

Presented by: The Manager
Presented:
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2986 vHRC1

A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.

WHEREAS, the Assembly relies on its committees to generate, review, and mature policies for later consideration by the Assembly, including committees that include all nine Assemblymembers; and

WHEREAS, the scope of Assembly committee power and the binding effect of votes taken by committees with all nine Assemblymembers is complicated because of Robert’s Rules of Order; and

WHEREAS, the following general rule of parliamentary law is expressed in various Robert’s Rules: “During the session in which the Assembly has decided a question, another main motion raising the same or substantially same question cannot be introduced.” (136:26-28); and

WHEREAS, Robert’s Rule 52, as applied to a body with less than 50 members like the Assembly, considers a vote taken at a Committee of the Whole a formal decision of the Assembly that is not voted on again (531:2-4); and

WHEREAS, while Robert’s Rule 52 clearly applies to the Committee of the Whole, it does not explicitly apply to the other nine-member committees like the Finance Committee; and

WHEREAS, application of Robert’s Rule 52 creates unnecessary complexities because the City and Borough of Juneau Charter 5.3(a) requires public comment opportunities when an ordinance is up for public hearing, which can be late in the development of a policy and public comment can enlighten a policy issue that necessitates amendments or renewal of previously decided motions without going through the cumbersome process to suspend the Assembly Rules or other procedural escape valves; and

WHEREAS, upon balancing the timing of public comment and the Assembly’s scarce meeting time, the Assembly amends the Assembly Rules of Order to reconcile the

39 unnecessary complexities created by Robert’s Rule 52 on the Committee of the Whole and
40 any other nine-member Assembly committee with the public comment requirement of
41 Charter 5.3(a) while recognizing occasionally a motion previously decided by a committee
42 may be renewed at the Assembly without being treated as dilatory; and
43

44 WHEREAS, the following additional amendments would clarify the rules and make
45 necessary changes to maximize public engagement, public body deliberations, and meeting
46 efficiency.
47

48 NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF
49 JUNEAU, ALASKA:
50

51 **Section 1. Rules of Procedure.** The following rules of procedure are adopted:
52

53 **RULE 1. AGENDA.**

54 A. Order of Business. At all regular meetings the order of business shall be:

- 55 I. Call to Order
- 56 II. Flag Salute
- 57 III. Land Acknowledgment
- 58 IV. Roll Call
- 59 V. Special Order of Business
- 60 VI. Approval of Minutes
- 61 VII. Manager’s Requests for Agenda Changes
- 62 VIII. Public Participation on Non-agenda Items (Not to Exceed a Total of 20
63 Minutes, Nor More than ~~Five~~ Three Minutes for Any Individual)
- 64 IX. Consent Agenda
 - 65 A. Public Requests for Consent Agenda Changes, Other than Ordinances
66 for Introduction
 - 67 B. Assembly Requests for Consent Agenda Changes
 - 68 C. Assembly Action
- 69 X. Ordinances for Public Hearing
 - 70 A. Administrative or Committee Reports
 - 71 B. Public Hearing
 - 72 C. Assembly Action
- 73 XI. Unfinished Business
 - 74 A. Administrative or Committee Reports
 - 75 B. Public Hearing
 - 76 C. Assembly Action
 - 77 D. Potential Issues for Reconsideration
- 78 XII. New Business
 - 79 A. Administrative or Committee Reports
 - 80 B. Public Hearing
 - 81 C. Assembly Action
- 82 XIII. Staff Reports

- 83 XIV. Assembly Reports
84 A. Mayor's Report
85 B. Committee, Liaison Reports, Assemblymember Comments and
86 Questions
87 C. Presiding Officer Reports
88 ~~XV. Assembly Comments and Questions~~
89 XV. Continuation of Public Participation on Public Participation on Non-agenda
90 Items
91 XVI. Executive Session
92 XVII. Supplemental Materials
93 XVIII. Adjournment

94 B. Agenda Preparation. The agenda shall be prepared by the Manager subject to
95 review and revision by the Mayor. The Mayor or the Manager shall brief the Assembly as to
96 any revisions. Other matters may be considered under administrative reports, unfinished
97 business, or new business as applicable.

