

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY OF DILLINGHAM, ALASKA, AMENDING DILLINGHAM MUNICIPAL CODE CHAPTER 2.09, CITY COUNCIL MEETINGS, AND APPLICABLE PROVISIONS GOVERNING ALL CITY BOARDS AND COMMISSIONS, TO AUTHORIZE THE USE OF UNANIMOUS CONSENT FOR ACTIONS OF THE CITY COUNCIL, BOARDS, AND COMMISSIONS, WITH A RECORDED ROLL CALL VOTE REQUIRED WHEN UNANIMOUS CONSENT IS NOT ACHIEVED, INCLUDING WHEN MEMBERS PARTICIPATE TELEPHONICALLY OR BY VIDEOCONFERENCE.

WHEREAS, Dillingham Municipal Code Chapter 2.09 governs the conduct of City Council meetings and voting procedures, including the manner in which actions are taken and recorded; and

WHEREAS, DMC § 2.09.160 requires ordinances, resolutions, and substantive motions to be decided by recorded roll call vote when a vote is taken; and

WHEREAS, the City Council desires to promote efficient, collaborative, and orderly meetings by authorizing the use of unanimous consent, at the discretion of the presiding officer or the body, on actions of the council, including ordinances, resolutions, motions, appropriations, contracts, and other matters within the council's authority, including when one or more members participate remotely by telephone or videoconference; and

WHEREAS, unanimous consent is a recognized parliamentary procedure that permits action to be taken without a roll call vote when no member objects, while preserving the requirement for a recorded roll call vote whenever unanimous consent is not achieved; and

WHEREAS, for purposes of this ordinance, substantive actions are those actions that establish policy, adopt ordinances or resolutions, appropriate or expend funds, approve contracts, or otherwise take final action affecting the legal rights, duties, or obligations of the City, a board, a commission, or the public; and

WHEREAS, the City Council finds it appropriate to authorize the use of unanimous consent equally by the City Council and all city boards and commissions, including when one or more members participate remotely by telephone or videoconference, unless otherwise expressly provided by law or ordinance; and

WHEREAS, the City Council further finds that this ordinance does not conflict with DMC § 2.76.060 or other provisions governing boards and commissions that require roll call votes for substantive actions, as those requirements remain in full force and effect

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DILLINGHAM, ALASKA:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment to DMC Chapter 2.09, City Council Meetings.

DMC 2.09.160, Voting, is hereby ~~repealed~~ and reenacted to read as follows [new language underlined and emboldened and deleted text displayed in strikeout font]:

...

2.09.160 Voting.

A. Except as otherwise provided in this section, every ordinance, resolution, or substantive motion of the council shall be decided by a recorded roll call vote.

B. Every member who is present and eligible to vote shall vote unless the member states a conflict of interest or other legal basis for abstention as required by law.

C. Unanimous consent authorized. Except as otherwise required by law, the presiding officer or the council may seek unanimous consent for any action of the council, including ordinances, resolutions, motions, appropriations, contracts, and other matters within the council’s authority. The presiding officer shall clearly state the proposed action and ask whether there is any objection. If no objection is stated by any member participating, whether in person or remotely, the action is approved by unanimous consent and shall be recorded in the minutes as approved by unanimous consent. If any objection is stated, or if a member participating remotely is unable to hear the proceedings or be heard when recognized, the council shall proceed by motion and a recorded roll call vote in accordance with this section.

D. Boards and commissions. Unless otherwise expressly provided in this code or required by law, boards and commissions of the City of Dillingham may use the unanimous consent procedure described in subsection C of this section when conducting meetings, including when one or more members participate by telephone or videoconference.

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Section 3. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected.

Section 4. Effective Date. This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on _____, 2026.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Abigail Flynn, City Clerk