

standing rules adopted by the City Council. In all other cases, bylaws, the code or the standing rule shall prevail.

c. The Council's agenda format specified in the City of Homer City Council Operating Manual, as the same may be amended from time to time, is incorporated herein by reference.

1. The manual may be revised with Council approval;
2. A copy of the manual shall be available to the public during regular business hours at the Homer City Hall and be available during City Council meetings.

d. Regular Meetings.

1. Second and fourth Mondays of each month at 6:00 p.m., unless otherwise provided by two-thirds vote of the City Council;
2. The agenda shall be provided to each Council member 36 hours prior to meeting, by City Clerk;
3. Adding items to or removing items from the agenda will be by unanimous consent of the Council;
4. Public notice of a regular meeting shall be made as provided in Chapter 1.14 HCC.

e. Special Meetings.

1. Called by Mayor or majority of the Council;
- 2. Held for certification of regular election results and swearing in newly elected members following the completion of the canvass by the Election Board, prior to convening Committee of the Whole.**
- 3. Held for certification of a special election, when necessary, following the completion of the canvass by the Election Board.**
- ~~2~~ **3.** If a majority of members are given at least 36 hours' oral or written notice and reasonable efforts are made to notify all members, a special meeting may be held at the call of the presiding officer or at least one-third of the members;
- ~~3~~ **4.** Agenda shall be as per subsection (c) of this section;
- ~~4~~ **5.** Public notice of a special meeting shall be made as provided in Chapter 1.14 HCC.

f. Emergency Meetings.

1. By unanimous consent of quorum;
2. Required justifiable reason;
3. Informal agenda – limited to emergency;
4. Public notice shall be made as provided in Chapter 1.14 HCC.

g. Teleconference participation in meetings may be authorized pursuant to HCC 2.08.100 through 2.08.120.

84
85 h. Quorum – Voting. Four Council members shall constitute a quorum. Four affirmative
86 votes are required for the passage of an ordinance, resolution, or motion. A member of
87 the Council acting as Mayor Pro Tem shall not lose his vote as the result of serving in
88 such office. The Mayor is not a Council member and may vote only in the case of a tie.
89 The final vote on each ordinance, resolution, or substantive motion may be a roll call
90 vote or may be done in accordance with subsection (k) of this section (see AS
91 29.20.160(c)(d)).
92

93 i. Motions to Reconsider. A member of the Council who voted with the prevailing side
94 on any issue may move to reconsider the Council's action at the same meeting or at the
95 next regular meeting of the body. Notice of reconsideration shall be given to the Mayor
96 or City Clerk within 48 hours from the time the original action was taken.
97

98 j. Abstentions. All Council members present shall vote unless abstention is required by
99 law (AS 29.20.160(d)).
100

101 k. Consensus. The Council may, from time to time, express its opinion or preference
102 concerning a subject brought before it to consideration. The statement, representing
103 the will of the body and a meeting of the minds of the members, may be given by the
104 presiding officer as the consensus of the body as to that subject without taking a motion
105 and roll call vote.
106

107 l. Vacancies. An elected municipal office is vacated under the following conditions and
108 upon the declaration of vacancy by the Council. The Council shall declare an elective
109 office vacant when the person elected:

- 110 1. Fails to qualify or take office within 30 days after his election or appointment;
- 111 2. Resigns and his resignation is accepted;
- 112 3. Is physically or mentally unable to perform the duties of the office as
113 determined by two-thirds vote of the Council;
- 114 4. Is convicted of a felony or misdemeanor described in AS 15.56 and two-thirds
115 of the members of the Council concur in expelling the person elected;
- 116 5. Misses three consecutive regular meetings unless excused;
- 117 6. Is convicted of a felony or of an offense involving a violation of the oath of
118 office;
- 119 7. Is convicted of a violation of AS 15.13 concerning Alaska Public Offices
120 Commission reporting requirements;
- 121 8. No longer physically resides in the municipality and the City Council by two-
122 thirds vote declares the seat vacant; and
- 123 9. Is physically absent from the municipality for 90 consecutive days unless
124 excused by the City Council.
125

m. Salaries of Elected Officials.

1. The Mayor and each Council member shall be paid a stipend of \$75.00 for each council-meeting-day in which the person participates in person, or \$50.00 per council-meeting-day in which a majority of the person's participation time is telephonic. A council-meeting-day is any calendar day in which the person participates in any one or more of the following:

a. A scheduled and publicly noticed meeting of the City Council, including without limitation a regular meeting, special meeting, committee of the whole meeting and meeting in executive session.

b. A scheduled and publicly noticed meeting of the Board of Adjustment, Board of Ethics, or other board or commission that is composed of the Mayor and Council members.

c. Training or continuing education programs, and work sessions, that are required by law or commonly recognized best practice to perform the duties of Mayor or Council member.

The City shall not spend any funds for elected officials' membership in the Public Employees Retirement System. An elected official may not receive any other compensation for service to the City unless specifically authorized to do so by ordinance. Per diem payments or reimbursements for expenses are not compensation under this section.

Section 2. Homer City Code 4.35.040 Certification of election is hereby amended to read as follows:

4.35.040 Certification of election.

~~The Council shall certify the results of the election at the next regular Council meeting following completion of the canvass by the Canvass Board~~

a. The Council shall certify the results of a regular election at a special meeting scheduled prior to Committee of the Whole following completion of the canvass by the Canvass Board.

b. The Council shall certify a special election at the next regular Council meeting or a special Council meeting following completion of the canvass by the Canvass Board.

Section 3: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS __ DAY OF _____,
2019.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Katie Koester, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____