

Proposed by:	Civic Affairs Committee
Attorney Review:	09/08/2022
Vote:	<input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
RESOLUTION NO. 22-30R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING RESOLUTION 18-05R ESTABLISHING THE ASSEMBLY RULES OF PROCEDURE.**

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

**WHEREAS**, SMC Chapter 3.01, Mayor, Assembly, and Central Administration, sets out certain rules of procedure for the Assembly; and

**WHEREAS**, this resolution is intended to establish rules of procedure not already addressed in municipal code, and to set out further details on certain rules of procedure, in order to further assist the Assembly in the orderly conduct of business; and

**WHEREAS**, the Civic Affairs Committee met July 27, 2022 and recommended that a procedure for acceptance of written comments be addressed.

**NOW THEREFORE BE IT RESOLVED** by the Assembly of the Municipality of Skagway, Alaska:

**Section 1. Rules of Procedure.** The following rules of procedure are adopted and shall apply in addition to the rules of procedure set out in SMC Chapter 3.01:

**RULE 1. ORDER OF BUSINESS.**

The order of business for a Regular Assembly meeting is governed by SMC 3.01.060(F). The order of business for a Special Assembly meeting is governed by SMC 3.01.060(G).

**RULE 2. AGENDA PREPARATION.**

- A. The agenda for a Regular Assembly meeting shall be prepared by the Borough Clerk subject to review and revision by the Manager and Mayor.
- B. Amendments to the agenda after initial publication shall be approved by the Manager and Mayor prior to publication.
- C. The agenda for a Special Assembly meeting shall be prepared by the Borough Clerk:
  - 1. in the case of a special meeting scheduled by the Assembly or the Mayor, the agenda shall be subject to review, revision, and approval by the Manager and Mayor;
  - 2. in the case of a special meeting called by at least two Assembly members, the agenda shall be subject to review, revision, and approval by the Assembly members who called the meeting.
- D. An Assembly member may add an item to the agenda by:
  - 1. initiating an agenda item in an open meeting with the support of three other Assembly members; or

2. submitting a request to the Borough Clerk by 5:00 p.m. seven (7) days prior to the next regular Assembly meeting.

**RULE 3. MEETINGS.**

- A. Rules regarding Assembly meetings are governed by SMC 3.01.060(A) – (E).
- B. A Special Assembly meeting may be scheduled by the Assembly, the Mayor, or at least two Assembly members.
- C. Committee meetings shall be scheduled by the committee chair as needed to address issues under the purview of that particular committee.
- D. A regular Assembly meeting may be canceled or rescheduled by majority vote of the Assembly.
- E. A special Assembly meeting, scheduled by the Mayor may be canceled by the Mayor.
- F. A special Assembly meeting, scheduled by a majority vote of the Assembly may be canceled by a majority vote of the Assembly.
- G. A special Assembly meeting, scheduled by two Assembly members may be canceled by the Assembly members who called for the special Assembly meeting.
- H. The Borough Clerk may cancel any Assembly meeting if notified that a lack of an available quorum will exist; the clerk will attest to this circumstance occurrence.

**RULE 4. ASSEMBLY MEMBER ATTENDANCE POLICY FOR REGULAR MEETINGS.**

- A. The attendance policy for regular meetings is governed by SMC 3.01.035(A)(9), SMC 3.01.035(E), and SMC 3.01.070.
- B. If a member of the Assembly misses three (3) consecutive regular meetings and is not excused, the Assembly shall declare the Assembly seat vacant.
- C. The Mayor or an Assembly member may attend four (4), two (2) consecutive, regular Assembly meetings by telephone during the twelve (12) month period commencing January 1 of each year. Additional rules on participation in regular, special, and committee of the whole meetings by teleconference are set out in SMC 3.01.070.
- D. If the Mayor or an Assembly member will participate in an Assembly meeting via telephone, that member shall notify the Borough Clerk in writing at least forty-eight (48) hours prior to the meeting per SMC 3.01.070(A)(7).
- E. If the Mayor or an Assembly member will be absent they must notify the Borough Clerk as soon as possible.

**RULE 5. LEGISLATION.**

- A. The procedure for the adoption of ordinances is governed by SMC 3.01.080(B). Ordinances may be presented to the Assembly for introduction by the Assembly, an individual Assembly member, the Mayor, or an Assembly standing committee. Upon presentation of an ordinance, any member may move that it be introduced and set for hearing, which shall be approved by the affirmative vote of a majority of the assembly members.
- B. Resolutions may be presented to the Assembly for action by the Assembly, an individual Assembly member, the Mayor, the Manager, or an Assembly standing committee.

