

PORT AND HARBOR ADVISORY COMMISSION BYLAWS

The Homer Port and Harbor Advisory Commission was established via Ordinance 73-1. The following bylaws were adopted on August 22, 1994 by Resolution 94-89, and shall be in effect and govern the procedures of the Port and Harbor Commission of the City. To abide by existing Alaska State Law, Borough Code of Ordinance, where applicable, and Homer City Code; to abide by Robert's Rules of Order, current edition, in so far as this treatise is consistent with Homer City Code.

A. REGULAR MEETINGS:

- Fourth Wednesday of each month. Meetings will begin at 5:00 p.m. in the months of January, February, March, April, September, October, November, and December; and at 6:00 p.m. May, June, July, and August.
- Agenda deadline is the Wednesday of the week preceding the meeting date at 5:00 p.m.;
- Adding items or removing items from the agenda will be by majority consensus of the Commission;
- Public notice of a regular meeting shall be made as provided in HCC Chapter 1.14.
(Resolution 98-23, 05-110, 10-08, 12-012)

B. SPECIAL MEETINGS:

- Called by Chairman or majority of the Commission;
- Adding items or removing items from the agenda will be by majority consensus of the Commission;
- Public notice of a special meeting shall be made as provided in HCC Chapter 1.14.

C. DUTIES AND POWERS OF THE OFFICERS:

- A Chairman and Vice-Chairman shall be selected annually (February meeting) by the appointive members.
- The Chairman shall preside at all meetings of the Commission, call special meetings in accordance with the by-laws, sign documents of the Commission, see that all actions and notices are properly taken, and summarize the findings of the Commission for the official record.
- The Vice-Chairman shall perform all duties and be subject to all responsibilities of the Chairman in his/her absence, disability or disqualification of office.

D. MOTIONS TO RECONSIDER:

- Notice of reconsideration shall be given to the Chairman or Vice-Chairman, if the Chairman is unavailable, within forty-eight hours from the time the original action was taken.
- A member of the Commission who voted on the prevailing side on any issue may move to reconsider the Commission's action at the same meeting or at the next regular meeting of the body provided the above 48-hour notice has been given.
- Consideration is only for the original motion to which it applies.

E. CONFLICT OF INTEREST:

- A Commission member shall disclose any financial interest in any matter before the Commission before debating or voting upon the matter. After such disclosure, the Commission member may not participate in the debate or vote upon the matter unless the board or Commission determines that a financial interest is not substantial as defined in the City Code.

F. QUORUM; VOTING:

- Four Commission members shall constitute a quorum.
- Four affirmative votes are required for the passage of a resolution or motion.
- Voting will be by verbal vote, the order to be rotated. The final vote on each resolution or motion is a recorded roll call vote.

The City Manager, Mayor, Harbormaster(Port/Harbor Director) shall serve as consulting members of the Commission but shall have no vote. Mr. Dave Vanderbrink and Mr. Brantley Edens have been appointed lifetime honorary members.

G. CONSENSUS:

- The Commission may, from time to time, express its opinion or preference concerning a subject brought before it for consideration. Said statement, representing the will of the body and meeting of the minds of the members, may be given by the presiding officer as the consensus of the body as to that subject without taking a motion and roll call vote.

H. ABSTENTIONS:

- All Commission members present shall vote unless the Commission, for special reasons, permits a member to abstain.
- A motion to excuse a member from voting shall be made prior to the call for the question to be voted upon.
- A member of the Commission requesting to be excused from voting may make a brief, oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate.

I. VACANCIES:

- A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission.
- The Commission shall declare a vacancy when the person appointed:
 - Fails to qualify to take office within 30 days after his/her appointment;
 - Resigns and the resignation is accepted;
 - Is physically or mentally unable to perform the duties of his/her office;
 - Misses three consecutive regular meetings unless excused;
 - Is convicted of a felony.

J. GENERAL ORDER OF BUSINESS:

<u>NAME OF BODY</u>	<u>DATE OF MEETING</u>
<u>PHYSICAL LOCATION OF MEETING</u>	<u>DAY OF WEEK AND TIME OF MEETING</u>
<u>HOMER, ALASKA</u>	<u>MEETING ROOM</u>

NOTICE OF MEETING REGULAR MEETING AGENDA

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
4. RECONSIDERATION
5. APPROVAL OF MINUTES or CONSENT AGENDA.
6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the visitor or the visitor's topic until audience comments.) No action may be taken at this time.
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit not to exceed 5 minutes.)
8. PUBLIC HEARING (3 MINUTE TIME LIMIT)
9. PLAT CONSIDERATION (Planning Commission only)
10. PENDING BUSINESS or OLD BUSINESS
11. NEW BUSINESS or COMMISSION BUSINESS
12. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED ONLY).
13. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
14. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the agenda.)
15. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
16. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
17. COMMENTS OF THE COMMISSION
18. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____, note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for the Conference Room)

Contact info for the department constructing the agenda. Example: City Clerk's Office, clerk@ci.homer.ak.us, 235-3130.

K. BY-LAWS AMENDED:

- The by-laws may be amended at any meeting of the Commission by a majority plus one of the members, provided that notice of said proposed amendment is given to each member in writing.
- The proposed amendment shall be introduced at one meeting and action shall be taken at the next Commission meeting.

L. ALTERNATIVE VOTING MEMBERS:

From time to time the Mayor, upon confirmation of the City Council, may appoint an alternate Port & Harbor Commissioner, who may take the place of a Commissioner who is absent or who has declared a conflict of interest. (Resolution 01-23(A).)

M. TELECONFERENCE:

1. Teleconference meetings.

- The preferred procedure for Commission meetings is that all members be physically present at the designated time and location within the City for the meeting. However, physical presence may be waived by the Chair or Commission and a member may participate in up to two meetings per calendar year by Teleconference subject to the procedures and limitations provided in section 2.
- A Commission member participating by teleconference shall be deemed to be present at the meeting for all purposes.
- In the event the Chair participates telephonically, the Vice-Chair shall preside over the meeting.

2. Teleconference procedures.

- A Commission member who cannot be physically present for a regularly scheduled meeting shall notify the clerk at least five days prior to the scheduled time for the meeting of his/her intent to appear by telephonic means of communication.
- The clerk shall notify the Commission members three days prior to the scheduled time for the Commission meeting of Commission members intending to appear by teleconference.
- The means used to facilitate a teleconference meeting of the Commission must enable each Commission member appearing telephonically to clearly hear all other Commission members, and members of the public attending the meeting as well as be clearly heard by all other Commission members and members of the public.
- The clerk shall note in the attendance record all Commission members appearing telephonically.