1 **CITY OF HOMER** 2 HOMER, ALASKA 3 City Clerk 4 **ORDINANCE 21-40** 5 6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA 7 AMENDING HOMER CITY CODE 2.08.120 TELECONFERENCE-8 LIMITATIONS. 9 10 WHEREAS, Ordinance 20-21(S)(A) amended Homer City Code 2.08.100 – 120 regarding telephonic procedures for city meetings; and 11 12 13 WHEREAS, Ordinance 20-21(S)(A) established that teleconferencing means remote participation by telephone or web-based format by an official for a meeting of the City Council 14 which must enable the remote official, for the duration of the meeting, to clearly hear the 15 16 Mayor, all Council members, the City Clerk and public testimony and to be clearly heard by the 17 Mayor, all Council members, the City Clerk and the public in attendance; and 18 19 WHEREAS, Ordinance 20-21(S)(A) also provided for exceptions for meetings held while 20 an emergency disaster declaration is in effect and the nature of the disaster significantly impacts a Council member's ability to attend a Council meeting other than by teleconference 21 22 or other technological means; and 23 24 WHEREAS, The current emergency declaration related to COVID-19 expires on June 28, 25 2019; and 26 27 WHEREAS, There is currently a situation where the council chambers is being remodeled and unavailable to hold in person city meetings; and 28 29 WHEREAS, Other situations could arise that wouldn't require an emergency declaration 30 but may prohibit conducting in person meetings, such as fire, water damage from pipe failure. 31 and power failure. 32 33 NOW, THEREFORE, THE CITY OF HOMER ORDAINS: 34 35 36 <u>Section 1.</u> Homer City Code 2.08.120 Teleconference – limitations is hereby amended 37 as follows: 38 Teleconference – Limitations. 39 2.08.120 a. All Council members and the Mayor should make all reasonable effort to be physically 40 present for every meeting. Teleconference procedures may not be used as a regular means of 41

attendance at meetings except temporarily during events described in subsection (f) of this section.

b. Each Council member and the Mayor may attend a maximum of three City Council meetings by teleconference during the 12-month period commencing November 1st each year. If a member participates in any part of a regularly scheduled meeting by teleconference, it will count towards their maximum allowable teleconference participations.

c. Each Council member and the Mayor may attend additional teleconferences as a special exception if expressly approved for good cause in each instance by a vote of the Council. Good cause may include, but is not limited to, absence required for work-related travel or medical care needed for the individual or the individual's immediate family.

d. A Council member or the Mayor may request to participate in a meeting by teleconference upon notification to the City Clerk before the time scheduled for the start of the meeting as a special exception if expressly approved for good cause in each instance by a vote of the Council. Good cause may include, but is not limited to, absence required for work-related travel or medical care needed for the individual or the individual's immediate family.

- e. No Council member or the Mayor shall attend by teleconference means:
- 1. An executive session of the City Council.
- 2. A hearing on an ethics charge under Chapter 1.18 HCC.

f. Subsections (b) through (e) of this section do not apply to meetings held while an emergency disaster declaration is in effect and the nature of the disaster significantly impacts a Council member's ability to attend a Council meeting other than by teleconference or other technological means, or when circumstances arise that temporarily prohibit meetings from being held in the City Council Chambers.

<u>Section 2.</u> This ordinance is of a permanent and general character and shall be included in Homer City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 26th day of July, 2021.

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

KEN CASTNER, MAYOR

March 31, 196

CITY OF HOMER

Strike out is deleted language, bold underline is new language

84 YES: 5 85 NO: D 86 ABSENT:0 87 ABSTAIN: 0 88 89 First Reading: 6.28.21 90 Public Hearing: 7.26.21 91 Second Reading: 7.26.21 92 Effective Date: 7.27.21

Page 3 of 3 ORDINANCE 21-40 CITY OF HOMER

93