98 C. Consent Agenda. The Manager shall include under the consent agenda:

- 99 1. Ordinances for introduction;
100 2. Resolutions;
101 3. Bid awards requiring Assembly concurrence; and
102 4. Other items requiring Assembly action which do not involve substantial public
103 policy questions.

104 The Manager shall include with the agenda such supplemental material or reports as may
105 be necessary to explain each item on the consent agenda and shall include a specific
106 recommendation for Assembly action on each item. Material, reports, and recommendations
107 submitted in writing to each member present and which are available for public inspection
108 prior to the Assembly meeting need not be read aloud, but the minutes shall reflect the
109 Manager's recommendation on each consent agenda item adopted. Upon adoption of a
110 motion to adopt the consent agenda, all consent agenda items subject to the motion are
111 adopted as recommended by the Manager. The motion to adopt may not be amended;
112 provided, upon the request of any member, an item on the consent agenda shall be removed
113 from the consent agenda and placed under the appropriate regular agenda item for
114 Assembly action. A notice or motion for reconsideration or a motion to rescind a consent
115 agenda motion shall contain reference to the specific consent agenda item which is the
116 subject of the notice or motion and only that item shall be affected by the notice or motion.

117

118 **RULE 2. MEETINGS.**

119 A. Date and Time of Regular Meetings. The Assembly shall regularly meet at 7:00
120 p.m. every third Monday according to a schedule approved by the Assembly and published
121 by the Clerk's office. The Assembly may by motion or otherwise change the date of a
122 meeting as may be necessary or convenient.

123 B. Place of Regular Meetings. Regular Assembly meetings shall be held in the
124 Assembly Chambers at the Municipal Building at 155 Heritage Way ~~South Seward Street,~~

125 Juneau, Alaska. However, the location of a regular meeting may be changed (a) up to 24
126 hours in advance of the meeting ~~(a)~~ by the Assembly, at a preceding regular or special
127 meeting, by motion or otherwise, upon designating a different place for a particular meeting;
128 or (b) if the meeting was previously noticed with remote participation, by the Mayor, the
129 committee chair, or any three Assemblymembers due to extenuating circumstances (i.e.
130 public health requirement, equipment or facility problem in Assembly Chambers, inability
131 to get a quorum in-person, weather) to hold the meeting virtually with only remote
132 participation (i.e. video conferencing technology).

133 C. Special Meetings. Special meetings may be called and held as provided by the
134 Charter.

135 D. Time of Adjournment. Meetings will adjourn at 11:00 p.m. unless extended by a
136 vote of at least six members.

137 E. Public seating area. People in a meeting room must comply with all laws, including
138 occupancy and public health requirements.

139

140 **RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.**

141 A. Excused Absences. Any absence of an Assemblymember from a regular meeting of
142 the Assembly shall be deemed to be unexcused unless the Assemblymember is absent from
143 the meeting as a result of attending to official business on behalf of the City and Borough of
144 Juneau, for extenuating medical reasons, or for other significant cause, in which case the
145 absence shall be deemed to be excused.

146 B. Attendance Report. Upon request of the Human Resources Committee, the
147 Manager shall direct the Clerk to provide to the Assembly quarterly reports on attendance
148 at regular Assembly meetings.

149

150 **RULE 4. LEGISLATION.**

151 A. Drafting. The Attorney shall draft ordinances and resolutions:

152 1. For presentation to the Assembly only

153 (a) by vote or consensus of the Assembly,

154 (b) by vote of a standing or ad hoc Assembly committee,

155 (c) by request of the Mayor, the Manager, or any member, or

156 (d) on the Attorney's own initiative to correct errors not otherwise correctable
157 in any section or to make amendments to Title 01.45 the Conflict of
158 Interest Code, Title 01.50 the Appellate Code, Title 01.60 the Regulation
159 Procedures Code, Title 03.30 the Code Enforcement Code, Title 42 the
160 Penal Code, or any section imposing duties on the Attorney.

