

Introduced by: City Manager Herron  
Date Introduced: May 25, 2004  
Public Hearing Date: June 8 & 22, 2004  
Action: Passed  
Date Enacted: 5-1

***CITY OF BETHEL, ALASKA***

**ORDINANCE #04-07**

**AN ORDINANCE AMENDING SECTIONS 2.04.010, 2.52.130, AND 2.24.050 OF THE BETHEL MUNICIPAL CODE REGARDING PROCEDURE FOR POSTPONING AND RESCHEDULING MEETINGS OF THE CITY COUNCIL, BOARDS, COMMITTEES AND COMMISSIONS, INCLUDING THE PLANNING COMMISSION**

**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.** Section 2.04.010 of the Bethel Municipal Code regarding City Council "Regular Meetings" is amended as follows (new language is underlined and old language is stricken out):

2.04.010. Regular meetings.

- A. Regular meetings of the city council shall be held on the second and fourth Tuesdays of each month.
- B. A regular meeting may be postponed or rescheduled to another date upon a vote of the majority of the council members at a previous regular or special meeting. A regular meeting may be postponed or rescheduled because of an expected lack of a quorum of the city council members at the next scheduled regular meeting. At least one regular meeting must be held each month.
- C. Notice of the postponing or rescheduling of a regular meeting shall be given in accordance with Section 2.04.025. If a regular meeting is rescheduled, it may not be rescheduled before six days after the last regular meeting in order to give the public notice of the rescheduled date.
- D. Unless otherwise stated in the public notice of the meeting, each regular meeting shall be held at City Hall in the City Council Chambers, which is located at 300 State Highway, and shall begin at six-thirty p.m.

**SECTION 3. Amendment.** Section 2.52.130 of the Bethel Municipal Code regarding “Meetings and notice of meetings” for boards, committees, and commissions are amended as follows (new language is underlined and old language is stricken out):

2.52.130. Meetings and notice of meetings.

- A. Meetings. Regularly scheduled meetings shall be held at a time and place designated by the body. Special meetings may be called by the chair; the city employee designated as an ex officio member pursuant to Section 2.52.170 of this chapter, and shall be called by the chairperson at the request of two members.
- B. Postponing or Rescheduling of Regular Meetings. A regular meeting may be postponed or rescheduled to another date upon a vote of the majority of the members at a previous regular or special meeting. A regular meeting may be postponed or rescheduled because of an expected lack of a quorum of the members at a scheduled regular meeting. Notice of the postponing or rescheduling of a regular meeting shall be given in accordance with subsection C. If a regular meeting is rescheduled, it may not be rescheduled before five days after the last regular meeting in order to give the public notice of the rescheduled date.
- C. Notice of Meetings. A notice of the date, time, and place of all meetings of a body shall be prepared and posted in at least three conspicuous public places within the city. Notice of a regular meeting shall be posted no later than five days before the meeting. Notice of a special meeting shall be posted no later than three days before the meeting. The agenda for the meeting and materials to be considered by the body at the meeting may be posted with the notice, but are not required to be posted. An agenda or other materials posted with the notice do not limit the matters that may be considered and acted upon by the body. The city clerk may delegate to a department head the responsibility for providing public notice of meetings of a body that provides advice primarily to the department or that is otherwise clearly associated with a particular department.
- D. Open Meetings. The meetings of all bodies shall be open to the public as required by the Alaska Open Meetings Act

**SECTION 4. Amendment.** Section 2.24.050 of the Bethel Municipal Code regarding the Planning Commission “General procedures” is amended as follows (new language is underlined and old language is stricken out):

2.24.050. General procedures.

- A. Regular meetings shall be held on a schedule established by the planning commission. The schedule of the regular meeting dates, times and places shall be published at least twice in a newspaper of general circulation in the city. The publication shall cover the regular meetings scheduled for the next twelve months

or through the end of the next calendar year. The two publications should be within five to fifteen days of each other. Publication of notice of a specific regular meeting may also be made, but is not necessary unless required by other provisions of this code. A copy of the proposed agenda shall be posted at least five days before the meeting at city hall and in three other public places where such notices are regularly posted. The posted agenda does not limit the matters the commission may act upon.

- B. Postponing or Rescheduling of Regular Meetings. A regular meeting may be postponed or rescheduled to another date upon a vote of the majority of the members at a previous regular or special meeting. A regular meeting may be postponed or rescheduled because of an expected lack of a quorum of the members at a scheduled regular meeting. Notice of the postponing or rescheduling of a regular meeting shall be given in accordance with subsection C. If a regular meeting is rescheduled, it may not be rescheduled before five days after the last regular meeting in order to give the public notice of the rescheduled date.
- C. Special meetings may be called by the chairperson or shall be called by the chairperson at the request of two members of the commission or the planning manager. Notice of special meetings shall be given by posting notice of the date, time and place of the meeting at least five days prior to the meeting at city hall and three other public places where such notices are regularly posted. A copy of the agenda for the special meeting shall be attached to the posted notice, and matters not on the agenda may not be acted upon by the commission.
- D. Meetings shall be public and minutes shall be kept. Minutes shall be retained as a public record in the office of the city clerk.
- E. Meetings shall be conducted under Robert's Rules of Order with such modifications and additions as may be adopted by the commission.
- E. Office and Staff. The commission and its staff shall be provided office space suitable for its needs with adequate room to file its journals, resolutions, records, reference materials, correspondence, maps, plats and charts, all of which shall constitute public records of the city. The city manager shall make available to the commission, its staff and consultants the public records to aid the furtherance of the performance of the commission's duties.
- G. All formal actions of the commission shall be by resolution bearing:
1. The heading, "Resolution of the Bethel Planning Commission;"
  2. The space for the resolution number to be assigned, "Resolution No. (number);
  3. A short and concise title descriptive of its subject and purpose;

4. A short list of "Whereas" clauses descriptive of the reasons for the resolution, if necessary;
5. The resolving clause, "THEREFORE, BE IT RESOLVED THAT..."; followed by a statement of the action approved by the commission and such factual findings, conclusions and other matters as may be appropriate; and
6. A declaration of the date the resolution was adopted: "Adopted (date)" and designated lines for the signatures of the chairperson and the commission clerk.

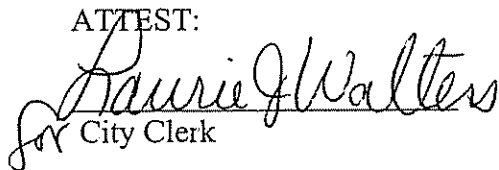
H. All funds received by the commission or the planning department as fees, charges, or otherwise shall be deposited in the general fund of the city and may be expended only pursuant to an appropriation.

I. Members of the planning commission may be paid a fee or honorarium and reimbursed for expenses as provided by resolution of the city council.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately upon passage by the City Council.

**PASSED AND APPROVED THIS 22<sup>nd</sup> DAY OF JUNE 2004, by a vote of 5 in favor and 1 opposed.**

  
Hugh Short, Mayor

ATTEST:  
  
for City Clerk