ANCHORAGE, ALASKA
AO No. 2022-82

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

WHEREAS, Anchorage Municipal Charter section 4.04(c) provides “[t]he assembly by ordinance shall determine its own rules and order of business”; and

WHEREAS, the Anchorage Municipal Assembly has adopted Rules of Procedure codified in Anchorage Municipal Code chapter 2.30 Rules of Procedure for Assembly; and

WHEREAS, Anchorage Municipal Code section 2.30.080I. provides that “In all matters not covered by this chapter, Robert's Rules of Order, Newly Revised, shall govern”; and

WHEREAS, further clarification of the Assembly’s rules of procedure in municipal code can reduce confusion and provide greater clarity to the public and the Assembly Members; and

WHEREAS, this ordinance will not have significant economic effects; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code chapter 2.30 is hereby amended to read as follows (the remainder of the chapter is not affected and therefore not set out):

Chapter 2.30 - RULES OF PROCEDURE FOR ASSEMBLY
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2.30.035 - Meeting agenda.

A. Order of business. The order of business at all regular meetings of the assembly shall be as follows:
   1. Call to order.
   2. Roll call.
   3. Pledge of allegiance and land acknowledgment.
   4. Minutes of previous meetings.
   5. Mayor's report.
   6. Assembly Chair's report.
   7. Committee and liaison reports.
   8. Addendum to agenda.
9. Appearance requests and initial audience participation (shall begin no earlier than 5:15 p.m. and testimony by the last person for initial audience participation shall begin no later than 6:00 p.m.).
   a. Appearance requests shall be 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.

10. Consent agenda. Routine items requiring assembly action may be placed on the consent agenda for approval upon a single motion and vote. Prior to approval, on the request of any member of the assembly, an item placed on the consent agenda may be pulled from the consent agenda and considered with a separate vote.
   a. Resolutions for action - proclamations and recognitions.
   b. Resolutions for action - other.
   c. Bid awards.
   d. New business.
   e. Appropriation items.
   f. Information and reports.
   g. Ordinances and resolutions for introduction. All ordinances and those resolutions requiring a public hearing will be placed on the consent agenda for introduction and will be set for public hearing at a future meeting.

11. Unfinished business and unfinished action on public hearing items.

12. Unfinished business and unfinished action on quasi-judicial matters after public hearing, or action on other administrative matters, such as election certification, and special orders that are not public hearing items.

13. Continued public hearings (shall begin no earlier than 6:00 p.m., and shall be taken up immediately following completion of unfinished business and unfinished action on public hearing items).

14. New public hearings (shall begin no earlier than 6:00 p.m. and shall be taken up immediately following completion of continued public hearings).

15. New and continued quasi-judicial public hearings.

16. Final audience participation.

17. Assembly comments.

18. Executive sessions.

19. Adjournment shall be promptly at 11:00 p.m.; provided, however, by two-thirds vote of the assembly, adjournment and business before the assembly may be continued past 11:00
B. **Laid-on-the-table items.** Upon passage of a motion to amend the agenda duly made and seconded, any member of the assembly may request action on items not included in the regular or addendum agenda. A motion to “lay an item on the table” may be taken as a motion to amend the agenda.

1. **Ordinances.** Ordinances for introduction may be laid on the table at any time, pursuant to Charter Section 10.01. Ordinances shall be set for a public hearing following introduction and upon approval of three assembly members. The required approval may be in the form of a motion by an assembly member to introduce an ordinance, accompanied by both a second and a third.

2. **Resolutions to be set for a public hearing at a future meeting.** A resolution may be introduced and [BE] laid on the table at any time if the member introducing the resolution moves to set the resolution for public hearing at a future meeting and the motion is approved by majority vote.

3. **All other assembly items, including resolutions not set for a public hearing at a future meeting.** Upon an affirmative vote of at least eight members, the assembly may take action on these items only under circumstances that require immediate assembly action, such as financial necessity, natural disasters, or when time is of the essence for assembly action on an item.

C. **Supplemental materials.** Additional materials on an item included on a properly published and distributed agenda may be added at any time.

D. **Public notice of agenda.** The agenda for the regular assembly meetings shall be published no fewer than 36 hours prior to any regular assembly meeting.

E. **Agenda distribution.** The agenda for regular assembly meetings shall be distributed to each assembly member and the mayor not less than 72 hours prior to the regular assembly meeting.

F. **Agenda for special meeting.** The agenda for a special meeting shall include such items as are necessary to accomplish the purpose of the meeting, and at least the following:

1. Call to order.
2. Roll call.
3. Pledge of allegiance and land acknowledgment.
4. Items of business.
5. Audience participation.
6. Assembly comments.
7. Adjournment.

G. **Public hearings at continued and special meetings.** Continued and new public hearings at special meetings, if any, may be opened or resumed at any time during the pendency of the meeting.
H. **Adoption.** A published agenda applies to the meeting for which it was published, subject to amendment at the meeting, and does not need to be formally adopted or approved by vote.

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

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**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 [BEYOND THREE MINUTES] 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, final audience participation shall be held [SCHEDULED] at each regular meeting. Audience participation is limited to three minutes of testimony per speaker, whether during initial or final [SCHEDULED] audience participation, and this time may not be extended. A person may testify on any topic; however, a person shall not testify 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</td>
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</tbody>
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2.30.055 Conduct of public hearing.

A. The chair or presiding member of the assembly meeting may request persons testifying at public hearing to give their name, and to identify their neighborhood or community of residence.

B. Each individual giving testimony shall be allocated three minutes; however, the chair may, at the chair's discretion, extend the time to allow the individual to testify for no more than five minutes when the speaker is representing a group. The time limit for a designated representative of a community council is five minutes. The time limit for a designated representative of the Native Village of Eklutna is five minutes. When an individual is representing a group, the total amount of time for the individual is five minutes; the individual does not get an additional three minutes to speak in their personal capacity. [THE CHAIR MAY, AT THE CHAIR'S DISCRETION, EXTEND THE TIME FOR REMARKS BEYOND THREE MINUTES WHEN THE SPEAKER IS REPRESENTING A GROUP.] The speaker must focus testimony to the topic of the public hearing. An individual may use a portion of their allocated time to engage in silent protest, but while doing so[,] must not prevent or delay other members of the public from providing testimony while the individual's silent protest continues. A chart summarizing information in this chapter regarding public testimony, appearance requests, and audience participation is at section 2.30.040H.

2.30.065 Motions.

A. By a member with the floor. A motion that is in order may be made at any time by a member who has been granted the floor by the chair.

B. Rules applicable to specific motions. Certain motions classified by Robert's Rules as subsidiary shall be considered incidental main motions when made pertaining to an agenda item and there is no main
motion pending, including a motion to postpone indefinitely, motion to postpone to a time certain, motion to continue, motion to refer, and similar motions incidental to or related to assembly business on the agenda.

1. **Motion to postpone indefinitely.** Any main motion may be postponed indefinitely.

2. **Motion to postpone to a time certain.** Any main motion may be postponed to a future meeting date.

3. **Motion to lay on the table.** A motion to lay an item on the table may be taken as a motion to amend the current agenda.

4. [3]. **Motion to change the order of the day.** The assembly may reorder an agenda and take up any item by motion of a member to change the order of the day. A motion to change the order of the day requires a second, and a majority vote.

5. [4]. **Motion to continue.** A public hearing and action on an item can be continued to any date.

6. [5]. **Motion to refer.** A motion to refer an item to a committee or department shall also bring the item back to a date specified by the assembly, or to the next regular agenda following the committee’s or department’s completion of the matter referred.

7. **Motion to reopen a public hearing.** A motion to reopen a public hearing requires a majority vote.

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[Note to Code Revisor: renumber subsequent sections accordingly.]

(AO 2021-117, § 1, 1-19-22)

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Section 2. 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

ATTEST:

_______________________________
Municipal Clerk