Presented by: Mayor Botelho
Introduced: 10/31/88
Drafted by: B.J.B.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1338

A RESOLUTION ADOPTING 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 NOS. 1136, 1175, 1177, 1211, 1241, 1249, AND 1294.

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

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

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

1. The following rules of procedure are adopted:

RULE 1. AGENDA.

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

I. FLAG SALUTE

II. INVOCATION

III. ROLL CALL

IV. APPROVAL OF MINUTES

SPECIAL ORDER OF BUSINESS

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (Not to exceed a total of 20 minutes, nor more than 5 minutes for any individual)

VII. ASSEMBLY COMMENTS AND QUESTIONS
(Not to exceed 15 minutes)

VIII. CONSENT AGENDA

A. Public Request for Consent Agenda Changes, Other Than Ordinances for Introduction

B. Administrative or Committee Reports

C. Assembly Action

IX. ORDINANCES FOR PUBLIC HEARING

A. Administrative or Committee Reports

B. Public Hearing

C. Assembly Action

X. UNFINISHED BUSINESS

A. Administrative or Committee Reports

B. Public Hearing

C. Assembly Action

XI. NEW BUSINESS

A. Administrative or Committee Reports

B. Public Hearing

C. Assembly Action

XII. ADMINISTRATIVE REPORTS ON NON-AGENDA ITEMS

XIII. MAYOR'S REPORT ON NON-AGENDA ITEMS

XIV. COMMITTEE REPORTS ON NON-AGENDA ITEMS

Committee Appointments

XV. ADDITIONAL ASSEMBLY COMMENTS AND QUESTIONS

XVI. CONTINUATION OF PUBLIC PARTICIPATION ON PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVII. ADJOURNMENT

B. The agenda shall be prepared by the Manager subject to review and revision by the Mayor. The Mayor shall brief the Assembly as to any revisions. In order for matters to appear on the agenda, they must be submitted to the Manager's office on or prior to noon on the third business day preceding the meeting. Other matters may be considered under administrative reports, unfinished business, or new business as applicable.

C. 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. The Assembly shall regularly meet on the first and third Monday of each month at 7:00 p.m.; provided that it shall meet on the first and second Monday of any month in which a holiday falls or is celebrated on the third Monday thereof, and shall meet on the second and third Monday of any month in which a holiday falls or is celebrated on the first Monday thereof. For purposes of this resolution, "holiday" means any day established as such by Alaska statute or proclaimed as such by the Governor of Alaska.

B. Regular Assembly meetings shall be held in the Assembly Chambers at the Municipal Building at 145 Marine Way, 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 may be called and held as provided by the Charter.

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

RULE 3. 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 committee he or she determines appropriate. The committee designated may be changed by a majority vote of the members of the Assembly. If the motion is for introduction, the motion shall also set a date for the public hearing. All such motions may be amended.

RULE 4. COMMITTEES.

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

(1) Assembly Planning Committee

(2) Committee on Committees

(3) Finance Committee

(4) Human Resources Committee

(5) Lands and Resources Committee

(6) Public Works and Facilities Committee

The Assembly shall have such special committees as may be considered necessary. Any member of the Assembly shall be privileged to 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. Special committees automatically terminate upon completion of the assignment given to them upon formulation of the committee.

B. Selection of Committees of the Assembly.

(1) Voting Membership. Any person qualified to vote under Section 6.3 of the Charter shall be eligible for voting committee membership.

(2) Standing Committees. With the exception of the Finance Committee, 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. 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 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. 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 being made. Nominations for standing committee appointments and the chair positions shall be made by the Mayor and ratified by the Assembly within thirty days 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, and shall serve at the pleasure of the Assembly.

(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. Such nomination shall be so made and ratified within thirty 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) Special Committees. Nominations for special committee appointments and the chair position of each such 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.

C. 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. Upon rising of the Committee of the Whole, the Mayor resumes the chair and the chair of the Committee of the Whole shall make a report of the proceedings and recommendations of the Committee of the Whole to the Assembly. Generally, the rules of the Assembly shall be followed in the Committee of the 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. Reasonable opportunity for the public to be heard shall be allowed.

D. Schedule for Regular Meetings of Standing Committees. Annually at the first meeting of the Committee on Committees 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 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 chair of 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 committee's 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.

RULE 5. DEBATE.

A. 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. 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.

C. Consideration of an ordinance by paragraph shall not be required unless demanded. A demand that consideration by paragraph take place may be overridden by a majority vote of the Assembly.

RULE 6. RULES OF PUBLIC PARTICIPATION.

When permitted by Rule 13, 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:

(1) The hearing will be conducted by the Mayor as chair.

(2) The Mayor will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.

(3) The Mayor may set a time limit on speakers if it appears necessary to gain maximum participation and conserve time. Such time limit may be extended by a majority of the Assembly.

(4) Citizens will be encouraged to submit written presentations and exhibits.

(5) The Mayor will set forth the item or subject to be discussed and will rule non germane comments out of order.

(6) All speakers, public, and members of the Assembly must be recognized by the chair.

(7) Members of the public will precede their remarks by stating their names and place of residence.

(8) Members of the Assembly will be recognized by the chair by name.

(9) Members of the Assembly will not direct questions to each other or to the chair during public participation except as to conduct the hearing.

(10) Members of the Assembly may direct questions to members of the public only to obtain clarification of material presented. Such questions may not be argumentative.

(11) The public may direct questions to the Assembly or the administration. Such questions may not be argumentative.

(12) The public may direct questions to the chair only as it pertains to conduct of the hearing.

(13) The Assembly and the public will refrain from argument and debate.

(14) The Manager may participate in the same manner as the members of the Assembly.

RULE 7. 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 8. OBJECTIONS TO CONSIDERATION.

Objections to consideration of a question may apply to communication as in other cases.

RULE 9. 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 staff upon discovery of such error.

RULE 10. 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:

(1) Limiting, extending, or closing debates

(2) Suspension of rules

(3) Setting of or postponement of special orders

(4) Objection to consideration of question

(5) Motion for immediate vote (previous question)

(6) Rescind

(7) To take up 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 11. PARLIAMENTARIAN.

The Attorney shall act as the parliamentarian.

RULE 12. SESSIONS.

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

RULE 13. 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 to 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 14. 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 to reconsider is made and acted upon or until the time within which such motion may be made 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 but 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 cancels the previous vote on the question to be reconsidered as completely as though it had never been taken.

RULE 15. ADOPTION OF MASON'S MANUAL.

The conduct of the meetings of the Assembly shall be governed by the Mayor according to Manual Legislative Procedure (1962 edition) by Paul Mason, except as otherwise provided by Charter, law, or rules.

2. Repeal of Resolutions. Resolution Serial Nos. 1136, 1175, 1177, 1211, 1241, 1249, and 1294, and any and all parts

of any other resolution(s) inconsistent with this resolution, are repealed.

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

Adopted this 31st day of October, 1988.

Mayor

Attest:

Clerk