

Submitted by: Assembly Chair
LaFrance, Vice Chair
Constant, Member Perez-
Verdia

Prepared by: Assembly Counsel
For reading: November 23, 2021

ANCHORAGE, ALASKA
AO No. 2021-117

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**
2 **MUNICIPAL CODE CHAPTER 2.30 RULES OF PROCEDURE FOR ASSEMBLY**
3 **TO CODIFY ADDITIONAL RULES OF PROCEDURE FOR THE ASSEMBLY AND**
4 **PRESIDING OFFICER TO PROMOTE THE EFFICIENT, SAFE AND ORDERLY**
5 **CONDUCT OF ASSEMBLY BUSINESS.**

6
7 **WHEREAS**, Anchorage Municipal Charter section 4.04(c) provides “[t]he assembly
8 by ordinance shall determine its own rules and order of business”;

9
10 **WHEREAS**, Anchorage Municipal Charter section 4.04(a) provides “[t]he assembly
11 shall elect annually from its membership a presiding officer known as ‘chair’”;

12
13 **WHEREAS**, the Anchorage Municipal Assembly has adopted Rules of Procedure
14 codified in Anchorage Municipal Code chapter 2.30 *Rules of Procedure for*
15 *Assembly*;

16
17 **WHEREAS**, Anchorage Municipal Code section 2.30.030I. provides that “In all
18 matters not covered by this chapter, Robert’s Rules of Order, Newly Revised, shall
19 govern”;

20
21 **WHEREAS**, some of the Assembly’s customary practices, such as those relating to
22 immediate reconsideration of an item, are addressed only in Robert’s Rules, and
23 not in municipal code;

24
25 **WHEREAS**, some of the rules and nomenclature contained in Robert’s Rules of
26 Order, Newly Revised, depart from traditional Assembly practice (e.g., to “lay [an
27 item] on the table,” in Assembly parlance, has been used to add an item to the
28 agenda, whereas the motion is used in Robert’s Rules to “lay [a] main motion aside
29 temporarily”);

30
31 **WHEREAS**, further codification of the Assembly’s rules of procedure in municipal
32 code can reduce confusion and provide greater clarity to the public;

33
34 **WHEREAS**, this ordinance will not have significant economic effects; now,
35 therefore,

36
37 **THE ANCHORAGE ASSEMBLY ORDAINS:**

38
39 **Section 1.** Anchorage Municipal Code chapter 2.30 is hereby amended to read

1 as follows (*the remainder of the section is not affected and therefore not set out*):

2 * * * * *
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4 **2.30.020 Presiding officer.**

- 5 A. The chair of the assembly shall be the presiding officer of the
 6 assembly.
- 7 B. The vice-chair of the assembly shall be the presiding officer of the
 8 assembly in the case of unavailability of the chair.
- 9 C. The presiding officer shall be addressed as "Chair."
- 10 D. The presiding officer shall be a member of the assembly with all of the
 11 power and duties of that office.
- 12 E. The chair shall have the authority to make rulings, subject to being
 13 overruled by vote of the assembly, to promote the efficient, safe and
 14 orderly conduct of Assembly business. That authority shall include:
- 15 1. *Establishment of a seating chart, arrangement of chambers.*
 16 The chair shall have the authority to establish a seating chart
 17 for individuals participating in an Assembly meeting, and to
 18 prescribe how the physical space of a premise used for an
 19 assembly meeting may be used.
 - 20 2. *Prohibited items.* The chair shall have the authority to prohibit
 21 members of the public from bringing dangerous or distracting
 22 items to Assembly premises, or to require an item to be
 23 removed from Assembly premises if it is being used to create
 24 an actual disturbance.
 - 25 3. *Removal for actual disturbance.* The chair shall have the right
 26 to order a person to be removed from a meeting for creating an
 27 actual disturbance to the meeting.
 - 28 4. *Direction to security.* The chair shall have the right to direct
 29 security guards at Assembly chambers, in furtherance of
 30 Assembly meeting purposes.
 - 31 5. *Signage.* The chair shall authorize signage posted at Assembly
 32 meetings, related to the Assembly meeting.
 - 33 6. *Safety rules.* The chair may adopt rules to promote the safety
 34 of members and attendees of assembly meetings.
 - 35 7. *Dilatory motions, points of order, and requests for information.*
 36 The chair shall rule out of order motions, points of order, and
 37 requests for information that are dilatory.
 - 38 8. *Non-germane requests for information.* The chair shall rule that
 39 a request for information is out of order if it is not germane to
 40 the pending motion or public hearing.
 - 41 9. *Recess.* The chair may temporarily recess a meeting for
 42 convenience, to restore order, or to resolve a technical issue.
 - 43 10. *Committee assignments.* The chair shall appoint assembly
 44 members to subcommittees of the assembly, and appoint a
 45 member to chair, or members to co-chair, each subcommittee.
 - 46 11. *Office assignments.* The chair shall assign members office