161 2. For presentation to a standing or ad hoc Assembly committee only by vote of the
162 committee, request of its chair, or by direction of the Assembly.

163 B. Procedure. Upon presentation of an ordinance, any member may move that it be
164 introduced and set for public hearing, referred to committee, deferred, or rejected as
165 provided in Charter section 5.3. If the motion is for referral to committee, the Mayor shall
166 refer the ordinance to the appropriate committee. The Mayor's referral may be changed by a
167 majority vote of the members of the Assembly. If the motion is for introduction, the motion
168 shall set a date for the public hearing. All such motions may be amended.

169
170

RULE 5. COMMITTEES.

171 A. Standing Committees. The Assembly shall have the following standing committees:

- 172 1. Committee of the Whole
173 2. Finance Committee
174 3. Human Resources Committee
175 4. Lands, Housing, and Economic Development Committee
176 5. Public Works and Facilities Committee
177 6. Joint Assembly/School Facilities Committee (per Charter 13.8)

178 Any member of the Assembly may sit with any committee at all times; such member shall
179 have the right to participate in committee discussion except that members of the committee
180 shall have priority in obtaining the floor and only committee members may vote. Standing
181 committee meetings are work sessions without public testimony unless otherwise noticed at
182 the time of packet publication, or earlier, by the committee chair. Reasonable opportunity
183 for the public to be heard shall be allowed at committee meetings other than those
184 designated as work sessions.

185 B. Special Committees. The Assembly shall have such special committees as may be
186 considered necessary. Special committees automatically terminate upon completion of the
187 committee's assignment.

188 C. Selection, Process, and Duties of Committees of the Assembly.

189 1. Standing Committees.

190 (a) With the exception of the Committee of the Whole, the Finance Committee,
191 and the Human Resources Committee in proceedings pursuant to Rule
192 5(C)(2)(f), there shall be not more than four Assemblymembers appointed
193 to each standing committee of the Assembly. Each Assemblymember will
194 be appointed to at least one, but not more than three, standing committees,
195 in addition to the Finance Committee and the Committee of the Whole.

196 (b) Nominations for standing committee appointments and for the position of
197 chair of each such committee shall be made by the Mayor, and shall be
198 subject to ratification by the Assembly. In making nominations for
199 committee appointments, the Mayor shall strive to ensure, to the extent
200 reasonably possible, that there is a balance and diversity of opinion,
201 viewpoints, and perspective among the Assemblymembers nominated for
202 committee membership, and that there is at least one Assemblymember

203 nominated for appointment to each committee who has expertise in the
204 areas assigned to the committee.

205 (c) Each year following the regular municipal election, all Assemblymembers
206 will be given an opportunity to indicate in writing which of the standing
207 committees they request to serve on. At least two of the nominations for
208 appointment for each standing committee shall be made from those
209 Assemblymembers, if any, who have requested to serve on the committee
210 for which the appointments are to be made. The nomination for
211 membership and chair positions shall be made by the Mayor and ratified by
212 the Assembly within seven days of the second ~~first~~ meeting after the
213 certification of the regular municipal election each year. All committee
214 members shall be appointed to serve for a term expiring upon ratification
215 by the Assembly of the committee appointments following the next regular
216 municipal election. All committee members serve at the pleasure of the
217 Assembly.

218 (d) A standing committee may at the call of its chair or the vote of its
219 membership take up any matter within the scope of its charge established
220 by these rules and not pending as legislation authorized by the Assembly.
221 Matters not within the scope of any standing committee, or within the
222 scope of more than one standing committee shall be assigned by the Mayor.

223 (e) Each committee shall refer information to and coordinate activities with
224 other appropriate committees. Issues referred to another committee and
225 any directions to the Manager must have the concurrence of a majority of
226 the committee members.

227 2. Human Resources Committee. The Human Resources Committee may take up
228 issues relating to the health and well-being of Juneau citizens and their
229 participation in local government. The duties of the Human Resources
230 Committee shall include:

231 (a) Nominating citizens to all CBJ boards and commissions. Appointment to
232 such bodies shall be made by the full Assembly;

233 (b) Making recommendations to the full Assembly regarding the issuance,
234 renewal or transfer of liquor licenses, restaurant designation permits, and
235 marijuana licenses;

236 (c) Reviewing and proposing amendments to these Rules;

237 (d) Reserved.

