



## CITY OF VALDEZ, ALASKA

### PORTS AND HARBOR COMMISSION PROCEDURES

#### I. GENERAL GUIDELINES

##### A. New Commissioners Seated

1. New Commissioners will be sworn in by the City Clerk or Deputy City Clerk before the first regular meeting of the Commission after appointment.
2. The Commission will conduct an election of Chairman and Chairman Pro Tempore at its first regular meeting after September 4 in July. A majority vote of not less than 4 by secret paper ballot of the members elects these officers of the Commission for one year.

##### B. General Meeting Procedure

1. Basic Procedure: Robert's Rules of Order Revised shall be the source of meeting procedure, except where a different procedure is proper by law or Commission custom as outlined in this document or proper by law.
2. Off Agenda Items: Only items appearing on the published or posted agenda may be acted upon. Any other business introduced during a Public Appearance, Public Business from the Floor or Commission Business from the Floor may be discussed but shall be deferred for action until the next meeting of the Commission coming before the body may be introduced only by majority consent of the members and acted upon only if it is inconsequential and of minor significance. Failing the consent of the majority, the item shall be deferred to the next special or regular meeting agenda.

3. Discussion Items: No action shall be taken on any item described on the agenda as a “discussion item” until the next regular or special meeting. If prompt action is required on a matter due to timing of the issue involved, it shall be listed in the usual manner on the agenda or a Commission special meeting should be scheduled.
4. An issue discussed in a Public Hearing may not appear as an agenda action item ~~for decision at~~ during the same meeting.
5. **Public Hearings are for the purpose of taking testimony from the public.** Commissioners should not debate the issues with those providing testimony or amongst themselves. However, Questions questions of clarification are acceptable.
6. Agenda Format: The usual order of business shall be:
  - I. Call to Order
  - II. Roll Call
  - III. Approval of Minutes
  - IV. Public Hearing
  - V. Public Appearances
  - VI. Public Business from the Floor
  - VII. Unfinished Business
  - VIII. New Business
  - IX. Reports
  - X. Commission Business from the Floor
  - XI. Adjournment
7. Agenda: All items to be considered at a regular meeting shall be submitted to the Port Director’s office no later than 1:00 p.m. on the Thursday preceding the meeting. No items will be accepted after that time.
8. Special meetings may be called at the request of the Chairman on twenty-four (24) hours public notice. The Chairman shall obtain the concurrence of the majority of the Commissioners.
9. Discipline: The Commission has the right to control its meeting hall. The presiding officer shall act on behalf of the Commission in enforcing order as provided by parliamentary law. Decorum of the members should reflect the dignity of the assembly and the public good.
10. Discussion:

- a. ~~Business before the Commission may be discussed briefly by the members prior to the making of a motion. A motion on business before the Commission must be made and seconded prior to Commission discussion.~~
  - b. ~~After a motion has been made and seconded, but prior to Commission vote, members of the public will be given the opportunity to speak to the subject. After Commission discussion, but prior to a vote, members of the public will be given the opportunity to discuss the subject.~~
  - c. Each person of the public speaking shall state his name and shall strive to keep the discussion brief and to the point.
11. Chairmanship: Control of the meeting requires that the presiding officer be concerned with the following items:
  - a. Discussion must be closely related to the subject at hand.
  - b. Time used by each participant in the discussion must not be excessive.
  - c. Determination must be made as to when sufficient consideration has been given to an issue considering the available facts.
  - d. A ruling of the presiding officer may be appealed by any Commission member. The appeal shall then be decided by a majority of the members in attendance. ("The ruling of the Chair has been appealed; those in favor of the ruling signify by aye; those opposed nay.")
  - e. The Chairman shall state the results of any action upon the report of the vote by the recording secretary. (Recording secretary - \_\_\_ ayes, \_\_\_ nays; Chairman – motion passes/fails.)
12. Limitation of Chairman: Prior to making a motion, the presiding officer must relinquish the gavel to another Commission member, who will preside over the discussion and determination of the motion.
13. Motions for Reconsideration: Any ~~action-vote~~ may be brought up for reconsideration one time by any Commission member as

long as the item has not been acted upon (contract executed, purchase made, etc.).

14. Open Meetings Act: Alaska's "Open Meetings Act" AS 44.62.310—312, requires meetings of legislative or administrative governmental bodies to be open to the public. A meeting under OMA is defined as any occurrence where a quorum of commissioners (four or more) are present. This includes work sessions, meetings, social gatherings, and other events. Public notice must be given in these cases and the occurrence must be open to the public.

C. Attendance

1. Any Commission member(s) not able to attend a particular meeting should notify the Chairman or Port Director or ~~staff~~ their designee as far in advance as possible.
2. Administrative staff, as required, should be available for all Commission meetings.
3. Requests for absence should be acted upon by the Commission as appropriate.
4. The seat of any Commissioner, including the Chairman, shall become vacant when the Commissioner is absent without excuse from three consecutive regular meetings of the Commission ~~without excuse~~. Excused, for purposes of this section, shall only mean absence due to a conflicting engagement or other cause for which the Commissioner has received ~~approval from the Commission prior to absence~~ prior approval for the absence. ~~Other requests for excused absences must be passed on a motion by a majority of the Commission.~~
5. A recommendation to the City Council shall be made to vacate a seat if a Commissioner is absent (excused or unexcused) 60 percent or more of the meetings, including work sessions and special meetings, in any six-month period.
6. When a seat becomes vacant, the Chairman will request, by official memo to the City Council, that a replacement be appointed.

D. Absence of Presiding Officer

1. Should the Chairman be unable to attend any meeting, the Chairman Pro Tem shall act in his place.
2. Should both the Chairman and Chairman Pro Tem be absent, and a quorum (Majority) be in attendance, those members may elect a Chairman for that meeting as an Acting Chairman.
3. Should the office of Chairman become vacant, the Chairman Pro Tem shall assume the office and a new Chairman Pro Tem shall be elected at that time.

E. Referrals to City Council

The Chairman or designee shall give a verbal presentation of Ports and Harbor Commission action to the City Council if deemed appropriate by the majority. ~~Ports and Harbor Commission actions will be placed on the City Council agenda under Reports and Referrals from Commissions. The Chairman will notify the City Clerks Office and provide the Clerks Office with all documents to be included in the agenda packet no later than 5:00 p.m. on the Tuesday preceding the regular City Council meeting.~~ The Ports & Harbor Director will assist the Chairman with use of the City's agenda management software program to create commission related agenda items for City Council. All reports, documents, or commission recommendations to be forwarded to City Council shall be submitted utilizing this software program no later than 12:00 p.m. on the Monday preceding the regular City Council meeting.

II. MISCELLANEOUS PROVISIONS

A. Meeting Times

Call to order for regular meetings of the Commission will be 7:00 p.m. on the first and third Mondays of each month.

B. Notice of Meetings and Work Sessions

All meeting and work session notices must be posted in a public place and on the City's agenda website as far in advance as practicable, but no less than 24 hours prior to the meeting unless the meeting meets the requirements of an emergency meeting. Meeting cancellations must be posted in the same manner.

In the event of an emergency meeting, Commission staff should contact the City Clerk's office as soon as practicable for notice posting requirements.

C. Amendment of Commission Rules of Procedure

Modifications and changes to Commission procedures may be made by a majority of the members. Modifications and changes must be reviewed and voted upon during a regular Commission meeting.