

**2.04.010 Vacancy of seat—Excuses for absence.**

The seat of any council member, including the mayor, shall become vacant when the council member or mayor is absent from three consecutive regular meetings of the council without excuse. “Excuse,” for purposes of this section, only means absence due to a conflicting engagement of city council business or other cause for which the council member has received approval from the council prior to the absence. (Prior code § 2-2)

**Chapter 2.36  
VALDEZ MUSEUM AND HISTORICAL ARCHIVE**

Sections:

[2.36.010 Established.](#)

[2.36.020 Purpose.](#)

[2.36.030 Acquisitions—Gifts.](#)

**2.36.010 Established.**

The Valdez museum and historical archive, hereby established, is organized to support and enhance community goals in heritage preservation, public education and economic development. The governance and management of the Valdez museum and historical archive will be determined by the city council. (Ord. 97-01 § 2)

**2.36.020 Purpose.**

The Valdez museum and historical archive shall conduct programs for the benefit of residents and visitors and shall particularly support public education and visitor industry development. (Ord. 97-01 § 3)

**2.36.030 Acquisitions—Gifts.**

- A. The Valdez museum and historical archive may acquire property needed to accomplish its purposes. Such property shall include, but is not limited to informational materials and objects of significance to local/regional history; all such acquisitions shall be considered property of the city and managed as determined by the city council.
- B. Gifts and grants of monies received by the city for the Valdez museum and historical archive will be appropriated to accomplish the purposes for which they were given.
- C. Disposition of deaccessioned objects/materials shall be done in a manner which best protects public confidence in the city’s stewardship of its heritage trust responsibilities. Proceeds from sales of deaccessioned cultural materials may accrue only to the Valdez Museum memorial endowment fund. (Ord. 97-01 § 4)

**Chapter 2.48  
PARKS AND RECREATION COMMISSION**

Sections:

[2.48.010 Establishment—Composition—Appointment of members.](#)

[2.48.020 Powers and duties.](#)

[2.48.030 Quorum and voting.](#)

[2.48.040 Limitations.](#)

**2.48.010 Establishment—Composition—Appointment of members.**

A. There is created a Valdez parks and recreation commission, consisting of seven members who are interested in parks and recreation opportunities and programs for the benefit of the city. The members are appointed by the mayor, with approval of the city council, for two-year terms.

B. Appointments to the commission shall be adjusted by the mayor and council to ensure continuity. In this regard, initial appointments may be made for terms other than two years, to ensure that the terms of no more than four members expire in any one year. (Prior code § 2-26)

**2.48.020 Powers and duties.**

The commission is an advisory commission to the city council and the planning and zoning commission. It shall:

A. Act in an advisory capacity to the city in regard to the planning, implementation and enforcement of programs dealing with the establishment, development and maintenance of parks, the creation and preservation of recreational facilities and opportunities, and the conservation of natural and recreational features within the city;

B. Receive, consider and evaluate public input, opinions and recommendations regarding the parks and recreation programs of the city and advise the city council and planning and zoning commission of any findings or recommendations;

C. Make recommendations regarding the parks and recreation budget of the city;

D. Meet at least once a month and cause minutes of each meeting to be recorded and forwarded to the council through the city manager; and

E. Perform such other activities as may be requested of it by the city council or the planning and zoning commission. (Prior code § 2-27)

**2.48.030 Quorum and voting.**

A quorum of the parks and recreation commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by

concurrence of at least four members. (Prior code § 2-28)

**2.48.040 Limitations.**

The commission has only those powers and duties set forth in this chapter and those necessarily implied from those enumerated. In particular, the commission may not:

- A. Expend or obligate city funds without prior approval of the city council; or
- B. Act in any manner inconsistent with the powers of the planning and zoning commission or with the requirements of Section [2.48.020](#). (Prior code § 2-29)

**Chapter 2.52  
PLANNING AND ZONING COMMISSION**

Sections:

[2.52.010 ~~Established—Composition—Appointment of members—Chairman.~~](#)

[2.52.020 ~~Terms of office of members—Filling of vacancies.~~](#)

[2.52.030 ~~Powers and duties.~~](#)

[2.52.040 ~~Quorum and voting.~~](#)

[2.52.050 ~~Decisions.~~](#)

**2.52.010 ~~Established—Composition—Appointment of members—Chairman.~~**

There shall be a city planning and zoning commission, which shall consist of seven members who shall be appointed by the mayor, with the approval of the city council. The city council shall serve as ex officio members of the commission. The commission shall elect its chairman from among the appointive members. (Prior code § 2-14)

**2.52.020 ~~Terms of office of members—Filling of vacancies.~~**

The term of office of the appointive members of the planning and zoning commission shall be three years. Any vacancy during the unexpired term of an appointive member shall be filled by the city council for the remainder of the term. (Prop. 1, 10-2-01; prior code § 2-15)

**2.52.030 ~~Powers and duties.~~**

The planning and zoning commission shall:

- A. Have the authority to prepare and submit to the city council for its approval a master plan for the physical development of the city, including the general location, character and extent of streets, bridges, parks, waterways and other public ways, grounds and spaces, together with the general location of the public buildings and other public property, public utilities, and the extent and location of any public housing or slum clearance projects. The commission shall recommend such modifications of such plan from time to time, as it deems in the city's interest;
- B. Prepare and recommend to the city council a comprehensive zoning ordinance and map, or propose amendments or revisions thereof, with such provisions as the commission shall deem necessary or desirable for the promotion of health, safety, morals and general welfare of the inhabitants of the city;
- C. Act as the platting board and exercise other functions with respect to land subdivisions, planning and zoning as may be prescribed elsewhere in this code or any other ordinance of the city, not inconsistent with the provisions of the city charter; and

D. Cause minutes of each meeting to be recorded and forwarded to the city council through the city manager. (Prior code § 2-16)

**2.52.040 Quorum and voting.**

A quorum of the planning and zoning commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members. (Prior code § 2-17)

**2.52.050 Decisions.**

Any and all final decisions of the planning and zoning commission may be overruled or reversed by the city council, but only upon a vote of five council members in favor of such overruling or reversal. (Prior code § 2-18)

**Chapter 2.56  
PORTS AND HARBOR COMMISSION**

Sections:

[2.56.010 Established—Composition—Appointment and terms of members—Chairman.](#)

[2.56.020 Powers and duties—Meetings.](#)

[2.56.030 Quorum and voting.](#)

[2.56.040 Code references.](#)

**2.56.010 Established—Composition—Appointment and terms of members—Chairman.**

There is established a city ports and harbor commission which shall consist of seven members who shall be appointed by the mayor, with approval by the city council. The terms of the commission members shall be for three years or until their successors have been appointed and approved. The term of two members shall expire each year with the additional term expiring every third year. Vacancies shall be filled in the same manner as the commissioners are appointed. The commission shall elect its chairman from among the appointive members. The initial members of the commission shall be those individuals appointed to the former transportation commission who shall serve out the terms for which they were appointed. (Ord. 96-16 § 1 (part))

**2.56.020 Powers and duties—Meetings.**

- A. The commission may recommend to the city council policies relating to the city's port and harbor and transportation issues including, but not limited to seaport, airport and land terminals.
- B. The commission shall review and advise the city council on the following areas of public interest and concern:
1. Valdez port, including all docks: development, design, operation, maintenance, tariffs and fees and stevedore services;
  2. Valdez airport: development, design, operation, maintenance, tariffs and fees;
  3. Alaska Marine Highway: equipment, schedules, services and docks;
  4. Vehicles for hire, taxicabs, buses and limousines: franchises, fares, routes and services;
  5. Hostler and cartage: service and tariffs within the city limits;
  6. Integration of systems: general integration of the air, highway and water transportation systems with the general and industrial development of the city;
  7. Valdez small boat harbor: development, design, operation, maintenance, tariffs and fees.

C. The commission shall meet at least once a month. The commission shall cause minutes of each meeting to be recorded and forwarded to the council through the city manager.

D. The commission may adopt such rules and regulations as may be necessary to carry on its duties.

E. The commission may appoint, from time to time, committees of local citizens to aid it in its duties, including but not limited to investigations and reports relating to specific items. Such committees shall serve at the pleasure of the commission. (Ord. 96-16 § 1 (part))

**2.56.030 Quorum and voting.**

A quorum of the ports and harbor commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members. (Ord. 96-16 § 1 (part))

**2.56.040 Code references.**

Any references in this code to “transportation commission” shall be interpreted to mean “ports and harbor commission.” (Ord. 96-16 § 1 (part))

**Chapter 2.60**  
**ECONOMIC DIVERSIFICATION COMMISSION**

Sections:

[2.60.010 Establishment—Composition—Appointment of members.](#)

[2.60.020 Powers and duties.](#)

[2.60.030 Quorum and voting.](#)

[2.60.040 Limitations.](#)

[2.60.050 Definitions.](#)

**2.60.010 Establishment—Composition—Appointment of members.**

A. There is established an economic diversification commission which shall consist of seven members who shall be appointed by the mayor, with the approval of the city council. The terms of the commission members shall be for three years or until their successors have been appointed and approved. The term of two members shall expire each year with the additional term expiring every third year. Vacancies shall be filled in the same manner as the commissioners are appointed.

B. Appointment to the commission shall be adjusted by the mayor and city council to ensure continuity. In this regard, initial appointments may be made for terms other than three years, to ensure that the terms of no more than three members expire in any one year.

C. Members of the commission shall be diversified to the maximum extent possible and appointed to represent specific industry sectors of the economy. No two members may be appointed to serve concurrently from the same industry sector. Representatives will be selected from among the following industry sectors:

1. Accommodations.
2. Commercial fishers.
3. Contracting/trades.
4. Food and beverage.
5. Healthcare.
6. Micro business/nonprofessional sole proprietors.
7. Oil and gas.
8. Professional services (attorney, engineer, banker, real estate, media, etc.).

9. Retail.
  10. Seafood processing.
  11. Sport fisheries.
  12. Summer tours and attractions.
  13. Transportation.
  14. Utilities.
  15. Winter tours and attractions.
- D. The commission shall elect its chairman from among the appointed members.
- E. There may be an additional appointed ex officio position to represent the military members of the community. This position may be held by a local active-duty member of the United States Coast Guard or National Guard. This seat is a nonvoting, advisory position. (Ord. 14-03 (part))

**2.60.020 Powers and duties.**

The commission is an advisory commission to the city council. It shall:

- A. Have the authority to prepare and submit to the city council for its approval a comprehensive economic diversification strategy for the overall economic diversification of the community. The commission shall recommend modifications of such plan from time to time, as it deems in the city's interest;
- B. Prepare and recommend to the city council for approval reports and plans regarding socioeconomic data and specific sectors of the economy;
- C. As directed by the city council, review and make recommendations to the council for approval of strategic plans, plans of work and funding requests of agencies, organizations, and event sponsors;
- D. Review and make recommendations to the city council for approval on projects submitted for economic development grant funding opportunities;
- E. Receive, consider and evaluate public input, opinions and recommendations regarding economic diversification programs of the city and advise the city council of any findings or recommendations;
- F. Monitor progress and report to council the status of capital improvement projects, programs and activities outlined as goals, objectives or action items in the community's economic strategy;
- G. Have the authority to prepare and submit to council for approval regular quarterly or annual

reports documenting economic trends in the community;

H. Make recommendations to the city council regarding the economic diversification portion of the annual city budget;

I. Meet at least once a month and cause minutes of each meeting to be recorded and forwarded to the city council through the city manager;

J. Perform such other activities as may be requested of it by the city council. (Ord. 14-03 (part))

#### **2.60.030 Quorum and voting.**

A quorum of the economic development commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members. (Ord. 14-03 (part))

#### **2.60.040 Limitations.**

The commission has only those powers and duties set forth in this chapter and those necessarily implied from those enumerated. In particular, the commission may not:

A. Expend or obligate city funds without prior approval of the city council; or

B. Act in any manner inconsistent with the requirements of Section [2.60.020](#). (Ord. 14-03 (part))

#### **2.60.050 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Economy” means the process or system by which goods and services are produced, sold, and bought.

“Economic development” means the process by which the economy is caused to grow, or a sector of the economy is made more advanced.

“Economic diversification” means the process by which the economy is changed to increase the variety of goods or services produced or offered. (Ord. 14-03 (part))

**Chapter 2.64  
LIBRARY BOARD**

Sections:

[2.64.010 Creation—Appointment—Terms of members.](#)

[2.64.020 Powers and duties.](#)

[2.64.030 Quorum and voting.](#)

**2.64.010 Creation—Appointment—Terms of members.**

A. There is created a city library board. The mayor, with the approval of the city council, shall appoint seven persons as regular members of the library board for three-year terms.

B. Appointment to this board shall be adjusted by the mayor and council to ensure continuity. In this regard, initial appointments may be made for terms other than three years, to ensure that the terms of no more than three members expire in any one year. (Prior code § 2-33)

**2.64.020 Powers and duties.**

The library board is an advisory board to the city council. The board shall:

A. Receive, consider and evaluate public input, opinions and recommendations regarding the care, staffing, equipping and managing of the city library;

B. Act in an advisory capacity to the city council in regard to the planning and implementation of programs dealing with use and development of the city library and its resources;

C. Make recommendations to the city council regarding the library budget of the city;

D. Develop policies and rules for the conduct and frequency of its own meetings;

E. Cause minutes of each meeting of the commission to be recorded and forwarded to the council through the city manager; and

F. Perform such other activities as may be requested of it by the city council. (Prior code § 2-34)

**2.64.030 Quorum and voting.**

A quorum of the library board for the conduct of any meeting or public hearing shall be a majority of the board. No actions shall be taken by the board except by concurrence of at least four members. (Prior code § 2-35)

**3.04.051 Governance of the Valdez permanent fund assets.**

A. The city, the city council, the administration, the investment managers and the bank custodians shall exercise the judgment and care under the circumstances then prevailing which an institutional investor of ordinary prudence, discretion, and intelligence exercises in the management

of large investments entrusted to it, not in regard to speculation, but in regard to the long term investment of funds considering the probable safety of capital as well as probable income.

B. In order to ensure sound investment strategy, the city council will take action in the following manner:

1. The city council shall establish written investment policies by formal resolution which shall be adhered to without exception;
2. The city council shall review the investment policies of the permanent fund at least once each year during the first quarter and shall, by formal resolution, re-adopt or modify said policies;
3. The city council shall establish, by formal resolution, a plan for the allocation of investment assets each year thus determining a percentage range of the amount of assets which shall be committed to various asset classes, which sets forth portfolio duration, and which establishes performance benchmarks, and which makes a statement of the percentage or amount of that year's annual earnings that shall be retained to inflation-proof the fund principal;
4. The city council shall establish a permanent fund investment committee consisting of the city manager, three members of the city council, and up to three members of the community at large. Appointments to at-large seats shall be made by the city council each November. At-large seats will serve three-year staggered terms. The city finance director shall serve as liaison to the committee. The committee shall meet quarterly to determine general strategies and monitor results;
5. The city administration shall maintain on file the monthly reports which indicate transactions affecting the investment account, to include, at a minimum, transfers of cash into and out of the account, and interest or dividends received by the account;
6. The city administration shall order an objective performance evaluation of the investment program every year;
7. The city council shall retain one or more bank custodians to hold all investment cash and fixed income securities of the permanent fund; that the custodians shall render monthly reports to the administration regarding assets held at both book and market values, and individual transactions which have taken place; that the banks shall have adequate fidelity insurance, and that written contracts be entered into between the city and the custodian banks.

C. The city council shall retain one or more professional investment managers to design portfolios and invest funds in accordance with the written investment policies adopted by the city council. The investment managers shall be registered financial advisers with both the United States Securities and Exchange Commission and the state of Alaska, unless otherwise exempt from registration, and the investment managers shall agree to serve as a fiduciary to the city. Each investment manager shall carry professional liability insurance in an amount satisfactory to the city,

and the terms of the investment relationship shall be memorialized in a written contract entered into between the city and the respective investment advisers. (Ord. 09-01 § 1; Ord. 06-04 § 1; Ord. 02-08 § 1; Ord. 01-07 § 1)