoom.

B. LAND ACKNOWLEDGEMENT – *read by Assemblymember Adkison*

C. ROLL CALL

Members Present: Greg Smith (via Zoom), Wade Bryson, Ella Adkison and 'Wáahlaal Gídaag (via Zoom)

Members Absent: None

Others Present: Deputy Clerk Di Cathcart, City Attorney Robert Palmer, City Clerk, Beth McEwen, Deputy City Manager Robert Barr, Deputy City Attorney Sherri Layne, Finance Director Angie Flick, Eaglecrest Manager Dave Scanlan, Assemblymembers Michelle Hale and Paul Kelly

D. APPROVAL OF AGENDA – *agenda approved as presented.*

E. APPROVAL OF MINUTES – *all minutes approved as presented.*

1. December 11, 2023, Assembly Human Resources Committee Meeting Minutes - Draft
2. January 8, 2024, Assembly Human Resources Committee Meeting Minutes - Draft
3. February 5, 2024, Assembly Human Resources Committee Meeting Minutes - Draft

F. AGENDA TOPICS

4. Building Code Board of Appeals (BCBA) Appointments

Per CBJ Code [19.02.010.1](#); the Building Code Board of Appeals consists of seven members who are qualified by experience or training in matters pertaining to building construction. One member of the board of appeals shall be an architect, one member an engineer, one member an attorney, one member a general contractor, one member a mechanical contractor, one member an electrical contractor and one public member. Members of the board of appeals shall be decision is being challenged; the last meeting of the board was in June 2015. All boards seats are currently up for reappointment or past reappointment. After reaching out to members we have **three** that have agreed to be considered for reappointment.

The Clerk's Office will continue to reach out to other members of the board to see if they wish to continue on the board and will also continue community outreach to fill any vacancies on the board.

MOTION: by Ms. Adkison to forward to the full Assembly for action, the reappointments of Bradley Austin, Jeffrey Wilson, and Darrell Wetherall to the Building Code Board of Appeals both for terms beginning immediately and ending August 31, 2026, an ask for unanimous consent. ***Hearing no objection, motion passed.***

5. Resolution 2986 Assembly Rules Committee Power and Dilatory Motions

City Attorney Palmer walked the committee through Resolution 2986, noting, the Assembly operates consistent with charter and ordinances in State Law, however, there are a bunch of nuanced things or unclarified items in those authorities, and the assembly rules are the way the Assembly clarifies some of those ambiguities. Mr. Palmer shared with the committee that the legislation before them is a large number of small changes the

Assembly might consider housekeeping, and some examples of that are, clarifying topics on the agenda, the address change from South Seward Street to Heritage Way, and updating email addresses from juneau.org to juneau.gov. Mr. Palmer walked the committee through each page, touching on the more substantive changes in the resolution.

One of the substantive changes is to clarify a Robert's Rules conundrum the Assembly has gotten into in the last couple of years, whether decisions made in the Assembly Committee of the Whole and or the Assembly Finance Committee, are actual decisions or just recommendations. This set of rules would clarify that anything made by a committee, especially in the Committee of the Whole, and the Finance Committee would just be recommendations. Assemblymembers and the body as a whole could renew a failed motion, or bring up something that wasn't brought up at a committee meeting as if it's brand new; so that is one of the bigger changes. Another big change is to clarify the small committee and quorum. So, Human Resources Committee, Public Works & Facilities Committee and Lands, Housing & Economic Development Committee currently follow the rules where quorum is two members. In the proposed language of the resolution a quorum would be three members which would allow two members of those committees to meet and talk without violating the Open Meetings Act, whereas right now, technically, two members cannot meet.

Chair Bryson, to clarify what Mr. Palmer just stated, using Ms. Atkison as the example, we could have a conversation even though we're two members of HRC as long as we weren't discussing HRC business it would be acceptable for two Assemblymembers to have a conversation; we just couldn't delve into a specific topic in the current conditions. Mr. Palmer noted that Chair Bryson was correct in his example.

Mr. Palmer, page two outlines some house-keeping items related to the Assembly agenda; changing public participation on non-agenda items from five minutes to three minutes, giving potential issues for reconsideration topic a home in case we ever need it, and changing when assembly comments and questions get presented, the proposal here is to include that during the committee and liaison reports, instead of at the end, and lastly, adding a supplemental materials section, which is a practice we've had to do with our new agenda management system instead of attaching late material it in the middle of the packet, like we used to do it gets placed at the end.

One of the more substantive items on top of page four, the underlines represent a clarification on when an assembly meeting can be remote only. There have been situations in which we couldn't get quorum because of road conditions where people were encouraged not to drive. This change would allow a meeting that has been duly noticed as both in-person and virtual, to go to remote only if, for example, the weather conditions prohibit people from being able to safely drive to City Hall, and the public would similarly be encouraged not to drive.

Chair Bryson commented that it makes sense to combine assembly comments and questions on the same line as assembly reports. However, there were certain circumstances due to a meeting running long that we skipped assembly reports for that evening. If an assemblymember had something that was relevant to share, it was nice having it as a separate agenda item, whereas if we combine the two and we skip assembly reports then we're essentially skipping anytime an assemblymember can make a comment or remind everyone of various upcoming events. Mr. Palmer replied, that is a policy question that this body can weigh in.

Mr. Palmer, page five clarifies that Assembly Standing Committees are held as worksessions, with no public testimony unless otherwise noticed publicly and in the packet.

Mr. Palmer, page six describes when the Assembly must make decisions on who's in what committee and who is in what committee chair position. The current code says the Assembly must make that decision within seven days of the first meeting after the regular election; this change would bump that decision seven days after the second meeting. This gives the Assembly a little bit more time to have discussion and make any changes at the first meeting with the Mayor making a final decision and the Assembly taking action by the second meeting.

Next, the bottom of page six relates to a current role of the Human Resources Committee and the stricken line is overseeing Juneau's relationship with its Sister Cities. That duty has been subsumed by the Manager's Office so striking here but you obviously still have that authority as the HRC because the Manager reports to the Assembly.

Another small change at the bottom of page six to when the full Assembly as the Human Resources Committee meets to hold empowered board interviews and appointments and removing the Systemic Racism Review Committee from the list of boards that need to go before the full HRC.

Page eight lines 301 to 306 is the clarification of Roberts Rules, that the decisions made at a committee meeting are only recommendations and can be revived at a future assembly meeting if desired. The next big substance of change is the quorum question clarifying that for committees with four, five or six committee members, three members would constitute a quorum instead of two.

Mr. Smith noted that currently smaller committees can meet when only two members are present, but no official action can be taken so we were limited in what we could do. However, with this change, now only one member could miss a meeting and the committee still maintains quorum, correct. Mr. Palmer responded that Mr. Smith was correct and one of the policy reasons that you might change this rule to go to three members for quorum instead of two is because of the technology that we've adapted since Covid and the ability to zoom in to participate remotely.

Mr. Palmer, page nine, strikes the Aquatics Board for the appointment of liaisons, because that board no longer exists. Minor updates to lines 339-340 clarifying that Assembly Liaisons do not count as voting members for the governing board unless specifically identified in that but body's legislation.

Page 10, has small housekeeping items, changing juneau.org to juneau.gov. On page 12, lines 452-453, clarifies that when a CBJ attorney is not present, the municipal clerk acts as the Parliamentarian in our absence. Next, what looks like a lot of changes is not, it's just a rearranging and clarifying public participation and more precisely when public participation is allowed and when it is not. So, in general, public participation would be allowed on all agenda items on the agenda except committee meetings advertised as worksessions only items before the body for information purposes. Line 464 clarifies that when the Assembly or any of the other body decides quasi-judicial items, so appeals in general, there is no public participation allowed because there's special procedural due process rights that need to be afforded through that process and are cared for through that appeal process. Lastly regarding public process, lines 471-473, the committee chair or the majority of the body can authorize public participation on a specific agenda item when it's in the best interest of the community.

Page 14, lines 520-522, reflect a best practice that the body has already been doing; that if a committee chair chooses to participate remotely, then they designate an alternate member to chair the meeting like what's happening tonight.

A possible substantive item for some of you would be the next one, lines 523 to 524. Currently, the rules provide that no more than the first three members to contact the city clerk regarding remote participation in a particular meeting may participate remotely for that meeting. There was a request from an assemblymember to strike that rule. There have been a small number of times over the last year where there's been three members that have asked to be participate remotely and then a fourth member asked to participate remotely; and I don't want to say, you know whose request is more important than the others, but sometimes that fourth member's request is such that they physically cannot be here. Whether it's, an injury or a sickness they have, and they cannot be in-person so, staff has had some really challenging discussions with some of you as to is there anyone else that of the original three that can show up in-person, instead of losing that fourth member's perspective and losing the public's ability for that fourth member, as their representative constituent, to be here and to participate in the discussions. This is the compromise that we came up with, as staff, was to strike that three-limitation requirement, and also recognizing that there's good public reasons to encourage all members to show up in-person, because there's an expectation from the public that we're all here so definitely, this is a policy issue that we're trying to balance with some legal consequences here that we don't want to violate either individual members, first amendment rights or the public's first amendment rights to have their representative participate to the extent they can.

