



**AGENDA PROCESS MANUAL FOR THE
CITY OF KOTZEBUE**

Updated July 2024

City of Kotzebue

AGENDA PROCESS MANUAL

INTRODUCTION

The Agenda Process Manual is prepared and updated by the City Managers' Office. The purpose of the manual is to clarify some of the details of the agenda process to those who are frequently or only occasionally involved in the preparation of agenda items for the City Council agenda.

It is intended to be a guide and ready reference tool to assist in expediting the movement of an item through the entire process. Ideally, the process should be followed explicitly, but, realistically there is a degree of flexibility that will be used in hardship situations that arise unexpectedly.

The agenda document is one of the most visible examples of the ability of staff to research and prepare background information relative to a particular project or issue. If all staff involved in the agenda preparation process attempt to follow the guidelines, the resulting agenda document should provide Council with "all the facts necessary" to make its decisions. A carefully followed routine will result in an agenda document that will also maintain credibility for staff.

PART 1 – COUNCIL MEETINGS

All Council meetings are open to the public except executive sessions. During executive session no votes or actions can be taken. Following are the various types of City Council meetings:

REGULAR MEETINGS

Regular Council Meetings are official meetings held at 5:15 p.m. on the first and third Thursday of each month in the Council Chambers. The time and place for regular meetings is set by City Ordinance. The public is invited to attend, and the meetings are open for public participation on all agenda items. The public is encouraged to attend by calling in at 1-800-315-6338, passcode 49401#. Notice for other dial in options will be posted 5 days in advance.

COMMITTEE MEETINGS

A Committee Meeting is a discussion or “work” session for Council and City staff. Currently there are two committees established by the City Council- the scholarship committee, and the RFP Selection Committee.

SPECIAL MEETINGS

A Special Meeting is an official meeting held on call of the mayor or by four (4) members of the City Council. Written notice stating the date, time, place and purpose of the meeting must be delivered by the City Clerk or his/her designee to all Councilmembers and the news media at least 24 hours before the meeting. Special meetings are the exception rather than the rule.

EXECUTIVE SESSION

Executive Session is a closed meeting called for the purpose of considering certain limited matters, including but not limited to:

1. Discussion on personnel matters
2. Sale or acquisition of real estate
3. Potential or pending litigation
4. Labor Union or other negotiations

The motion for adjournment into Closed Session must be made at an official (regular, special) Council Meeting, must reflect the purpose of the session, and must be approved by at least two-thirds (5) of the governing body. No votes are to be taken during an executive session.

ADJOURNED MEETINGS

An official meeting can be “recessed” or continued to a specific date and time upon a majority vote of the Council for the purpose of continuing discussion or action on an item of unfinished business or considering additional items of business. Recessed meetings do not require additional public notice.

PART 2 – COUNCIL ACTION

QUORUM

A majority of all the members elected to the council constitutes a quorum for the transaction of business (4 members). However, no more than 3 members of the city council can meet without publicly notifying the public of the meeting. This notice must be given 5 days in advance listing the date, time and place of the meeting.

ABSTENTIONS

An abstention has the same effect as a negative vote in determining whether or not a majority of the entire elected body or a two-thirds (2/3) vote is met for purposes of adopting a particular item. In addition, members who fail to vote may also affect the result negatively as there are not enough positive votes to meet the requirements.

ORDINANCES

Ordinances are needed to make changes to the City Code, to appropriate funds, and to provide for any type of city enactment. Ordinances require adoption on first and second readings. This allows the public to have at least two notices before any changes occur in the city code. The rules requiring ordinances to be read by title on two different days may be suspended by the Council to allow for adoption on first and final reading at one meeting.

Ordinances are assigned numbers numerically. Ordinance numbers are not assigned until the agenda is in final form.

Following are examples of actions requiring approval by ordinance:

Adopting the City's budget and appropriating funds.

Authorizing transfers of appropriations between funds and/or projects.

Amending licensing requirements or fees set by Code.

Changes to fee schedule, taxes ect.

Adopting codes by reference (example: non code ordinances).

Amending City Code.

Authorizing sale of real property.

RESOLUTIONS

Resolutions are proposed to set general policy, give formalized direction to staff, or approve administrative actions. Resolutions must be approved by a majority of the governing body present at the meeting. Resolutions are numbered sequentially for each year by the City Attorney at the time the final agenda order is determined. An example is "Resolution 24-35," the 24 would represent the year it was published and the 35 would be the subsequent number assigned to that resolution. Examples of actions that may be approved by Resolutions are as follows:

Execution of agreements.

Awarding bids for purchases/contracts.

Approving contracts, grant agreements and request for proposals.

Payments to engineers, suppliers and contractors for grants.

Approval of tideland permits.

MOTIONS

Motions are less formal than ordinances or resolutions. Motions must be approved by a majority of the governing body present at the meeting. These can give general directions to the administration from the city council. Examples of actions that may be approved by motion are as follows:

Approval of Council meeting minutes.

Receipt of official documents.

Approval of liquor license.

Appointments to Council committees and boards.

Directing staff to take specific action like prioritizing a project.

ORDINANCES, RESOLUTIONS AND ORDERS OF A GENERAL NATURE

A vote of four (4) members of the council is necessary for transactions of business of a general nature.

APPROPRIATION OR PAYMENT OF MONEY

All Ordinances, Resolutions or Orders for the appropriation or payment of money require approval by a majority of all members elected to the council (4 members).

POSTPONEMENTS

Council may vote to postpone an item to a date certain or indefinitely. If an item has been postponed to a specific date, the item must appear on the agenda for that date for Council action or another postponement. If no significant change is made, the original memorandum may be utilized a second time. A revised memorandum should be prepared for the postponed item if a significant change is made.

When an item is postponed to a specific date, the City Clerk or his/her designee automatically reschedules the item to that date and places it on the preliminary agenda.

PART 3 – AGENDA ROLES AND RESPONSIBILITIES

Preparation and completion of each Council agenda document involves the cooperation and teamwork of many offices and individuals. The keys to a quality document are:

Effective communication among all participants.

Timely and complete staff work.

The roles and responsibilities of the key players in the agenda process are described in this section.

CITY CLERK

The role of the City Clerk or his/her designee is to oversee, monitor, and coordinate the preparation of the printing of meeting agendas. To fulfill this role, the City Clerk or his/her designee has the following responsibilities:

- *Track items for future agendas and planning calendars as they proceed toward Council consideration.*
- *Compile and update the Preliminary Agenda for regular meetings and committee meetings.*
- *Identify appropriate placement of items on agenda, including Consent Agenda.*
- *Review the agenda materials submitted and edit them for clarity and format, ensuring that the referenced exhibits and documents are included.*
- *Produce the agenda through many revisions, coordinating with the originating department, City Administrator's Office and City Attorney's Office, as necessary.*
- *Arrange for printing and distribution of the finished product.*
- *Ensure timely publication of any required legal notices both before and after Council meetings.*
- *Provide periodic agenda process training to staff.*
- *Enforce deadlines and a written process for submitting agenda materials.*
- *Prepare and update the Agenda Process Manual.*
- *Work with the initiating department to structure the agenda item to meet Council and staff needs.*

- *Track any follow up items post meeting to ensure that the ordinances or other items are scheduled as needed.*

CITY ATTORNEY'S OFFICE

The City Attorney's Office reviews agenda material regarding legal issues and has the following roles and responsibilities:

- *Identify and address any legal issues and initiate preparation of ordinances or resolutions.*
- *Finalize the resolution or ordinance in consultation with the originating department.*
- *Prepare any confidential memos to Council addressing any remaining legal issues.*

CITY MANAGER'S OFFICE

The role of the City Manager in the agenda process is to ensure that agenda item materials contain a thorough policy (and if applicable, financial) analysis, to present options, and to include a recommendation, where appropriate. To fulfill this management overview role, the City Manager (or his/her designee) has the responsibility to:

- *Work with the Department Directors to clarify items that will come before the Council and to identify any potentially controversial or complex items.*
- *Facilitate staff meetings to review with Department Directors the upcoming agenda items in order to identify which items need to be reviewed by the City Managers' Office.*
- *Review the upcoming agenda with the Department Directors and relay any changes in the agenda or areas of concern to the originating department.*
- *Negotiate any changes in the final agenda before the agenda document is printed.*
- *Ensure council business and directives are followed up on.*
- *Communicate any policy or budget related needs to the city clerk and city attorney to ensure it is on the agenda.*

FINANCE DEPARTMENT

The Finance Department has the fiscal monitoring and overview roles in the agenda process as follows:

- *Review agenda items to assess the financial impact.*

- *Work with the initiating department if the financial impact information needs to be revised.*

DEPARTMENT DIRECTORS

The Department Director takes primary responsibility for initiating, preparing and securing the appropriate reviews and approval for the agenda item. Each department is responsible for the following elements of the agenda process:

- *Attend the staff meetings.*
- *Work with the City Attorney on legal aspects of the item, including providing all background information to allow the Legal Department to prepare appropriate documentation, including contracts with the approval of the City Manager.*
- *Coordinate with the City Clerk or his/her designee to ensure sufficient time to adhere to public hearing notice requirements and/or reading of ordinances.*
- *Work with the City Clerk to ensure that public notice is given for respective department commission meetings.*
- *Give notice to the city manager, city attorney and city clerk when an item needs to be added to the agenda.*
- *Attend the City Council meeting and be prepared to make a presentation.*

PART 4 – AGENDA SCHEDULE

SCHEDULING AGENDA ITEMS

Agenda items must be scheduled on the Preliminary Agenda as far ahead of time as possible, even if the item is in a very conceptual stage. Preferably, regular meeting items should be placed on the Preliminary Agenda at least one week prior to the meeting, and the City Attorney should be notified of the item at that point, if an ordinance or resolution is required.

It is recommended that the deadline for each item be submitted to the city clerk no later than the Friday before the next city council meeting. This gives time for the city clerk to make the packets and send out an electronic copy 5 business days in advance.

The following Regular Meeting Agenda Timetable and Committee Meeting provide a sequential description of Agenda related actions.

PUBLIC WORKS & COUNCIL	CITY COUNCIL & COMMITTEE MEETINGS AGENDA PREPARATION TIMETABLE
Day/Time	Activity
Thursday before City Council meeting	Unless otherwise approved by the city manager or her/his designee the agenda will be finalized between the City clerk, city manager and city attorney. This shall be publicly posted on the City of Kotzebue website, on Facebook, and 3 public spaces.
Thursday before City Council Meeting	Deadline for submission of Agenda Item requests by those other than staff to City Clerk or his/her designee.
Friday before City Council Meeting	An electronic copy of the city council notice, agenda, and subsequent items be sent out to the city council members and distributed to the public.

PRELIMINARY AGENDA

The first step in the Agenda review cycle is the Preliminary Agenda, which is a tentative listing of agenda items for the next regularly scheduled Council Meeting.

The City Clerk or his/her designee completes the Preliminary Agenda for distribution at the Department Directors staff meeting on the Monday preceding the City Council meeting. The initiating office should notify the City Clerk or his/her designee of tentative agenda items.

The City Attorney’s Office must be contacted as far ahead as possible about items that will require preparation or review of ordinances, resolutions, agreements, or other legal documents. Items of a controversial or complex nature should be routed through the City Manager’s Office and City Attorney’s Office prior to being placed on the Preliminary Agenda to facilitate preparation of the necessary legal documents in a timely fashion. **Items received at the “eleventh hour” needing legal review or response will likely be postponed to subsequent meeting dates in order to allow for the necessary review and drafting period.**

Other departments should be notified as far ahead of time as possible if their review or input is required. The Preliminary Agenda is sent via e-mail to the Department Directors, preceding the next meeting, and is available to all Department Directors at the Staff meeting on Monday prior to the Council.

PRINTING AND DISTRIBUTION

Copies of the final City Council agenda are available at the City Clerk's Office on the Friday prior to the Council meeting. A copy of the agenda and packet is also available for public review on the City's Website at www.cityofkotzebue.gov.

The notice and agenda will be posted publicly

Copies of the Agenda are available at the Council meeting and in the City Clerk's Office.

Anyone may obtain a copy of any of the supporting documents at the City Clerk's Office for a fee of 25¢ per page.

COUNCIL AGENDA PACKETS

City Councilmembers receive Agenda Packets via e-mail. An agenda packet is provided on Friday afternoon and contains information pertinent to the Council meeting to be held the following Monday from the City Clerk or his/her designee.

POST MEETING ACTIONS

Detailed minutes of official Council meetings and Committee meetings are prepared by the City Clerk or his/her designee. The original/official minutes are retained by the City Clerk.

The City Clerk or his/her designee is responsible for notification of Council action pertaining to Conditional Use Permits, liquor license requests, boards and commission appointments, and other similar requests.

PART 5 – AGENDA STRUCTURE

AGENDA PACKET

The full agenda packet contains:

An agenda summary prepared by the City Clerk and/or City Manager.

An agenda item memorandum and attachments prepared by individual Department Directors.

AGENDA

The agenda consists of the title and number of each item to be considered by the City Council with agenda items memorandum and attachments. The agenda is distributed to all departments, media, and posted on the City's three official bulletin boards and the City website. The agenda is duplicated and made available for the audience at the Council meetings.

RESERVE TIME TO SPEAK ON AGENDA ITEMS

Citizen participation is provided for all items on the agenda.

The City Council Agenda format establishes that citizens wishing to provide input on any of the agenda items reserve time to speak during citizens comments which is traditionally scheduled at the beginning of each city council meeting. Individuals are asked to provide their name for the record, and the agenda item (s) they wish to speak on.

Citizens are allowed three (3) minutes each for comments. The mayor may adjust the time limit depending on the number of citizens who wish to speak, the nature of the topic, etc.

CONSENT AGENDA

Routine items are scheduled for consideration with one Council motion on the Consent Agenda. The Consent Agenda is intended to allow the City Council to spend more time and energy on the important items on a lengthy agenda. Any item on which discussion is necessary will not be placed on the Consent Agenda.

Any Councilmember or the Mayor may request that an item be pulled from the Consent Agenda for separate discussion and consideration. Items that are removed from the Consent Agenda are discussed and voted upon individually at the end of the Consent Agenda.

PUBLIC HEARINGS

Formal public hearings are scheduled at the beginning of the agenda to allow for public comment. The action items associated with the public hearings are scheduled as either Resolutions or Ordinances.

Examples of items requiring public hearings are:

Budget and fee schedules.

Changes to utility bills.

Acquisition of utility easements.

Change of land use designations.

PART 6 – MEETING ARRANGEMENTS

Official City Council meetings are audio taped.

STAFF PRESENTATIONS

Presentations by staff will be introduced by the Mayor. The presentation should be brief, concise, and encompass all key information. The staff person making the presentation should remain readily available to answer questions after the presentation.

PART 7- POSTING OF NOTICES

POSTING OF NOTICES

The City Clerk or his/her designee is responsible for posting any appropriate informational notices on the City's three official bulletin boards. (Examples: notices of availability of printed information concerning an upcoming agenda item, notices of pertinent public meetings, etc.)

LEGAL NOTICES

Adequate notice must be given to the City Clerk or his/her designee and City Attorney's Office of items that will require a legal publication. (Examples: ordinances, public hearings).

PART 8 – DOCUMENT RETENTION

The City Clerk's Office is the office of record for all Council records, including ordinances, resolutions, Council minutes, and agenda background material. These records are retained permanently and can be requested by the public at any time.