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space.

12. Direction to municipal clerk. The chair shall provide direction to the municipal clerk.

(AO No. 13-75; AO No. 78-49; AO No. 2017-53, § 4, 4-11-17)

* * * * *

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.

- 1 11. Unfinished business and unfinished action on public hearing
- 2 items.
- 3 12. Reserved.
- 4 13. Continued public hearings (shall begin no earlier than 6:00
- 5 p.m., and shall be taken up immediately following completion
- 6 of unfinished business and unfinished action on public hearing
- 7 items).
- 8 14. New public hearings (shall begin no earlier than 6:00 p.m. and
- 9 shall be taken up immediately following completion of
- 10 continued public hearings).
- 11 15. Quasi-Judicial or administrative matters and special orders.
- 12 16. Final audience participation.
- 13 17. Assembly comments.
- 14 18. Executive sessions.
- 15 19. Adjournment shall be promptly at 11:00 p.m.; provided,
- 16 however, by two-thirds vote of the assembly, adjournment and
- 17 business before the assembly may be continued past 11:00
- 18 p.m. until 12:00 midnight.

19 B. *Laid-on-the-table items.* Upon passage of a motion to amend the
 20 agenda duly made and seconded, any member of the assembly may
 21 request action on items not included in the regular or addendum
 22 agenda. A motion to “lay an item on the table” may be taken as a
 23 motion to amend the agenda.

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

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

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

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

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

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- 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)

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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 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 scheduled at each regular meeting. Audience participation is limited to three minutes of testimony per speaker, whether during initial or final scheduled audience participation. A person may testify on any topic; however, a person shall not testify on the speaker's own appearance request at the same meeting.

(AO No. 78-49; AO No. 79-137, 10-18-79; AO No. 94-177(S), § 2, 10-27-94; AO No. 2014-2(S), § 1, 2-25-14; AO No. 2017-53 , § 7, 4-11-17; AO No. 2020-30(S) , § 4, 4-28-20)

* * * * *

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. 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. The chair may, at the chair's discretion, extend the time for remarks beyond three minutes when

1 the speaker is representing a group. The speaker must focus
 2 testimony to the topic of the public hearing. An individual may use a
 3 portion of their allocated time to engage in silent protest, but while
 4 doing so, must not prevent the assembly from receiving other
 5 testimony while the individual's silent protest continues.

6 * * * * *

7 E. If any time scheduled for public hearing proves inadequate to hear all
 8 persons present to testify, the public hearing shall be continued.

9 1. Continued public hearing may be scheduled for any day of the
 10 week.

11 2. If the date, time, and location of continued public hearing
 12 cannot be announced when the public hearing is continued,
 13 public notice shall be given as soon as practicable.

14 F. If the assembly anticipates public hearing or assembly deliberation will
 15 draw more people than the assembly chambers will accommodate,
 16 additional space with audio or audio and video in the Wilda Marston
 17 Theater or other location will be used, if available, to facilitate seating
 18 for additional members of the public.

19 G. Notwithstanding subsection E. of this section, the assembly may close
 20 a public hearing:[.]

21 1. In order to meet a deadline imposed by law, [OR]

22 2. If necessary to pass an[BUDGET OR APPROPRIATION] item which
 23 is, in the sole discretion of the assembly, time sensitive[.],or

24 3. If the item for which the public hearing is being conducted is
 25 postponed indefinitely.

26 H. Questions posed by assembly members should be to provide
 27 clarification or additional information on testimony provided. Members
 28 shall not engage in debate with members of the public. Questions
 29 should not be used as an attempt to lengthen or expand the testimony
 30 of an individual. Assembly members shall use restraint and be
 31 considerate of the meeting time of the Assembly in exercising the
 32 option to pose questions. The chair may intervene if a member is
 33 violating the spirit of this subsection, or if questions become so
 34 numerous as to impair expeditious conduct of the public hearing.

