

**Mayor**  
James Kallander

**Council Members**  
Timothy Joyce  
James Kacsh  
David Allison  
Bret Bradford  
EJ Cheshier  
David Reggiani  
Robert Beedle

**Acting City Manager**  
Cathy Sherman

**City Clerk**  
Susan Bourgeois

**Deputy Clerk**  
Tina Hammer

**COUNCIL SPECIAL MEETING  
DECEMBER 26, 2012 @ 12:00 PM  
LIBRARY MEETING ROOM**

**AGENDA**

**A. CALL TO ORDER**

**B. ROLL CALL**

Mayor James Kallander, Council members Timothy Joyce, James Kacsh, David Allison, Bret Bradford, EJ Cheshier, David Reggiani, and Robert Beedle

**C. APPROVAL OF AGENDA..... (voice vote)**

**D. DISCLOSURES OF CONFLICTS OF INTEREST**

**E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

1. Audience Comments regarding agenda items

**F. NEW BUSINESS**

**2. Resolution 12-12-51..... (voice vote)(page 1)**

A resolution of the City Council of the City of Cordova, Alaska authorizing the City to submit to the qualified voters of the City at the March 5, 2013 Regular City Election the question of amending the definition of “published” or “publication” in section 1-6(5) of the City Charter to authorize publication of city notices in print or broadcast or other electronic media, or combination thereof, that the council determines will provide the most effective notice to the public.

**G. AUDIENCE PARTICIPATION**

**H. COUNCIL COMMENTS**

**I. ADJOURNMENT**

Executive Sessions: Subjects which may be discussed are: (1) Matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) Subjects that tend prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) Matters which by law, municipal charter or code are required to be confidential; (4) Matters involving consideration of governmental records that by law are not subject to public disclosures.

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**CITY OF CORDOVA, ALASKA  
RESOLUTION 12-12-51**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA AUTHORIZING THE CITY TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY AT THE MARCH 5, 2013 REGULAR CITY ELECTION THE QUESTION OF AMENDING THE DEFINITION OF “PUBLISHED” OR “PUBLICATION” IN SECTION 1-6(5) OF THE CITY CHARTER TO AUTHORIZE PUBLICATION OF CITY NOTICES IN PRINT OR BROADCAST OR OTHER ELECTRONIC MEDIA, OR COMBINATION THEREOF, THAT THE COUNCIL DETERMINES WILL PROVIDE THE MOST EFFECTIVE NOTICE TO THE PUBLIC.**

**WHEREAS**, Section 1-6(5) of the City Charter provides that the City gives notices to the public under the City Charter and Code by publication in a newspaper of general circulation within the City;

**WHEREAS**, both the City and members of the public have come increasingly to rely on electronic media, including communications over the Internet, as a source of information regarding the functions of City government; and

**WHEREAS**, the City maintains a website accessible to the general public that is suitable for posting notices to the public that are required under the City Charter and Code, such as notices of the time, place and subject of meetings of governmental bodies of the City, and notices regarding City elections; and

**WHEREAS**, posting notices that are required under the City Charter and Code regarding the functions of City government on the City’s website is an effective and efficient means of providing notice to the public regarding the functions of City government; and

**WHEREAS**, the Alaska Open Meetings Act permits the City to give notices of meetings of governmental bodies of the City by print or broadcast media.

**NOW, THEREFORE BE IT RESOLVED** that:

Section 1. The City shall submit the following proposition to the qualified voters of the City at the regular election to be held in the City on March 5, 2013. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

PROPOSITION NO. 2  
AMENDMENT OF CORDOVA CITY CHARTER SECTION 1-6(5)  
CONCERNING THE MANNER IN WHICH THE CITY PROVIDES  
NOTICE TO THE PUBLIC UNDER THE CHARTER AND CITY CODE

Shall Section 1-6(5) of the Cordova City Charter be amended to read as follows?

(5) When the word “published” or “publication” is used in this charter, it shall mean appearing at least once in the city in such print or broadcast or other electronic media, or a combination thereof, that the council determines will provide the most effective notice to the public.

Section 2. The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other propositions, and the following words shall be added as appropriate and next to rectangles provided for marking the ballot for voting by hand or machine:

PROPOSITION NO. 2

Yes   
No

Section 3. This resolution shall become effective upon the earlier to occur of the following: (i) the date on which the United States Department of Justice issues its non-objection under the Voting Rights Act of 1965 to the changes effected by the proposition that is to be submitted to the voters under this resolution; and (ii) the date immediately following the last date on which the United States Department of Justice could object to the changes effected by the proposition that is to be submitted to the voters under this resolution under the Voting Rights Act of 1965, provided that no objection to any such change has been issued before that date. The clerk is authorized to determine the effective date of this resolution, which shall be set forth in the permanent records of City resolutions.

**PASSED AND APPROVED THIS 26<sup>th</sup> DAY OF DECEMBER 2012.**

\_\_\_\_\_  
James Kallander, Mayor

Attest:

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Susan Bourgeois, City Clerk

## **ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, POWERS, INTERPRETATION**

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Section 1-1. - Incorporation.

Section 1-2. - Boundaries.

Section 1-3. - Form of government.

Section 1-4. - Powers of the City.

Section 1-5. - Applicability of state law.

Section 1-6. - Interpretations—Definitions.

### **Section 1-6. - Interpretations—Definitions.**

- (1) When used in this charter, the singular number includes the plural, and the plural the singular, unless the context clearly indicates otherwise.
- (2) When the words "by law" are used it means pursuant to this charter and the constitutions and statutes of the United States of America and the State of Alaska, to the extent that they validly limit the exercise of legislative power by home rule municipalities.
- (3) When the word "City" or "city" is used in this charter, it shall mean the City of Cordova, Alaska, unless the context clearly indicates another meaning.
- (4) When the word "person" is used in this charter or an ordinance it shall mean an individual, association, firm or corporation unless the context clearly indicates otherwise.
- (5) When the word "published" or "publication" is used in this charter, it shall mean published or publication in a newspaper of general circulation within the city, at least one time; provided that the council by resolution may find and declare that the publication of any particular ordinance, notice or document in such a newspaper is very impractical or impossible under the circumstances then existing, and provide instead that the ordinance, notice or document shall be published by posting a copy in each of at least ten conspicuous public places in the city. In all such cases of publication by posting, the city clerk shall provide any person a copy of the ordinance, notice or document posted, on request, without charge, at any time within two months after posting.
- (6) When under this charter any action requires, or is subject to approval or ratification of "a majority of the voters" such requirement shall mean a majority of qualified voters voting on such action.
- (7) When under this charter any action requires or is subject to approval of "a majority vote of all members of the council" such requirement shall mean a majority of the number of seats established as composing the council under section 2-1 of this charter.