

**CITY OF KODIAK  
ORDINANCE NUMBER 1436**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING  
KODIAK CITY CODE 2.04.160, TELECONFERENCE PARTICIPATION IN  
MEETINGS**

WHEREAS, the City of Kodiak desires to permit elected and/or appointed officials (City official(s)) to participate telephonically in regular, special, and emergency meetings comprised of City officials; and

WHEREAS, it is necessary to amend the Kodiak City Code to provide for participation via teleconference as stated herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kodiak, Alaska, as follows:

**Section 1:** Kodiak City Code 2.04.160, Teleconference Participation in Meetings, is hereby amended to read as follows:

**2.04.160 Teleconference participation in meetings**

(a) Teleconference participation by City officials in regular, special, or emergency meetings of the City Council is ~~not~~ permitted.

(b) Teleconference participation by City officials at City Council work sessions, regular meetings, special meetings, emergency meetings, and committee/board meetings is permitted for the convenience of City officials who are unable to attend in person due to:

- (1) An illness or injury of the City official or family member.
- (2) The death of a family member.
- (3) An employment-related commitment.
- (4) A commitment for city business.
- (5) An out-of-town commitment that prevents the City official from attending in person.

(c) A City official participating by teleconference shall, while actually on the teleconference, be deemed to be present at the meeting for all purposes and shall make every effort to participate in the entire meeting.

(d) Mayor and Councilmembers shall not participate in an executive session by teleconference.

~~(d)~~ (e) If the Mayor participates telephonically in work sessions, special meetings, regular meetings, or emergency meetings the Deputy Mayor, if present, or another Councilmember physically present and designated by consensus shall preside over and perform functions of the Mayor at the meeting, if applicable.

(e) (f) Prior to the meeting reasonable efforts will be made to ensure that the City official participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon; access to the agenda and documents from the city's website will be considered sufficient access.

(f g) Teleconference participation by the public for public comments and testimony at public hearings or scheduled guest speakers for a specific agenda item is permitted at work sessions, regular and special meetings when teleconference equipment is available.

~~(g h) Teleconference participation by guest speakers at work sessions is permitted when teleconference equipment is available.~~

(h) "Teleconference" means a method used for remote participation by a City official for a work session, special meeting, regular meeting, emergency meetings or committee meeting of the City Council that must enable the remote City official, for the duration of the meeting, to clearly hear and to be clearly heard by the Mayor, all Council members, staff, and public giving testimony. It also means a method used for remote participation by members of the public, guest speakers, and appointed committee/board members as provided herein.

(i) Teleconference procedures for City officials:

(1) Notification of City officials to the City Clerk shall occur 24 hours prior to publication of the meeting agenda of his or her request to participate in the meeting by telephonic means is required. If notice is not provided prior to publication of the meeting agenda, telephonic participation shall not be allowed, unless approved by the Mayor prior to 5 p.m. the day of the meeting. Prior to the meeting the City Clerk shall notify other City officials of those participating by teleconference.

(2) The Mayor and up to the first three Councilmembers who notify the City Clerk prior to the meeting agenda being published may participate by teleconference as long as three elected officials are present at the work session, special and regular meetings. If three elected officials are not present at a City work session, special meeting or regular meeting, the meeting shall be adjourned and rescheduled.

(3) The City Clerk shall open a teleconference connection at least three minutes prior to the start of the meeting. After a telephonic connection is established and it is time for the meeting to commence, the Mayor, or person presiding over the meeting, shall call the meeting to order.

(4) City officials may attend a maximum of four City Council work sessions, special meetings, regular meetings, and additional specific committee meetings by teleconference during a 12-six (6) month period commencing January 1 and July 1 of each year.

(5) City officials shall not incur communication charges for their participation by teleconference.

(j) Teleconference procedures for members of the public:

(1) If teleconference equipment is available at the meeting location, members of the public shall call the published phone number to provide public comments and testimony at public hearings at regular and special meetings during the time the agenda item is being heard. The time allotted for public comments per speaker is published on the agenda and may be changed if authorized by the Mayor.

**Section 2:** This ordinance shall be effective one month after its final passage and publication in accordance with Kodiak Charter Section 2-13.

~~Deleted language~~, Added language



ATTEST:

*Brian [Signature]*  
\_\_\_\_\_  
for CITY CLERK

CITY OF KODIAK

*Pat [Signature]*

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MAYOR

First Reading: July 27, 2023

Second Reading: August 24, 2023

Effective Date: September 30, 2023