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 36 (AO No. 2014-2(S), § 3, 2-25-14; AO No. 2017-53, § 10, 4-11-17; AO No.
 37 2020-137(S), § 2, 1-14-21)

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 39 **2.30.060 Public hearings and action on resolutions.**

40 A. The assembly may set public hearings on resolutions at such time and
 41 with such public notice as the assembly may determine.

42 B. Public hearings [AND ACTION] on proposed resolutions shall be
 43 conducted in compliance with section 2.30.055[THE PROCEDURES FOR
 44 ORDINANCES PURSUANT TO THE CHARTER AND THIS CHAPTER].

45 C. Action on proposed resolutions shall be governed by this chapter.
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(AO No. 78-49; AO No. 92-162; AO No. 94-176, § 3, 9-27-94; AO No. 95-227, 1-2-96; AO No. 2014-2(S), § 4, 2-25-14; AO No. 2017-53 , § 11, 4-11-17)

State Law reference— Permanent file required, AS 29.25.060.

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.*

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

2. *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.

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.

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

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

6. *Motion to reconsider.* A motion to reconsider a vote may be made only by a member who voted with the prevailing side and seconded by any other member of the assembly. The motion must be made and seconded during the meeting at which the action to be reconsidered was taken, or by written notification to the municipal clerk within 24 hours of the adjournment of the meeting by the moving party and second. A motion to reconsider may not be made regarding the assembly's action on whether to protest a state liquor license or marijuana license application, or on the assembly's certification of an election. Any member of the assembly may call up a motion to reconsider which has been duly made and seconded at any time during the meeting at which made, or at the next meeting of the assembly.

6. *Motion to reconsider and enter upon the minutes.* A motion to reconsider and enter upon the minutes is out of order, except in circumstances:

a. *Absent members.* When one or more assembly members is absent from the meeting; and

b. *Vote could have changed.* The absent members could have changed the outcome of the vote to be reconsidered, had the absent members been present and voted in the negative.

8. *Effect of motion to reconsider.* A proper motion to reconsider, once seconded, suspends implementation and effect of the

1 decision for which reconsideration is sought, until the assembly
2 takes action on that motion.

3 9. *Second motions to reconsider that are not in order.* No motion
4 or item can be reconsidered twice, unless it was materially
5 amended during the first reconsideration. The failure of an
6 immediate vote for reconsideration precludes a further motion
7 for reconsideration.

8 10. *Motion for a division of the assembly.* A motion for a division of
9 the assembly is out of order whenever the outcome of the
10 immediately prior assembly vote is clear.

11 11. *Motion to rescind or amend something previously adopted.* A
12 motion to rescind or to amend something previously adopted
13 may be moved by any member, but must be seconded. An
14 ordinance, resolution or memorandum may not be rescinded or
15 amended by motion after the effective date of the ordinance,
16 resolution, or memorandum. Other actions that cannot be
17 rescinded or amended by motion to amend something
18 previously adopted are as defined in Robert's Rules of Order,
19 Newly Revised.

20 a. *Approval.* A motion to rescind or to amend something
21 previously adopted requires the approval of two-thirds of
22 the entire assembly unless previous notice of the motion
23 has been given at the regular meeting immediately
24 preceding that meeting during which the motion is to be
25 considered. If previous notice of the motion has been
26 given, only a majority of the assembly is required for
27 approval.

28 b. *Further motions if motion fails.* Upon failure of a motion
29 to rescind for which previous notice has once been
30 given, no further motions or notices of intent to rescind
31 the same action are in order. Upon failure of a motion to
32 amend something previously adopted for which no
33 previous notice has been given, no further motions or
34 notices of intent to amend the same action, substantially
35 similar in substance to the failed motion to amend, are
36 in order.

37 c. *Time limit and suspension.* There is no time limit on
38 making either a motion to rescind or to amend
39 something previously adopted. The making of either
40 motion or the notice of intent to do so does not operate
41 to suspend the implementation or effect of any prior
42 Assembly action, in contrast to a proper motion to
43 reconsider, and the effective date of action is not
44 delayed.

