

CLERK'S OFFICE

APPROVED

Date: 5/20/08

Submitted by: VICE CHAIR OSSIANDER

Reviewed by: MUNICIPAL CLERK

Prepared by: ASSEMBLY COUNSEL

For reading: March 18, 2008

ANCHORAGE, ALASKA

AO NO. 2008-40

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE SECTION 2.30.050, INTRODUCTION OF
3 ORDINANCES; ACTION ON ORDINANCES, TO REPEAL THE PROVISION FOR
4 AUTOMATIC DEFEAT WITHOUT A VOTE OF THE ASSEMBLY.

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6
7 THE ANCHORAGE ASSEMBLY ORDAINS:

8
9 **Section 1.** Anchorage Municipal Code section 2.30.050, is hereby amended by
10 repealing subsection 2.30.050F as indicated. (*Other subsections are not affected and*
11 *therefore not set out*):

12
13 ***

14 [F.] [AFTER PUBLIC HEARING ON AN ORDINANCE HAS BEEN
15 COMPLETED, THE VOTE ON THE ORDINANCE MAY BE CONTINUED NO
16 MORE THAN TWO TIMES AND FOR A TOTAL PERIOD OF NOT MORE THAN
17 FOUR REGULARLY SCHEDULED MEETINGS. IF NO VOTE ON THE
18 ORDINANCE OCCURS PRIOR TO THE END OF THE FOUR REGULARLY
19 SCHEDULED MEETINGS PERIOD, THE ORDINANCE SHALL BE
20 AUTOMATICALLY DEFEATED WITHOUT A VOTE. THE PROVISIONS OF
21 THIS SUBSECTION MAY BE WAIVED BY A MAJORITY VOTE OF THE
22 ASSEMBLY TAKEN PRIOR TO THE EXPIRATION OF THE FOUR
23 REGULARLY SCHEDULED MEETINGS PERIOD.]

24
25 (AO No. 13-75; AO No. 78-49; AO No. 92-162; AO No. 94-176, §§ 1, 2, 9-27-94;
26 AO No. 96-159(S), § 3, 1-14-97; AO No. 2003-169, § 1, 1-6-04)

27
28 **Section 2.** This ordinance shall become effective immediately upon its passage and
29 approval by the Assembly.

30
31 PASSED AND APPROVED by the Anchorage Assembly this 20th day of
32 May, 2008.

33
34 
Chair

35 ATTEST:

36
37 
Municipal Clerk

38 Deputy



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 157-2008

Meeting Date: March 18, 2008

From: VICE CHAIR OSSIANDER
Subject: **AO 2008-40 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 2.30.050, INTRODUCTION OF ORDINANCES; ACTION ON ORDINANCES, TO REPEAL THE PROVISION FOR AUTOMATIC DEFEAT WITHOUT A VOTE OF THE ASSEMBLY.**

Anchorage Municipal Code Subsection 2.30.050F has been cumbersome to administer since its adoption in January 2004. In review of the recent judicial decision in *Stuart v. Municipality of Anchorage*, Case No. 3AN-07-4155 CI, with the Municipal Attorney's Office and the Municipal Clerk, it is clear that our understanding of the application of the code provision in Anchorage Municipal Code Subsection 2.30.050F and the Superior Court's differ.

From the perspective of the Municipal Clerk, there is sufficient agenda control in place without the application of Subsection 2.30.050F jeopardizing Assembly action when items remain in active status to accommodate Assembly Work Session schedules and additional review.

In summary, we feel Subsection 2.30.050F is unnecessary. AO 2008-40 is an ordinance to repeal this subsection. No other changes to AMC Section 2.30.050 are proposed.

Respectfully submitted:

Debbie Ossiander
Assembly Member, Section 2

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2008-40

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED	
	AMEND AMC 2.30.050 TO REPEAL THE PROVISION		3/7/08	
	FOR AUTOMATIC DEFEAT WITHOUT A VOTE OF			
	THE ASSEMBLY		Indicate Documents Attached	
			<input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME		DIRECTOR'S NAME	
	Assembly		Dan Coffey, Assembly Chair	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	
	Julia Tucker, Assembly Counsel		343-4419	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE	
	Mayor			
	Municipal Clerk			
	Municipal Attorney			
	Employee Relations			
	Municipal Manager			
	Anchorage Parks & Recreation			
	Fire			
	Health & Human Services			
	Merrill Field Airport			
	Municipal Light & Power			
	Office of Management and Budget			
	Police			
	Port of Anchorage			
	Office of Economic & Community Development			
	Solid Waste Services			
	Public Transportation			
	Anchorage Water & Wastewater Utility			
	Executive Manager			
	Planning Department			
	Chief Fiscal Officer			
	Heritage Land Bank			
	Information Technology Department			
	Project Management & Engineering			
	Purchasing			
	Other			
5	Special Instructions/Comments			
	CONSENT AGENDA - INTRODUCTION			
6	ASSEMBLY HEARING DATE REQUESTED			
	3/18/08			
7	PUBLIC HEARING DATE REQUESTED			
	4/15/08			