238 (e) Reserved. ~~Overseeing Juneau's relations with its sister cities;~~

239 (f) Membership for Certain Appointments. The full Human Resources
240 Committee shall meet as needed to recommend appointments to the
241 Planning Commission, the Hospital Board, the Ski Area Board, the Docks
242 and Harbors Board, and the Airport Board, ~~and the Systemic Racism~~
243 ~~Review Committee.~~ The Mayor and all Assemblymembers shall serve as

244 members of the full Committee and the Human Resources chair shall serve
245 as chair at these meetings.

246 3. Finance Committee. The Finance Committee may take up issues relevant to
247 the fiscal status of the CBJ. The Mayor and all Assemblymembers shall serve as
248 members of the Finance Committee. ~~Finance Committee meetings will be~~
249 ~~conducted as work sessions unless public testimony is permitted by call of the~~
250 ~~Chair at least 24 hours in advance of the meeting.~~ The duties of the Finance
251 Committee shall include:

252 (a) Review of the Manager's proposed budget and recommendations to the
253 Assembly for a final budget;

254 (b) Review of the fiscal policies of the CBJ as deemed necessary by the
255 committee.

256 4. Committee of the Whole. The Committee of the Whole may take up those issues
257 within the jurisdiction of multiple committees and those warranting detailed
258 review prior to consideration by the Assembly. The Mayor and all
259 Assemblymembers shall serve as members of the Committee of the Whole.
260 Generally, the rules of the Assembly shall be followed in the Committee of the
261 Whole, provided that, at the discretion of the chair, the rules may be relaxed
262 and the rules relating to participation by the presiding officer and the number
263 of times a member may speak shall not be in effect unless otherwise ordered by
264 a majority of the committee. In preparing the committee agenda the chair shall
265 consult with the Mayor. ~~Committee of the Whole meetings will be conducted as~~
266 ~~work sessions unless public testimony is permitted by call of the Chair at least~~
267 ~~24 hours in advance of the meeting.~~

268 5. Lands, Housing, and Economic Development Committee. The Lands, Housing,
269 and Economic Development Committee may take up issues relevant to the
270 lands, housing, economic development, water or air within the City and
271 Borough. The duties of the Lands, Housing, and Economic Development
272 Committee shall include recommendations to the Assembly regarding:

273 (a) The preparation and revision of a land management plan and the
274 acquisition and disposal of CBJ lands;

275 (b) The administration of the lands fund and the mineral holdings of the CBJ;

276 (c) Implementation of the Long Range Waterfront Development Plan, and
277 issues relating to use and development of the CBJ waterfront;

278 (d) Promotion of improved housing availability in the City and Borough; and
279 (e) Promotion of a vibrant and diverse local economy.

280 6. Public Works and Facilities Committee. The PWFC may take up issues
281 relevant to the infrastructure of CBJ, including transportation and utilities.
282 The duties of the PWFC shall include:

- 283 (a) Making recommendations to the Assembly regarding the capital
284 improvement program required by Charter section 9.2 and other capital
285 improvement plans and lists;
- 286 (b) Advising each newly elected Assembly of unfinished capital projects to be
287 continued;
- 288 (c) Making recommendations to the Assembly regarding the preparation and
289 revision of an areawide transportation plan;
- 290 (d) Making recommendations related to energy efficiency, renewable resources,
291 waste reduction and recycling, global warming, and green building.
- 292 7. Special Committees. Nominations for special committee appointments and the
293 chair position of each special committee shall be made by the Mayor, and shall
294 be subject to ratification by the Assembly. In making nominations for special
295 committee appointments, the Mayor shall strive to ensure, to the extent
296 reasonably possible, that there is a balance of opinion, viewpoints, and
297 perspective among the Assemblymembers nominated for committee
298 membership, and that there is at least one Assemblymember nominated for
299 appointment to each such committee who has expertise in the areas assigned to
300 the committee. All members shall serve at the pleasure of the Assembly.