45 C. *No Committee Motions.* Motions may not be referred to the assembly
46 by committee.

1 D. *Withdrawal.* A motion may be withdrawn by the mover at any time
 2 before it is voted upon without the consent of the second, or the
 3 assembly.

4
 5 **2.30.070 Voting and disclosure of financial and private interests.**

6 A. *Duty to vote.* All assembly members present shall vote on each
 7 question before the assembly for determination, unless excused by
 8 the chair or a quorum of the assembly as provided in subsection B.

9 B. *Duty to disclose financial or private interests.* Prior to participation in
 10 official action, each member shall disclose financial or private interests
 11 for determination of whether they are substantial. No member of the
 12 assembly may vote or participate in any official action of the assembly
 13 on any question in violation of Chapter 1.15, Code of Ethics.

14 C. *Stating the question.* The chair formally places a motion before the
 15 assembly by stating the question. The chair may state the question by
 16 referencing written items or amendments, which are incorporated into
 17 the chair's statement as if read in full.

18 D. *Announcing the vote; tie vote.* On completion of the vote, the chair of
 19 the assembly shall announce the number of affirmative votes, the
 20 number of negative votes and whether the action has carried or has
 21 failed. If the votes on a motion result in a tie, the motion fails.

22 E.[D.] *Votes required.*

23 1. An affirmative vote of six members of the assembly is required
 24 to carry any measure or motion before the assembly, unless a
 25 greater number is required by ordinance or the Charter. Any
 26 lesser number, even though it constitutes a majority of the
 27 members present, shall not carry and the measure shall be
 28 defeated.

29 2. Some assembly actions require a supermajority of eight votes
 30 of the assembly. Motions or actions that require eight votes (a
 31 supermajority or two-thirds) include:

32 a. The Charter:

- 33 • § 5.02(c) - motion to override mayoral veto;
- 34
- 35 • § 7.01(b) - motion to remove an elected official (see
- 36 also AMC 2.70.030B);
- 37
- 38 • § 18.02 - motion to approve an ordinance for voters
- 39 to amend the Charter;
- 40

41 b. Anchorage Municipal Code:

- 42 • 2.30.035A.14. & 20. - motion to extend the time of
- 43 the meeting;
- 44
- 45 • 2.30.080H. - motion to rescind or amend
- 46 something previously adopted without

1 prior notice;

- 2
- 3 • 2.70.030B. - motion to remove an elected official (see
- 4 also Charter at § 7.01(b));
- 5
- 6 • 3.70.100C.10.- motion to approve decision by
- 7 arbitrator after impasse;
- 8
- 9 • 14.20.010. - motion to remove administrative hearing
- 10 officer prior to expiration of term without
- 11 cause requires affirmative vote of the
- 12 mayor and six assembly members or eight
- 13 members of the assembly;
- 14
- 15 • 21.10.030.- motion to approve appointment of
- 16 members of the board of adjustment;
- 17
- 18 • 21.20.120.- motion to approve zoning map
- 19 amendment if the amendment is protested
- 20 by owners in the area under certain
- 21 specific circumstances;
- 22
- 23 • 21.20.140. - motion to approve an overlay district
- 24 zoning map amendment if the overlay
- 25 district amendment is protected by owners
- 26 in the area under certain specific
- 27 circumstances;
- 28
- 29 • 21.40.240T. - motion to approve a T zone use if the T
- 30 zone land use determination is protested
- 31 by the owners in the area under certain
- 32 specific circumstances;
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- 34 • 25.20.027E. - motion to approve an ordinance on the
- 35 limitations on the exercise of eminent
- 36 domain;
- 37
- 38 • 25.35.065A. - motion to designate and withdrawal of
- 39 municipal land to the Anchorage
- 40 Community Development Authority;
- 41
- 42 • 31.10.020 - motion to remove member of the board of
- 43 directors of the Anchorage Waste Water
- 44 Utility (AWWU) affirmative vote of the
- 45 mayor and six assembly members or eight
- 46 members of the assembly;

- 1
2 c. Other motions or actions as detailed in the Charter and
3 code.
4 • 2.30.080I. - other motions or actions not covered by
5 Chapter 2.30 are governed by Robert's
6 Rules of Order, Newly Revised, shall
7 govern.
8

9 F.[E.] *Numbers of members for determining a majority or supermajority (two-*
10 *thirds)*. Whenever this title refers to a vote of a majority or other greater
11 designated portion of the assembly, the vote required shall be the
12 designated portion of the number of members authorized to serve on
13 the assembly (11 members). A majority is not determined by a majority
14 of the members present.
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16 (AO No. 13-75; AO No. 78-49; AO No. 79-137; AO No. 80-56; AO No. 85-56;
17 AO No. 87-17(S); AO No. 94-191, § 1, 10-25-94; AO No. 2001-58, § 1, 3-20-
18 01; AO No. 2002-61, § 1, 3-19-02; AO No. 2005-79, § 1, 6-28-05; AO No.
19 2006-140(S-1), § 3, 1-1-07; AO No. 2017-53, § 12, 4-11-17; AO No. 2020-
20 30(S), § 6, 4-28-20)
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22 Editor's note— Subsection H. is repealed effective March 20, 2002 unless
23 renewed prior thereto.
24

25 Charter reference—Voting, §§ 4.02(d), 10.03; quorum, § 4.04(e); ordinances,
26 § 10.01.
27

28 Cross reference— Code of ethics, ch. 1.15.
29

30 State Law reference— Requirements for voting, AS 29.20.010.
31

32 **2.30.075 Absences, excused absences, and telephonic**
33 **participation.**

- 34 A. Unless a member is participating telephonically with advance approval
35 of the chair, a member of the assembly who is physically absent from
36 a regular or special meeting, including an executive session, will be
37 recorded as absent. A member of the assembly who is physically
38 absent from a regular or special meeting, including an executive
39 session, and not approved to participate telephonically, must obtain
40 approval from the chair for the absence to be an excused absence.
41 B. A member of the assembly who is participating telephonically under
42 this section may participate in and vote at the meeting by telephone
43 or other electronic means under the following circumstances:
44 1. The meeting is held with a quorum of members physically
45 present, except as expressly provided in subsection D. of this
46 section;

- 1 2. Reasonable technical capabilities are available at the meeting
 2 location to allow the member to participate, to include being
 3 able to hear and engage in discussion, and being audible to all
 4 persons participating in the meeting;
 5 3. The member participating telephonically has the ability to
 6 obtain the meeting agenda and other pertinent documents to
 7 be discussed and/or acted upon; and
 8 4. A member who is participating telephonically will have a voice
 9 vote.
- 10 C. Telephonic participation under this section shall include any means
 11 through which a member may participate remotely, to include being
 12 able to hear and engage in discussion, and being audible to all
 13 persons participating in the meeting.
- 14 D. When the mayor, governor, or federal government has declared an
 15 emergency, or for good cause by ruling of the chair, a quorum of
 16 assembly members may be established with the combined total of
 17 members physically or telephonically present.

18 (AO No. 2017-53 , § 13, 4-11-17; AO No. 2020-31 , § 1, 3-20-20)
 19

20 **2.30.080 Conduct of debate and discussion; general parliamentary**
 21 **authority.**

- 22 A. Obtaining the floor. The mayor or any assembly member, when
 23 desiring to speak at an assembly meeting, shall respectfully address
 24 the chair as "Chair," and shall refrain from speaking until recognized.
- 25 B. Order of recognition. Debate on any question before the assembly
 26 may be initiated by any member, but the moving party shall be given
 27 first opportunity to do so. When two or more members request
 28 recognition at the same time, the chair shall determine which one shall
 29 speak first. The chair may call on members in the order in which they
 30 indicated their desire to speak, or may attempt to alternate between
 31 those favoring and opposing a motion. No one is entitled to the floor a
 32 second time in debate on the same motion on the same day as long
 33 as any other member who has not spoken on this motion desires the
 34 floor.
- 35 C. Order and decorum; rulings of the chair. The chair shall be charged
 36 with the responsibility of maintaining order and decorum at all times.
 37 The chair shall make such rulings as deemed necessary concerning
 38 points of order or concerning spectators. [THE CHAIR SHALL INSTRUCT
 39 THE MEMBERS OF THE PUBLIC TO BE AS BRIEF AS POSSIBLE AND, WHEN
 40 SPEAKING AS AN INDIVIDUAL OR FOR A GROUP, TO CONTAIN THEIR REMARKS
 41 TO THREE MINUTES. THE CHAIR MAY, AT THE CHAIR'S DISCRETION, EXTEND
 42 THE TIME FOR REMARKS BEYOND THREE MINUTES WHEN THE SPEAKER IS
 43 REPRESENTING A GROUP.]
- 44 D. Overruling a chair's ruling. Any assembly member may challenge a
 45 ruling of the chair by motion to overrule the ruling of the chair.[,] [AND,
 46 IF DULY SECONDED, T]The chair's ruling shall stand unless the motion to

1 override receives a second and is passed[DISAPPROVED] by a majority
 2 vote of the assembly.

