From: Assembly Chair LaFrance and Vice Chair Constant

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 2.30 RULES OF PROCEDURE FOR ASSEMBLY.

The Home Rule Charter of the Municipality of Anchorage at Section 4.04(c) specifies that “[t]he assembly by ordinance shall determine its own rules and order of business…,” which are codified in Anchorage Municipal Code chapter 2.30 Rules of Procedure for Assembly. These Rule of Procedure specify at AMC subsection 2.30.080I. that “In all matters not covered by this chapter, Robert’s Rules of Order, Newly Revised, shall govern.”

In AO 2021-117, As Amended, the Assembly addressed, in part, some of the Assembly’s customary practices that are different than the practice specified in Robert’s Rules of Order and codified them to reduce confusion and provide greater clarity. As often occurs with a comprehensive and lengthy ordinance, after passage and application when it is put into practice changes are identified to improve or make the ordinance more accurate and efficient. During a recent Assembly meeting, it was noticed that, again, there was a difference in the Assembly’s customary practice and the practice specified in Robert’s Rules. For example,

- On a consent agenda item, a member may pull the item and move “to postpone the item indefinitely” at the request of the Administration for various reasons.
- On a consent agenda item, a member may pull the item and move “to postpone it until the next meeting” for the (S) or (A) version to be prepared.
- On an audit report, a member may pull the item and move “to refer” the item to the Audit Committee.
- On some ordinances for introduction, before the three-member introduction and setting for a public hearing a member may pull the item and move “to refer” it to the Planning and Zoning Commission or the Assembly Community and Economic Development Committee.

In all of these circumstances, the Assembly treated the motion to postpone indefinitely, the motion to postpone to a time certain, and the motion to refer as the main motion. In Robert’s Rules, these motions are not considered main motions, but are considered subsidiary motions and would be out of order. Robert’s Rules does recognize that some subsidiary motions may be used as an incidental main motion, but those above are not.

This ordinance by amendment to AMC section 2.30.065 seeks to codify the Assembly’s customary practice to use certain subsidiary motions as main motions.
when a main motion is not on the floor, yet the subsidiary motion is incidental to or related to assembly business on the agenda. To ensure the Assembly’s customary practices are not disrupted by a point of order in this example, this ordinance directs that the motions described above will be treated as incidental main motions.

The ordinance also proposes changes to clarify and solidify the rules for providing public testimony at Assembly meetings. The time limits on public remarks and testimony are detailed in a chart, which are proposed to be incorporated into the Code at AMC subsections 2.30.040H. and 2.30.055B. as follows (emphasis added):

<table>
<thead>
<tr>
<th>AMC Section</th>
<th>Description</th>
<th>Time Limit</th>
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</thead>
<tbody>
<tr>
<td>AMC 2.30.040B.</td>
<td>Appearance Requests</td>
<td>3 min. – chair may extend for up to 5 min. total for individual representing a group</td>
</tr>
<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>
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The revisions make the following changes so that the Code is consistent between Appearance Requests and Public Hearing testimony:

- For appearance requests, the chair could, at the chair’s discretion, extend the time for a speaker representing a group. This proposed ordinance adds the limiting language of “no more than five minutes.” Proposed amendment to AMC 2.30.040B.
- For public hearings, the proposed ordinance mirrors the appearance request provision and allows the chair, at the chair’s discretion, to extend the time to allow the individual representing a group, to testify for no more than five minutes. Proposed amendment to AMC 2.30.055B.
- For audience participation, there is no change. The time for audience participation is three minutes; there is no option for the Chair to extend this time for an individual representing a group for any amount of time. No change is warranted since any extension of time for one speaker would affect the time available for other members of the public who wish to speak during the time available for audience participation, which is usually short.
In all, the chair has no discretion to extend anyone’s time beyond 5 minutes, and for individuals providing personal testimony only, they may not extend beyond the usual 3 minutes. The current Code allows these time frames to be changed at a meeting by a motion to suspend the rules, as provided for by AMC subsection 2.30.065B.12. The current Code also allows the chair to interject when it appears a member is asking questions to the speaker that appear to lengthen or expand the testimony, rather than provide clarification or additional information related to the original testimony within the time limits. See AMC section 2.30.055H.

We request your support for the ordinance.

Reviewed by: Assembly Counsel and Municipal Clerk
Respectfully submitted: Suzanne LaFrance, Assembly Chair
District 6, South Anchorage, Girdwood & Turnagain Arm

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