

VALDEZ CITY COUNCIL
POLICIES AND PROCEDURES
Amended March 20, 2020
Amended September 21, 2021
Amended December 21, 2021
Amended April 5, 2022

I. AUTHORITY

- A. **Charter:** The Charter of the City of Valdez provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

II. GENERAL GUIDELINES

- A. **New Council Seated:**
1. At the first regular meeting following the annual City election, the mayor and City Council members are sworn in by the City Clerk.
 2. The mayor then conducts the election of mayor pro tempore from among the Council members. The mayor pro tempore shall serve for one year. A majority vote of not less than four of the members elects the mayor pro tempore. The mayor pro tempore serves at the pleasure of the Council.
- B. **Meetings to be Public:** All meetings of the Council except those qualified as Executive Session shall be open to the public. The journal of proceedings (minutes) shall be open to public inspection.
- C. **Quorum:** A majority (4) of the members of the Council shall constitute a quorum and be necessary for the transaction of business. A quorum must be present for the duration of the meeting. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.
- D. **Notice of Meetings:** At least 24-hours written notice shall be given designating the time and purpose of a special meeting. In the event the mayor declares in writing that a state of emergency exists, at least six (6) hours written notice shall be given designating the time and purpose of a special meeting.
- E. **Journal of Proceedings:** An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.
- F. **Discussion:** Action items on the agenda require a motion prior to discussion. Discussion of any subject is permitted only with reference to a pending motion. When necessary, a motion can be prefaced by a few words of explanation or a member can first request information which may assist him in wording an appropriate motion. After a motion has been made and

seconded, but prior to Council vote, members of the public may speak to the subject.

- G. **Code of Conduct:** The City Council expects ethical and businesslike conduct of its own members and of itself as a whole. This also includes members of Committees, Boards and Commissions appointed by the City Council. Members are accountable for exercising the powers and discharging their duties honestly, in good faith and in the best interests of the City. Enforcement of the Code of Conduct is the responsibility of the Mayor and City Council.

City Council and appointed Committee, Board and Commission Members shall:

1. Be knowledgeable about the mission, goals, powers and duties as established in the City Charter and the Valdez Municipal Code.
2. Attend meetings well prepared and participate fully in all matters.
3. Accept and respect the decisions and recommendations expressed by a vote of the majority of the members.
4. Except for the purpose of inquiry, shall not become involved in specific management, personnel or administrative issues, or give orders to any subordinate of the city manager.
5. Not engage in any prohibited acts as set forth in Chapter 2.24, Code of Ethics, of the Valdez Municipal Code.
6. Not deal with an issue individually, as authority is vested in the council as a whole. A member who learns of an issue has the obligation to bring it to the city manager or to the city council.
7. Speak and act at the meetings of the council and its boards and commissions in the interests of the whole organization.
8. When debating a motion on the floor, members must confine themselves to the matter before the City Council, Board or Commission. Members should not question the motives of another member, city staff or members of the public. However, the nature or consequences of a measure may be condemned in strong terms. It should not be an individual member, but the measure that is the subject of debate.
9. Display courteous conduct with staff, speakers, and fellow council and board members.

If a particular member's remarks are objected to by another member as being improper, that member shall be ruled out of order by the Mayor or the

Chair and cannot proceed with the alleged improper comments without the permission of the Council, Board or Commission expressed by a vote of a majority of the members at that meeting, upon the question “Shall the member be allowed to continue speaking”. There shall be no debate on the question.

Violations of the code of conduct by appointed members of committees, boards or commissions may result in disciplinary action as determined by an investigative committee appointed by the Mayor.

- H. **Rules of Order:** Roberts Rules of Order Revised shall be the source of meeting procedure except where a different procedure is proper by law or Council custom.
- I. **Attendance:**
 - 1. A member of the city council may participate in and vote at a regular meeting, special meeting, or work session of the city council by teleconference (e.g., telephone, videoconferencing, or similar technology) under the following circumstances:
 - a. The regular meeting, special meeting or work session is held with a quorum of members physically present.
 - b. A council member is participating by teleconference due to:
 - An illness or injury of the council member or family member.
 - The birth or death of a family member.
 - An employment-related commitment.
 - A commitment for city business.
 - Other similar circumstances as determined by the Mayor, Mayor Pro-Tempore or Committee chair, as applicable.
 - c. Reasonable technical capabilities are available at the meeting location to allow participation by teleconference, to include being able to hear and engage in discussion and being audible to all persons participating in the meeting.
 - d. Prior to the meeting, reasonable efforts are made to ensure the council member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon. Access to the agenda and

documents from the city website or agenda software is considered sufficient access.

- e. Council members shall provide the City Clerks' office with at least 24 hours' notice of their intent to participate by teleconference and provide contact information for purposes of setting up the teleconference.
- f. No more than the first three members to contact the City Clerks' office requesting participation by teleconference at a particular meeting may participate remotely.
- g. Notwithstanding other provisions herein, all members may participate by teleconference in a special meeting called to consider an emergency action.
- h. In the event that there has been a declaration of disaster emergency, the physical quorum requirements are suspended for the duration of the emergency. During the period of a state of city emergency, the city may convene with a quorum of members appearing in person, or electronically, or a combination of members appearing in person and electronically through a live or real-time participation format.
- i. Council members are responsible for any charges incurred due to their participation by teleconference in a meeting unless they are absent from the community on City business.
- j. Council members participating via teleconference shall make every effort to participate in the entire meeting. From time to time during the meeting, the Mayor or City Clerk shall confirm the connection, and will disconnect the remote member if that member, the council, and the public are not clearly audible to one another. All votes taken at the meeting are by roll call.
- k. City Council members may participate by teleconference in regular meetings three (3) times per calendar year unless the council member is participating by teleconference due to a reason as described in (b) of this section.

Newly elected members may only attend by teleconference after attending at least three (3) regular meetings in person.
- l. The Mayor and Mayor Pro-Tempore may not preside over or chair a meeting in which they are participating by teleconference.

2. The seat of any Council member, including the Mayor, shall become vacant if the Council member is absent from three consecutive regular meetings without excuse.
3. Administrative staff as required should be available for all Council meetings.

J. **Motions for Reconsideration:** Any action may be brought up for reconsideration one time by any Council member if action which was approved has not begun (i.e., contract signed, notice to proceed issued).

K. **Requests of Administration:** Requests for information that is readily available or for tasks of an incidental nature, may be made by any individual council member, any time, without concurrence of a quorum.

Requests that will result in the use of staff time for the development of new documents, or to conduct activities that would not occur in the normal course of business, as determined by the city manager, shall require verbal consent by at least four (4) members of the council. (Four members of the council constitute a quorum).

L. **Attendance of Media at Council Meetings:** All official meetings of the City Council and its commissions, boards and committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings. Recording, audio or video, arrangements shall be made with the City Clerk.

M. **Discipline:** Council has the right to control its meeting hall. The mayor as presiding officer shall act on behalf of the Council in enforcing order as provided by parliamentary law. Decorum of the members should reflect the dignity of the Council and the public good.

N. **Declaration of Interest:** Each newly elected city council member shall complete a Declaration of Interest form setting forth each organization, board, non-profit corporation, etc., on which that newly elected city council member is a member. It is the obligation of the council member, throughout the duration of his/her term of office, to declare his interest prior to any relevant council discussions and to update this Declaration of Interest form to reflect any change of status on any current or new board positions. The Declaration of Interest form will be kept in the City Clerk's office and will be available to the public upon request. Each Council member will comply with the conflict of interest sections of the Valdez City Code.

III. **ORDER OF BUSINESS AND AGENDA:** Only items appearing on the published or posted agenda may be acted upon. Any other business coming before the body may be introduced only by majority consent of the members and acted upon only if it is inconsequential and of minor significance. Failing the consent of the majority, the item shall be deferred to the next special or regular meeting agenda.

A. **Agenda Format:** The usual order of business will be as follows:

1. Call to Order
 2. Pledge of Allegiance
 3. Roll Call
 4. Approval of Minutes
 5. Public Appearances
 6. Public Business from the Floor
 7. Referrals/Reports from Commissions
 8. Consent Agenda**
 9. Unfinished Business (An item having been before council at a previous meeting.)
 10. New Business
 11. Ordinances
 12. Resolutions
 13. Reports
 14. City Manager/City Clerk/City Attorney/Mayor Reports
 15. Council Business from the Floor
 16. Council Travel
 17. Executive Session (If needed)
 18. Adjournment
- B. **Agenda Items:** Items may be placed on the agenda by the city manager, City Clerk, or at the request of the mayor, or any two members of the city council. Requests that items be placed on the agenda for action by the council shall under no circumstances violate the public notice requirement as set forth in Section 3.6 (c) of the City Charter.
- C. **Public Appearances:** Public appearances shall be scheduled and placed on the agenda by the City Clerk or the city manager. The speaker and topic of the presentation shall be identified on the agenda. Public appearances and presentations shall be limited to not more than 15 minutes. Presentations exceeding 15 minutes may be scheduled as a work session at the discretion of the city manager, the mayor, or two members of the city council.
- D. **Discussion Items:** No action shall be taken on any item described on the agenda as a "discussion item" until a subsequent regular or special meeting. If prompt action is required on a matter due to timing of the issue involved, it shall be listed as an action item on the agenda.

- E. **Consent Agenda:** Items on the consent agenda are acted upon by one motion with no discussion. Consent Agenda items are to be those with no Council conflicts of interest and routine matters of business.

The Mayor or any council member may ask that an item listed on the Consent Agenda be moved to New Business for the purpose of discussion and vote.

The general public should be given the opportunity to speak to any item on the Consent Agenda. If a member of the public poses a question about any item on the Consent Agenda, that item must be moved to New Business for discussion.

IV. **TYPES OF MEETINGS:**

- A. **Regular Meetings:** The Council shall meet in the Council Chambers for regular meetings. The regular Council meetings are to commence at 7:00 p.m. on the first and third Tuesday of each month unless the Tuesday falls on a legal holiday in which case the meeting will be held the following Wednesday. All regular meetings of the City Council shall adjourn not later than twelve midnight, unless an affirmative vote of at least four members is taken to continue past midnight.
- B. **Special Meetings:** Special meetings of Council shall be called by the City Clerk upon request of the Mayor or two Council members. The request shall be documented by the City Clerk. The call for the special meeting shall specify the day, the hour and the location of the special meeting and shall list the subject or subjects to be considered. Only such business may be transacted at a special meeting as may be listed in the call for said meeting. Before a special meeting of Council is called, the City Clerk shall contact each Council member to verify attendance to determine if there will be a quorum.
- C. **Work Sessions:** The Council may meet in informal work sessions open to the public) at the call of the Mayor or any two members of Council. A quorum must be present for the duration of the meeting. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

Only such business may be discussed at a work session as may be listed in the call for said work session. No action may be taken in a work session.

- D. **Executive Sessions:**
 - 1. Conduct of executive sessions shall be in accordance with the City of Valdez Charter and State law.
 - 2. Items to be discussed in executive session shall be given prior public notice and properly identified on the published and posted agenda.
 - 3. Matters that may be discussed in executive session:
 - a. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the city;

- b. Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
 - c. Matters which by law, municipal charter, or ordinance are required to be confidential;
 - d. Matters involving consideration of government records that by law are not subject to public disclosure;
 - e. Some attorney client communications.
4. To take action on an item discussed during executive session, the item must be placed on the agenda both under the business portion of the agenda for action and the executive session portion for discussion. When the item is reached on the business portion of the agenda, a motion to modify the agenda to defer action on the item until after the executive session would be in order.
 5. The City Council determines who may attend an executive session, including attendance by telephone.

V. **CHAIRMAN AND DUTIES:**

- A. ***Chairman:*** The Mayor shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of the Mayor and Mayor Pro Tempore, the City Council member present with the greatest cumulative length of service on the council shall preside.
- B. ***Voting:*** The City Clerk shall report the vote (Clerk, "ayes, nays, _ absent, abstaining;") and the result of the action "motion carries/fails."
- C. ***Limitation on Chairman:*** Prior to making a motion, the presiding officer must relinquish the gavel to another Council member who will preside over the discussion and determination of the motion.

VI. **LEGISLATION:**

- A. ***Ordinances - Laws of the City:***
 1. Introduction - Two public readings are required. A waiting period may be required for some ordinances.
 2. Method of Introduction: For Purpose of Public Hearing The ordinance is read in full, or, if sufficient copies are available to the public, it may be read by title only.
 3. Action at first reading may be to:
 - Amend as appropriate, or
 - Approve at first reading and advance to second reading
 4. Action at second reading may be to:

- Amend as appropriate, or
 - Approve at second reading and adopt
5. Amendment: If a substantial change is made, then additional readings are required until two consecutive readings are accepted without substantial change.
 6. Emergency Ordinances - May be passed at first reading for adoption with six positive votes; are limited to matters which may be acted upon.
 7. Codification - Most ordinances adopted either supplement or amend existing ordinances which are in the City code of Laws, and such supplements and changes are periodically printed for insertion into the code book. Some special purpose ordinances are not codified.

VII. **RESOLUTIONS - AN EXPRESSION OR OPINION OF COUNCIL:**

- A. ***Introduction:*** One public reading and motion to adopt or approve.
- B. ***Method of Introduction:*** Read in full or by title only as with ordinances.
- C. ***Purposes:*** An act of temporary character (budgets, user fees, policies, etc.)

VIII. **PROCLAMATION:** Official announcement or endorsement of a special event or person issued by the Mayor.

IX. **FINANCES:**

A. ***Budget:***

1. The budget is to be available for review by Council by November 15 of each year.
2. A public hearing is required by Council not less than one week before adoption.
3. The budget is to be adopted by resolution and money appropriated no later than December 20. There are provisions for adoption should Council fail to act as required.
4. May be amended in a manner provided by the code.
5. The Council will conduct a mid-year review of the budget and amend if necessary.

B. ***Audit:***

1. Annual audit shall be made by an independent certified public accountant employed by Council.
2. Completed report is due to Council within 180 days following the close of the fiscal year under examination.

X. **TAXES:**

- A. ***Property Assessment:*** Annually at January 1.

- B. **Assessment Appeals:** Council acts as a Board of Equalization in establishing assessment roll property values.
- C. **Tax Calendar:** Council sets tax calendar by resolution to set various due dates for tax assessment and collection.
- D. **Tax Rates:** Council sets tax rate by resolution after tax roll is certified, subsequent to meeting of the Board of Equalization.

XI. **TRAVEL**

A. **City Council and Administrative Officers:**

1. Purpose. To establish regulations and procedures for official travel, the approval of payment for per diem, and the reimbursement for travel related expenses.
2. Policy. It is the policy of the City of Valdez that City Council and Administrative Officers (City Clerk and City Manager) travel for official business outside the Valdez area shall be conducted in the most direct and cost-effective way to accomplish its purpose.

The Deputy City Clerk, as a non-exempt employee, shall adhere to the travel policy as established in the City of Valdez personnel regulations. The City Clerk shall act as City Manager for the purpose of authorizing and approving travel by the Deputy City Clerk.

B. **Travel for the Purpose of Training:**

The City Council and the City Clerk are encouraged to take advantage of training opportunities that will prepare them for advancement or expand their skills, but may only pay for expenses such as registration, travel or per diem.

Travel by Administrative Officers during normal work days/hours shall be compensable at the normal rate of pay.

The City will not compensate City Council members or the City Clerk for any inessential costs. For example, if a training session ends on a Wednesday and the employee does not return to work until the following Monday, the City Council or City Clerk will not be compensated for time (other than necessary travel time) or the extra costs incurred on Thursday and Friday.

City Council and Administrative Officers travel is authorized for official City purposes when one or more of the following criteria are met:

1. Travel is required to achieve operational and service objectives of the City.
2. Travel is required to support State or Federal efforts, which are beneficial to the City.
3. Travel is mandated by the State or Federal government.

4. Travel is for specific training, which is required for City Council members or the City Clerk to perform City functions, such as training on technological advances or for required certifications.
5. Travel is for specific training which will result in a significant cost savings or cost avoidance for the City.
6. Travel is required to attend a national or state board, committee meeting, or conference as a City representative and the exchange of information or participation will result in a benefit to the City.

C. **Definitions:**

1. Travel Report. Travel documentation outlining travel details and expenses.
2. Travel Authorization Form. Standardized city form itemizing expenses required for internal processing of travel claims.
3. Traveler. City Council members, including, Administrative Officers, authorized to travel on official business outside the Valdez area.

D. **Responsibilities:** Travelers shall:

1. Assure that all official travel is conducted in a timely, cost- effective, and most beneficial manner for the City. Consideration of a maximum of 1 pre and/or post travel day may be allowed, depending on length of time of travel.
2. Incur only those expenses, which are necessary and reasonable to accomplish the approved purpose of the trip.
3. Maintain records and receipts for travel related expenses as may be required for payment or reimbursement.
4. Ensure that all official business expenses incurred or submitted for reimbursement are in compliance with this policy/procedure.
5. Upon completion of official travel, submit a Travel Authorization Form, including all required receipts, to the Deputy City Clerk within five (5) working days, who will submit the travel authorization form and receipts to the Finance Department.
6. Submit in writing justification for any deviation from this policy/ procedure.
7. The City Clerk's Office will provide a quarterly travel report to the City Council of all travel reports filed since the last reporting period. The report shall be provided at least 30 days following the end of the quarter.

E. **City Council and Administrative Officers Travel Expenses and Per Diem:**

Purpose. To establish regulations and procedures for the payment and/or reimbursement of authorized expenses.

Policy. It is the policy of the City of Valdez to authorize the City Council and Administrative Officers to use their City P-Card or request payment in advance for certain actual expenses incurred while on official City business outside the Valdez area, provided the travel meets the criteria established in Section B, 1 thru 9.

1. **Air Travel Costs.** The City will pay the cost of air transportation directly related to travel for official business. The most economical and direct route available shall be utilized.
2. **Private Vehicle Costs.** The City will only pay a traveler for use of privately-owned vehicles at the rate-per-mile currently being allowed by the Internal Revenue Service, not to exceed the cost of coach airfare and rental car. If two or more Council members travel in the same vehicle, only the owner of the vehicle may claim reimbursement for mileage. The City shall notify the Council and Administrative Officers of any rate changes by the IRS.

Mileage will be reimbursed based upon the following standard mileage/distance schedule:

Anchorage - 310 mi.

Fairbanks - 363 mi.

Wasilla - 254 mi.

Palmer - 249 mi.

Homer - 531 mi.

Girdwood - 382 mi.

Soldotna - 469 mi.

Seward - 433 mi.

Kenai - 456 mi.

3. **City Vehicle.** The City will pay the cost of fuel and other trip related vehicle-operating costs. No reimbursement for mileage will be allowed.
4. **Lodging Costs.** The City will pay lodging costs (room and taxes Government rates and tax exemptions shall be requested and used whenever possible. Use of Non-Commercial, privately owned rental units must be pre- approved to be considered for reimbursement. Itemized hotel receipts are required for payment or reimbursement.
5. **Per Diem.** The City will pay up to \$70.00 per day for meals and incidental expenses incurred during official travel away from the

Valdez area. If travel status is for at least three hours between the hours of the following time periods, the rate indicated shall be paid:

Midnight - 8:00am: \$20.00

8:00am - 4:00pm: \$20.00

4:00pm - Midnight: \$30.00

Actual meal expenses for a per diem period greater than the per diem rate may be claimed in lieu of per diem, if fully documented with detailed receipts.

6. City Sponsored meals and Entertainment. Charges for city sponsored meals and entertainment are authorized in addition to per diem. The traveler sponsoring the event shall provide receipts and report expenses with their travel authorization form.
 7. Registration Fees. The City may make advance payment and/or reimbursement for educational/training fees. Fees for spouse activities are the responsibility of the traveler and will not be paid by the City.
 8. Ground Transportation. The City will pay for auto rentals and auto rental fuel only for the days and mileage necessary to conduct official City business. Private vehicle use in the conduct of City business will be reimbursed at the rate-per-mile allowed by the Internal Revenue Service.
 9. Other Expenses. The City will pay or reimburse actual amounts paid for taxis, airport limousine services, telephone calls, laundry, self or valet parking, in-room movies, toiletries, etc. Paid itemized receipts for actual expenses will be required for any expense equaling \$10 or more.
- F. **Travel Advance:** The City may, upon request by the traveler, make travel advances, up to one hundred (100%) of verified per diem and travel expenses contained within a travel authorization form. Travel advances may be requested only when travel plans have been finalized and expenses verified and documented.
- G. **Unforeseen Travel Interruptions:** Travel expenses that result from incidents, outside of the traveler's control, (such as airline cancellations, road closures, etc.), that prevent a traveler from returning as scheduled, shall be paid or eligible for reimbursement by the City.

XII. MISCELLANEOUS PROVISIONS:

- A. **Amendment of Council Rules of Procedure:**
1. Modifications and changes to City Council procedures may be as directed by Council.

2. Amendments resulting from city charter or code changes shall be deemed incorporated in the council procedures as required.

XIII. **CITIZEN ADVISORY GROUPS:**

A. ***Commissions, Boards and Committees:***

Certain advisory groups are established by statute or ordinance. The members of advisory groups established by statute or ordinance shall be appointed by the City Council.

Any vacancy during the unexpired term of an appointive member shall be filled by the council for the remainder of the term. The City Clerk shall advertise notice of the vacancy.

B. ***Function of Advisory Groups:***

1. To receive citizen input and administration staff advice in formulating policy recommendations.
2. To assist and advise Council in the development of program policy and budget for the city.

C. ***Established or Standing Advisory Groups:***

1. Planning and Zoning Commission
2. Valdez Museum and Historical Archive Board of Directors
3. Ports and Harbors Commission
4. Parks and Recreation Commission
5. Valdez Consortium Library Board
6. Economic Diversification Commission
7. Permanent Fund Investment Committee
8. Beautification Commission

D. ***Establishment of Temporary Citizen Advisory Groups (Task Force):***

1. When considering assignment of a special project or delegation of work to a citizen advisory group, City Council shall first consider assigning such work to an established or standing citizen advisory group.
2. If the work considered does not fit into the mission, purpose, or scope of an established or standing citizen advisory group, a temporary citizen advisory group in the form of a "Task Force" shall be formally established by Council resolution.
3. The City Council resolution establishing the temporary Task Force shall, at a minimum, include the following components:
 - a. The official name of the Task Force;

- b. Scope of work the Task Force is expected to complete (*Task Forces should be limited in scope*);
 - c. Timeline for work completion and Task Force sunset date (*Task Forces should be temporary in nature*);
 - d. Task Force member composition;
 - e. Task Force member appointment methodology (appointment by name within the resolution or direction to the City Clerk to solicit for interested and qualified applicants from the general public);
 - f. Expected Task Force work products and delivery date of said work products to City Council;
 - g. Designation of city staff or city department to provide staff/administrative support to the Task Force; and
 - h. Other guidelines as determined by City Council.
4. All temporary Task Forces shall be subject to the same standard policies and procedures established for other citizen advisory groups, including election of a Task Force chair and chair pro tempore during the first Task Force meeting, adherence to attendance and quorum policies, meeting noticing and Alaska Open Meetings Act requirements, use of proper parliamentary procedure and meeting decorum, recording of meeting minutes, and use of the full city legislative management software system.

E. **Attendance:**

1. Any member(s) not able to attend a particular meeting must notify their Staff Liaison as far in advance as possible
2. Attendance policies and procedures for the Valdez Museum and Historical Archive Association Board of Directors are outlined in the VMHA By-Laws and may differ slightly from this section.
3. A member of a city board, commission or committee may participate in and vote at a regular meeting, special meeting, or work session by teleconference (e.g., telephone, videoconferencing, or similar technology) under the following circumstances:
 - a. The regular meeting, special meeting or work session is held with a quorum of members physically present.
 - b. A member is participating by teleconference due to:
 - An illness or injury of the member or family member.
 - The birth or death of a family member.
 - An employment-related commitment.

- A commitment for city business.
 - Other similar circumstances as determined by the Chair, or Chair Pro-Tempore as applicable.
- c. Reasonable technical capabilities are available at the meeting location to allow participation by teleconference, to include being able to hear and engage in discussion and being audible to all persons participating in the meeting.
 - d. Prior to the meeting, reasonable efforts are made to ensure the member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon. Access to the agenda and documents from the city website or agenda software is considered sufficient access.
 - e. Members shall provide the board or commission staff liaison with at least 24 hours' notice of their intent to participate by teleconference and provide contact information for purposes of setting up the teleconference.
 - f. No more than the first three members to contact the Staff Liaison requesting participation by at a particular meeting may participate remotely.
 - g. In the event that there has been a declaration of disaster emergency, the physical quorum requirements are suspended for the duration of the emergency. During the period of a state of city emergency, the city may convene with a quorum of members appearing in person, or electronically, or a combination of members appearing in person and electronically through a live or real-time participation format.
 - h. Members are responsible for any charges incurred due to their participation by teleconference in a meeting unless they are absent from the community on City business.
 - i. Members participating via teleconference shall make every effort to participate in the entire meeting. From to time during the meeting, the Staff Liaison shall confirm the connection, and will disconnect the remote member if that member, the commission or board members physically present, and the public are not clearly audible to one another. All votes taken at the meeting are by roll call.

- j. Members may participate by teleconference in regular meetings three (3) times per calendar year unless the member is participating by teleconference due to a reason as described in (b) of this section.

Newly elected members may only attend by teleconference after attending at least three (3) regular meetings in person.

- k. The Chair and Chair Pro-Tempore may not preside over or chair a meeting in which they are participating by teleconference.
3. The seat of any Board, Committee or Commission member, including the Chair, shall become vacant if the member is absent from three consecutive regular meetings without excuse. The City Clerk shall forward to Council for formal action the request to remove a member after three consecutive absences occurring without advance authorization.
 4. Any member wishing to resign from a citizen advisory group prior to the completion of their full term shall provide written notice to their Staff Liaison who will forward such notice to the City Clerk's Office for processing and formal acceptance by City Council.
 5. Administrative staff as required should be available for all Board, Committee and Commission meetings.

F. ***Travel Authorization:***

All travel for members of Boards, Commissions, Advisory Groups, or members of other community service organizations for which city funding is requested, shall be coordinated through the City Clerk and is to be approved in advance by a vote of the council.

VII. **CITIZENS' RIGHTS:**

- A. ***Addressing the Council:*** Any person desiring to address Council by oral communication shall first secure the permission of the Chair.
- B. ***Manner of Addressing the Council - Time Limit:*** Each person addressing the Council other than as a scheduled Public Appearance shall step up to the microphone, shall give his/her name and address in an audible tone of voice for the record.

The time allowed for public testimony is five minutes, individually or by agent. A person may give individual testimony and testify as an agent of another, but may not exceed five minutes total. Additional time may be granted by the Mayor, upon motion and approval by the Council, to a person testifying who possesses special knowledge or expertise on the matter being heard. The five-minute limitation shall be strictly enforced by the Mayor.

All remarks shall be addressed to the Council as a body and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through members of the Council. No questions shall be asked the Council members except through the Chair.

- C. **Personal and Slanderous Remarks:** Any person making personal, non-germane or slanderous remarks or who shall become boisterous while addressing the Council may be requested to leave the meeting.
- D. **Written Communications:** Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Council members.

VIII. **ADMINISTRATIVE OFFICERS:**

A. **Definitions:**

For the purposes of this section, Administrative Officers refer to the City Manager and City Clerk who work directly for the City Council as authorized and defined by the City Charter, Chapter V - The Administrative Service:

- B. **Manner of Employment:** The City Manager and City Clerk will be employed or engaged via negotiated individual contracts approved by the City Council.
- C. **Evaluations:** The City Council will evaluate the performance of the City Manager and the City Clerk under direct employment on a periodic basis, but not less than once annually.
- D. **Annual Evaluation Process:** The City Council will employ the following annual evaluation process:
 - 1. Two regular Council meetings before an evaluation, the City Council will be provided the currently adopted evaluation form(s) for the Officer being evaluated, and appoint a council member to serve as "evaluation chairperson" for that specific evaluation.
 - 2. Each City Council Member will fill out the evaluation form(s) individually.
 - 3. One regular Council meeting before the evaluation, the City Council will meet in Executive Session (without the Officer being evaluated*) to discuss the performance and reach consensus regarding final disposition of the evaluation form(s).
 - 4. The evaluation chairperson will compile the final version of the evaluation form(s) and provide a copy to the full Council and the Officer being evaluated, not less than seven calendar days prior to the evaluation.

5. The annual evaluation will occur at the next regular City Council meeting in Executive Session*.
6. All evaluation forms will be considered confidential and will not be released without the express written permission of the Officer being evaluated.

*AS 44.62.310 (c) (2) allows a governing body to meet in executive session on matters which tend to prejudice the reputation and character of any person, except that the person to be discussed is entitled to notice and may insist upon open discussion.