301 D. Scope of Committees. Committees, including the Committee of the Whole and the
302 Finance Committee, are empowered to only make recommendations. No vote taken at an
303 Assembly committee, including at the Committee of the Whole or at the Finance Committee,
304 is binding on the Assembly. At the Assembly, an Assemblymember is free to move the
305 Assembly to amend a prior adopted motion and renew a failed motion from a committee, and
306 such motions can pass by five votes in favor. Reserved.

307 E. Quorum of Committees. For the Committee of the Whole and the Finance
308 Committee, a majority of the membership shall constitute a quorum. For committees with
309 seven or eight members, four of the membership shall constitute a quorum, for committees
310 with four, five, or six members, three of the membership shall constitute a quorum. ~~For~~
311 ~~committees with four or fewer members, two of the membership shall constitute a quorum~~
312 ~~for the transaction of business.~~

313 F. Voting. The minimum vote required to take official action shall be the same as that
314 constituting a quorum; provided, however, that in the case of a tie vote, the action fails.

315 G. Role of Board Liaison. Board liaisons shall be recommended by the board to the
316 Assembly for approval. Any board liaison to an Assembly committee should sit with the
317 committee at all times. A board liaison may have the right to participate in committee
318 discussions at the pleasure of the chair of the Assembly committee except that Assembly
319 members of the committee shall have priority in obtaining the floor. Only Assembly
320 members on the committee may vote.

321

322 **RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.**

323 A. Appointment of Liaisons. The Mayor shall nominate one member of the Assembly
324 to serve as the liaison to each of the following City and Borough boards and commissions:

- 325 Planning Commission
- 326 Hospital Board
- 327 Docks and Harbors Board
- 328 Airport Board
- 329 School Board
- 330 Ski Area Board
- 331 ~~Aquatics Board~~

332 The nominations shall be subject to ratification by the Assembly. Liaisons to other entities
333 may be appointed from time to time.

334 B. Role of Assembly Liaison. Assembly liaisons serve as a link between the Assembly
335 and the board or commission to establish and maintain communication between the bodies
336 on issues, projects, and other matters of mutual concern and interest. Assembly liaisons
337 should regularly attend appointed board or commission meetings. Assembly liaisons shall
338 not have the power to vote on the board or commission and are not to be counted in
339 determining whether a quorum of the board or commission is present, unless specifically
340 identified as voting members in the governing legislation of a particular board. An Assembly
341 liaison may participate in board or commission discussions when invited by the board chair.

342 C. Other Meetings. The Assembly encourages its members to attend meetings of other
343 boards, commissions, and citizen groups and inform the Assembly on the activities of those
344 bodies and the issues before them, as appropriate.

345

346 **RULE 7. DEBATE.**

347 A. Speaking on the Question. A member or the Manager may speak more than once to
348 the same question at the same stage of proceedings provided that priority of access to the
349 floor shall be given to members who have not spoken on the question. Members shall
350 endeavor to provide the body with relevant facts and arguments and shall strive to avoid
351 redundancy.

352 B. Asking Questions. After obtaining recognition from the chair, a member may ask
353 direct questions of another member of the Assembly or to a person appearing before the
354 Assembly. The questions should not be argumentative.

355 C. Decorum. Members shall not question the motives, competency, or integrity of any
356 person except as necessary to decide an appeal, personnel evaluation, contract award, or
357 other matter in which such issues are clearly relevant. The chair shall admonish any
358 member violating this rule and if violations are severe or repeated, may without a vote
359 declare a recess not to exceed ten minutes.

360

361 **RULE 8. RULES OF PUBLIC PARTICIPATION.**

362 When permitted by Rule 14, public participation during hearings on ordinances and
363 matters other than appeals will be conducted according to the following rules, which will be
364 posted in the Assembly Chambers and at www.juneau.gov:

365 A. The hearing will be conducted by the Mayor as chair.

366 B. The Mayor will open the hearing by summarizing its purposes and reemphasizing
367 the rules of procedure.

368 C. The Mayor may set a time limit for public testimony, for individual speakers, or
369 both if it appears necessary to gain maximum participation and conserve time, and may for
370 the same reason disallow all questions from the Assembly to members of the public. The
371 time limit may be extended by a majority of the Assembly. The time limit for individual
372 speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not
373 have the right to transfer their unused time to other speakers, but the Mayor may grant
374 additional time to a person speaking on behalf of a group.

