Assembly Document Training

By: Municipal Attorney’s Office
and Assembly Counsel
Assembly Documents

• **AO** = Assembly Ordinance
• **AR** = Assembly Resolution
• **AM** = Assembly Memorandum
• **AIM** = Assembly Informational Memorandum
Assembly Documents: Substitutes

• $\text{AO(S)} = \text{Substitute Assembly Ordinance}$

• $\text{AR(S)} = \text{Substitute Assembly Resolution}$

• $\text{AM(A)} = \text{Substitute Assembly Memorandum}$
Step 1: WHICH DOCUMENTS DO I NEED?

- When do I need an ORDINANCE (“AO”)?
  - Adopt or Amend Code
  - Levy Taxes
  - Authorize Borrowing of Money
  - Grant, Renew, or Extend a Franchise
  - Utility Rate Change
  - Provide for a Fine
  - Adopt or Amend Zoning or Similar Land Use Control
  - Convey Real Property*

* Anchorage Charter § 10.02
WHICH DOCUMENTS DO I NEED?

• When to use a RESOLUTION ("AR")?
  • Public policy or position statements
  • Assessment Rolls (AMC 19.20.080)
  • Appropriations (AMC 6.10.085)
  • Marijuana & Alcohol Permits, Licenses
  • Deteriorated Property Exemptions (AMC 12.35.050)
  • Naming of Public Places (AMC 3.97)
  • Ratifying collective bargaining agreements (AMC 3.70)
• When do I need a MEMORANDUM ("AM")?

• Any time you are submitting an Ordinance
  • The "AM" is the sponsor’s statement of support - it should explain why the ordinance is being introduced.
  • Summarize changes in a substitute or “S”-versions

• Standalone Document
  • Contracts (AMC 7.15.040) and Contract Amendments (AMC 7.15.080A)
  • Levy of Water/Sewer Assessments (AMC Chapters 19.80 & 19.90)
  • Initiate the process for Naming of Public Places (AMC 3.97)
  • Collective Bargaining (AMC 3.70)
• When do I ask for an Informational Memorandum (“AIM”)?
  • You want to provide information to the Assembly about an item that would interest them, or the public in general.
  • Rezoning - submittal after Planning & Zoning Commission denial (AMC 21.03.160D.7.c.)
  • Neighborhood or District Plans (AMC 21.03.130)
  • Ombudsman Investigations (AMC 2.60.120)
  • Retiree Medical Funding (AMC 3.87.030)
  • Internal Audit reports, reports from Administration
WHICH DOCUMENTS DO I NEED? cont’d

When do I need a SUMMARY OF ECONOMIC EFFECTS (SEE)?

• **When required.** All proposed ordinances.
  • Assembly’s ordinances: sponsor may prepare a SEE, or request the department affected by the ordinance to prepare the SEE within 10 days (AMC 2.30.053C.)

• **When not required.** A summary of economic effects is not required if:
  1. No private sector economic effects and local government effects are less than $30,000.00, in which case a statement to this effect shall be included in the assembly memorandum
    “No public or private sector economic effects are anticipated, and pursuant to AMC 2.30.053 B.1., a Summary of Economic Effects (SEE) is thus not included.”
  2. The information is already included in the ordinance or appended materials, in which case a statement to that effect shall be included in the assembly memorandum.
  3. Assembly may waive the requirement.

AMC 2.30.053
**Public Hearing.** Required for all ordinances, some resolutions.

- Items which require a public hearing are introduced at one meeting, and the public hearing is held at a meeting “at least 7 days” after notice is published, per Charter 10.01(b).

- Exception: Assembly may set resolutions for public hearing with such notice as it determines.

**Consent Agenda**

- Items on the Consent Agenda do not require a public hearing and will be approved in one meeting. (Section 9.F. is to introduce public hearing items only.)
Deadlines
Start with your targeted Assembly Meeting date

- **REGULAR AGENDA**: Two Fridays prior at NOON is the deadline for sending FINAL document to the Clerk.
  - Meeting date minus 11 days

- **ADDENDUM**: Friday prior at NOON is the deadline for sending items.