- C. All ordinances and resolutions shall be reviewed by the Borough Attorney prior to presentation for introduction.
- D. The Borough Clerk will assist in writing legislation to ensure proper format, and will provide advice and guidance regarding content upon request.

**RULE 6. COMMITTEES.**

The Assembly standing committees and the Assembly of the Whole Committee are governed by SMC 3.01.090. Ad hoc committees are governed by SMC 3.01.0045(G). Other boards, commissions, and committees are governed by the applicable chapters of the Skagway Municipal Code.

**RULE 7. ASSEMBLY LIAISONS TO BOARDS, COMMISSIONS, AND COMMITTEES.**

- A. The Mayor shall nominate one member of the Assembly to serve as the liaison to each of the Municipality's boards, commissions, and committees, including but not limited to the following boards, commissions, and committees established in municipal code:
  - Recreation Board (SMC 3.09)
  - Museum Board (SMC 3.10)
  - Library Board (SMC 3.12)
  - Convention and Visitors Bureau Board (SMC 3.14)
  - Dyea Community Advisory Board (SMC 3.15)
  - School Board (SMC 3.16.020)
  - Dahl Memorial Clinic Board of Directors (SMC 3.17)
  - **Ports and Harbors Advisory Board (SMC 12.02)**
  - ~~Skagway Port Commission (SMC 12.01)~~
  - ~~Harbors Advisory Board (SMC 12.06)~~
  - Solid Waste Advisory Committee (SMC 13.22)
  - Planning and Zoning Commission (SMC 19.02)
  - Historic District Commission (SMC 19.10)
- B. The nominations shall be subject to confirmation by the Assembly.
- C. Assembly liaisons serve as a link between the Assembly and the board, commission, or committee to establish and maintain communication between the bodies on issues, projects, and other matters of mutual concern and interest.
- D. Assembly liaisons are not required to regularly attend board, commission, or committee meetings; but if they do, they shall not have the power to vote on the board, commission, or committee, and are not counted in determining whether a quorum of the board, commission, or committee is present, unless otherwise authorized in municipal code.

**RULE 8. DEBATE.**

- A. Speaking on the Question. An Assembly 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. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.

- 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.
- C. Decorum. Assembly members shall not question the motives, competency or integrity of any person except as necessary to decide an appeal, personnel evaluation, contract award, or other matter in which such issues are clearly relevant. The chair shall admonish any member violating this rule and if violations are severe or repeated, may declare a recess not to exceed ten minutes.

#### **RULE 9. RULES OF PUBLIC PARTICIPATION.**

Public participation during hearings on ordinances and matters other than appeals will be conducted according to the following rules:

- 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.
- D. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Clerk's office more than three business days before a meeting and comprising five double-sided 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 5 copies, or more as determined by the Clerk.
- E. **The public is encouraged to provide written comments for the Assembly prior to 4:30 p.m. the day before an Assembly meeting. No written comments will be processed after 4:30 p.m. the day before an Assembly meeting. After that time, members of the public desiring to comment must do so verbally at the Assembly meeting.**
- F. The Mayor will set forth the item or subject to be discussed and will rule non-germane comments out of order.
- G. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Mayor, their city of residence.
- H. 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.
- I. 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.
- J. The public may direct questions to the Assembly or the administration. The questions may not be argumentative.
- K. The public may direct questions to the chair only as it pertains to the conduct of the hearing.
- L. The Manager may participate in the same manner as the members of the Assembly.

- M. There shall be an opportunity for public participation on non-agenda items at each regular meeting of the Assembly. Assembly members may ask questions of the speaker, but shall not deliberate at that time on matters raised, or answer questions directed to the members.

**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 Borough Clerk upon discovery of the error.

**RULE 11. VOTING REQUIRED AT ASSEMBLY MEETINGS.**

In accordance with SMC 3.01.065, each member present shall vote on every question, unless required by law to abstain from voting on a question.

**Section 2. Effective Date.** This resolution shall be effective immediately after its adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 1<sup>st</sup> day of March, 2018.

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Andrew Cremata, Mayor

ATTEST:

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Steve Burnham Jr, Borough Clerk

(SEAL)