

ORDINANCE SERIAL NO. 08-04

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.04.060

WHEREAS, the legislative power of the Aleutians East Borough is vested with the Assembly pursuant to Alaska State Statute 29.20.050; and

WHEREAS, on February 20, 2007, a majority of residents of the Borough voted in support of a seven (7) assembly seat election district where each seat is voted for “at large” by the voters throughout the borough; and

WHEREAS, Title 2, Section 2.04.060 of the Aleutians East Borough Municipal Code presently allows for advisory members to be appointed by district rather than by “at large”; and

WHEREAS, the Borough Assembly desires to continue the appointment of advisory members from all communities within the borough which are without an elected assembly member residing in its respective community; and

WHEREAS, The Borough Assembly believes that the use of appointed advisory members from the unrepresented communities has allowed all communities a voice at the assembly meetings and has acted to keep all residents better informed of pending borough issues.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH:

Section 1. **Classification.** This ordinance is of a general and permanent nature and shall become part of the borough code.

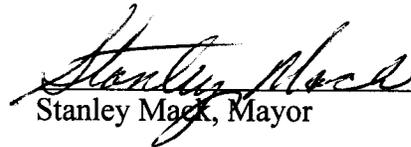
Section 2. **Severability.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. **Effectiveness.** This ordinance shall become effective upon adoption.

Section 4: **Adoption by Section.** Code section 2.04.06 is hereby repealed and Code Section 2.04.060 as annexed hereto as part of this ordinance is hereby adopted as Code Section 2.04.060 of the Code of Ordinances of the Aleutians East Borough.

INTRODUCED: March 13, 2008

ADOPTED: April 17, 2008



Stanley Mack, Mayor

Date: April 17, 2008

ATTEST:



Tina Anderson, Clerk

Date: April 17 '08

2.04.060 Advisory Members.

- (a) There shall be advisory members appointed on to the assembly with the rights and responsibilities a set out in this section.
- (b) There shall be one for each of the communities in the borough district four, which are without an assembly member residing in its respective community. ~~The members shall be appointed by the Mayor and confirmed by the assembly. The Mayor shall make the appointment for each community from a list containing the names of two or more persons submitted by the community or the governing body of the community.~~

2.04.060 Advisory Members.

- (a) There shall be advisory members appointed to the assembly with the rights and responsibilities a set out in this section.
- (b) There shall be one for each of the communities in the borough, which are without an assembly member residing in its respective community.
- (c) The term of an advisory member is one year and begins on January 1st of each year. A person appointed holds office until a successor has been appointed and seated.
- (d) Advisory members may attend all assembly meetings, work sessions, committee of the whole meeting and sub committee meetings; except, an advisory member may not attend executive sessions except upon adoption by the assembly or committee of the motion to permit the advisory members to attend the executive session.
- (e) Advisory members may participate in the discussion of any matter that comes before the assembly or committee but may not make motions, vote or otherwise participate except to discuss matters before the body.
- (f) Only a person appointed under this section may participate in assembly meetings as an advisory member. An advisory member may not serve as a proxy or substitute for a regular member of the assembly unless appointed or elected to fill an assembly vacancy. Upon such election or appointment to a vacancy, the advisory seat held by that person becomes vacant.
- (g) If an advisory member clearly expresses a position for or against a proposition, the minutes of the meeting shall reflect the position expressed.
- (h) Advisory members will receive per diem, reimbursement and payments in lieu as may be provided for assembly members.
- (i) The presence or absence of an advisor member at an assembly meeting, the existence of a vacancy in an advisory member seat, and an act or admission of an advisory member shall have no effect on any action of the Borough. An advisory member has no authority to act on behalf of the Borough and the meeting of advisory members does not constitute a meeting of the assembly or any other body of the Borough for any purpose.
- (k) Advisory members shall be governed by the same rules as elected members concerning meeting attendance as provided for in 2.20 and other applicable ordinances.