3 E. Member comments; chair's participation in debate. Every member,
 4 while speaking, shall confine the member to the subject under debate,
 5 and shall not refer to any other member except in a respectful manner.
 6 Members shall generally speak while seated. If the chair of the
 7 assembly wishes to speak in debate, the chair shall temporarily
 8 relinquish control of the meeting to the vice chair or, in the absence of
 9 the vice chair, to any other member present. At the conclusion of the
 10 chair's remarks, the chair shall resume control of the meeting.

11 F. Total time for debate. [DEBATE ON ANY QUESTION BEFORE THE ASSEMBLY
 12 MAY BE INITIATED BY ANY MEMBER, BUT THE MOVING PARTY SHALL BE GIVEN
 13 FIRST OPPORTUNITY TO DO SO.] Total debate on any question before the
 14 assembly shall not be permitted to exceed one hour unless such time
 15 is extended by a majority vote of the assembly.

16 G. Amendments and preambles. When an ordinance or resolution
 17 contains a preamble consisting of one or more statements beginning
 18 "whereas," the preamble may be amended before or after amendment
 19 of the resolving or ordaining clauses has been completed.

20 H. Previous question. Debate on any pending motion may be ended by
 21 motion to call the previous question. A member may make the motion
 22 by stating, "I call the question." A motion to call the question on a main
 23 motion to adopt a resolution or ordinance with a preamble applies to
 24 debate and amendment of a preamble, unless otherwise stated by the
 25 member making the motion.

26 [A MOTION TO RECONSIDER A VOTE MAY BE MADE ONLY BY A MEMBER WHO
 27 VOTED WITH THE PREVAILING SIDE AND SECONDED BY ANY OTHER MEMBER
 28 OF THE ASSEMBLY. THE MOTION MUST BE MADE AND SECONDED DURING THE
 29 MEETING AT WHICH THE ACTION TO BE RECONSIDERED WAS TAKEN, OR BY
 30 WRITTEN NOTIFICATION TO THE MUNICIPAL CLERK WITHIN 24 HOURS OF THE
 31 ADJOURNMENT OF THE MEETING BY THE MOVING PARTY AND SECOND. A
 32 MOTION TO RECONSIDER MAY NOT BE MADE REGARDING THE ASSEMBLY'S
 33 ACTION ON WHETHER TO PROTEST A STATE LIQUOR LICENSE OR MARIJUANA
 34 LICENSE APPLICATION.

35
 36 ANY MEMBER OF THE ASSEMBLY MAY CALL UP A MOTION TO RECONSIDER
 37 WHICH HAS BEEN DULY MADE AND SECONDED AT ANY TIME DURING THE
 38 MEETING AT WHICH MADE, OR AT THE NEXT MEETING OF THE ASSEMBLY; A
 39 MOTION TO RECONSIDER AND ENTER ON MINUTES MAY BE CALLED UP ONLY
 40 AT THE NEXT MEETING OF THE ASSEMBLY.

41
 42 A PROPER MOTION TO RECONSIDER, ONCE SECONDED, SUSPENDS
 43 IMPLEMENTATION AND EFFECT OF THE DECISION FOR WHICH
 44 RECONSIDERATION IS SOUGHT, UNTIL THE ASSEMBLY TAKES ACTION ON THAT
 45 MOTION.
 46

