

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/
ADA Advisory Board

RESOLUTION 25-062

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING THE AMERICAN WITH DISABILITIES ADVISORY BOARD
BYLAWS BY UPDATING ARTICLE III MEMBERS ADDING SECTION 6
APPOINTMENT OF A STUDENT REPRESENTATIVE, ARTICLE VI
MEETINGS, SECTION 1 AND SECTION 3, MEETING MONTHS, TIME
AND REQUIRING A QUORUM FOR WORKSESSIONS.

WHEREAS, The American with Disabilities (ADA) Advisory Board Bylaws were updated
in 2022; and

WHEREAS, A quorum is required for worksessions and this was overlooked in the last
amendments; and

WHEREAS, The ADA Advisory Board discussed the value of meeting every month with
the exception of July and December to address the oversight of transitions plans; and

WHEREAS, The ADA Advisory Board has determined that scheduling meetings at 4:30
p.m. would allow for more opportunity to fill the remaining vacancy; and

WHEREAS, The ADA Advisory Board was approached with the idea to include a student
representative seat on the board by a member of the community; and

WHEREAS, The amendments were introduced at the regular meetings on April 10, 2025
and May 8, 2025 and passed by unanimous consent at the regular meeting on June 12, 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
amends the Americans with Disabilities Act Advisory Board Bylaws by updating Article III –
Members to allow for appointment of a student representative and Article VI, Meetings
amending the meetings to monthly with the exception of July and December at 4:30 p.m. and
requiring a quorum for worksessions.

PASSED AND ADOPTED by the Homer City Council this 23rd day of June, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

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46 ATTEST:

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RENEE KRAUSE, MMC, CITY CLERK

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51 Fiscal Note: N/A

CITY OF HOMER AMERICAN WITH DISABILITIES ADVISORY BOARD BYLAWS

ARTICLE I – NAME AND AUTHORIZATION

This organization shall be called the Americans with Disabilities Act (ADA) Advisory Board, established via Ordinance 22-53(A), existing by virtue of the provisions of Chapter 2.70 of the Homer Municipal Code, and exercising the powers and authority and assuming the responsibilities delegated under said Code. The following bylaws were adopted on XXXXXXXX and shall be in effect and govern the procedures of the ADA Advisory Board.

ARTICLE II – PURPOSE

Section 1. Act in an advisory capacity to the City Manager and City Council on Title II Regulations of the Americans with Disabilities Act within the City of Homer which covers programs, activities, and services of public entities.

Section 2. Develop grievance procedures to outline the process of providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA Regulations.

Section 3. Develop and perform annual updates to maintain transition plan(s) for city facilities, programs, parks, trails, play areas and campgrounds, listing any barriers that would limit accessibility of its programs, activities or services to individuals; the methods to be utilized to remove those barriers and schedules for taking necessary steps to achieve compliance.

Section 4. Perform reviews of any new programs, activities, and services offered by the City of Homer and incorporate into existing transition plans.

Section 5. Annually review the City of Homer Comprehensive Plan and make recommendations prioritizing accessibility.

Section 6. Consider any specific proposal, problem or project as directed by the City Council or the City Manager and report or submit recommendations thereon directly to the City Council through the City Manager.

ARTICLE III – MEMBERS

Section 1. The Board shall consist of six members and one Council member. Members shall be nominated by the Mayor and confirmed by City Council. Not more than three members may reside outside city limits. Public members will be appointed to serve for three-year terms to expire on August 31st of designated years. Council member will be appointed for their term elected.

Section 2. Notice of term expirations will be delivered to members by the City Clerk's Office. Members wishing to continue services upon the completion of a three-year term must submit a reappointment application to the City Clerk's Office, which is subject to review by the Mayor and confirmed by City Council. There are no limits on the number of terms a member may serve.

Section 3. Members may not have alternates. If a position is vacated during a term, it shall be filled for the unexpired term by an appointee selected by the Mayor and confirmed by City Council.

Section 4. A member's appointment is vacated under the following conditions:

- A member fails to qualify to take office within 30 days after their appointment;
- A member resigns;
- A member is physically or mentally unable to perform the duties of the office;
- A member is convicted of a felony or of an offense involving a violation of their oath of office; or
- A member has two consecutive unexcused absences, or misses half of all meetings within an appointment year, whether excused or unexcused.

Section 5. The Mayor and City Manager may serve as non-voting, consulting members.

Section 6. The Mayor may appoint, subject to confirmation by the City Council, one Homer area high school Student Representative to serve as consulting, non-voting members.

ARTICLE IV – OFFICERS

Section 1. A Chairperson and Vice-Chairperson shall be elected from among the appointed members at the regular August meeting of the Board.

Section 2. Officers shall serve a term of one year from the August meeting at which they are elected, and until their successors are duly elected. Officers may be re-elected in subsequent years.

Section 3. The Chairperson shall preside at all meetings of the Board, authorize calls for any special meetings, execute all documents authorized by the Board, serve as ex officio/voting member of all committees, and generally perform all duties associated with that office.

Section 4. In the event of the absence of the Chairperson, the Vice-Chairperson shall assume and perform the duties of the Chair. If both the Chairperson and Vice-Chairperson are absent, and a quorum of four members are present, the senior member shall assume and perform the duties and functions of the Chair.

ARTICLE V – CITY STAFF ROLES

Section 1. The ADA Coordinator shall serve as a staff liaison to the Board. The staff liaison shall assist the Chairperson in setting meetings, preparing agendas, and other documentary material, and coordinating the acquisition of needed materials and training. The staff liaison shall submit reports and recommendations for those agenda items requiring decisions or recommendations by the Board. Other staff having experience, education, and professional training in a subject matter on the agenda may provide input, reports and recommendations, or may provide supplemental information. The information submitted may be oral, written or graphic, or some combination of all.

