

Presented by: HRC
Introduced: 01/28/2002
Drafted by: J.R. Corso

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2130

A Resolution Reestablishing the Rules of Procedure for the Assembly of the City and Borough of Juneau, Alaska; Adopting Mason's Manual of Legislative Procedures as the Governing Rules Where Other Provision Is Not Made; and Repealing Resolution No. 2110.

WHEREAS, it is necessary for the orderly conduct of business that rules of procedure be adopted for the Assembly, and

WHEREAS, the rules set out by Mason in the Manual of Legislative Procedure, as modified by this resolution, are appropriate for the conduct of Assembly proceedings;

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

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

RULE 1. AGENDA.

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

- I. Flag Salute
- II. Roll Call
- III. Approval of Minutes
- IV. Manager's Requests for Agenda Changes
- V. Public Participation on Non-agenda Items (Not to Exceed a Total of 20 Minutes, Nor More than 5 Minutes for Any Individual)
- VI. Consent Agenda
 - A. Public and Assembly Requests for Consent Agenda Changes, Other than Ordinances for Introduction
 - B. Assembly Action

VII. Ordinances for Public Hearing

- A. Administrative or Committee Reports
- B. Public Hearing
- C. Assembly Action

VIII. Unfinished Business

- A. Administrative or Committee Reports
- B. Public Hearing
- C. Assembly Action

IX. New Business

- A. Administrative or Committee Reports
- B. Public Hearing
- C. Assembly Action

X. Staff Reports

XI. Assembly Reports

- A. Mayor's Report
- B. Committee Reports
- C. Liaison Reports
- D. Presiding Officer Reports

XII. Assembly Comments and Questions

XIII. Continuation of Public Participation on Public Participation on Non-agenda Items

XIV. Executive Session

XV. Adjournment

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

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- C. *Consent Agenda.* The Manager shall include under the consent agenda:
1. Ordinances for introduction;
 2. Bid awards requiring Assembly concurrence; and
 3. Other items requiring Assembly action which do not involve substantial public policy questions.

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

RULE 2. MEETINGS.

A. *Date and Time of Regular Meetings.* The Assembly shall regularly meet on the first and third Monday of each month at 7:00 p.m.; provided that if either the first or third Monday of a month is a day on which a holiday falls or is celebrated, the meeting scheduled for that day shall be rescheduled for the second Monday of the month; and provided further that if both the first and third Monday's of a month are days on which holidays fall or are celebrated, the meetings scheduled for those days shall be rescheduled for the second and fourth Monday's of the month, respectively. For purpose of this resolution, "holiday" means any day established as such by Alaska statute or proclaimed as such by the Governor of Alaska.

B. *Place of Regular Meetings.* Regular Assembly meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless the Assembly, at a preceding regular or special meeting has, by motion or otherwise, designated a different place for a particular meeting.

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

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

RULE 3. ASSEMBLYMEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.

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

B. *Attendance Report.* The Clerk shall provide to the Assembly on a quarterly basis a report on attendance at regular Assembly meetings.

RULE 4. ORDINANCES.

A. *Procedure.* Upon presentation of an ordinance, any member may move that it be introduced and set for public hearing, referred to committee, deferred, or rejected. If the motion is for referral to committee, the Mayor shall refer the ordinance to the appropriate committee. The Mayor's referral may be changed by a majority vote of the members of the Assembly. If the motion is for introduction, the motion shall set a date for the public hearing. All such motions may be amended.

RULE 5. COMMITTEES.

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

1. Committee of the Whole
2. Finance Committee
3. Human Resources Committee
4. Lands Committee
5. Public Works and Facilities Committee
6. Policy and Planning Committee

Any member of the Assembly may sit with any committee at all times; such member shall have the right to participate in committee discussion except that members of the committee shall have priority in obtaining the floor and only committee members may vote. Reasonable opportunity for the public to be heard shall be allowed at committee meetings other than those designated as work sessions.

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

C. *Selection of Committees of the Assembly.*

1. Standing Committees.

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

b. Nominations for standing committee appointments and for the position of chair of each such committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance and diversity of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each committee who has expertise in the areas assigned to the committee.

c. Each year following the regular municipal election, all Assemblymembers will be given an opportunity to indicate in writing which of the standing committees they request to serve on. At least two of the nominations for appointment for each standing committee shall be made from those Assemblymembers who have requested to serve on the committee for which the appointments are to be made. The nomination for membership and chair positions shall be made by the Mayor and ratified by the Assembly within seven days of the first meeting after the certification of the regular municipal election each year. All committee members shall be appointed to serve for a term expiring upon ratification by the Assembly of the committee appointments following the next regular municipal election. All committee members serve at the pleasure of the Assembly.

2. (a) Human Resources Committee. Membership for Certain Appointments. The Human Resources Committee shall meet at least twice each year to recommend appointments to the Planning Commission, the Hospital Board, the Ski Area Board, the Docks and Harbors Board, and the Airport Board. The Mayor and all Assemblymembers shall serve as members of the Committee at these meetings. The chair of the Human Resources Committee shall continue to serve as the committee chair for this process.

3. Finance Committee. The Mayor and all Assemblymembers shall serve as members of the Finance Committee. The Mayor shall nominate the chair of the Finance Committee, which nomination shall be subject to ratification by the Assembly. The nomination for chair shall be made and ratified within 30 days after the certification of the regular municipal election each year. The chair shall be appointed to serve for a term expiring upon ratification by the Assembly of the chair appointment following the next regular municipal election, and shall serve at the pleasure of the Assembly.