375 D. People are encouraged to submit written presentations and exhibits to the
376 Municipal Clerk and the Assembly via email (boroughassembly@juneau.gov
377 boroughassembly@juneau.org).

378 E. The Mayor will set forth the item or subject to be discussed and will rule non-
379 germane speech out of order. A member of the public may not be stopped for speaking
380 because of the viewpoint being expressed. However, a person may be stopped for disrupting,
381 disturbing, or impeding the meeting when speaking longer than the time limit, when being
382 unduly repetitious, or when discussing or presenting irrelevant matters. Such non-germane
383 speech disrupts, disturbs, or impedes public meetings when the Assembly is prevented from
384 accomplishing its business in a reasonably efficient manner or when the speech interferes
385 with the rights of other speakers. A person stopped for non-germane speech during a
386 meeting is welcome to submit a writing, presentation, recording, and exhibit to the
387 Municipal Clerk and to the Assembly via email (boroughassembly@juneau.gov
388 boroughassembly@juneau.org).

389 F. All speakers, public, and members of the Assembly will be recognized by the chair
390 by surname.

391 G. Members of the public will precede their remarks by stating their names and,
392 unless otherwise allowed by the Mayor, the area of town in which they reside.

393 H. Members of the Assembly will not direct questions to each other or to the chair
394 during public participation except as to the conduct of the hearing.

395 I. Members of the Assembly may direct questions to members of the public only to
396 obtain clarification of material presented. The questions should not be argumentative, nor
397 may they have the purpose or effect of unreasonably extending any time limit applicable to
398 public speakers.

399 J. The public may direct questions to the Assembly or the administration.

400 K. The public may direct questions to the chair only as it pertains to the conduct of the
401 hearing.

402 L. The Manager may participate in the same manner as the members of the Assembly.

403 M. There shall be an opportunity for public participation on non-agenda items at each
404 regular meeting of the Assembly. Such public participation shall be limited to no more than
405 20 minutes, with each speaker limited to a length of time set by the Mayor not to exceed ~~five~~
406 three minutes. Assemblymembers may ask questions of the speaker, but should not
407 deliberate at that time on matters raised, or answer questions directed to the members.

408 N. Members of the public that want to provide oral public comment via remote
409 participation must notify the Municipal Clerk prior to the meeting (i.e. call the Municipal
410 Clerk Office or register online, when available). A person is not required to notify the
411 Municipal Clerk prior to the meeting when providing in-person oral public comments.

412 O. Reasonable accommodations are available upon request. To the extent allowed by
413 law (i.e. A.S. 15.13.040 and A.S.15.13.145), a spokesperson designated by a person with a
414 disability wishing to provide oral public testimony should advise the Municipal Clerk.
415 Please contact the Clerk's office prior to any meeting, preferably 36 hours ahead, so
416 arrangements can be made if other accommodation requests like closed captioning or sign
417 language interpreter services are desired. The Clerk's office telephone number is 586-5278,
418 TDD 586-5351, e-mail: city.clerk@juneau.gov -city.clerk@juneau.org.

419

420 **RULE 9. MOTIONS.**

421 A. Seconds. Seconds to motions are not required.

422 B. Renewal of Defeated Motions. Defeated motions may be renewed only under
423 suspension of the rules.

424 C. Priority of Privileged Motions. Privileged motions shall have the following priority:

- 425 1. Fix time to adjourn
- 426 2. Give notice of reconsideration
- 427 3. Adjourn
- 428 4. Recess
- 429 5. Question of privilege of the body
- 430 6. Question of personal privilege

431

432 **RULE 10. CLERICAL ERRORS.**

433 Clerical errors that do not affect the substance of an ordinance or resolution, such as
434 errors in numbering or errors in spelling, may be corrected by the Attorney upon discovery
435 of the error.

