



# ASSEMBLY HUMAN RESOURCES COMMITTEE AGENDA

November 13, 2023 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

## B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and 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 AGENDA

## E. APPROVAL OF MINUTES

1. **August 21, 2023 Assembly Human Resources Committee Meeting Minutes - Draft**

2. **September 11, 2023 Assembly Human Resources Committee Meeting Minutes - Draft**

## F. AGENDA TOPICS

3. **State of AK Title 4 Rewrite - Changes Effective January 1, 2024**

SOA/AMCO Local Government Specialist, Gabriel Gonzales, will give a short presentation, via Zoom, to the committee highlighting what changes to the Title 4 rewrite affect CBJ.

SOA/Alcohol & Marijuana Control Office (AMCO) Title 4 Rewrites can be found at: <https://www.commerce.alaska.gov/web/amco/Title4Rewrite.aspx> (*copy/paste link into browser*)

SOA/AMCO website as a resource (*copy/paste link into browser*)  
<https://www.commerce.alaska.gov/web/amco/OtherAlcoholResources.aspx>

Chair Smith would like the Human Resources Committee to discuss one of the significant changes in the Title 4 rewrite impacting local communities, the ability of local governments to petition for additional Restaurant or Eating Place Licenses (REPLs). Please review the documents in the packet and come prepared with your questions for staff.

4. **Ordinance 2023-04 (vHRC) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.**

5. **Ordinance 2023-32 An Ordinance Clarifying the Process for Electing an Assemblymember Due to a Midterm Vacancy.**

## G. STAFF REPORTS

6. **Setting Empowered Board Interview Dates**

The HRC needs to set dates for Empowered Board interviews and appointments. The Planning Commission has three seats with terms ending December 31, 2023; two of the three commissioners are termed out and the third commissioner has applied for reappointment. The Bartlett Regional Hospital Board also has three seats with terms ending December 31, 2023; one of the BRH members is termed out and the other incumbents have both applied for reappointment.

The Clerk's Office requests that HRC set dates for interviews, decide how to hold the interviews (zoom only, or in-person w/ zoom option for applicant if they are unable to attend) as well as determine if the committee would like to change any of the advanced interview questions prior to them being sent to applicants. The application deadline for the Planning Commission and the BRH Board has a deadline of Wednesday, November 29. Ms. Cathcart will keep Chair Smith apprised of the number of applicants in case the decision needs to be made to extend the application period into December with interviews than scheduled for early January.

**H. COMMITTEE MEMBER COMMENTS AND QUESTIONS**

**I. NEXT MEETING DATE**

December 11, 2023 at 6:00 p.m.

**Draft HRC Agenda Topics for December**

Continued Discussion on Title 4

Douglas Advisory Board Appointment & Annual Report

Juneau Economic Development Council Appointments

Local Emergency Planning Committee Appointments

**J. 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).

# ASSEMBLY HUMAN RESOURCES COMMITTEE MINUTES

August 21, 2023 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

HRC Chair Smith called the Assembly Human Resources Committee meeting to order at 6:02 p.m.

### B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and 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

**Members Present:** Chair Greg Smith, Maria Gladyszewski, Alicia Hughes-Skandijs and Loren Jones

**Members Absent:** None

**Others Present:** Deputy Clerk Di Cathcart, City Clerk, Beth McEwen, Deputy City Manager Robert Barr, HRRM Director Dallas Hargrave, CBJ Attorney's Sherri Layne & Emily Wright, Mayor Beth Weldon and JCOS Chair Gretchen Keiser

### D. APPROVAL OF AGENDA

Agenda approved as presented.

### E. APPROVAL OF MINUTES

Minutes for April 17, 2023 and July 31, 2023 were approved as presented.

1. **April 17, 2023 Assembly Human Resources Committee Meeting Minutes - Draft**
2. **July 31, 2023 Assembly Human Resources Committee Meeting Minutes - Draft**

### F. AGENDA TOPICS

#### 3. Youth Activities Board (YAB) - Annual Report & Appointments

Per [Resolution 2820](#), the Youth Activities Board (YAB) consists of nine members as follows: A Parks and Recreation Advisory Committee member (nominated by PRAC), a Juneau Arts & Humanities Council member (nominated by JAHG), and seven public members, one of which must be 18 years or younger at time of appointment.

**There are five seats up for action.**

**Two representative seats, both for terms beginning immediately and ending August 31, 2025.** Josh Anderson for the PRAC representative seat and Phillip Heubschen for the JAHG representative seat.

**Three YAB public seats all for terms beginning September 1, 2023 and ending August 31, 2026.** Incumbents Tom Rutecki and Elizabeth Balstad have applied for reappointment as well as public member for the third public seat.

**MOTION:** by Ms. Gladyszewski to forward to the full Assembly for approval, the recommendation to appoint Josh Anderson, PRAC Representative seat and Phillip Heubschen, JAHG Representative seat to the Youth Activities Board for terms beginning immediately and ending August 31, 2025 *and* to

reappoint Tom Rutecki and Elizabeth Balstad and to appoint Misuri (Missouri) Smyth all to public seat terms beginning September 1, 2023 and ending August 31, 2026. **Hearing no objections, motion passed.**

Committee members had questions on the Youth Activities Board (YAB) Annual Report and since no YAB members were present Chair Smith requested this report move to the September HRC meeting and have staff ask the YAB Chair to attend the September meeting to answer questions.

#### 4. Juneau Commission on Sustainability (JCOS) Annual Report & Appointments

Per [Resolution 2755](#), the Commission shall be comprised of nine members appointed by the Assembly, plus one liaison from the Assembly and one from the Planning Commission. The liaisons shall not have the power to vote and shall not be counted in determining whether a quorum of the Commission is present. Membership shall reflect environmental, social, economic and governmental perspectives, unified by the common interest of sustainability.

**There are currently two seats for terms beginning immediately and ending June 30, 2026;** both incumbents, David Teal and James Powell, have applied for reappointment.

**MOTION:** by Ms. Gladyszewski to forward to the full Assembly for approval, the recommendation to reappoint David Teal and James Powell to the Juneau Commission on Sustainability for terms beginning immediately and ending June 30, 2026. **Hearing no objections, motion passed.**

JCOS Chair, Gretchen Keiser attended the meeting to answer questions the committee may have regarding the JCOS annual report. Ms. Keiser gave a brief overview of the many topics JCOS has worked on over the last year, including, a considerable amount of time working on an analysis of the Juneau Energy/Green House Gas Use Report, JCOS acting as the eyes and ears on any potential federal funding coming to the State and Municipalities as well as waterfront electrification.

Ms. Gladyszewski asked how working and finding various grants is going. Ms. Keiser stated that it is working well to the extent that there is staff capacity for support and had just applied for a \$4 million grant related to EV charging.

Mr. Smith asked how much the Green House Gas (GHG) analysis costs and what best practice is, an annual analysis or every three years. Ms. Keiser said the GHG analysis is \$20,000 and has found that best practice is two to three years in a row of analysis than less frequently. Ms. Keiser recommended getting another year or two into the analysis to allow for better breakouts and data collection.

The committee thanked Ms. Keiser and all the members of JCOS for their incredible work on sustainability for Juneau.

#### 5. Paid Parental Leave Policy

HRRM Director Dallas Hargrave gave an overview of proposed changes to CBJ Personnel Rule 11, specifically creating a new section 11 PR 135 Paid Parental Leave.

Ms. Hughes-Skandijs asked if there were a lot of “two CBJ parents”, where both parents work for CBJ and if that would drive costs up. Mr. Hargrave stated not often but it does happen but not enough to drive the cost up.

Ms. Gladyszewski noted this was a good start and asked if HRRM had started working on FMLA or paid leave for CBJ employees who don't have children or are taking care of their parents, making sure CBJ created policies are equitable. Mr. Hargrave advised the committee that staff have not started working on that option yet.

**MOTION**: by Ms. Hughes-Skandijs to move these proposed changes to the full Assembly for action.  
***Hearing no objection, motion passed.***

**G. STANDING COMMITTEE TOPICS - *For discussion as meeting time allows***

**6. Discussions Regarding CBJ Boards & Committees**

Committee Recruitment, Member Development, Application & Interview Process, Other Related Topics

**Additional Document Tools for HRC**

2023 CBJ Boards-Committees Description List ([link to 3/20/2023 HRC agenda item](#))

HRC Pending List - updated August 2023

Due to time constraint, no discussion was had regarding board and committees.

**7. Assembly Goal - Specific to Human Resources Committee**

**Goal 4:** Community, Wellness and Public Safety - Juneau is safe and welcoming for all citizens

- A. Acknowledge and honor Juneau's indigenous culture, place names, naming policy and recognize Elizabeth Peratrovich Day.

Chair Smith requested that Mr. Barr and Mr. Hargrave bring something forward to a future HRC meeting regarding Elizabeth Peratrovich Day.

**H. STAFF REPORTS**

None

**I. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS**

Chair Smith noted that at a future HRC meeting he would like to discuss emails received from the public, whether they should be included in Assembly packets and/or how best to care for public testimony received.

**J. NEXT MEETING DATE**

Monday, September 11, 2023 at 6:00 p.m.

**K. ADJOURNMENT**

There being no further business before the committee; meeting adjourned at 6:54 p.m.

# ASSEMBLY HUMAN RESOURCES COMMITTEE MINUTES

September 11, 2023 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

HRC Chair Smith called the Assembly Human Resources Committee meeting to order at 6:02 p.m.

## B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and 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

**Members Present:** Chair Greg Smith, Alicia Hughes-Skandijs and Loren Jones

**Members Absent:** Maria Gladziszewski

**Others Present:** Deputy Clerk Andi Hirsh, City Clerk, Beth McEwen, City Attorney Sherri Layne, Asst. City Attorney Emily Wright, P&R Director George Schaaf, Board of Equalization Chair David Epstein; Youth Activities Board Chair Tom Rutecki and Vice Chair Bonita Nelson

## D. APPROVAL OF AGENDA

Agenda approved as amended with the addition of supplemental material from the Youth Activities Board.

## E. APPROVAL OF MINUTES

Minutes approved as presented.

### 1. July 10, 2023 Assembly Human Resources Committee Meeting Minutes - Draft

## F. AGENDA TOPICS

### 2. Douglas Advisory Board (DAB) Appointments

Per [Resolution 2331](#), the Douglas Advisory Board is a seven member board appointed by the Assembly; and to be appointed to the DAB must reside on Douglas Island. The purpose of the board shall be to advise Assembly and the City and Borough administration on matters which affect Douglas Island and its facilities and residents.

There is one new applicant in the packet. That applicant could be placed in one of two vacant seats, both beginning immediately with one ending September 30, 2024 and the other ending September 30, 2025.

**MOTION:** by Alicia Hughes-Skandijs to forward to the full Assembly for reappointment to the Douglas Advisory Board, incumbents Mary Kay Pusich and Teri Tibbett both for terms beginning immediately and ending September 30, 2025; and incumbents Joyce Vick and Ed Schoenfeld both for terms beginning immediately and ending September 30, 2026. *Hearing no objection, motion passed.*

**MOTION:** by Alicia Hughes-Skandijs to forward to the full Assembly for appointment to the Douglas Advisory Board, Ann Simard to a term beginning immediately and ending September 30, 2025. **Hearing no objection, motion passed.**

### 3. Board of Equalization (BOE) 2023 Annual Report

Mr. David Epstein was on-hand via Zoom to answer any questions committee members had related to the BOE annual report.

Ms. Hughes-Skandijs thanked Mr. Epstein and the board for the work they do and asked for clarification on the difference between granted and remanded back as noted in the report. Mr. Epstein responded that remanded back means that, during the hearing the board had some questions about the presentation by the Assessor and the information submitted by the appellant so that's when we ask the Assessor to go back and essentially do a little more work and they do that and then we schedule further work on the appeal at a future hearing; we had a least one of those this season. Granted means we accept the appeal; meaning we side with the appellant.

Chair Smith thanked Mr. Epstein for his decade of service on the BOE. Chair Smith noted that in the report on the final page it lists the number of appeals filed vs. what ended up going to the BOE so Chair Smith's understanding, and for the public in general, is the Assessor's Office and Appellant are working back and forth on the assessment and may come to an agreement. Mr. Epstein stated that is correct; during those discussions between the parties, they may come to an agreement, or the Appellant better understands the assessment process and then withdraws their request for a hearing before the BOE.

### 4. Youth Activities Board (YAB) - Annual Report

Q & A Session with Committee Chair & Vice Chair, both attending via Zoom

Mr. Tom Rutecki and Ms. Bonita Nelson answered questions from HRC members regarding the grant scoring process and the training provided to new members of the board. They also touched on the community outreach they have held in the past for teaching potential grant applicants how the grant process is done. They continuously work on improving the grant application and information process to assist potential grantees through the process. They are hoping to offer live meetings in the future and not just have Zoom meetings so that they can engage with the community members one on one in more depth. Mr. Rutecki noted all the past grant information that has been provided to the public going back 20+ years. He suggested anyone with questions or needs assistance should contact staff liaison Dave Pusich.

Mr. Smith said that Mr. Rutecki wanted to talk about the budget aspect of the grants, and he referred them to speak with the City Manager as they work towards developing the budget and going through the Assembly Finance Committee process.

Mr. Rutecki spoke to the contingency grant 5% of the full grant amount in the budget. He said that if the contingency money isn't used, they would ask that it could be put back into the next year's grant amount. Mr. Smith said that he will bring it up during the committee chair's reports at the end of the Assembly meeting.

## G. STANDING COMMITTEE TOPICS - For discussion as meeting time allows

### 5. Discussions Regarding CBJ Boards & Committees

Committee Recruitment, Member Development, Application & Interview Process, Other Related Topics

#### Additional Document Tools for HRC

2023 CBJ Boards-Committees Description List ([link to 3/20/2023 HRC agenda item](#))

Nothing was discussed on this topic during this meeting.

**6. Assembly Goal - Specific to Human Resources Committee**

**Goal 4:** Community, Wellness and Public Safety - Juneau is safe and welcoming for all citizens

A. Acknowledge and honor Juneau's indigenous culture, place names, naming policy and recognize Elizabeth Peratrovich Day.

Nothing was discussed on this topic during this meeting.

**H. STAFF REPORTS**

Ms. McEwen reminded committee members that due to the upcoming Municipal Election there will not be any HRC meetings until November.

**I. COMMITTEE MEMBER COMMENTS AND QUESTIONS**

None

**J. NEXT MEETING DATE**

*Due to Municipal Elections and the reorganization of Assembly Standing Committees there is no October Assembly Human Resources Committee meeting.*

**November 13, 2023 at 6:00 p.m. Assembly Chambers/Zoom Webinar**

**K. ADJOURNMENT**

There being no further business before the committee, meeting adjourned at 6:35 p.m.



# ALCOHOL AND MARIJUANA CONTROL OFFICE

Population as of July 2022

License Count as of 4.3.23

3 AAC 304.905

Section F, Item 3.

Local Governing Body	Net Population	<div>Not all communities allow for all license types. Check with the local community</div>		<div>ACTUAL NUMBER OF LICENSES ISSUED*</div> <div>(Not all license types limited by population are listed. Not all communities are)</div>								
		1 per/3000	1 per/1500	License Types								
		Number of licenses allowed that are <u>not</u> R/E	Number of R/E licenses allowed	Beverage Dispensary (AS 04.11.090)	Package Store (AS 04.11.150)	Club (AS 04.11.110)	Brewpub (04.11.135)	Brewery (AS 04.11.130)	Winery (AS 04.11.140)	Distillery (AS 04.11.170)	Recreational Site (AS 04.11.210)	Rest./ Eating Place (AS 04.11.100)
<b>Juneau, City and Borough - one REPL-PC was converted.</b> CBJ is approaching the limit on Wholesale licenses. Please call before applying.	32,088	11	22	20	16	4		4	1	3	3*	23
<b>Kenai Peninsula Borough</b>	39,077	14	27	19	29	5	1*	4	1			16
<b>Homer - 10 REPL-PCs were converted</b>	5,515	2	4	9	8	2		2	2			15*
Kachemak -this city already has a Bottling Works license, no room for more of this type	656	1	1	1				1				
Kenai	7,102	3	5	5	5	3					1	4
Seldovia	261	1	1	1	2							1
<b>Seward - 12 REPL-PCs were converted</b>	2,072	1	2	7	4	1	1					14
<b>Soldotna - three REPL-PCs were converted</b>	4,519	2	4	4	3	1	1	1			1	6
<b>Ketchikan Gateway Borough</b>	5,408	2	4	3	4						0*	2
Ketchikan	7,947	3	6	15	11	4		2	0*	1		6
Saxman	356	1	1	1	1							0*



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Section F, Item 3.

**DEPARTMENT OF COMMERCE, COMMUNITY AND  
ECONOMIC DEVELOPMENT  
Alcohol & Marijuana Control Office**

**Petitioning for additional Restaurant/Eating  
Place Licenses for certain  
local governing bodies**

Gabriel Gonzales

April 4, 2023



## Additional REPL licenses for certain LGBs

**Alaska Statute 04.11.405 (a brand new law under Sec. 54, ch. 8, SLA 2022 aka SB9/Title 4 Rewrite)**  
**<https://www.akleg.gov/PDF/32/Bills/SB0009Z.PDF>**

(a) A first class city, a home rule city, or a unified municipality may submit a resolution to the board, adopted by its legislative body, petitioning the board for the issuance of additional restaurant or eating place licenses under ~~AS 04.11.100~~ **AS 04.09.210** that exceed the limits under AS 04.11.400(a) in accordance with this section



## Sec 54, Ch.8, SLA 2002

(b) The board, following a public hearing, may issue one or more additional restaurant or eating place licenses under ~~AS 04.11.100~~ AS 04.09.210, within the boundaries of the municipality, if the board finds that

- (1) The municipality ...



## Alaska Statute 04.11.405(b)(1) *continued*

- (1) The municipality
  - (A) serves as a center for commercial activity within and outside the boundaries of the municipality by providing goods and services to a population that is greater than the permanent resident population within the boundaries of the municipality;
  - (B) maintains a local law enforcement department
  - (C) exercises planning or land-use authority; and...



## Alaska Statute 04.11.405(b) *continued*

- (D) at the time of the petition, meets or exceeds the maximum limit under AS 04.11.400(a) for restaurant or eating place licenses issued under ~~AS 04.11.100~~ AS 04.09.210;
- (2) *the board finds*; the number of additional licenses does not exceed the number of additional licenses requested by the municipality in the petition; and
- (3) *the board finds*; granting the additional licenses is in the public interest.



## Alaska Statute 04.11.405

(c) A resolution submitted by a municipality under (a) of this section must include

- (1) information demonstrating that the petitioner meets the criteria in (b) of this section;
- (2) the most recent estimate of the number of people who claim residency or work outside the boundaries of the municipality and who are served by the municipality, including the...





## Alaska Statute 04.11.405(c)(2)

- (A) population located outside the boundaries of the municipality that relies on the municipality for goods and services;
- (B) visitor population; and
- (C) nonresident worker population that resides in the municipality, but that is not counted in the latest federal or state census for the municipality.





## Alaska Statute 04.11.405(c)

- (3) the number of existing restaurant or eating place licenses
  - (A) within the boundaries of the municipality;
  - (B) in a geographic area that the municipality serves under (2) of this subsection;
- (4) information showing that the number of additional licenses requested does not exceed one license for each 1,500 population of the pop. Identified under (2) of this subsection; and



## Alaska Statute 04.11.405(c)

- (5) additional justification, as necessary, to demonstrate that granting of the additional licenses is in the public interest.
- (d) If the board grants a petition for additional restaurant or eating place licenses under this section to a municipality, the board may not authorize additional REPL licenses to the same municipality under this section for the following year.

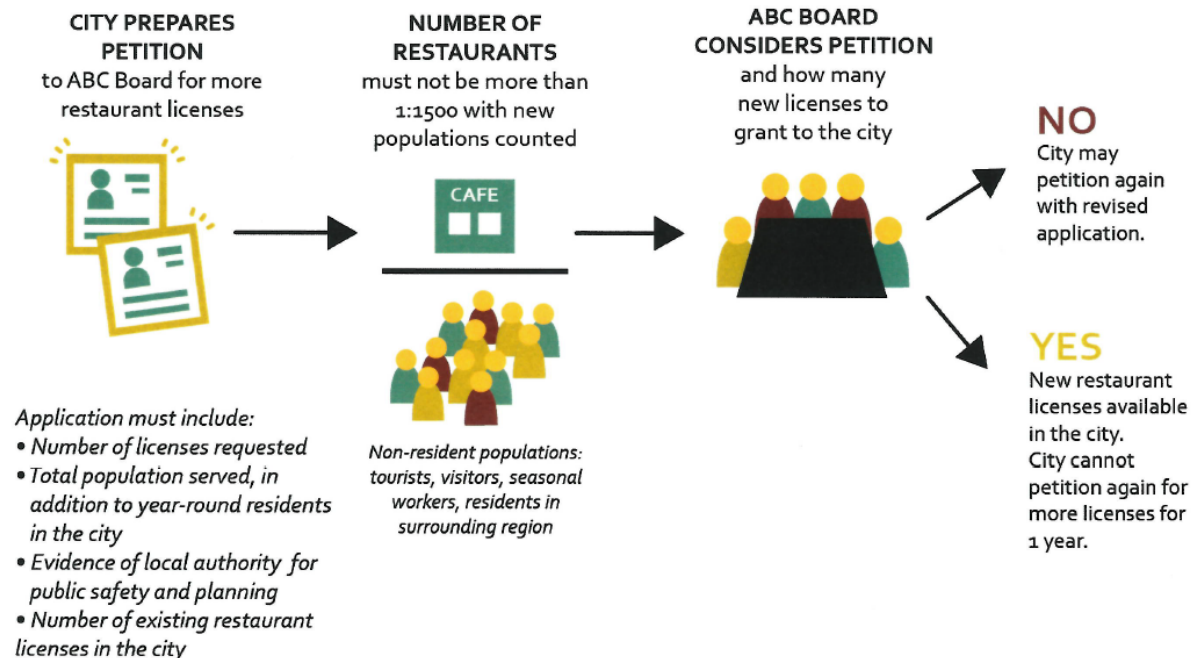


# Overview of process

Section F, Item 3.

## Upcoming: Local Government Petition for Additional Restaurant Licenses

(Proposed AS 04.11.405)



Sections 54-56, 04.11.405



# Additional REPL licenses for certain LGBs

Section F, Item 3.

*Discussion/ Questions?*



# Alcohol & Marijuana Control Office

Section F, Item 3.

**Gabriel Gonzales, Local Government Specialist**

**Jane P. Sawyer, Program Coordinator**

**Joan M. Wilson, Director**

## Contact Information:

(907) 782-5772

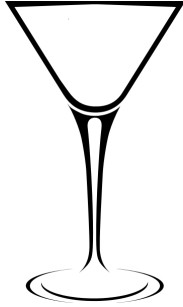
[gabriel.gonzales@alaska.gov](mailto:gabriel.gonzales@alaska.gov)

# Petitioning for Additional REPLs by Local Governments

# Alcohol Licensing in AK

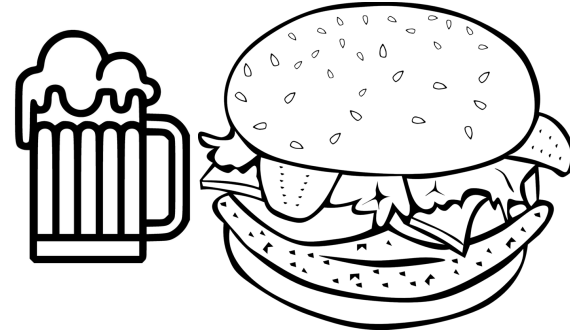
Section F, Item 3.

- Limited per capita
- Multiple types



**Beverage  
Dispensary  
License**

(liquor, no food requirement)

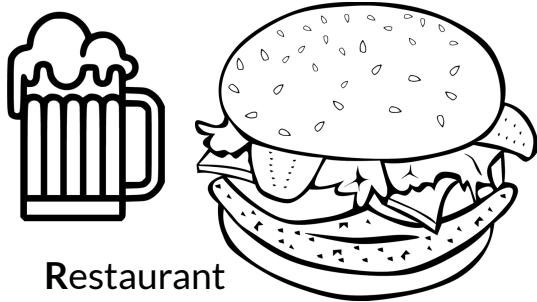


**Restaurant  
Eating  
Place  
License**

(beer/ wine & 50% food requirement)

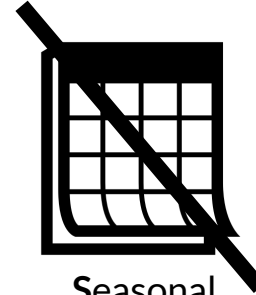
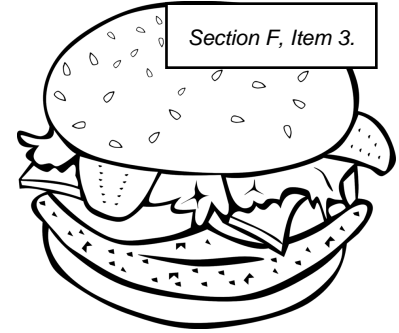
# Changes to REPLs

- Always been a route for additional REPLs
  - SB9 Removed Petition Process
  - SB9 added local control
- SB9 added a new license type
  - Seasonal REPL - 6 months operation
  - No local control



Restaurant  
Eating  
Place  
License

(beer/ wine & 50% food requirement)



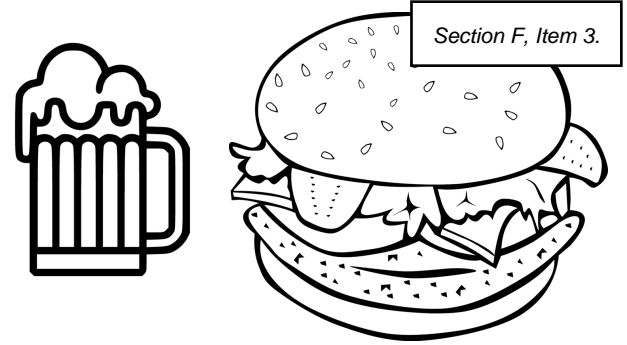
Seasonal  
Restaurant  
Eating  
Place  
License

(beer/wine & 50% food req'd, 6 months)



# Current REPL status

- REPLs available in many communities (not at capita)
- No licenses available in Juneau (at capita)
  - Except for new seasonal REPL

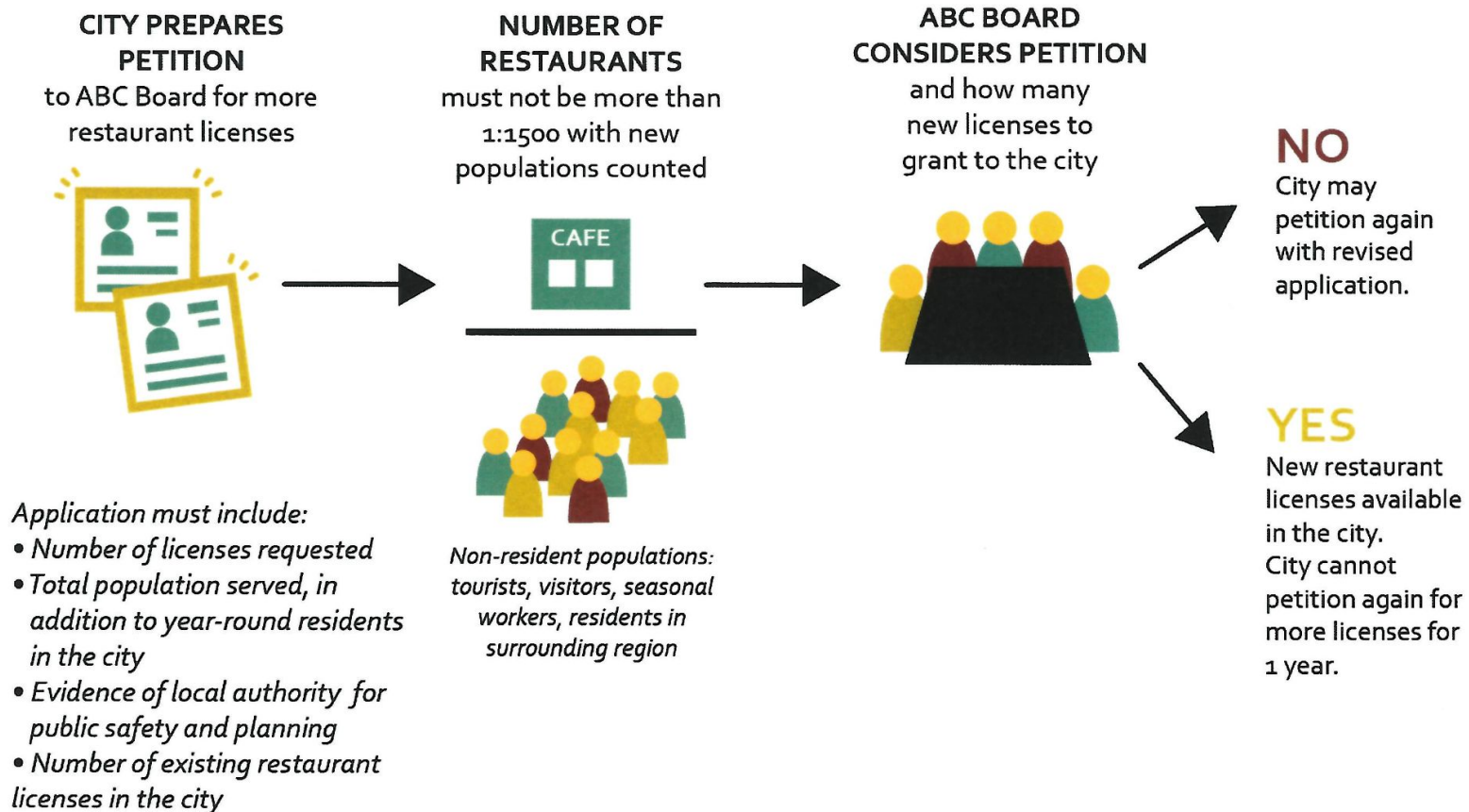


## REPL benefits

- SB9 opened up new business models
  - Alcohol manufacturers & entertainment
- Less restaurant failure
- Increased tax

# Additional REPL Petition Process

Section F, Item 3.



DATE: November 7, 2023  
TO: Assemblymember Smith, Chair Assembly HRC  
FROM: Robert Palmer, Municipal Attorney  
SUBJECT: Ord. 2023-04: CBJ Whistleblower Ordinance

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The City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process for people to report potential violations (CBJC 01.45.110). Although the conflict of interest code overlaps with traditional whistleblower protections, it does not mention the phrase “whistleblower” or explicitly provide protections to whistleblowers. Without a local ordinance, the State of Alaska Whistleblower Act applies (AS 39.90.130). The Assembly may want to codify a local whistleblower ordinance, which could help people more easily locate whistleblower protections and continue to promote public trust in local government.

The attached draft ordinance is modeled off of the State of Alaska Whistleblower Act, which has four core policies: (1) promote government accountability, (2) provide processes for employees to raise concerns, (3) protect employees that raise concerns, (4) and provide enforcement mechanisms, including monetary penalties. With those policies in mind, the draft whistleblower ordinance provides as follows:

1. **Anti-retaliation.** The City and Borough of Juneau may not discharge, threaten, or otherwise discriminate against an employee who reports a matter of public concern to an appropriate public entity. There are conditions and exclusions.
2. **Definitions.** For example, “matter of public concern” includes
  - a. A danger to public health or safety;
  - b. Gross mismanagement or clear abuse of authority; or
  - c. Violations of law, regulation, ordinance, or formal CBJ policy.
3. **Enforcement.** In addition to internal reporting requirements, an employee may bring a civil action for alleged violations of the whistleblower ordinance.
4. **Penalty.** A person who violates or attempts to violate the whistleblower ordinance is subject to a civil fine not to exceed \$10,000.

RP3  
encl: Draft Ordinance 2023-04

Presented by:  
Presented:  
Drafted by: R. Palmer III

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

**Serial No. DRAFT 2023-04 vHRC**

**An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.**

WHEREAS, the Alaska Whistleblower Act (AS 39.90.100 – 150) applies to municipalities unless the municipality adopts its own whistleblower act that is substantially similar to the Alaska Whistleblower Act; and

WHEREAS, the City and Borough of Juneau has a robust conflict of interest code (CBJC 01.45), which includes a process to report potential personal and financial conflict of interest violations by employees and by members of the public (CBJC 01.45.110); and

WHEREAS, while the City and Borough of Juneau conflict of interest code overlaps with traditional whistleblower protections, an explicit local whistleblower act would help people more easily locate whistleblower protections and promote accountability in local government.

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

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

**Section 2. Amendment of Title.** Title 01 - General Provisions, is amended by adding a new chapter to read:

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**Chapter 01.46 - CBJ WHISTLEBLOWER ACT**

**01.46.010 Protection for whistleblowers.**

(a) The City and Borough of Juneau may not discharge, threaten, or otherwise discriminate against an employee of the City and Borough of Juneau regarding the employee’s compensation, terms, conditions, location, or privileges of employment because:

- (1) The employee, or a person acting on behalf of the employee, reports to a public body or is about to report to a public body a matter of public concern; or
- (2) The employee participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.

(b) The City and Borough of Juneau may not disqualify an employee or other person who reports a matter of public concern or participates in a proceeding connected with a matter of public concern before a public body or court, because of the report or participation, from eligibility to

- (1) bid on contracts with the City and Borough of Juneau;
- (2) receive land under a City and Borough of Juneau ordinance; or
- (3) receive another right, privilege, or benefit.

(c) The provisions of this chapter do not:

- (1) Require the City and Borough of Juneau to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
- (2) Prohibit the City and Borough of Juneau from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;

(3) Authorize the disclosure of information that is legally required to be kept confidential; or

(4) Diminish or impair the rights of an employee under a collective bargaining agreement.

*State law reference—Alaska Whistleblower Act, AS 39.90.100.*

**01.46.020 Limitations to whistleblower protections.**

(a) A person is not entitled to the protections under this chapter unless the person

(1) reasonably believes that the information reported is or is about to become a matter of public concern; and

(2) reports the information in good faith.

(b) A person is entitled to the protections under this chapter only if the matter of public concern

(1) is not the result of conduct by the person seeking protection; or

(2) is the result of conduct by the person that was required by the City and Borough of Juneau.

(c) Before an employee initiates a report on a matter of public concern under this chapter, the employee shall submit a written report concerning the matter to the City and Borough of Juneau

Manager. However, the employee is not required to submit a written report if the employee

(1) believes with reasonable certainty that the activity, policy, or practice is already known to the Manager;

(2) reasonably believes that an emergency is involved; or

(3) reasonably fears reprisal or discrimination as a result of disclosure.

*State law reference—Alaska Whistleblower Act, AS 39.90.110.*

**01.46.030 Limitations to whistleblower protections.**

(a) A person who alleges a violation of this chapter may bring a civil action and the court may grant appropriate relief.

(b) A person who violates or attempts to violate this chapter is also liable for a civil fine of not more than \$10,000.

(c) A person who attempts to prevent another person from making a report or participating in a matter under this chapter with intent to impede or prevent a public inquiry on the matter is liable for a civil fine of not more than \$10,000.

*State law reference—Alaska Whistleblower Act, AS 39.90.120.*

**01.46.040 Definitions.**

In this chapter,

(1) “employee” means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied, for the City and Borough of Juneau;

(2) “matter of public concern” means

(A) a violation of a state law; federal law; or municipal law, regulation, ordinance, or formal policy;

(B) a danger to public health or safety;

(C) gross mismanagement, a substantial waste of funds, or a clear abuse of authority;

(3) “public body” includes an officer or agency of

(A) the federal government;

(B) the state;

(C) a political subdivision of the state including

- (i) a municipality;
- (ii) a school district; and
- (iii) a regional educational attendance area;
- (D) a public or quasi-public corporation or authority established by state law including the Alaska Railroad Corporation; and
- (E) the University of Alaska.

*State law reference—Alaska Whistleblower Act, AS 39.90.140.*

**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

Attest:

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Elizabeth J. McEwen, Municipal Clerk



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Presented by:  
Presented:  
Drafted by: R. Palmer III

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

**Serial No. 2023-32 vHRC**

**An Ordinance Clarifying the Process for Electing an Assemblymember Due to a Midterm Vacancy.**

WHEREAS, CBJ Charter 3.6 and CBJC 11.10.040 provide standards for vacancies on the Assembly; and

WHEREAS, however, neither of those provisions provide clarity on the timing relationship between a midterm vacancy and the upcoming regular election; and

WHEREAS, consistent with state law, A.S. 29.26.010(a), and CBJ Charter 6.5(a), the Assembly prescribes rules for elections; and

WHEREAS, the formal public notice of the election must occur at least 30 days prior to the election (CBJ Charter 6.1, CBJC 29.07.010(e), A.S. 29.26.030), and CBJC 29.07.010(f)(3) dictates the contents of the notice, which includes specifying the Assemblymember seats that are vacant on the ballot; and

WHEREAS, the Election Official establishes the timeline for ballot formatting, proofing, and printing, which now generally requires all ballot items to be finalized 60 days prior to the election; and

WHEREAS, the Election Official may be able to reduce that 60-day deadline by a few days in certain years due to election vendor efficiencies and ballot language complexity; and

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2 WHEREAS, while those 60-day deadline reductions may be available in certain years,  
3 they are not predictable enough every year for the regular election; and

4 WHEREAS, the community needs clarity when a midterm vacancy of a non-mayoral  
5 Assemblymember seat is on the upcoming election for the following year’s election; and

6  
7 WHEREAS, this ordinance provides the necessary clarity to maintain election integrity, a  
8 representative form of government, while balancing the practical needs of formatting, proofing,  
9 and printing timely ballots.

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

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

14  
15 **Section 2. Amendment of Section.** CBJC 11.10.040 Vacancies, is amended to read:  
16 **11.10.040 Vacancies.**

17 (a) Except for a vacancy in the office of mayor, a vacancy on the assembly shall be filled by the  
18 assembly which shall appoint by majority vote of the remaining members a qualified resident of  
19 the election district from which the vacancy arose to be the acting assemblymember until the  
20 next regular election and a successor is elected. The person appointed by the assembly shall be  
21 compensated in accordance with CBJ 11.15.050(b). The relationship between a midterm  
22 vacancy and an upcoming election shall be governed by the following subsections.

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24 (1) If a midterm vacancy occurs more than 60 days, including day 60, from the upcoming  
25 regular election, the vacant assemblymember seat shall be placed on the upcoming regular  
election.

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2       (2) If a midterm vacancy occurs less than 60 days from the upcoming regular election, the  
3       vacant assemblymember seat shall be placed on the following year's election.

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5       (b) If a vacancy in the office of mayor occurs within eight months before a regular election, or  
6 if the mayoral term to be filled ends with the next regular election, the deputy mayor shall  
7 succeed to the office of mayor until the next regular election and a successor is elected, at which  
8 time, the deputy mayor shall resume their ~~his or her~~ assembly seat for the remainder of their  
9 ~~his or her~~ term, if any. The deputy mayor shall be compensated in accordance with CBJ  
10 11.15.050(a). The assembly shall fill the seat left vacant by the deputy mayor's succession by  
11 appointing by majority vote of the remaining members a qualified resident from the same  
12 election district as the deputy mayor. The person appointed by the assembly shall serve until  
13 the next regular election and shall be compensated in accordance with CBJ 11.15.050(b).

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15       (c) If a vacancy in the office of mayor occurs more than eight months before a regular election,  
16 the assembly shall call a special election to fill the unexpired mayoral term. The deputy mayor  
17 shall serve as mayor until the new mayor takes office. The assembly shall fill the seat left  
18 temporarily vacant by the deputy mayor's succession by appointing by majority vote of the  
19 remaining members a qualified resident from the same election district as the deputy mayor.  
20 The person appointed by the assembly shall serve until a new mayor takes office and the deputy  
21 mayor resumes their ~~his or her~~ assembly seat. The person appointed by the assembly shall be  
22 compensated in accordance with CBJ 11.15.050(b). This subsection shall not apply if the  
23 mayoral term to be filled will end with the next regular election.  
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**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

Attest:

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

**Full CBJ Assembly Sitting as the Human Resources Committee  
Planning Commission  
Advance Interview Questions-2022**

Section G, Item 6.

**Applicant Name:** \_\_\_\_\_

1. What about your life experiences or interests makes you want to be a Planning Commissioner?
  
2. What do you think is the fundamental role of the Planning Commission?
  
3. What are your thoughts on the Comprehensive Plan and its updating process?
  
4. Do you have any interests that would pose a potential conflict of interest on matters coming before the Planning Commission?
  
5. Describe your experiences in the areas of land use, construction, and/or transportation.
  
6. What do you think is the role of the Planning Commission in economic development and community building?
  
7. Please describe the appropriate relationship between the Planning Commission and the Assembly.
  
8. What role should sustainability concerns play in Planning Commission decisions?
  
9. Describe how you have helped to resolve conflicts while working in groups with members who disagree.
  
10. The Planning Commission requires a significant investment of your time. Twice monthly meetings (from 2-10 hours). Committee meetings and prep time (equal to meeting time or more). Are you committed to be at all the meetings as required?

**Full CBJ Assembly Sitting as the Human Resources Committee  
Bartlett Regional Hospital (BRH) Board of Directors  
Advance Interview Questions-2022**

**Applicant Name:** \_\_\_\_\_

1. What about this board interests you and how do you feel it is relevant to your experiences in life?
  
2. What do you perceive as the major issues facing Bartlett Regional Hospital and what is your perspective on those issues?
  
3. What do you believe is the fundamental role of the BRH Board of Directors?
  
4. Do you have any interests that would pose a potential conflict of interest on matters coming before the Board of Directors?
  
5. What is your idea of the role of a community hospital?
  
6. What role, if any, does the BRH play in the economy and well-being of the community?
  
7. What do you think the appropriate relationship between the Board of Directors and the Assembly should be?
  
8. With recent changes at the executive level, what qualities do you feel are most valuable in hospital leadership?