

Proposed by:	Assemblyman Hunz
Attorney Review:	12/13/2011
First Reading:	12/16/2011
Second Reading:	01/05/2012
Vote: 6 Aye	0 Nay 0 Absent

MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 11-32

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING TITLE 12 HARBORS AND PORTS BY AMENDING SECTION 12.06 HARBORS ADVISORY BOARD.

WHEREAS, the Harbors Advisory Board wishes to allow members to participate by telephone in a board meeting, and to be counted as present for purposes of establishing a quorum, discussion, voting and attendance; and

WHEREAS, due to difficulties in attaining four affirmative votes currently required by code, the Harbors Advisory Board desires that actions of the board are instead adopted by a majority of those voting members present;

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Title 12, Harbors and Ports, by amending chapter 12.06 Harbors Advisory Board for the purpose of amending the required number of votes needed for adoption of an action, and to allow board members to attend meetings and establish a quorum via teleconference.

Section 3. Amendment. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from and **(bold underscore)** indicates text added to the current code. Title 12 Harbors and Ports Chapter 12.06 Harbors Advisory Board is hereby amended as follows:

Chapter 12.06
HARBORS ADVISORY BOARD

- Sections:
- 12.06.010 Advisory Board Established.
 - 12.06.020 Appointment.
 - 12.06.030 Term of Office.
 - 12.06.040 Officers.
 - 12.06.050 Vacancies.
 - 12.06.060 Quorum
 - 12.06.070 Meetings
 - 12.06.080 Record of meetings

12.06.010 Advisory board established

There is established a seven (7) member Harbors Advisory Board for the municipality, which shall serve in an advisory role to the borough assembly and the port commission on matters of harbor policy, including harbor development, planning, tariffs, and harbor policy.

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12.06.020 Appointment

Members of the harbors advisory board shall be appointed by the mayor, subject to confirmation of the borough assembly. The mayor shall consider, but is not limited to, candidates representing commercial fishing/charters, dock owners/operators, maritime service industries, recreational boaters, and one representative of Canadian interests in the small boat harbor. A borough assembly member shall serve as the ex officio member of the board, may attend all meetings and have the privilege of the floor, but shall have no vote.

12.06.030 Term of office

- A. Members shall be appointed for a term of three (3) years however, a board member serves until a successor takes office. The term of office begins in October.
- B. The terms shall be staggered so that members shall be appointed each year. Terms shall be first established by drawing, 2 for one (1) year terms, 2 for two (2) year terms and 3 for three (3) year terms.
- C. Appointments to fill vacancies shall be for the unexpired term only.

12.06.040 Officers

- A. The harbors advisory board shall elect annually a chair, vice-chair and secretary at its first meeting following the mayor's appointment and the assembly's confirmation of board members.
- B. The term of office for the chair, vice-chair and secretary shall be one (1) year; however, officers may serve more than one term.
- C. The chair shall preside over the harbors advisory board and shall have the right to vote.
- D. The vice-chair shall perform the duties of the chair in the absence or disability of the chair.
- E. The secretary shall record the minutes of board meetings and shall keep attendance records and notify the mayor when vacancies occur.

12.06.050 Vacancies

- A. A vacancy shall be declared and filled as above provided, when a member:
 - 1. Submits his resignation and the resignation is accepted by the mayor;
 - 2. Is physically or mentally unable to attend board meetings for a period of more than ninety (90) days unless excused by the board;
 - 3. Is convicted of a felony; or
 - 4. Any board member may be removed with written notice by the mayor after a majority vote of the assembly at any time regardless of whether that person's term on the board has expired.

12.06.060 Quorum

A majority of voting membership ~~Four (4) members~~ constitutes a quorum. **Members may participate by telephone in a board meeting, and shall be counted as present for purposes of establishing a quorum, discussion, voting and attendance.** Actions of the board are adopted by ~~four (4) affirmative votes~~ **a majority of those voting members present.** The final vote on each action must be by a recorded roll call vote. Each member present shall vote on every question, unless required by law to abstain from voting on a question.

12.06.070 Meetings

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The harbors advisory board shall meet monthly, at a regularly established time, determined by the board. Additional meetings may be called at the discretion of the chair, or shall be called at the request of three (3) members.

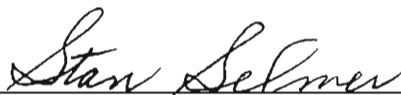
12.06.080 Record of meetings

Meetings shall be public and minutes shall be kept. Minutes and records shall be filed with the borough clerk and retained as public records.

Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.


Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 5th day of January, 2012.



Stan Selmer, Mayor

ATTEST:


Emily A. Deach, Borough Clerk

(SEAL)

