
Section 2.20.100 Vacancies.

An elected city office is vacated under the following conditions. The council shall declare an office vacant when the person elected:

- (a) Fails to qualify or take office within thirty (30) days after election or appointment; or
- (b) Is physically absent from the city for a ninety-day period, unless excused by the council; or
- (c) Resigns and the resignation is accepted; or
- (d) Is physically or mentally unable to perform the duties of office; or
- (e) Is removed from office by recall as prescribed by AS 29.26.240—29.26.360; or
- (f) Is unexcused from any five (5) meetings in a calendar year including, but not limited to work sessions, and regular or special meetings.
- (g) Is convicted of a felony or of an offense involving a violation of his or her oath of office.
- (h) If a vacancy occurs on the city council, the remaining members within ninety (90) days of the vacancy, and subject to AS 29.20.180, appoint a qualified candidate (CoG [Section] 5.10.090) to fill the vacancy in accordance with the procedures established in Section 2.20.110. The person appointed to fill the vacancy shall serve until the next regular election and until a successor is elected and has qualified for the vacated council seat. The elected successor shall serve the remainder of the term of the vacated council seat.

(Ord. No. FY 14-13, 4-14-2014)

Section 2.30.040 City council member attendance policy for regular meetings.

- (a) Any absence of a city council member from a regular meeting of the city council shall be deemed to be unexcused unless the city council member is absent from the meeting as a result of attending to official business on behalf of the City of Gustavus, for extenuating medical reasons, or for other significant cause as determined by the city council, in which case the absence shall be deemed to be excused.
- (b) The mayor shall direct the clerk to provide to the city council quarterly reports on the regular city council meeting attendance.

Section 2.40.140 Telephonic participation.

- (a) Any member of the city council may participate via telephone in a city council meeting, if the member declares that circumstances prevent physical attendance at the meeting.
- (b) No more than the first two (2) members to contact the clerk regarding telephonic participation in a particular meeting may participate via telephone at any one (1) meeting. No member may participate telephonically at more than three (3) general meetings in any twelve-month period, October to October. There shall be no limit to the number of special or emergency meetings that a member may participate in telephonically. A member may participate telephonically only from locations within the United States, unless the member agrees to pay the costs of international telephone service.
- (c) The member shall notify the clerk and presiding officer, if reasonably practicable, at least four (4) hours in advance of a meeting which the member proposes to attend by telephone and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.
- (d) At the meeting, the clerk shall establish the telephone connection when the call to order is imminent.

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- (e) A member participating by telephone shall be counted as present for purposes of quorum, discussion, and voting.
 - (f) The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting the chair shall confirm the connection.
 - (g) The member participating by telephone may ask to be recognized by the mayor to the same extent as any other member.
 - (h) To the extent reasonably practicable, the clerk shall provide backup materials to members participating by telephone.
 - (i) If the telephone connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the clerk shall attempt to establish or restore the connection, provided that if the member participating by telephone is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the telephone connection is established or restored.
 - (j) Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating by telephone.
 - (k) Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.
 - (l) As used in this ordinance, "telephone" means any system for synchronous two-way voice communication.