

CITY OF BETHEL, ALASKA

ORDINANCE #23-05

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE 2.60 COMMITTEES, COMMISSIONS, AND AD HOC COMMITTEES TO PROVIDE FOR COMPENSATION

WHEREAS, committee and commission volunteerism is a big personal time commitment and therefore should be recognized and appreciated;

WHEREAS, the City of Bethel is frequently unable to hold necessary public committee and commission meetings due to lack of a quorum of the members present at the meetings;

WHEREAS, the current vacancies for standing committees and commissions include:

Committee/Commission	Total Appointed Members*	Member Vacancy	Alternate Seat Vacancy
Community Action Grant Committee	8	1	2
Community Parks and Recreation Committee	8		1
Ethics Board	6		1
Port Commission	8	2	2
Finance Committee	8	2	2
Planning Commission	8		1
Public Safety and Transportation Commission	8		2
Public Works Committee	8	4	2
Total	62	9	13

* Does not include council representative in total.

WHEREAS, to help encourage residents to volunteer and attend meetings, the City wishes to provide nominal compensation to individuals whom the City Council appoints to committees, commissions, and ad hoc committees;

WHEREAS, seated council members appointed to committees by the mayor do not qualify for compensation;

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA, that

Section 1. Classification. This ordinance is permanent in nature and shall be placed in the Bethel Municipal Code.

Section 2. Amendment. The Bethel Municipal Code 2.60 Committees, Commissions, and Ad Hoc Committees is amended, old language is stricken, and new language is underlined.

Chapter 2.60
COMMITTEES, COMMISSIONS, AND AD HOC COMMITTEES

Sections:

Article I. General Provisions

- 2.60.010 Definitions.
- 2.60.020 Creation of committees, commissions, and ad hoc committees.
- 2.60.030 Appointment, term, vacancy, and removal of members.
- 2.60.040 Composition of committees, commissions, and ad hoc committees.
- 2.60.050 Quorum and voting.
- 2.60.060 Notice of public meetings.
- 2.60.070 Meeting agendas, packets, and minutes.

Article I. General Provisions

2.60.010 Definitions.

- A. "Ad hoc committee" means a temporary advisory committee appointed by the city council for a specific term to accomplish a specific task or project.
- B. "Alternate member" means a member appointed by the city council to an advisory committee, commission, or ad hoc committee. An alternate member has the same rights as a voting member but may vote only when one (1) of the seven (7) voting members is absent or has a conflict of interest on the matter under consideration.
- C. "Appointed member" means an adult member of a committee, commission, or ad hoc committee appointed by the city council.
- € D. "Body" refers to the collective members of each individual advisory committee, commission, or ad hoc committee.
- Ð E. "Commission" means a standing advisory committee that is required by state law or to which the council has delegated final decision-making and quasi-judicial authority.

~~E-F.~~ "Committee" means an advisory committee appointed by the council to advise and make recommendations to the council regarding topics as specified in the committee's duties.

~~F-G.~~ "Ex officio member" means a member that is appointed by the city manager to support the function of an advisory committee, commission, or ad hoc committee. Ex officio members are nonvoting members.

~~G-H.~~ "Voting member" means a member that is appointed by the council to a committee, commission, or ad hoc committee.

~~H-I.~~ "Quorum" means the minimum number of members of a committee, commission, or ad hoc committee that must be present at any meeting to conduct business.

~~I-J.~~ "Youth member" means a member under the age of eighteen (18) but at least fourteen (14) who is appointed to a committee, commission, or ad hoc committee by the council. Youth members are nonvoting members.

2.60.020 Creation of committees, commissions, and ad hoc committees.

The council may create citizen committees, commissions, or ad hoc committees to aid the council in the conduct of public affairs. All committees, commissions, and ad hoc committees shall be governed by this chapter, except that if a provision of this chapter conflicts with an applicable state statute, the statute shall prevail.

A. Committees and commissions shall be created by ordinance as amendments to this chapter. In addition to the powers and duties established for each committee or commission, the council may from time to time assign such other duties or projects as the council deems appropriate.

B. Ad hoc committees shall be created by resolution of the council. The resolution shall set forth the number of members, the term of the committee, the task or project to be accomplished, the timeline for completion of the task or the project, and other such direction as the council deems appropriate.

2.60.030 Appointment, term, vacancy, compensation and removal of members.

A. *Applications.* Volunteers interested in filling a vacancy on a committee, commission, or ad hoc committee shall submit an application for appointment to the city clerk's office, on a form provided by the city clerk's office.

B. *Eligibility.* The city clerk's office shall screen applicants and confirm their eligibility. A member must be a resident of Bethel for six (6) months prior to appointment and shall not be delinquent on payment of any undisputed city sales tax or utility bill to the city. The city clerk's office shall review and identify any potential conflicts of interest that may affect the appointment of the individual.

A city employee shall not be appointed as a voting member or alternate member to a committee, commission, or ad hoc committee which conducts any business that concerns or relates to the department where the employee works.

C. *Appointment.* The city council, following sponsorship by the mayor, is the appointing authority for committees, commissions, and ad hoc committee voting members, alternate members, and youth members. Members shall be appointed without discrimination based on race, national origin, color, age, religious creed, sex, political affiliation, marital status, physical disability, or other statuses protected by law. ~~Members shall not receive compensation for their services.~~

D. *Official Oaths.* All applicants under this chapter shall take an oath of office within forty-five (45) days following council's appointment and prior to participating in any meeting of the appointed body. If an applicant does not take their oath of office within forty-five (45) days following appointment, the city clerk's office shall provide notice to the applicant, city council, and the relevant committee that the appointment is invalid and the vacancy stands.

E. *Term.* The term of office for positions on committees and commissions shall be three (3) years and expire on December thirty-first (31st); provided, a member whose term has expired but seeks reappointment may continue to hold office for a period not longer than thirty (30) days following term expiration. The term of an ad hoc committee shall be established in the resolution creating the committee.

If a position on a committee, commission or ad hoc committee becomes vacant before the expiration of the term, the city clerk shall review the vacancy and recommend that the council's appointment to fill the vacancy be given a term that is staggered from the other members of the body. When a new committee or commission is created, the terms shall be staggered.

The term of the council representative is one (1) year.

The term of the youth member is one (1) year.

F. Compensation. Each appointed member shall receive twenty-five dollars (\$25.00) per regular and special meeting attended in person or by teleconference, unless the member provides written notice of the wish to decline compensation. To qualify for compensation, the member shall be in attendance for roll call and adjournment, and a quorum of the body must have been met. Compensation under this section shall not exceed six-hundred dollars (\$600) per appointed member.

F.G. Vacancy. Except as otherwise provided in this chapter, council-appointed members of committees, commissions, and ad hoc committees shall serve at the pleasure of the council. Vacancies on committees, commissions, and ad hoc committees:

1. Shall be declared by the committee, commission, or ad hoc committee when a member:
 - a. Is absent from the city for more than ninety (90) days without first being excused by the body;
 - b. Fails to attend three (3) regularly scheduled meetings within any calendar year without being excused by the body;
 - c. Fails to attend three (3) special meetings within any calendar year without being excused by the body;
 - d. Is delinquent on payment of any undisputed sales tax, utility bill or other financial obligation and fails to cure said delinquency within thirty (30) days after receipt of written notice of the delinquency from the finance department.

- d ~~e~~. Submits a written resignation that is accepted by the body;
 - e ~~f~~. Dies;
 - f ~~g~~. Ceases to be a resident of the city;
 - g ~~h~~. Is convicted of a felony or an offense involving a violation of the oath of office for the body; or
 - h ~~i~~. Becomes disqualified from holding the seat under other provisions of this code.
2. May be declared by the committee, commission, or ad hoc committee when a member:
 - a. Fails to attend at least sixty-five (65) percent of regular meetings held within any calendar year, whether excused or unexcused;
 - b. Fails to attend at least sixty-five (65) percent of special meetings held within any calendar year, whether excused or unexcused.
 3. May be declared by the city council for any reason.
 4. The member whose seat is being considered for declaration of vacancy shall be provided an opportunity to address the body or the council at the public meeting at which the vacancy is being considered.
 5. Public notices of vacancies will be provided by the city clerk.

2.60.040 Composition of committees, commissions, and ad hoc committees.

A. All committees and commissions shall consist of seven (7) council-appointed adult voting members. One (1) member shall be a member of the city council and act as the council representative to provide a direct line of communication between the advisory board and the city council. Each council member shall be appointed to only one (1) committee, commission, and/or ad hoc committee.

B. In addition to the seven (7) adult voting members, the council may appoint up to two (2) alternative members and one (1) youth member to any advisory committee or commission.

C. An ad hoc committee may have fewer but not more members than the number provided under subsections [A](#) and [B](#) of this section, and in no event less than five (5) members.

D. Each committee or commission shall annually elect a chair and a vice chair from its membership. An ad hoc committee shall elect a chair and vice chair at the first (1st) meeting of the body. The vice chair shall act in the absence of the chair or in the event the chair is unable to act.

E. The city manager is responsible for the effective management of committee, commission, and ad hoc committee operations and shall provide the staff required to assist the body in discharging its duties. The city manager shall appoint at least one (1) ex officio member to provide staff support to each committee, commission, and ad hoc committee. Ex officio members report to and take direction from the city manager and not from the body to which they are appointed.

The duties of the ex officio member include but are not limited to: preparation and posting of agendas, packet materials, meeting minutes, and other relevant documents in accordance with Alaska Statutes ([44.62.310](#) through [44.62.319](#)), Bethel Municipal Code, and city policy. The ex officio member appointed to the body shall also provide subject matter expertise to the body.

An ex officio member is a nonvoting member of the body, but may add items to the agenda and participate in discussion.

2.60.050 Quorum and voting.

A. Four (4) members shall constitute a quorum for the transaction of business for committees and commissions and four (4) affirmative votes shall be necessary to carry any question, unless the body is acting in a quasi-judicial capacity.

B. A majority of the total voting membership of any ad hoc committee shall constitute a quorum for the transaction of business and shall be necessary to carry any question.

C. Members are required to vote on all questions presented to the body unless there is a conflict of interest ruled on by the chair or majority of the body, when applicable.

D. An alternate member will be activated as a voting member whenever there is an absence or conflict of interest of another member. When two (2) alternate members are present and only one (1) alternate member is needed to fill the seat of a voting member, the alternate with seniority on the body shall act as the voting member.

2.60.060 Notice of public meetings.

A. Regular meetings shall be scheduled once a month unless otherwise authorized by council. 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.

B. Special meetings are called to transact business held outside the regular meeting schedule. Special meetings may be called at any date and time by the chair, or by three (3) voting members.

C. Meetings shall be held at City Hall, 300 Chief Eddie Hoffman Highway, whenever reasonably possible, and shall comply with BMC [2.04.070](#), in providing teleconference and written participation to all public meetings.

Agendas constitute the meeting notice and shall contain, at a minimum, the date, place and time of the meeting, the name of the body, the names of the members of the body, people to be heard, and any item to be discussed by the body.

D. Public notice of meetings shall be prepared and posted in at least four (4) conspicuous public places within the city, including at the location of the meeting. Notice of a regular meeting shall be posted no later than five (5) days before the meeting. Notice of a special meeting shall be posted no later than three (3) days before the meeting, except the planning commission special meeting agenda shall be posted no later than five (5) days before the meeting.

E. The meetings of all bodies shall be open to the public in accordance with the Alaska Open Meetings Act, and shall permit teleconference and written participation in accordance with BMC [2.04.080](#).

F. Each committee, commission, and ad hoc committee shall follow Robert's Rules of Order Newly Revised; however, the rules of debate may be relaxed by the body to promote discussion.

G. Committee, commission, and ad hoc committee reports and recommendations shall be decided by a quorum of the body at a public meeting.

H. Any committee, commission and ad hoc committee may appoint seated members of its body to a subcommittee. The number of members appointed to a subcommittee shall be three (3) or fewer, to avoid creating a quorum of the body. The subcommittee can make such investigation or exercise such authority as may be delegated to it by the advisory board. A subcommittee reports to the body from which it was appointed, and not to the council. No action of the subcommittee is official until approved by a majority vote of the advisory body.

2.60.070 Meeting agendas, packets, and minutes.

A. The ex officio member assigned to the body and appointed members may add items to the agenda not later than 5:00 p.m. one (1) day in advance of the meeting's public notice deadline.

B. The ex officio member shall prepare and post the agenda and distribute the packet material containing all relevant reports, communications and documents for the meeting in accordance with the public meeting notice requirements and deadlines in BMC

[2.60.060](#).

C. Official meeting minutes shall contain, at a minimum: the date, place and time of the meeting, the names of those members present and absent, the name of the presiding officer, and the names and items presented under people to be heard. Minutes shall also contain any official action or vote taken by the body. The ex officio member shall file the minutes with the city clerk's office for permanent retention within 30 days following approval by the body.