Section 2. The City Clerk shall designate a recording clerk to take minutes for the Board and serve as the Board's parliamentary advisory pursuant to AS 29.20.380(10) and HCC 2.12.010, and assist the Chairperson with the conduct of the meeting.

ARTICLE VI – MEETINGS

Section 1. Regular meetings shall be open to the public and held on the second Thursday of each month, excluding the months of ~~January, March, September,~~ **July** and December at ~~5:00~~ **4:30** p.m. in the designated location and shall be posted for public information as required by Homer City Code and Alaska State Statutes.

Section 2. Special meetings and Worksessions may be called by the ADA Coordinator, Chair, or a majority of the Board. Notice of such meetings shall be posted in the same manner as that for regular meetings.

Section 3. A quorum for the transaction of business at any meeting shall consist of four members. For purposes of determining the existence of a quorum, consulting members shall not be counted. Worksessions do ~~not~~ require a quorum, however, no action may be taken at a worksession; items on the agenda are for discussion only.

Section 4. Any member who is unable to attend a meeting, whether regular or special, shall contact the Clerk in advance no later than two hours prior to the scheduled meeting time for excusal.

Section 5. Meeting agenda deadline is at 5:00 p.m. the Wednesday preceding the meeting. Allowances will be made for holidays.

Section 6. The order of business for the regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda shall be posted for public information as required by Homer City Code and Alaska State Statutes.

CITY LOGO	NOTICE OF MEETING	DEPT. CONTACT INFO
	REGULAR MEETING AGENDA	(City Clerk's Office)
	NAME OF BODY	
	DAY OF WEEK, DATE, AND TIME OF MEETING	
	PHYSICAL LOCATION OF MEETING & MEETING ROOM	
1.	CALL TO ORDER	
2.	AGENDA APPROVAL	
3.	PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA (3 minute time limit)	
4.	RECONSIDERATION	
5.	APPROVAL OF MINUTES	
6.	VISITORS/PRESENTATIONS (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	
8.	PUBLIC HEARING (3 minute time limit)	
9.	PENDING BUSINESS	
10.	NEW BUSINESS	
11.	INFORMATIONAL MATERIALS (No action may be taken on these matters, for discussion only.)	
12.	COMMENTS OF THE AUDIENCE (3 minute time limit)	
13.	COMMENTS OF THE CITY STAFF	
14.	COMMENTS OF THE COUNCILMEMBER (If one is assigned)	
15.	COMMENTS OF THE BOARD (includes Comments of the Chair since they are part of the board.)	

16. ADJOURNMENT Next regular meeting is scheduled for _____. (Note any other 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. (The meeting may be scheduled for the Conference Room or virtually.)

Section 7. Per Resolution of the City Council (Resolution 06-115(A)), Public Testimony shall normally be limited to three minutes per person. Exceptions may be provided for at the Chairperson's discretion or by a majority vote of the members in attendance.

Section 8. Recorded minutes shall be made available by the City Clerk's Office to the Board prior to the next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall be available to the public as required by Homer City Code and Alaska State Statutes.

Section 9. Teleconference participation is allowed per the rules and limitations set forth in Homer City Code 2.58.060.

ARTICLE VII – GENERAL OPERATING PROCEDURES

Section 1. The Board shall abide by the current edition of Robert's Rules of Order insofar as it is consistent with the Board's bylaws, other provisions of Homer City Code, or standing rules. In all other cases, bylaws, the code, or the standing rule shall prevail. This includes, but is not limited to, HCC 1.18 Conflicts of Interest, Partiality, and Code of Ethics; HCC 2.58 Boards and Commissions; HCC 2.70 ADA Advisory Board; and the Open Meetings Act – AS 44.62.310-312.

Section 2. Each member, including the Chairperson, shall vote, and shall not abstain from voting, unless such member claims a conflict of interest, or has an excused absence, in which event the member shall be excused from voting. The member shall then state for the record the basis for the abstention. Four affirmative votes are required to pass a motion. Voting will be by a roll call vote, the order to be rotated; or by unanimous consent if no objection is expressed. Voting by proxy or absentee is prohibited.

Section 3. Any rule or resolution of the Board, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; and such suspension to be valid; may be taken only at a meeting at which at least four of the members of the Board shall be present, and two thirds of those present shall so approve.

Section 4. Training sessions developed or arranged by the City Clerk and approved by the City Manager shall be mandatory unless a member's absence is excused by the Chairperson. The City Manager and/or City Clerk, in their discretion and in consultation with the City Attorney as needed, may develop model procedures to be used as a guide for the Board.

ARTICLE VIII – COMMITTEES

Section 1. Committees of one or more members for such specific purposes as the business of the Board will only become active upon approval of Council. A memorandum and resolution will go before Council outlining the reason, tasks assigned and termination date. Committees shall be considered to be discharged upon completion of the purpose for which it was appointed, and after its final report is made to and approved by the Board.

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191 Section 2. All committees shall make a progress report to the Board at each of its meetings.
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193 **ARTICLE IX – BYLAW AMENDMENTS**
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195 The Bylaws may be amended at any meeting of the Board by a majority plus one of the members,
196 provided that notice of said proposed amendment is given to each member in writing. The proposed
197 amendment shall be introduced at one meeting and action shall be taken at the next Board meeting.
198 Amendments to bylaws shall be effective upon approval of the amendments by City Council via
199 resolution.