



# SPECIAL ASSEMBLY MEETING 2024-18

## AGENDA

August 05, 2024 at 6:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

*Immediately followed by Assembly Committee of the Whole Worksession*

**A. CALL TO ORDER**

**B. LAND ACKNOWLEDGEMENT**

We would like to acknowledge that the City & Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

**C. ROLL CALL**

**D. APPROVAL OF MINUTES**

1. July 25, 2024 Special Assembly Meeting #2024-16 DRAFT Minutes

**E. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** *(Limited to no more than 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed three minutes.)*

**F. AGENDA TOPICS**

2. New City Attorney Appointment

3. Ordinance for Introduction

**Ordinance 2024-32 An Ordinance Establishing a Waiver Process for Airport Board Appointments and Temporarily Waiving the Three Tenant Rule.**

This ordinance establishes a process to waive the "Three Tenant Rule" for appointments to the Airport Board in Juneau. The "Three Tenant Rule" limits the number of Airport Board members who can be tenants to three. The ordinance allows the Assembly to temporarily waive this rule to appoint a fourth tenant if necessary, due to low community interest in the position and the need to avoid prolonged vacancies that can strain the board and harm airport governance. The ordinance includes provisions to prevent conflicts of interests and requires the Airport Board to notify the Assembly if tenant conflicts reduce the board's majority vote.

**The City Manager recommends the Assembly introduce this ordinance and set it for public hearing at the next regular Assembly meeting.**

**G. SUPPLEMENTAL MATERIALS**

**H. 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.gov](mailto:city.clerk@juneau.gov).

# SPECIAL ASSEMBLY MEETING 2024-16

## **DRAFT** MINUTES

July 25, 2024 at 5:15 PM

Assembly Chambers/Zoom Webinar



Zoom Link: <https://juneau.zoom.us/j/85125938847>

Or Phone: 1-253-215-8782 Webinar ID: 851 2593 8847

### A. CALL TO ORDER

Mayor Weldon called the meeting to order at 5:15p.m.

### B. ROLL CALL

**Assemblymembers present:** Mayor Beth Weldon, Deputy Mayor Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, Christine Woll, Ella Adkison, Paul Kelly

**Assemblymembers absent:** Greg Smith, 'Wáahlaal Gidaag

**Staff present:** Municipal Clerk Beth McEwen, HRRM Director Dallas Hargrave, Meeting Clerk Kevin Allen, Assistant Attorney Sherri Layne, Assistant Attorney Nicole Lynch, Assistant Attorney Christopher Storz, CBJ Law Paralegal Audrey Dean, Law Office Manager Junnie Chup, Risk Manager Chelsea Swick, Juneau School District Superintendent Frank Hauser

### C. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None.

### D. AGENDA TOPICS

#### 1. Interviewing City Attorney Finalists, including portions of each interview in Executive Session

There were three interviews, each starting in open public session, at 5:30 p.m., 6:45 p.m. and 8:00 p.m.

Prior to the meeting, each applicant was given an exercise to provide a legal opinion regarding the possible use of Tax Increment Financing in the fictional town of Paradise Valley, WA. The Special Assembly meeting then included a mock Assembly meeting in the town of Paradise Valley with City Attorney finalist Becky Convery. The City Attorney Search Committee also conducted similar exercises on Wednesday, July 24 with the other two finalists: Emily Wright and Megan Costello.

Once the exercise/mock meeting was concluded, the Assembly then held interviews with each of the three applicants. The first part of the interview was conducted in open/public session. Following the first round of interview questions/answers they recessed into Executive Session.

### E. EXECUTIVE SESSION

**MOTION** by Mr. Bryson to recess into Executive Session to discuss matters that may defame or prejudice the character or reputation of any person and asked for unanimous consent. **Hearing no objection, motion passed.**

*The Assembly recessed into its first executive session with Becky Convery at 6:09 p.m. and returned at 6:49p.m. They repeated the above steps with Megan Costello recessing into executive session at 7:02p.m. and returning at 7:39p.m. and recessing into executive session at 7:59p.m. with Emily Wright. Following the executive session interview portion with Emily Wright, they remained in executive session for deliberations and concluded all executive session deliberations at 9:57p.m.*

### G. ADJOURNMENT

*The Mayor adjourned the meeting at 9:57p.m. after coming out of Executive Session.*

Signed: \_\_\_\_\_  
Elizabeth J. McEwen  
Municipal Clerk

Signed: \_\_\_\_\_  
Beth A. Weldon  
Mayor

Presented by: HRC  
Presented: 8/5/2024  
Drafted by: R. Palmer III

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2024-32**

**An Ordinance Establishing a Waiver Process for Airport Board  
Appointments and Temporarily Waiving the Three Tenant Rule.**