Ms. Adkison noted that we could have remote participation if there were extenuating circumstances. Do we need to strike the 3-member limit? If there's an extenuated circumstances provision earlier in this resolution. Mr.

Palmer responded that the initial line discussed was related to an entire meeting to happen remotely whereas this section is trying to determine how many members for an in-person meeting can participate remotely.

Chair Bryson asked if there is language that says as an Assemblymember, we must have a good reason to participate remotely.

Mr. Palmer outlined on page 4 some reasons that a meeting may go remote only, for a public health requirement, equipment or facility problems in the Assembly Chambers, inability to get a quorum in person, or weather. To Mr. Bryson's question, each of you are elected and have your own constituents even though you represent the entire community, and there's a little bit of a checks and balance there. That is, it is the Assembly's role to impose those requirements on another member. So, it's a policy question for the body.

MOTION: by 'Wáahlaal Gídaag to forward Resolution 2986 to the Assembly Committee of the Whole and asked for unanimous consent. *Hearing no objection, motion passed.*

6. Resolution 3054 Eaglecrest Donation from Estate of Duane Packer

Chair Bryson commented that for Eaglecrest to be considered in a person's last will and testament as part of their estate speaks very highly of how the community feels about Eaglecrest. That Mr. Packer wanted to make sure Eaglecrest remained special in the community, and they wanted that to be part of their legacy. This was one of the most impressive things that I think I've seen come through HRC from the community. So, I just wanted to make a point of that, because we hear about Eaglecrest a lot and this level of love towards that place speaks volumes.

MOTION: by Ms. Adkison to forward Resolution 3054 to the full Assembly for consideration and ask for unanimous consent. *Hearing no objection, motion passed.*

7. Review of Empowered Boards Advanced Interview Questions & CBJ Board Application

As of Mid-February the Clerk's Office/CBJ transitioned from the [Granicus Board Management Program](#) and online application form to the [Board Program](#) hosted by Municode (CBJ's Agenda Management Program).

Staff Request:

Clerk staff request HRC committee members review the current board application in the HRC packet and recommend any additions or edits they would like to see on the application. The general application is used for all Advisory and Empowered Boards; so thinking about what information the committee considers important to see on the application to help during the appointment process would be helpful. The HRC Committee will still have the advanced interview questions as a tool for the Empowered Boards and Systemic Racism Review Committee (SRRC) to help gather specific attributes an applicant may have as it relates to those boards.

'Wáahlaal Gídaag requested adding language of "what do you think are the biggest challenges facing the Juneau Airport" and a similar question for each of the empowered boards. Ms. Adkison requested adding language of "how could the Docks & Harbors Board best serve the community". Mr. Smith requested the addition of Assemblymember Woll's recommended questions for the general board application and the rest of the committee concurred. Ms. Cathcart will make the requested changes and bring these questions back to the April 1 HRC for final approval.

G. STAFF REPORTS - None

H. STANDING COMMITTEE TOPICS - for discussion as meeting time allows

8. Review of Boards/Committees for Possible Sunsetting or Reduction in Members - as meeting time allows

The Clerk's Office requests the HRC review advisory boards and committees that have not met since 2020 due to membership and/or lack of agenda topics and need. This request does not currently include appeal boards that meet only as needed when a sales tax or building code appeal has been submitted, however those boards also face membership issues. If the committee would like to look at potential sunsets or reduction in membership for struggling boards Clerk staff can pull more information together for discussion at one of the April HRC meetings.

Chair Bryson asked how many boards CBJ currently has. Ms. Cathcart noted roughly 25-30 boards depending on if you count Assembly Standing Committees as well as a couple of appeal boards that only meet as needed, sometimes once a decade. Chair Bryson shared that this is a good conversation to have, making sure we are being efficient with staff's time around board support; this is a good conversation to keep as a standing agenda topic.

I. COMMITTEE MEMBER COMMENTS AND QUESTIONS - None

J. NEXT MEETING DATES

Monday, April 1, 2024 @ 6pm

Monday, April 29, 2024 @ 6pm

K. SUPPLEMENTAL MATERIALS - None

L. ADJOURNMENT

There being no further business to come before the committee, meeting adjourned at 6:44 p.m.