



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 481-2022

Meeting Date: September 13, 2022

1 **From: Assembly Chair LaFrance and Vice Chair Constant**

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3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING**
4 **ANCHORAGE MUNICIPAL CODE CHAPTER 2.30 RULES OF**
5 **PROCEDURE FOR ASSEMBLY.**
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7 The Home Rule Charter of the Municipality of Anchorage at Section 4.04(c) specifies
8 that “[t]he assembly by ordinance shall determine its own rules and order of
9 business...,” which are codified in Anchorage Municipal Code chapter 2.30 *Rules of*
10 *Procedure for Assembly*. These Rule of Procedure specify at AMC subsection
11 2.30.080I. that “In all matters not covered by this chapter, Robert's Rules of Order,
12 Newly Revised, shall govern.”
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14 In AO 2021-117, As Amended, the Assembly addressed, in part, some of the
15 Assembly’s customary practices that are different than the practice specified in
16 Robert’s Rules of Order and codified them to reduce confusion and provide greater
17 clarity. As often occurs with a comprehensive and lengthy ordinance, after passage
18 and application when it is put into practice changes are identified to improve or make
19 the ordinance more accurate and efficient. During a recent Assembly meeting, it
20 was noticed that, again, there was a difference in the Assembly’s customary practice
21 and the practice specified in Robert’s Rules. For example,
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- 23 • On a consent agenda item, a member may pull the item and move “to
24 postpone the item indefinitely” at the request of the Administration for various
25 reasons.
- 26 • On a consent agenda item, a member may pull the item and move “to
27 postpone it until the next meeting” for the (S) or (A) version to be prepared.
- 28 • On an audit report, a member may pull the item and move “to refer” the item
29 to the Audit Committee.
- 30 • On some ordinances for introduction, before the three-member introduction
31 and setting for a public hearing a member may pull the item and move “to
32 refer” it to the Planning and Zoning Commission or the Assembly Community
33 and Economic Development Committee.
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35 In all of these circumstances, the Assembly treated the motion to *postpone*
36 *indefinitely*, the motion to *postpone to a time certain*, and the motion to *refer* as the
37 main motion. In Robert’s Rules, these motions are not considered main motions, but
38 are considered subsidiary motions and would be out of order. Robert’s Rules does
39 recognize that some subsidiary motions may be used as an *incidental* main motion,
40 but those above are not.
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42 This ordinance by amendment to AMC section 2.30.065 seeks to codify the
43 Assembly’s customary practice to use certain subsidiary motions as main motions

1 when a main motion is not on the floor, yet the subsidiary motion is incidental to or
 2 related to assembly business on the agenda. To ensure the Assembly’s customary
 3 practices are not disrupted by a point of order in this example, this ordinance directs
 4 that the motions described above will be treated as incidental main motions.

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

AMC 2.30.040B.	Appearance Requests	3 min. – chair <i>may</i> extend for up to 5 min. total for individual representing a group
AMC 2.30.040G.	Initial and Final Audience Participation	3 min. – chair <i>may not</i> extend
AMC 2.30.055B.	Public Hearings	3 min. – for individuals, chair <i>may</i> 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 <i>may not</i> extend Note: person testifying for a group does not also get 3 minutes to testify as an individual.

12 The revisions make the following changes so that the Code is consistent between
 13 Appearance Requests and Public Hearing testimony:

- 14 • For appearance requests, the chair could, at the chair's discretion, extend
 15 the time for a speaker representing a group. This proposed ordinance adds
 16 the limiting language of "no more than five minutes." Proposed amendment
 17 to AMC 2.30.040B.
- 18 • For public hearings, the proposed ordinance mirrors the appearance request
 19 provision and allows the chair, at the chair's discretion, to extend the time to
 20 allow the individual representing a group, to testify for no more than five
 21 minutes. Proposed amendment to AMC 2.30.055B.
- 22 • For audience participation, there is no change. The time for audience
 23 participation is three minutes; there is no option for the Chair to extend this
 24 time for an individual representing a group for any amount of time. No
 25 change is warranted since any extension of time for one speaker would affect
 26 the time available for other members of the public who wish to speak during
 27 the time available for audience participation, which is usually short.
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2 In all, the chair has no discretion to extend anyone’s time beyond 5 minutes, and for
3 individuals providing personal testimony only, they may not extend beyond the usual
4 3 minutes. The current Code allows these time frames to be changed at a meeting
5 by a motion to suspend the rules, as provided for by AMC subsection 2.30.065B.12.
6 The current Code also allows the chair to interject when it appears a member is
7 asking questions to the speaker that appear to lengthen or expand the testimony,
8 rather than provide clarification or additional information related to the original
9 testimony within the time limits. See AMC section 2.30.055H.

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12 **We request your support for the ordinance.**

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14 Reviewed by: Assembly Counsel and Municipal Clerk
15 Respectfully submitted: Suzanne LaFrance, Assembly Chair
16 District 6, South Anchorage, Girdwood & Turnagain Arm
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18 Christopher Constant, Assembly Vice Chair
19 District 1, Downtown Anchorage