1 **CITY OF HOMER** 2 **HOMER, ALASKA** 3 Smith 4 **ORDINANCE 17-17** 5 6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA 7 AMENDING HOMER CITY CODE 2.04.030 TO REMOVE THE PROHIBITION ON THE CITY MANAGER AND CITY EMPLOYEES 8 9 FROM SECURING OR CONTRIBUTING MONEY TOWARDS THE 10 NOMINATION OR ELECTION OF A CANDIDATE FOR A MUNICIPAL 11 OFFICE, AND AMENDING HOMER CITY CODE 4.10.050 TO PROHIBIT CANDIDATES FOR MUNICIPAL OFFICE FROM ACCEPTING OR 12 13 SOLICITING CAMPAIGN CONTRIBUTIONS FROM CITY EMPLOYEES 14 OR THE CITY MANAGER. 15 WHEREAS, It is in the best interest of the City of Homer's ("City") residents to ensure that 16 the City administration and its staff is not subject or vulnerable to undue influence or financial 17 expectations from candidates for local office or elected City officials; and 18 19 WHEREAS, It is in the best interests to permit City administration and its staff to 20 participate freely in the local election and campaign process in a manner that does not 21 compromise the integrity of local government or the relationship between the City 22 23 administration and its staff and the governing body. 24 NOW THEREFORE, THE CITY OF HOMER ORDAINS: 25 26 27 Section 1: Section 2.04.030, Interference in administration and elections, is amended to 28 read as follows: 29 No member of the Council shall directly or indirectly, by suggestion or otherwise, 30 31 attempt to influence or coerce the Manager in the making of any appointment or removal of any officer or employee or in the purchase of supplies, or attempt to exact 32 any promise relative to any appointment from any candidate for Manager; or discuss 33 directly or indirectly with him the matter of any specific appointment to any City office 34 or employment, or to give orders directly to any officer or employee or to deal with the 35 Manager individually and not by the Council as a body. Nothing in this section shall be 36 construed, however, as prohibiting the Council while in open session from fully and 37 freely discussing with or suggesting to the Manager anything pertaining to City affairs 38 39 or the interests of the City.

Section 2: Section 4.10.050, Prohibitions, is amended to read as follows:

40

41 42

∕JØ √ØHNSON, MMC, CITY CLERK

84

43 a. A person may not serve simultaneously as Mayor, Council member, Commissioner 44 or member of the Library Advisory Board. 45 46 b. No elected municipal official may hold any other municipal office, or municipal 47 employment or elected position in the State or Federal government while in office. 48 49 c. A person elected or appointed to the office of City Mayor or City Council member may not be a candidate for another elected City office or for another term for the 50 51 same City office, except as follows: 52 53 1. A person holding such City office may be a candidate for election to the same or a different City office during the last year of the person's term of office; 54 55 and 56 2. A person who resigned from the office of City Mayor or City Council may be a 57 candidate for the same City office only during or after the last year of the 58 59 term from which the person resigned; and 60 3. At any time a person may be a candidate for the office of City Mayor while 61 simultaneously serving as a City Council member, but if elected such person 62 must resign the office of City Council prior to assuming the office of Mayor. 63 64 d. A candidate for municipal office who has complied with HCC 4.10.010 may not solicit 65 or accept a financial contribution from the City Manager or an employee of the City. 66 67 68 Section 3: This ordinance is of a permanent and general character and shall be 69 70 included in the City Code. 71 72 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER this 10th day of April, 2017. 73 74 CITY OF HOMER 75 76 77 78 BRYAN ZA 79 ATTEST: 80 81 82 83

CITY OF HOMER AYES: 5 85 NOES: 86 ABSTAIN: 87 ABSENT: / 88 89 90 First Reading: 3/38/17
Public Hearing: 4/10/17 91 92 Second Reading: 4/10/17
Effective Date: 4/11/17 93 94 95 96 Reviewed and approved as to form: 97 98 99 Mary K. Koester, City Manager 100 Holly Wells, City Attorney 101 102 Date: 4.14.17 Date: 5.1.17 103

Page 3 of 3 ORDINANCE 17-17