

**ANCHORAGE, ALASKA
AO No. 2022-69(S)**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING TITLE 2 OF THE**
2 **ANCHORAGE MUNICIPAL CODE [~~SECTION 2.30.010~~] TO CODIFY THE**
3 **ASSEMBLY'S PROCESS FOR SELECTION OF THE YOUTH REPRESENTATIVE**
4 **AND ALTERNATE TO THE ANCHORAGE ASSEMBLY AND TO AMEND SECTION**
5 **4.60.275 TO CONFORM TO THE ASSEMBLY'S PROCESS.**
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7 **WHEREAS**, the Municipality of Anchorage has a declared public policy for the
8 selection of a youth representative and alternate to the assembly; and
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10 **WHEREAS**, this ordinance adds the declared policy in Title 2, Legislative Branch; and
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12 **WHEREAS**, this ordinance seeks to open the opportunity to apply to this position to a
13 wide pool of potential participants; and
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15 **WHEREAS**, this ordinance sets the term for the youth representative and alternate
16 based on the assembly schedule and workload; and
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18 **WHEREAS**, this ordinance clarifies the time frame for when a vacancy in the youth
19 representative position automatically occurs, while still allowing flexibility for
20 extraordinary circumstances; and
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22 **WHEREAS**, this ordinance makes the conforming amendments to Title 4; now
23 therefore,
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25 **THE ANCHORAGE ASSEMBLY ORDAINS:**
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27 **Section 1.** Anchorage Municipal Code **is amended by adding a new** section
28 **2.30.025 to read as follows** [~~010 is hereby amended to add the following~~
29 ~~subsection (the remainder of the section is not affected and therefore not set~~
30 ~~out)].~~

31 **2.30.025** [~~2.30.010 – Organization; election of chair and vice-chair;~~
32 **Youth representative to the assembly.**
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35 **A[E]**. Youth Representative. There is established a youth representative to
36 the assembly seat for one person. The assembly may seek nominations
37 for the position **and an alternate** from the residents of the municipality
38 who will be at least 16 and not more than 19 years of age at the time of
39 appointment. The youth advisory commission may nominate individual
40 youths for appointment as the youth representative and an alternate.
41 **[Applicants for the position may shadow a current assembly**
42 **member prior to nominations or appointment.]**

43 **[1-]** The youth representative and an alternate **are appointed by**
44 **the**, ~~chosen from among all those nominated, may be~~
45 **appointed for a certain term by the presiding officer or** chair

of the assembly **for a term certain** and confirmed by the assembly. The alternate for the youth representative may serve in the absence of the youth representative and have all the privileges of the position, but does not automatically assume the position if it becomes vacant.

B[a]. Role and responsibilities. The youth representative to the assembly.

1[i]. Shall be seated with the assembly during regular and special meetings, may join committees, participate in work sessions and informal meetings, but shall not attend or participate in executive sessions or quasi-judicial hearings;

2[ii]. May be recognized for comment by the chair or the presiding officer of the assembly and participate in asking questions, **debate and deliberation, but may not make parliamentary motions or seconds except to raise a point of privilege [and discussing issues];**

3[iii]. Shall **be provided [receive]** all materials presented to assembly members for regular and special meetings of the body except materials confidential or related to executive sessions or quasi-judicial hearings;

4[iv]. May indicate a "yes" or "no" preferential vote **[prior to the official vote]** on matters **[coming]** before the assembly except discussion related to executive sessions or quasi-judicial hearings; the youth representative vote shall not be counted in the vote totals by the municipal clerk but may be recorded; and

5[v]. Shall not be counted in determining a quorum of the assembly.

C[b]. Service, training, and term. Service as the youth representative is voluntary, without compensation. The chair of the assembly may assign an assembly member to mentor the youth representative, and the chair or municipal clerk may provide for training and orientation for the youth representative.

[c-] The term shall be a minimum term of six months and a maximum of one year and shall be determined by the **chair at the time of appointment. However, a seated youth representative's term is extended until a successor is confirmed or a maximum of 120 days, whichever occurs first. [assembly. No appointee may serve more than a total of one year.]** The youth representative shall not hold or run for public elected office during the term of appointment. The code of ethics, chapter 1.15, shall apply to the youth representative.

D[d]. Vacancy. The youth representative seat becomes vacant in the same manner as the office of an elected official becomes vacant as provided in section 7.01(a) of the Charter.

