

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 2, Sections 2.10.030, 2.10.200, and 2.12.110 to clarify the borough assembly consent agenda and to provide the option of including resolutions.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Sections 4 through 10 of this ordinance are of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.10.030 Section 2.10.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **BOLDED/UNDERLINED ITEMS ARE ADDED**

2.10.030 Agenda.

A. Regular and Special Assembly Meetings. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the assembly shall be delivered to the clerk by the deadlines stipulated in the current assembly-approved agenda preparation schedule. The mayor, with assistance from the clerk, shall arrange a list of such matters according to the order of business and the clerk shall furnish each member of the assembly, the mayor, manager and chief fiscal officer with a copy of the same in packet form five calendar days in advance of the assembly meeting. Packets may also be prepared as necessary for other officers, department heads, and members of the press or other interested parties.

B. Work Sessions. Any matter to be considered by the assembly in work sessions shall be listed in agenda form by the clerk and be given to the assembly at least 48 hours prior to said work session. Any written material for the assembly's use during the work session shall be furnished by the clerk to the assembly, mayor and manager and any other interested officer, department head or person as directed by the mayor. Reasonable public notice for work sessions of the assembly shall be given.

C. Consent Agenda. The following may be included under a consent agenda:

1. Ordinances for introduction;

2. Resolutions; and

3. Other items requiring assembly action which do not involve substantial public policy questions.

Included with the agenda shall be such supplemental information as may be necessary to explain each item on the consent agenda and shall include a specific recommendation for assembly action on each item. Prior to approval of the consent agenda, members of the assembly and other interested persons shall be provided an opportunity to request removal of an item from the consent agenda. If an item is removed, it shall be placed under the appropriate regular agenda item for assembly consideration. Upon adoption of a motion to approve the consent agenda, all consent agenda items are adopted, and minutes of the meeting shall reflect the action taken on each item.

Section 5. Amendment of Section 2.10.200 Section 2.10.200 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **BOLDED/UNDERLINED ITEMS ARE ADDED**; STRIKETHROUGH ITEMS ARE DELETED

2.10.200 Quorum – Voting.

A. Four assembly members constitute a quorum. Four affirmative votes, by either four assembly members or three assembly members on a tie vote, plus the vote of the mayor, are required for the passage of an ordinance, resolution, or motion, excepting the provisions for filling of vacancy and emergency ordinances provided for in this title.

B. **Except when adopted as part of a consent agenda,** ~~The~~ final vote on each ordinance, resolution, or substantive motion is a recorded roll call vote. All assembly members present shall vote unless the presiding officer, for special reasons, permits a member to abstain. (See HBC 2.10.190(C).) A member of the assembly is considered present for the purposes of a quorum if the member is disqualified from voting or is allowed to abstain by law. Attendance at regular and special assembly meetings by long-distance teleconferencing may be utilized to establish a quorum for voting or to allow attendance by an absent assembly member at the member's request, providing:

1. The assembly members meeting in-person approve the attendance by members who participate by long-distance teleconference; and

2. Costs of long-distance teleconference are borne by assembly member.

Assembly members participating by long-distance teleconferencing shall be considered present and shall have all rights and privileges of any other member.

Section 6. Amendment of Section 2.12.110 Section 2.12.110 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **BOLDED/UNDERLINED ITEMS ARE ADDED**; STRIKETHROUGH ITEMS ARE DELETED

2.12.110 Resolutions —~~Reading~~ ~~Hearing~~ ~~Final passage~~ ~~Posting~~.

A. Every resolution shall be introduced in writing and shall be noticed with the posted agenda.

B. ~~On any vote for passage of the resolution, all persons interested who appear shall be given~~ **A resolution may appear on a consent agenda provided assembly members and other interested persons may request removal from the consent agenda and thereby be provided** an opportunity to be heard. After such hearing, the assembly may finally pass such resolution with or without amendments. First hearing of any resolution shall be final and no further passage shall be required.

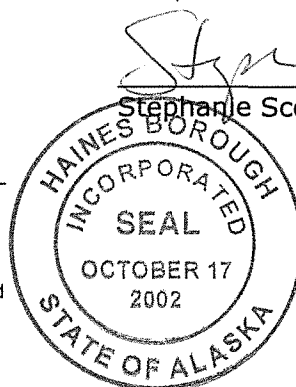
C. After final passage, every resolution shall be posted in full on the borough website and a printed reference copy shall be permanently maintained in the clerk's office. Every resolution, unless it shall specify a later date, shall become effective following final passage, or, if the resolution be submitted at a referendum election when state law or Borough Charter so requires, then upon a favorable vote of the requisite number of those voting thereon.


ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 28th DAY OF AUGUST, 2012.

ATTEST:


Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/24/12
Date of First Public Hearing: 08/14/12
Date of Second Public Hearing: 08/28/12 - Adopted




Stephanie Scott, Mayor