



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
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CODE ORDINANCE

Requested by : Councilman Carney
Prepared by : Administration/Legal
Introduction Date: 01/27/97
Public Hearing Date: 02/10/97

ORDINANCE SERIAL NO. 97-12

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING WMC 2.12.050 TO ADD A NEW SECTION 2.12.050(F), PROCEDURES REGULATING TELEPHONIC PARTICIPATION.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This is a code ordinance and shall become a part of the Wasilla Municipal Code.

SECTION II. Purpose. Pursuant to A.S. 44.62.310(a), "Attendance and participation at meetings by members of a governmental body may be by teleconferencing." The purpose of this ordinance is to establish the further procedures and requirements to implement telephonic participation at meetings of the Council of the City of Wasilla. These further procedures and requirements are adopted pursuant to the authority of the City Council provided by A.S. 29.20.160(f), "To the extent otherwise permitted by law, a governing body may determine by ordinance its own rules of procedure and order of business."

SECTION III. Enactment. Title 2, Council Procedures, Section 2.12.050 is amended to add a new section 2.12.050(F) to read as follows:

F. Procedures Regulating Telephonic Participation. Pursuant to A.S. 44.62.310(a) and further pursuant to A.S. 29.20.160(f), the following requirements and procedures shall apply to authorize and implement the use of telephonic participation by a member or members of the City Council or by members of the public at Council meetings.

1. Regardless of the particular technology used to telephonically participate, the quality of the telephone connection and the quality and volume of the voice amplification must be adequate to enable the public to hear the Council member participating by telephone and to enable the Council member so participating to hear the comments of the public and other Council members who are physically present at the meeting.

2. Council members wishing to participate telephonically must agree to pay for the direct costs (e.g., long distance phone charges for the telephone connection) of the telephone connection to authorize that Council member's participation, unless telephonic participation is necessary or desirable for purposes of an emergency or special meeting.

3. Documents and written materials considered by Council members at a regular Council meeting must be made available to the Council member participating telephonically in order to authorize the Council member participating telephonically to vote on the issue or subject presented for a vote by the Council.

4. Votes taken that include the vote of the Council member participating telephonically shall be taken by roll call so that the public may know the vote of each person entitled to vote.

5. Telephonic participation is authorized only under circumstances where the Council member so participating cannot be physically present despite reasonable and good faith effort to attend in person.


6. The procedures and requirements stated herein may be relaxed or modified in the event that no other violation of law or ordinance is created by such relaxation or modification and in the further events of :

a) circumstances that in the judgment of the Council members, including those participating telephonically, justify relaxation or modification of the procedures or requirements; and

b) four affirmative votes to relax or modify the procedures or requirements.

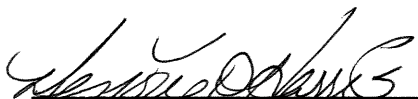
SECTION IV. Effective Date. This ordinance shall become effective upon adoption by the Wasilla City Council.

ADOPTED by the City Council of the City of Wasilla this 24th day of February, 1997.



SARAH H. PALIN, Mayor

ATTEST:



MARJORIE D. HARRIS, CMC
City Clerk

LAW OFFICE
OF
RICHARD DEUSER

5 CHECK ST. - #206
SILLA, ALASKA 99654

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MEMORANDUM

To: Council Members and Mayor Palin
From: Richard Deuser, General Counsel
Date: January 21, 1997
Re: Telephonic Participation Procedures Ordinance;

Council member Nick Carney suggested back in October 1996 that the procedures and requirements at Council meetings be defined to regularize the use of telephonic participation. I have been asked by Administration to initiate an ordinance for consideration. Enclosed is such a draft, based on Mr. Carney's observations and comments from the Mayor's Office.

Be aware that there are many policy decisions implied by the choices written into the ordinance. I strive to leave policy questions to the Council. Consequently, consider the enclosed ordinance as a draft with the potential that policy choices by Council may significantly alter the approach taken in this first effort.

The content of the ordinance is self-explanatory and will not be reiterated in this memo.

Sincerely,



Richard Deuser

encl. : draft ordinance

disk w/ draft ordinance