- **LAID-ON-THE-TABLE**: 1 p.m. day of the Meeting is the deadline for items
  - Per AO 2020-30(S)am, Assembly must accept by 2/3 vote
Step 2: DRAFTING → Templates

Muniverse homepage: “Assembly Document Prep Guide”

- AO Template - Administration
- AO Template - Assembly Member Sponsor
- AM Template
- AIM Template
- SEE Template
• Some Assembly documents used frequently are recycled with only minor modifications
## DRAFTING → Legislative Formatting

<table>
<thead>
<tr>
<th>Code Amendment Version</th>
<th>New Language</th>
<th>Deleted Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original AO</td>
<td>New words, phrases, paragraphs, sections are underlined</td>
<td>Deletion of current code language: [DELETED WORDS, PHRASES, PARAGRAPHS, SECTIONS FROM CURRENT CODE ARE IDENTIFIED BY BRACKETS AND ALL CAPS]</td>
</tr>
</tbody>
</table>

*New language precedes [DELETED LANGUAGE]*
• Legislative formatting is critical to the process of conveying amendments to Code language, and required. (AMC 1.05.050)

• Used in Resolutions and non-Code amending Ordinances to show changes in Substitute versions, for clarity and transparency

• Comprehensive “Guidelines” are available on Muniverse. The reviewers in Legal and Assembly Counsel are also available for assistance.
<table>
<thead>
<tr>
<th>AO (S)</th>
<th>New words, phrases, paragraphs, sections are in bold and underlined</th>
<th>Deletion of current code language:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[DELETED WORDS, PHRASES, PARAGRAPHS, SECTIONS ARE IDENTIFIED BY BOLD, BRACKETS AND ALL CAPS]</td>
<td>Deletion of new language in AO:</td>
</tr>
<tr>
<td></td>
<td>[Deleted words, phrases, paragraphs, sections are identified by strikeout, bold, underlined and brackets]</td>
<td>Deletion of new language in AO or AO(S):</td>
</tr>
<tr>
<td>AO (S-1)</td>
<td>New words, phrases, paragraphs, sections are italicized and underlined</td>
<td>[DELETED WORDS, PHRASES, PARAGRAPHS, SECTIONS ARE IDENTIFIED BY ITALICS, IN BRACKETS AND ALL CAPS]</td>
</tr>
<tr>
<td>(2nd substitute for the original AO)</td>
<td></td>
<td>Deletion of new language in AO or AO(S):</td>
</tr>
<tr>
<td></td>
<td>[Deleted words, phrases, paragraphs, sections added to AO or AO(S) are identified by strikeout, italics, underline and brackets]</td>
<td></td>
</tr>
</tbody>
</table>
• **Title**
  - Must be an informative summary of the ordinance/resolution
  - All CAPS

• **WHEREAS clauses**
  - Findings of fact and statements of support for ordinance/resolution
  - Optional: do not have to include

• **ORDAIN (AO) or RESOLVE (AR) clauses**
  - Action Assembly is taking, i.e. approving a land transfer

• **Effective Date**
  - “This ordinance shall become effective immediately upon passage and approval by the Assembly.”
Where to find Guidelines: Muniverse

Muniverse homepage: “Assembly Document Prep Guide”

- Written by Municipal Attorney’s Office

Click on “Guidelines”

- Muniverse homepage:
  - “Assembly Document Prep Guide”
  - Written by Municipal Attorney’s Office
Where to find drafting help:

**Department of Law:**
- Deitra Ennis, Deputy Municipal Attorney. Assigns in Legal
  - Quincy Arms, Assistant Municipal Attorney
  - Jessica Willoughby, Assistant Municipal Attorney

**Assembly Department:**
- Dean Gates, Assembly Counsel
- Municipal Clerk’s Office - Recognition resolutions