4. Committee of the Whole. The Mayor and all Assemblymembers shall serve as members of the Committee of the Whole. The Mayor shall nominate the chair of the Committee of the Whole which nomination shall be subject to ratification by the Assembly. Generally, the rules of the Assembly shall be followed in the Committee of Whole, provided that, at the discretion of the chair, the rules may be relaxed and the rules relating to participation by the presiding officer and the number of times a member may speak shall not be in effect unless otherwise ordered by a majority of the committee.

5. Special Committees. Nominations for special committee appointments and the chair position of each special committee shall be made by the Mayor, and shall be subject to ratification by the Assembly. In making nominations for special committee appointments, the Mayor shall strive to ensure, to the extent reasonably possible, that there is a balance of opinion, viewpoints, and perspective among the Assemblymembers nominated for committee membership, and that there is at least one Assemblymember nominated for appointment to each such committee who has expertise in the areas assigned to the committee. All members shall serve at the pleasure of the Assembly.

D. *Schedule for Regular Meetings of Standing Committees.* Annually at the first meeting of the Human Resources Committee following the ratification of standing committee appointments by the Assembly, the committee shall prepare a schedule for the regular meetings of each of the standing committees, with the exception of the Committee of the Whole and the Finance Committee. The schedule will be presented to the Assembly for approval at the next regular Assembly meeting. The schedule will be made available in the office of the Clerk and posted in at least four public locations throughout the City and Borough. The chairs of the Committee of the Whole and the Finance Committee shall schedule committee meetings as necessary.

E. *Quorum of Committees.* For the Committee of the Whole and the Finance Committee, a majority of the membership shall constitute a quorum for the transaction of business. For committees with five or more members, three of the membership shall constitute a quorum for the transaction of business. For committees with four or fewer members, two of the membership shall constitute a quorum for the transaction of business.

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RULE 6. ASSEMBLY LIAISONS TO BOARDS AND COMMISSIONS.

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

Planning Commission

Hospital Board

Harbor Board

Eaglecrest Board

Airport Board

School Board

The nominations shall be subject to ratification by the Assembly.

B. *Role of Liaison.* The role of the Assembly liaisons and alternate liaisons is to serve as a link between the Assembly and the board or commission for establishing and maintaining communication between the bodies on issues, projects, and other matters of mutual concern and interest. Assembly liaisons and alternate liaisons shall not have the power to vote on the board or commission, and are not to be counted in determining whether a quorum of the board or commission is present.

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

RULE 7. DEBATE.

A. *Speaking on the Question.* A member or the Manager may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question.

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

RULE 8. RULES OF PUBLIC PARTICIPATION.

When permitted by Rule 14, public participation during hearings on ordinances and matters other than appeals will be conducted according to the following rules, which will be posted in the Assembly Chambers:

- A. The hearing will be conducted by the Mayor as chair.
- B. The Mayor will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.
- C. The Mayor may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Assembly to members of the public. The time limit may be extended by a majority of the Assembly. The time limit for individual speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the Mayor may grant additional time to a person speaking on behalf of a group present in the chambers.
- D. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Manager's office more than three business days before a meeting and comprising 10 pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Clerk at the meeting provided that the submission includes at least 15 copies.
- E. The Mayor will set forth the item or subject to be discussed and will rule non germane comments out of order.
- F. All speakers, public, and members of the Assembly must be recognized by the chair.
- G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Mayor, their place of residence.
- H. Members of the Assembly will be recognized by the chair by name.
- I. Members of the Assembly will not direct questions to each other or to the chair during public participation except as to the conduct of the hearing.
- J. Members of the Assembly may direct questions to members of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.
- K. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.
- L. The public may direct questions to the chair only as it pertains to the conduct of the hearing.
- M. The Manager may participate in the same manner as the members of the Assembly.

RULE 9. MOTIONS.

- A. *Seconds.* Seconds to motions are not required.
- B. *Renewal of Defeated Motions.* Defeated motions may be renewed only under suspension of the rules.
- C. *Priority of Privileged Motions.* Privileged motions shall have the following priority:
 - 1. Fix time to adjourn
 - 2. Give notice of reconsideration
 - 3. Adjourn
 - 4. Recess
 - 5. Question of privilege of the body
 - 6. Question of personal privilege

RULE 10. CLERICAL ERRORS.

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

RULE 11. VOTE REQUIRED.

The affirmative vote of five members of the Assembly shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances:

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

The affirmative vote of at least six Assemblymembers shall be required to take any of the actions listed above.

RULE 12. PARLIAMENTARIAN.

The Attorney shall act as the parliamentarian.

RULE 13. SESSIONS.

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

RULE 14. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM.

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

RULE 15. RECONSIDERATION.

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

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

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

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

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

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

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

RULE 16. ADOPTION OF MASON'S MANUAL.

The conduct of the meetings of Assembly shall be governed by the Mayor according to the *Manual of Legislative Procedure* (1989 Edition) by Paul Mason, except as otherwise provided by Charter, law, or these rules.

Section 2. Repeal of Resolution. Resolution 2110 is repealed.

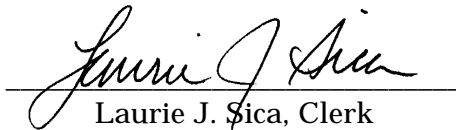
Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 28th day of January, 2002.



Sally Smith, Mayor

Attest:



Laurie J. Sica, Clerk