436

437

438 **RULE 11. VOTE REQUIRED.**

439 The affirmative vote of five members of the Assembly shall be sufficient to take any
440 action except as otherwise provided by Charter or ordinance and except in the following
441 instances, which require the affirmative vote of at least six members:

- 442 A. Limiting, extending, or closing debates
- 443 B. Suspension of the rules
- 444 C. Setting of or postponement of special orders
- 445 D. Objection to consideration of question
- 446 E. Motion for immediate vote (previous question)
- 447 F. Rescind
- 448 G. To take up a motion for reconsideration at the meeting at which the action to be
449 reconsidered was taken

450

451 **RULE 12. PARLIAMENTARIAN.**

452 The Attorney shall act as the parliamentarian with the Municipal Clerk to act as
453 parliamentarian in the absence of the Attorney.

454

455 **RULE 13. SESSIONS.**

456 Each regular or special meeting of the Assembly constitutes a session for purposes of
457 the rules.

458

459 **RULE 14. PUBLIC PARTICIPATION ~~CONFINED TO THAT AGENDA ITEM.~~**

- 460 A. Public participation shall be permitted on all items on the agenda, except public
461 participation is not allowed on the following:
 - 462 i. for committee meetings advertised as work sessions only;
 - 463 ii. items before the body for information purposes only;
 - 464 iii. quasi-judicial items (i.e. appeals) after the body decided to accept the quasi-
465 judicial item for further consideration (CBJC 01.50.030(e)(1)). Public
466 participation—including by named parties—is authorized to aid the body in
467 deciding whether to accept an appeal, but public participation—including by
468 parties—is prohibited after the body makes the acceptance decision. This limited
469 public participation rule is necessary to protect the due process rights of the
470 parties.
- 471 B. Despite the prohibitions in Rule 14.A, the committee chair or majority of the body
472 may authorize public participation on a specific agenda item when in the best
473 interest of the community.
- 474 C. Public participation shall be permitted on a motion to recess into executive session
475 prior to the vote on such a motion.

476 D. When public participation is provided, public participation is confined to that agenda
477 item. No person except a member or the Manager may participate in Assembly proceedings
478 except as provided in the agenda item for public participation. However, the Attorney or
479 Municipal Clerk may comment on professional or procedural aspects.
480

481 ~~No person except a member or the Manager may participate in Assembly proceedings~~
482 ~~except as provided in the agenda item for public participation and except that the Attorney~~
483 ~~or Clerk may comment on professional or procedural aspects. Public participation shall be~~
484 ~~permitted on a motion to recess into executive session prior to the vote on such a motion.~~
485 ~~Public participation shall be permitted on all items on the agenda, except for meetings~~
486 ~~advertised as work sessions only, but shall not be permitted on items before the body for~~
487 ~~information or scheduling purposes except to the extent such public participation concerns~~
488 ~~scheduling only.~~

489

490 **RULE 15. RECONSIDERATION.**

491 A. What May Be Reconsidered. Main motions, amendments to main motions,
492 privileged motions involving substantive questions, and appeals are subject to
493 reconsideration. Procedural motions may not be reconsidered.

494 B. Who May Reconsider. Any member, whether or not that member voted on the
495 prevailing side, may give notice of or move for reconsideration.

496 C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all
497 action on the subject of the notice until a motion for reconsideration is made and acted upon
498 or until the time within which the motion for reconsideration may be made and acted upon
499 has expired.

500 D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires
501 unless a motion for reconsideration is made and acted upon prior to adjournment of the next
502 regular meeting succeeding the meeting at which the action to be reconsidered occurred.

503 E. Successive Reconsideration. There may be only one reconsideration even though
504 the action of the Assembly after reconsideration is opposite from the action of the Assembly
505 before reconsideration.

506 F. Precedence. A motion for reconsideration has precedence over every main motion
507 and may be taken up at any time during the meeting when there is no other motion on the
508 floor.

509 G. Effect. A motion for reconsideration completely cancels the previous vote on the
510 question to be reconsidered as though the previous vote had never been taken.

511

512 **RULE 16. REMOTE PARTICIPATION.**

513 When a meeting is conducted entirely remotely (i.e. video conferencing technology), then
514 all members are expected to attend remotely. The following apply to meetings that are held
515 completely in-person or as a hybrid (partially in-person and partially remotely):

516

517 A. A member may participate remotely in an Assembly meeting, or an Assembly
518 Committee meeting, if the member declares that circumstances prevent physical attendance
519 at the meeting. If the Mayor chooses to participate remotely, the Deputy Mayor shall
520 preside. If a committee chair chooses to participate remotely, they should designate an
521 alternative committee member to chair the meeting unless the entire meeting is held
522 remotely.

523 B. ~~Reserved. No more than the first three members to contact the Clerk regarding~~
524 ~~remote participation in a particular meeting may participate remotely at any one meeting.~~

525 C. The member shall notify the Clerk and the presiding officer, if reasonably
526 practicable, at least four hours in advance of a meeting which the member proposes to
527 attend remotely by and shall provide the physical address of the location, the telephone
528 number, and any available facsimile, email, or other document transmission service.

529 D. At the meeting, the Clerk shall establish the remote connection technology when
530 the call to order is imminent.

531 E. A member participating remotely shall be counted as present for purposes of
532 quorum, discussion, and voting.

533 F. The member participating remotely shall make every effort to participate in the
534 entire meeting and must have video turned on except during breaks. From time to time
535 during the meeting the presiding officer shall confirm the connection.

536 G. The member participating remotely may ask to be recognized by the presiding
537 officer to the same extent as any other member.

538 H. To the extent reasonably practicable, the Clerk shall provide backup materials to
539 members participating remotely.

540 I. If the remote technology connection cannot be made or is made then lost, the
541 meeting shall commence or continue as scheduled and the Clerk shall attempt to establish
542 or restore the connection, provided that if the member participating remotely is necessary to
543 achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the
544 remote connection is established or restored.

545 J. Meeting times shall be expressed in Alaska time regardless of the time at the
546 location of any member participating remotely.

547 K. Participation remotely shall be allowed for regular, special, and committee
548 meetings of the Assembly.

549 L. Remarks by members participating remotely shall be transmitted so as to be
550 audible by all members and the public in attendance at the meeting, provided that in
551 executive session the remarks shall be audible only to those included in the executive
552 session.

553 M. Any member of the public present with the member participating remotely shall be
554 allowed to speak to the same extent the person was physically present at the meeting.

555

556 N. As used in these rules, “remote” means any system for synchronous two-way voice
557 communication (i.e. telephone) or video conferencing technology. If a member needs to
558 participate remotely, video conferencing technology is preferred. “Mayor” includes the
559 Acting Mayor or any other member serving as chair of the meeting.

560 O. Regular and special meetings of the following entities must be recorded and live
561 broadcast in a manner that is reasonably calculated to provide meaningful remote public
562 observance and participation, when allowed, of the public meeting:

- 563 i. Assembly
- 564 ii. Assembly Standing Committees
- 565 iii. Planning Commission
- 566 iv. Hospital Board
- 567 v. Docks and Harbors Board
- 568 vi. Airport Board
- 569 vii. Ski Area Board
- 570 viii. Systemic Racism Review Committee

571 Any other board, commission, or committee meeting with anticipated substantial public
572 interest should be recorded and live broadcast in a manner that is reasonably calculated to
573 provide meaningful remote public observance and participation, when allowed, of the public
574 meeting.

575

576 **RULE 17. ADOPTION OF ROBERT’S RULES OF ORDER.**

577 The conduct of the meetings of Assembly shall be governed by the Mayor according to
578 the current edition of Robert’s Rules of Order, 11th Edition, except as otherwise provided by
579 Charter, law, or these rules.

580

581 **Section 2. Repeal of Resolution.** Resolution No. 2976 is repealed.

582 **Section 3. Effective Date.** This resolution shall be effective immediately after its
583 adoption.

584

585 Adopted this _____ day of _____ 2024.

586

587

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Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk