

Introduced by: City Manager  
Date Introduced: December 12, 2000  
Public Hearing Date: January 9, 2001  
Action: Postponed  
Public Hearing Date: January 23, 2001  
Action: Enacted  
Vote: Unanimous

## ***CITY OF BETHEL, ALASKA***

### **ORDINANCE #00-27**

#### **AN ORDINANCE AMENDING 2.52.070 and 2.52.160 OF THE BMC RELATING TO BOARDS, COMMISSIONS AND COMMITTEES**

BE IT ORDAINED by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amendment.** Chapter 2.52.070 of the Bethel Municipal Code is amended as follows (new text is underlined):

#### 2.52.070 Vacancies.

A. The head of the department clearly associated with the body or the department head's delegate shall keep attendance records and notify the city clerk when a vacancy has been declared. Attendance shall be taken and recorded even in the absence of a quorum. A vacancy shall be declared by the body when the member:

1. Is absent from the city for more than 90 days without first being excused by the body;
2. Fails to attend three (3) regularly scheduled meetings within any calendar year without being excused by the body;
3. Fails to attend three (3) special meetings within any calendar year without being excused by the body;
4. Fails to attend a minimum of 65% of regular meetings held within any calendar year whether excused or unexcused.
5. Fails to attend a minimum of 65% of special meetings held within any calendar year whether excused or unexcused.
6. Submits a written resignation which is accepted by the body or the mayor;
7. Dies;
8. Fails to qualify and give the oath of office within 30 days after city council confirmation of the appointment;
9. Ceases to be a resident of the city;
10. Is convicted of a felony or an offense involving a violation of the oath of office for the body, or
11. Becomes disqualified from holding the seat under other provisions of this Code.

B. A member may be removed by the council at any time with or without a stated reason, provided, before or promptly after the removal the person shall first be given an opportunity to address the council in a public meeting.

C. A member that is appointed or nominated by a private or governmental organization or officer as a representative of that organization on the body may be removed at any time as provided for removal of members appointed by the mayor.

D. An ex-officio member may not be removed by the council if the persons' membership is based solely upon an office or position occupied by that person within a different organization and is not based in part or in whole upon a nomination or recommendation by the person's organization.

**SECTION 3. Amendment.** Chapter 2.52.160 of the Bethel Municipal Code is amended as follows (new text is underlined and old text is stricken out):

2.52.160 Reports and minutes.

The ex officio member, or his or her designee, of the body appointed by the city manager in accordance with section 2.52.170 shall keep minutes of the proceedings shall be kept, and such minutes shall record the votes of each member upon every question formally presented for consideration. The signed, original minutes shall be filed in the office of the clerk and shall be a public record, open to inspection by any person.

**SECTION 4. Amendment.** Chapter 2.52 of the Bethel Municipal Code is amended by adding the following section:

**Chapter 2.52 BOARDS, COMMITTEES, AND COMMISSIONS**

2.52.035 Composition and Voting.

A. Membership. The number of members of each board, committee or commission shall be determined by the City Council in the ordinance establishing the body. Unless provided otherwise in the ordinance establishing the body, the City Council member of the body shall be a voting member of the body.

**SECTION 5. Effective date.** This ordinance shall become effective immediately.

PASSED AND APPROVED THIS 23 DAY OF January 2001, by a vote of \* in favor and \* opposed.

*for Stanley "Tundy" Rodgers, Mayor*

ATTEST:

*Colleen Soberay*  
Colleen Soberay, City Clerk