WHEREAS, the Assembly Human Resources Committee discussed this topic on July 29, 2024, and directed the Municipal Attorney to draft an ordinance that provides a waiver of the “Three Tenant Rule” (CBJC 05.01.010(b)) through the term of the existing tenant-members; and

WHEREAS, considering the Airport Board consists of seven members, a prior Assembly concluded no more than three Airport Boardmembers could be tenants (CBJC 05.01.010(b)); and

WHEREAS, while the Assembly strives to appoint qualified community members that are not tenants of the Airport Board, sometimes community interest is low and a fourth tenant applies, who is otherwise well-qualified; and

WHEREAS, a prolonged vacancy on any empowered board, especially the Airport Board, strains the other members, harms the governance of the Juneau International Airport, and harms the community; and

WHEREAS, as the elected officials for the community, the Assembly is best suited to determine whether good cause exists to temporarily waive the Three Tenant Rule and appoint a fourth tenant; and

1  
2 WHEREAS, the CBJ Conflict of Interest Code (CBJC 01.45) provides proficient safeguards  
3 to prevent self-dealing by Airport Boardmembers who are tenants, regardless if there are three  
4 or four members; and

5 WHEREAS, although CBJ Charter 3.16(e) allows the prevailing vote of most boards to be  
6 reduced by one if two conflicted members are present but unable to participate due to a conflict  
7 of interest, the Assembly expects the Airport Board to promptly notify the Assembly if tenant  
8 conflicts of interests are reducing the majority vote to three; and

9  
10 WHEREAS, the underlying purpose of the Three Tenant Rule applies equally to tenants,  
11 officers and employees of tenants, and subtenants of tenants; and

12 WHEREAS, upon balancing the competing public policy interests, the Assembly concludes  
13 this ordinance is in the best interest of the community; and

14 WHEREAS, if the Airport Board has an opportunity to review this ordinance, the  
15 Assembly would appreciate it, but if not, the Assembly specifically waives review by the Airport  
16 Board (CBJ Charter 3.16(c)).

17 BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:  
18  
19 **Section 1. Classification.** Section two of this ordinance is of a general and permanent  
20 nature and shall become a part of the City and Borough of Juneau Municipal Code. Section  
21 three of this ordinance is a noncode ordinance.

22 **Section 2. Amendment of Section.** Section CBJC 05.01.010, Board of directors, is  
23 amended to read:  
24 **05.01.010 Board of directors.**  
25

1  
2 (a) There is established the board of directors of the City and Borough of Juneau  
3 International Airport which shall be known as the City and Borough of Juneau International  
4 Airport Board (hereinafter referred to as the airport board). The airport board shall consist of  
5 seven members appointed by the assembly to serve without compensation for staggered three-  
6 year terms. Airport board members shall serve at the pleasure of the assembly. Terms shall  
7 commence on July 1.  
8

9 (b) No member of the airport board, or member of a board member's immediate family  
10 or household, may be employed by the airport. To the extent possible, appointments to the  
11 airport board shall include persons having aeronautical, engineering, financial, or other skills  
12 relevant to airport matters. No more than three members of the airport board may be a tenant  
13 under a lease with the airport, including a subtenant and,~~or~~ an officer or employee of a tenant  
14 under lease with the airport. However, the Assembly—by resolution—and for good cause may  
15 temporarily waive the three tenant rule and appoint a fourth tenant.  
16

17 (c) Appointments to fill vacancies on the airport board shall be for the unexpired term.  
18 In the event a seat has six months or less remaining to the unexpired term, the assembly, at its  
19 discretion, may choose to appoint the member to the remainder of the current term as well as to  
20 the full term immediately following the expiration date of the unexpired term.

21 (d) No member of the airport board who has served for three consecutive terms or nine  
22 years shall again be eligible for appointment until one full year has intervened, provided,  
23 however, that this restriction shall not apply:

24 (1) If there are no other qualified applicants at the time reappointment is  
25 considered by the assembly human resources committee, or

(2) To qualified board members serving in board seats for which a specific occupation or expertise is set forth by ordinance.

(Serial No. 95-10, § 2, 1995; Serial No. 97-07, § 2, 1997; Serial No. 2004-08, § 2, 3-22-2004; Serial No. 2005-03(d), § 2, 6-13-2005; Serial No. 2005-27, § 2, 10-10-2005; Serial No. 2007-57, § 2, 9-4-2007)

**Section 3. Temporary Waiver of the Three Tenant Rule, CBJC 05.01.010(b).**

From July 1, 2024, through June 30, 2027, the Assembly may appoint up to four people to the Airport Board that are tenants, including subtenants and officers or employees of tenants because community interest in the Airport Board is low, the governance of the Airport Board works best with all seven positions filled, and the CBJ Conflict of Interest Code provides sufficient safeguards to prevent and enforce any tenant self-dealing.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk