AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE
MUNICIPAL CODE SECTIONS 2.30.035 AND 2.30.040 TO INCLUDE INITIAL
AUDIENCE PARTICIPATION AND ESTABLISH A DURATIONAL LIMIT
TOGETHER WITH APPEARANCE REQUESTS AT REGULAR ASSEMBLY
MEETINGS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 2.30.035 is hereby amended to
read as follows (the remainder of the section is not affected and therefore not set
out):

2.30.035 - Meeting agenda.

A. Order of business. The order of business at all regular meetings of the
assembly shall be as follows:

*** *** ***

9. Appearance requests and initial audience participation (shall
begin no earlier than 5:15 p.m. and start no later than 6:00
p.m. and total at least 30 minutes of testimony; it may be less
only if no person comes forward for audience participation
when invited by the chair [BY THE LAST PERSON SHALL
BEGIN NO LATER THAN 6:00 P.M.]).

a. Appearance requests shall be first and in accordance
with section 2.30.040.

b. Following appearance requests, members of the public
may be heard under initial audience participation, in
accordance with subsection 2.30.040G. The chair may
prioritize persons whom credibly declare they are unable
to remain at the meeting for final audience participation.

*** *** ***

(AO No. 2017-53, § 6, 7-1-17; AO No. 2020-30(S), § 2, 4-28-20; AO No.
2021-117, § 1, 1-19-22; ; AO No. 2022-82, § 1, 9-27-22)

Section 2. Anchorage Municipal Code section 2.30.040 is hereby amended to
read as follows (full section set out for context, amendments are to subsection G):

2.30.040 - Appearance requests and audience participation.

A. A person wishing to speak before the assembly under "appearance
requests" must file an appearance request with the municipal clerk
specifying the topic on which the person intends to speak.

B. Appearance requests will be heard by the assembly when placed on the agenda by the municipal clerk. A person may only file one appearance request per meeting. Each speaker is limited to three minutes of testimony. The chair may, at the chair’s discretion, extend the time to allow no more than five minutes for remarks when the speaker is representing a group.

C. In determining whether or not appearance requests are placed on the agenda, the municipal clerk, in conjunction with the assembly chair, shall adhere to the following:

1. If the appearance request has clearly defined administrative channels of resolution that have not yet been utilized by the person requesting an appearance before the assembly, the municipal clerk shall refer the person to the appropriate administrative channels of resolution.

2. Except under special circumstances as determined by the chair, appearance requests which involve the following shall not be accepted:
   a. Items that have clearly defined administrative channels of resolution that have not yet been utilized by the person.
   b. Items that the assembly or administration has no jurisdiction over and/or responsibility or authority to resolve per the Municipal Charter, Municipal Code, or Municipal Code of Regulations.
   c. Subjects currently under labor negotiations.
   d. An item upon which litigation involving the person or the person's representative is currently pending.

3. To ensure that sufficient time remains available for the Assembly to conduct its business, not more than three appearance requests will typically be granted for any single meeting.

D. Appearance requests accepted by the municipal clerk must be placed before the assembly no later than 14 days after acceptance.

E. In lieu of appearance requests, the assembly will accept brief written communications on any subject at the electronic transmission address assigned to assembly members by the Municipality of Anchorage. Other written communications directed to the assembly will be reproduced, if necessary, and distributed to assembly members by the municipal clerk no later than 14 days after receipt.

F. Persons who do not wish to speak before the assembly under "appearance requests," persons who had their appearance request denied under subsection C.2 of this section, or persons who do not wish to submit written communications, may be heard under "audience participation."

G. If time is available, initial and final audience participation shall be held at each regular meeting. Audience participation shall be held at each special meeting. Audience participation is limited to three minutes of testimony per speaker, and this time may not be extended. A person
may testify on any topic; however, a person speaking under an appearance request shall not be permitted to testify during initial audience participation, nor on the speaker's own appearance request at the same meeting.

H. The following chart summarizes information in this chapter regarding appearance requests, audience participation, and public testimony:

<table>
<thead>
<tr>
<th>AMC 2.30.040B.</th>
<th>Appearance Requests</th>
<th>3 min. – chair may extend to 5 min. for individual representing a group</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMC 2.30.040G.</td>
<td>Initial and Final Audience Participation</td>
<td>3 min. – chair may not extend</td>
</tr>
<tr>
<td>AMC 2.30.055B.</td>
<td>Public Hearings</td>
<td>3 min. – for individuals, chair may extend for up to 5 min. total for individual representing a group OR 5 min. – for community council representative, Girdwood Board of Supervisors (GBOS) representative, or Native Village of Eklutna (NVE) representative – chair may not extend Note: person testifying for a group does not also get 3 minutes to testify as an individual.</td>
</tr>
</tbody>
</table>

(AO No. 78-49; AO No. 79-137, 10-18-79; AO No. 94-177(S), § 2, 10-27-94; AO No. 2014-2(S), § 1, 2-25-14; AO No. 2017-53, § 7, 4-11-17; AO No. 2020-30(S), § 4, 4-28-20; AO No. 2021-117, § 1, 1-19-22; AO No. 2022-82, § 1, 9-27-22)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _______ day of ______________, 2024.
ATTEST:

Chair

Municipal Clerk
MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 344-2024

Meeting Date: April 9, 2024

From: Assembly Member Suite

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 2.30.035 AND 2.30.040 TO INCLUDE INITIAL AUDIENCE PARTICIPATION AND ESTABLISH A DURATIONAL LIMIT TOGETHER WITH APPEARANCE REQUESTS AT REGULAR ASSEMBLY MEETINGS.

This proposed ordinance is intended to enhance public involvement during the Assembly’s regular meetings.

The ordinance adds back initial audience participation at the beginning of the regular meeting agenda Section 9, which was removed by AO 2022-82, and provides a predictable time frame for both Appearance Requests and Initial Audience Participation. This change assures the public will have a set time frame to provide comments to the Assembly regardless of when the public comment period commences. While current Code offers that Appearance Requests begin not before 5:15 p.m. and no later than 6:00 p.m., the proposed AO’s objective is to allot a predictable 30 minutes of time in the aggregate for Appearance Request and Initial Audience Participation at each regular meeting. Initial Audience Participation would follow after Appearance Requests are completed and end after 30 minutes has elapsed, and then resume at the end of the meeting at Agenda Item 16. The proposed ordinance also allows the Chair to ask that persons coming forward for initial audience participation be those whom say, in good faith, they are not staying through the meeting until final audience participation. This standard would not be very enforceable, but may discourage persons who clearly stay through the end of Assembly meetings regularly from exploiting the initial audience participation time, and allow the chair to let others speak first.

I request your support for the ordinance.

Reviewed by: Assembly Counsel’s Office and Legislative Services Office

Respectfully submitted: Randy Suite, Assembly Member

District 6 – South Anchorage, Girdwood, Turnagain Arm