- 1 H. *MOTION TO RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED.* A
 2 MOTION TO RESCIND OR TO AMEND SOMETHING PREVIOUSLY ADOPTED MAY
 3 BE MOVED BY ANY MEMBER, BUT MUST BE SECONDED. AN ORDINANCE,
 4 RESOLUTION OR MEMORANDUM MAY NOT BE RESCINDED OR AMENDED BY
 5 MOTION AFTER THE EFFECTIVE DATE OF THE ORDINANCE, RESOLUTION, OR
 6 MEMORANDUM. OTHER ACTIONS THAT CANNOT BE RESCINDED OR AMENDED
 7 BY MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED ARE AS DEFINED
 8 IN ROBERT'S RULES OF ORDER, NEWLY REVISED.
- 9 1. *APPROVAL.* A MOTION TO RESCIND OR TO AMEND SOMETHING
 10 PREVIOUSLY ADOPTED REQUIRES THE APPROVAL OF TWO-THIRDS OF
 11 THE ENTIRE ASSEMBLY UNLESS PREVIOUS NOTICE OF THE MOTION
 12 HAS BEEN GIVEN AT THE REGULAR MEETING IMMEDIATELY
 13 PRECEDING THAT MEETING DURING WHICH THE MOTION IS TO BE
 14 CONSIDERED. IF PREVIOUS NOTICE OF THE MOTION HAS BEEN GIVEN,
 15 ONLY A MAJORITY OF THE ASSEMBLY IS REQUIRED FOR APPROVAL.
 - 16 2. *FURTHER MOTIONS IF MOTION FAILS.* UPON FAILURE OF A MOTION TO
 17 RESCIND FOR WHICH PREVIOUS NOTICE HAS ONCE BEEN GIVEN, NO
 18 FURTHER MOTIONS OR NOTICES OF INTENT TO RESCIND THE SAME
 19 ACTION ARE IN ORDER. UPON FAILURE OF A MOTION TO AMEND
 20 SOMETHING PREVIOUSLY ADOPTED FOR WHICH NO PREVIOUS NOTICE
 21 HAS BEEN GIVEN, NO FURTHER MOTIONS OR NOTICES OF INTENT TO
 22 AMEND THE SAME ACTION, SUBSTANTIALLY SIMILAR IN SUBSTANCE TO
 23 THE FAILED MOTION TO AMEND, ARE IN ORDER.
 - 24 3. *TIME LIMIT AND SUSPENSION.* THERE IS NO TIME LIMIT ON MAKING
 25 EITHER A MOTION TO RESCIND OR TO AMEND SOMETHING
 26 PREVIOUSLY ADOPTED. THE MAKING OF EITHER MOTION OR THE
 27 NOTICE OF INTENT TO DO SO DOES NOT OPERATE TO SUSPEND THE
 28 IMPLEMENTATION OR EFFECT OF ANY PRIOR ASSEMBLY ACTION, IN
 29 CONTRAST TO A PROPER MOTION TO RECONSIDER, AND THE
 30 EFFECTIVE DATE OF ACTION IS NOT DELAYED.]
- 31 I. *General adoption of Robert's Rules.* In all matters not covered by this
 32 chapter, Robert's Rules of Order, Newly Revised, shall govern.
- 33 J. *Minor deviations.* Minor deviations from the rules and procedures
 34 contained in this chapter and incorporated by the adoption of Robert's
 35 Rules of Order, Newly Revised, shall not be a basis for invalidating
 36 any otherwise valid assembly action.
- 37 K. *Non-member participation in debate.* The rules may be suspended to
 38 allow a person other than an Assembly member or the mayor to speak
 39 in debate, except that:
- 40 1. *Counsel.* The municipal attorney and assembly counsel may
 41 give an opinion, either written or oral, on legal questions; and
 - 42 2. *Municipal Staff.* Municipal employees may obtain the floor to
 43 respond to a question from an assembly member. As a
 44 courtesy to the mayor, when the mayor exercises the mayor's
 45 right under the Charter to participate in an assembly meeting to
 46 the same extent as an assembly member (except that the

mayor may not vote), the mayor also may call upon a municipal employee to make comments on the mayor’s behalf.

(AO No. 13-75; AO No. 78-49; AO No. 91-178(S); AO No. 2017-53 , § 14, 4-11-17; AO No. 2019-84 , § 1, 7-9-19; Ord. No. 2019-97 , § 1, 8-20-19)

*** *** ***

2.20.100 Minutes.

Minutes of assembly meetings shall be prepared by the municipal clerk. The minutes shall be in any form acceptable to the assembly that accurately reflects members’ attendance, motions, amendments, and votes.

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 _____, 2021.

Chair _____

ATTEST:

Municipal Clerk