1. Removal **for breach of the public trust** may be based on the same grounds as **[removal of an elected official]** set forth in section 2.70.030A., **and t[F]he procedure is:**

a. A request for review by the Ethics Board of the youth representative's alleged breach of public

1 MAY SHADOW A CURRENT ASSEMBLY MEMBER PRIOR TO
2 NOMINATIONS OR APPOINTMENT. THE YOUTH
3 REPRESENTATIVE AND AN ALTERNATE SHALL BE
4 APPOINTED FOR A CERTAIN TERM BY THE CHAIR OF THE
5 ASSEMBLY AND CONFIRMED BY THE ASSEMBLY. THE
6 ALTERNATE FOR THE YOUTH REPRESENTATIVE SHALL
7 SERVE IN THE ABSENCE OF THE YOUTH
8 REPRESENTATIVE AND HAVE ALL THE PRIVILEGES OF
9 THE POSITION, BUT DOES NOT AUTOMATICALLY ASSUME
10 THE POSITION IF IT BECOMES VACANT.

11 A. THE YOUTH REPRESENTATIVE TO THE
12 ANCHORAGE ASSEMBLY.

13 I. SHALL BE SEATED WITH THE ANCHORAGE
14 ASSEMBLY DURING REGULAR AND SPECIAL
15 MEETINGS, MAY JOIN COMMITTEES,
16 PARTICIPATE IN WORK SESSIONS AND
17 INFORMAL MEETINGS, BUT SHALL NOT
18 ATTEND OR PARTICIPATE IN EXECUTIVE
19 SESSIONS OR QUASI-JUDICIAL HEARINGS;

20 II. MAY BE RECOGNIZED FOR COMMENT BY
21 THE PRESIDING OFFICER OF THE ASSEMBLY
22 AND PARTICIPATE IN ASKING QUESTIONS
23 AND DISCUSSING ISSUES;

24 III. SHALL RECEIVE ALL MATERIALS PRESENTED
25 TO ASSEMBLY MEMBERS FOR REGULAR AND
26 SPECIAL MEETINGS OF THE BODY EXCEPT
27 MATERIALS CONFIDENTIAL OR RELATED TO
28 EXECUTIVE SESSIONS OR QUASI-JUDICIAL
29 HEARINGS;

30 IV. MAY INDICATE A "YES" OR "NO"
31 PREFERENTIAL VOTE PRIOR TO THE
32 OFFICIAL VOTE ON MATTERS COMING
33 BEFORE THE ANCHORAGE ASSEMBLY
34 EXCEPT DISCUSSION RELATED TO
35 EXECUTIVE SESSIONS OR QUASI-JUDICIAL
36 HEARINGS; THE YOUTH REPRESENTATIVE
37 VOTE SHALL NOT BE COUNTED IN THE VOTE
38 TOTALS BY THE MUNICIPAL CLERK BUT MAY
39 BE RECORDED; AND

40 V. SHALL NOT BE COUNTED IN DETERMINING A
41 QUORUM OF THE ANCHORAGE ASSEMBLY.

42 B. AT THE TIME OF APPOINTMENT, THE YOUTH
43 REPRESENTATIVE SHALL BE AT LEAST 16 AND NOT
44 MORE THAN 19 YEARS OF AGE. SERVICE AS THE
45 YOUTH REPRESENTATIVE IS VOLUNTARY,
46 WITHOUT COMPENSATION. THE CHAIR OF THE
47 ASSEMBLY MAY ASSIGN AN ASSEMBLY MEMBER
48 TO MENTOR THE YOUTH REPRESENTATIVE, AND
49 THE CHAIR OR MUNICIPAL CLERK MAY PROVIDE
50 FOR TRAINING AND ORIENTATION FOR THE YOUTH
51 REPRESENTATIVE.

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C. THE YOUTH ADVISORY COMMISSION SHALL DETERMINE THE TERM OF APPOINTMENT AT THE TIME OF SENDING NOMINATIONS TO THE CHAIR, WITH] A MINIMUM TERM OF SIX MONTHS AND A MAXIMUM OF ONE YEAR. NO APPOINTEE MAY SERVE MORE THAN A TOTAL OF ONE YEAR. THE YOUTH REPRESENTATIVE SHALL NOT HOLD OR RUN FOR PUBLIC ELECTED OFFICE DURING THE TERM OF APPOINTMENT. THE CODE OF ETHICS, CHAPTER 1.15, SHALL APPLY TO THE YOUTH REPRESENTATIVE.

D. THE YOUTH REPRESENTATIVE SEAT BECOMES VACANT IN THE SAME MANNER AS THE OFFICE OF AN ELECTED OFFICIAL BECOMES VACANT AS PROVIDED IN SECTION 7.01(A) OF THE CHARTER. REMOVAL MAY BE BASED ON THE SAME GROUNDS AS REMOVAL OF AN ELECTED OFFICIAL SET FORTH IN SECTION 2.70.030A. THE PROCEDURE IS BY A MOTION FOR REMOVAL APPROVED BY A MAJORITY VOTE OF THE ASSEMBLY. THE YOUTH REPRESENTATIVE SEAT AUTOMATICALLY BECOMES VACANT WITHOUT FURTHER ACTION NECESSARY IF THE PERSON:

- I. IS ABSENT FROM THREE REGULAR MEETINGS WITHOUT EXCUSE,
- II. IS ABSENT FROM SIX REGULAR MEETINGS,
- III. FAILS TO ATTEND TWO-THIRDS OF THE REGULAR MEETINGS SCHEDULED DURING THE PERSON'S APPOINTED TERM.]

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(AO No. 95-64, § 1, 3-7-95; AO No. 95-132, § 1, 6-6-95; AO No. 96-64, § 1, 4-23-96; AO No. 98-26, § 1, expires 3-7-2001; AO No. 2001-61, § 1, 3-27-01; AO No. 2004-69, § 1, 4-13-04; AO No. 2004-96, § 1, 6-8-04; AO No. 2005-80, § 2, 9-27-05; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2015-119, § 1, 11-10-15; AO No. 2017-51(S), § 1, 9-12-17; Ord. No. 2018-47, § 10, 10-9-18)

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 _____, 2022.

Chair of the Assembly

ATTEST:

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Municipal Clerk

MUNICIPALITY OF ANCHORAGE



ASSEMBLY MEMORANDUM

No. AM ____-2022

Meeting Date: June 21, 2022

1 **From: Assembly Chair LaFrance**

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3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING**
4 **TITLE 2 OF THE ANCHORAGE MUNICIPAL CODE [~~SECTION 2.30.010~~] TO**
5 **CODIFY THE ASSEMBLY'S PROCESS FOR SELECTION OF THE YOUTH**
6 **REPRESENTATIVE AND ALTERNATE TO THE ANCHORAGE ASSEMBLY AND**
7 **TO AMEND SECTION 4.60.275 TO CONFORM TO THE ASSEMBLY'S**
8 **PROCESS.**

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10 This memorandum summarizes the changes in the proposed S-version from the
11 original submitted ordinance. Due to an absence on leave, Assembly Counsel did
12 not have adequate opportunity to provide drafting review until after the original
13 ordinance was submitted, and the S-version changes are Counsel's
14 recommendations to improve code language and integrity, and provide more
15 efficient process. The substantive changes in the S-version are:

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17 • A new Code section 2.30.025 dedicated to the Youth Representative is
18 created, instead of adding it as a subsection to the existing AMC section
19 2.30.010. Subsection headings are added.
- 20 • Unnecessary language is deleted, such as applicants being able to shadow
21 a current assembly member, and that appointments are from among all
22 those nominated.
- 23 • Authorizes the Chair to set the specific term at the time of appointment,
24 within the six-month minimum and one-year maximum. However, to avoid a
25 vacancy occurring the term can be extended for up to 120 days past the
26 expiration or until a successor is seated, similar to the term extension
27 afforded members of boards and commissions.
- 28 • Specifically defines the Youth Representative's participation in meetings,
29 clarifying that they cannot make motions or second them. The Youth
30 Representative may always, during debate and discussion, suggest that an
31 Assembly Member should make a motion, but does not have the power to
32 do so. The ability to raise points of privilege is preserved, whether personal
33 or for the good of the body.
- 34 • Removes requirement that the Youth Representative's preferential vote is
35 "prior to the official vote," and allows flexibility for the Chair or Clerk to
36 announce the indicated preferential vote before or simultaneously with the
37 Assembly Member's votes.
- 38 • Revamps the vacancy and removal section, so it reflects the same grounds
39 available for removal of an Assembly Member, but uses the efficient and
40 streamlined procedure in AMC section 4.05.065 for removal of a member of
41 a board or commission. This is appropriate because the Youth
42 Representative is not elected by voters, and does not receive compensation
43 for their public service, so the same level of due process for a removal as

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that for Assembly Members is not constitutionally required. The procedure proposed here also has a shorter timeline which will fit within the relatively short term served by a Youth Representative.

I request your support for the S-version of the ordinance.

Prepared by: Assembly Counsel's Office
Respectfully submitted: Assembly Chair Suzanne LaFrance
District 6, South Anchorage