

# TELEPHONIC PARTICIPATION FORM

As required by KMC 1.15.130, submission of this completed form to the Kenai City Clerk, declares that circumstances prevent my physical attendance at the \_\_\_\_\_ Council Meeting and I choose to participate in that meeting via telephone.

**NAME:** \_\_\_\_\_

**DATE OF SUBMISSION:** \_\_\_\_\_

[If reasonably practicable, notification to Clerk shall be at least seven (7) days prior to a council meeting, but not less than forty-eight (48) hours in advance of the meeting the member proposes to attend by telephone (KMC 1.15.130(c).]

**Is the telephonic participation pursuant to:**

\_\_\_\_\_ One of two meetings allowed by teleconference during the twelve-month period starting November of each year (KMC 1.15.130(n); or,

\_\_\_\_\_ One of two additional meetings in a twelve-month period because I am physically unable to attend the meeting due to the need for extended medical care and treatment of a member or members of my immediate family (KMC 1.15.130(o).

**PHYSICAL LOCATION FROM WHERE I WILL BE TELEPHONICALLY PARTICIPATING:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FACILITY INFORMATION:**

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Room Number: \_\_\_\_\_

**PHONE NUMBER FOR TELEPHONIC CONNECTION:** \_\_\_\_\_

**NOTES:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CLERK'S OFFICE USE ONLY:

**Date Received:** \_\_\_\_\_

**Information Distributed to Council Members:** \_\_\_\_\_

\_\_\_\_\_ Teleconference Operator Used

- (c) No member shall vote on any question in which he is pecuniarily interested directly or indirectly and in which his vote may be decisive, except as herein set forth. Should any member desire to intend to have business dealings with the City whereby he may derive income and benefits other than those provided as remuneration for his official duties, he shall file with the City Clerk, in such form as the Clerk may prescribe, a statement under oath which shall include the nature of the proposed transaction and the extent of the interest, direct or indirect, which said officer or employee has in said transaction. The City Clerk shall publish a copy of such statement in a newspaper of the City qualified by law to publish legal notices if one is published in the City and shall, in addition, post a copy of said statement on the Council bulletin board. The cost of said publication shall be borne by the member who desires to enter into the transaction, and the City Clerk may require a deposit to insure payment thereof. The Council shall take no action with regard thereto until at least ten (10) days shall have elapsed after the filing of the statement by the member and until at least seven (7) days shall have elapsed after the publishing and posting of said statement as required herein. (See also Chapter 1.85.)
- (d) Every member who shall be present when a question is put, when he is not disqualified by personal interest, shall vote, unless the Council for special reason excuses him. Applications to so excuse must be made before the vote, and shall be decided without debate.
- (e) Anything to the contrary in these rules notwithstanding, in all cases where an extraordinary majority is not required, and when no motion is before the Council, the Chairman may, in lieu of calling for or waiting for a motion to be made, put the question in the following form: "Without objection, it will be so ordered." If no objection is heard, he shall announce: "It is so ordered," which will have

the same effect as if a motion to that effect has been made and voted upon favorably. If a single objection is reasonably expressed when the question is put, the Chairman shall not proceed further under this rule, but instead shall call for a motion, which motion shall be handled in the regular manner.

(KC 1-18)

#### **1.15.120 Rules of order.**

- (a) A proposed amendment to, or repeal of, any rule in this chapter shall be submitted in writing as a non-emergency ordinance, and may be passed in the same manner as other non-emergency ordinances.
- (b) In all matters of parliamentary procedure not covered by these rules, Robert's Rules of Order as revised at the time of the passage of this chapter shall be applicable and govern.
- (c) The Council rules shall be observed in all cases unless suspended temporarily for a special purpose of an emergency nature by a vote of five (5) members present. Any member may move, at any time, for the suspension of any rule, and such motion must be seconded to entitled it to consideration.
- (d) If any member, in speaking or otherwise, transgresses the rules of the Council, the presiding officer shall, or any member may, call him to order; in which case the member so called to order shall immediately cease discussion unless permitted by the presiding officer to explain; and the Council, if appealed to, shall decide the question without debate. If the decision be in favor of the member so called to order, he shall be at liberty to proceed; if otherwise, he shall not proceed without leave of the Council to proceed in order.

(KC 1-19)

#### **1.15.130 Telephonic participation.**

- (a) A member of the Council may participate via telephone in a Council meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the

Mayor chooses to participate via telephone, the vice-mayor or president pro tempore shall preside.

(b) No more than the first two (2) members to contact the Clerk regarding telephonic participation in a particular meeting may participate via telephone at any one (1) meeting.

(c) The member shall notify the Clerk and the presiding officer, if reasonably practicable, at least seven (7) days prior to a council meeting, but not less than forty-eight (48) hours in advance of a meeting that the member proposes to attend by telephone. Such notification shall be provided in writing (facsimile and/or electronic transmission included), state whether such telephonic participation is pursuant to subsection (n) or (o), and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service. Failure to provide the notification in writing and within the period of time provided herein shall result in the member's exclusion from attendance of a council meeting through telephonic participation. Upon written notification of the member(s) wishing to participate telephonically (within the allotted timeframe), the Clerk shall notify all council members of the request.

(d) At the meeting, the Clerk shall establish the telephone connection when the call to order is imminent.

(e) A member participating by telephone shall be counted as present for purposes of discussion and voting.

(f) The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.

(g) The member participating by telephone may ask to be recognized by the presiding officer to the same extent as any other member.

(h) To the extent reasonably practicable, the Clerk shall provide backup materials to mem-

bers participating by telephone at the member's expense.

(i) If the telephone connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection.

(j) Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating by telephone.

(k) Participation by telephone shall be allowed for regular, special and work session meetings of the Council.

(l) Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

(m) As used in these rules, "telephone" means any system for synchronous two (2) way voice communication. "Mayor" includes the vice-mayor or any other member serving as president pro tempore.

(n) Each Council member may attend a maximum of two (2) meetings by teleconference during the twelve (12) month period starting November 1st of each year.

(o) A Council member may attend an additional two (2) meetings by teleconference during a twelve (12) month period starting November 1st of each year if the member declares that he or she is physically unable to attend the meeting due to the need for extended medical care and treatment of the member or member's immediate family.

- (p) In this section, "immediate family" means the spouse of the person, another person cohabitating with the person in a conjugal relationship that is not a legal marriage, a child (including a stepchild or foster child) of the person, a parent, sibling, grandparent, aunt or uncle of the person, or a parent or sibling of the person's spouse.
- (q) Council members are responsible for any telephone long distance and/or back-up material transportation charges incurred due to their participation in a meeting via telephone unless they are absent from the community on City business. A Council member is not considered to be on City business merely by attendance at a Council meeting via telephone. Telephone long distance and/or back-up material shipping charges may be deducted from the member's monthly stipend.

(Ords. 2130-2005, 2168-2006, 2203-2006)