

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

45
46 e. ~~The Council's agenda format specified in the City of Homer City Council Operating~~
47 ~~Manual, as the same may be amended from time to time, is incorporated herein by~~
48 ~~reference.~~

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

52
53 d. ~~Regular Meetings.~~
54 1. ~~Second and fourth Mondays of each month at 6:00 p.m., unless otherwise~~
55 ~~provided by two thirds vote of the City Council;~~
56 2. ~~The agenda shall be provided to each Council member 36 hours prior to~~
57 ~~meeting, by City Clerk;~~
58 3. ~~Adding items to or removing items from the agenda will be by unanimous~~
59 ~~consent of the Council;~~
60 4. ~~Public notice of a regular meeting shall be made as provided in Chapter 1.14~~
61 ~~HCC.~~

62
63 e. ~~Special Meetings.~~
64 1. ~~Called by Mayor or majority of the Council;~~
65 **2. Held for certification of regular election results and swearing in newly**
66 **elected members following the completion of the canvass by the Election**
67 **Board, prior to convening Committee of the Whole.**
68 **3. Held for certification of a special election, when necessary, following the**
69 **completion of the canvass by the Election Board.**
70 2 ~~3.~~ ~~If a majority of members are given at least 36 hours' oral or written notice~~
71 ~~and reasonable efforts are made to notify all members, a special meeting may~~
72 ~~be held at the call of the presiding officer or at least one third of the members;~~
73 3 ~~4.~~ ~~Agenda shall be as per subsection (c) of this section;~~
74 4 ~~5.~~ ~~Public notice of a special meeting shall be made as provided in Chapter 1.14~~
75 ~~HCC.~~

76
77 f. ~~Emergency Meetings.~~
78 1. ~~By unanimous consent of quorum;~~
79 2. ~~Required justifiable reason;~~
80 3. ~~Informal agenda limited to emergency;~~
81 4. ~~Public notice shall be made as provided in Chapter 1.14 HCC.~~

82
83 g. ~~Teleconference participation in meetings may be authorized pursuant to HCC~~
84 ~~2.08.100 through 2.08.120.~~

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

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

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

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

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

- 111 1. ~~Fails to qualify or take office within 30 days after his election or appointment;~~
 - 112 2. ~~Resigns and his resignation is accepted;~~
 - 113 3. ~~Is physically or mentally unable to perform the duties of the office as~~
114 ~~determined by two thirds vote of the Council;~~
 - 115 4. ~~Is convicted of a felony or misdemeanor described in AS 15.56 and two thirds~~
116 ~~of the members of the Council concur in expelling the person elected;~~
 - 117 5. ~~Misses three consecutive regular meetings unless excused;~~
 - 118 6. ~~Is convicted of a felony or of an offense involving a violation of the oath of~~
119 ~~office;~~
 - 120 7. ~~Is convicted of a violation of AS 15.13 concerning Alaska Public Offices~~
121 ~~Commission reporting requirements;~~
 - 122 8. ~~No longer physically resides in the municipality and the City Council by two-~~
123 ~~thirds vote declares the seat vacant; and~~
 - 124 9. ~~Is physically absent from the municipality for 90 consecutive days unless~~
125 ~~excused by the City Council.~~
- 126

127 m. ~~Salaries of Elected Officials.~~

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

133
134 a. ~~A scheduled and publicly noticed meeting of the City Council,~~
135 ~~including without limitation a regular meeting, special meeting,~~
136 ~~committee of the whole meeting and meeting in executive session.~~

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

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

143
144 ~~The City shall not spend any funds for elected officials' membership in~~
145 ~~the Public Employees Retirement System. An elected official may not~~
146 ~~receive any other compensation for service to the City unless specifically~~
147 ~~authorized to do so by ordinance. Per diem payments or~~
148 ~~reimbursements for expenses are not compensation under this section.~~

149
150 a. The governing body of the City of Homer shall consist of six Council members, two
151 of whom are elected at large each year for three-year terms and until a successor
152 qualifies.

153 b. The Mayor shall be elected for a two-year term and until a successor qualifies.

154
155 c. A person so elected to office under this chapter shall take office at the first regular
156 Council meeting following the election, immediately after the final certification of that
157 election, except that when HCC 4.40.010(c)(3) applies, the person shall take office at the
158 first regular Council meeting following the runoff election; **Election certification will**
159 **take place** immediately after the certification of that election **agenda approval.**

160
161 Section 2. Homer City Code 4.35.040 Certification of election is hereby amended to read
162 as follows:

163
164 4.35.040 Certification of election.

165
166 The Council shall certify the results of the election at the next regular Council meeting
167 following completion of the canvass by the Canvass Board
168

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

172 ~~**b. The Council shall certify a special election at the next regular Council**~~
173 ~~**meeting or a special Council meeting following completion of the canvass**~~
174 ~~**by the Canvass Board.**~~
175

176 Section 3: This ordinance is of a permanent and general character and shall be
177 included in the City Code.
178

179 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS ___ DAY OF _____,
180 2019.

181
182 CITY OF HOMER

183
184
185 _____
186 KEN CASTNER, MAYOR
187

188 ATTEST:
189
190 _____
191 MELISSA JACOBSEN, MMC, CITY CLERK
192

193 YES:

194 NO:

195 ABSTAIN:

196 ABSENT:

197

198

199 First Reading:

200 Public Hearing:

201 Second Reading:

202 Effective Date:

203

204 Reviewed and approved as to form:

205

206

207

208 _____
Katie Koester, City Manager

209

210 Date: _____

Michael Gatti, City Attorney

Date: _____