

# City of Ketchikan Proposed Charter Amendments

## Section 2-13 Ordinances: Passage, When in Effect

A proposed ordinance shall be read, and a vote of a majority of all councilmen present shall be required for advancing to second reading. Before a vote on final passage, a proposed ordinance shall be read by title or in full, and a vote of a majority of all the councilmen shall be required for its final passage.

The mayor shall have the power to veto ordinances and resolutions passed by the council; provided that such power is exercised at the meeting of the council at which the ordinance or resolution is finally passed. The mayor shall advise the council in writing no later than the beginning of the next regular meeting of his reasons for vetoing an ordinance or resolution. The council may finally pass an ordinance or resolution over the veto of the mayor at such meeting, whether or not the mayor submits his reasons. An affirmative vote of five members of the council shall be required to pass an ordinance or resolution which has been vetoed by the mayor, and the vote shall be by yeas and nays and shall be entered in the journal.

No ordinance except an emergency ordinance may be finally passed on the same day that it is introduced. Within ten days after its final passage without a veto or final passage over the veto of the mayor, as the case may be, every ordinance shall be published in full or by number and title with a brief summary. ~~Emergency ordinances and ordinances making, repealing, transferring, or otherwise changing appropriations, shall go into effect immediately upon such final passage unless they specify a later time.~~ All other ordinances shall go into effect ~~[one month]~~ **immediately** after such final passage and publication unless they specify a later date.

## Section 3-1 City Manager: Appointment, Term, Qualifications, Removal

There shall be a city manager. The council shall appoint the manager ~~[him]~~ for an indefinite term by a vote of a majority of all its members. **The manager** ~~[He]~~ shall be chosen solely on the basis of ~~[his]~~ executive and administrative qualifications. At the time of ~~[his]~~ appointment, **the manager** ~~[he]~~ need not be a resident of the city or state; but, during **the manager's** ~~[his]~~ tenure of office, **the manager** ~~[he]~~ shall reside **on the interconnected road system of Revillagigedo Island** ~~[within the city]~~. Neither the mayor nor any councilman may be appointed city manager during the term for which he shall have been elected. The council may suspend or remove the city manager at any time by a vote of a majority of all its members.

## Section 5-17 Contracts and Sales

~~[(a)]~~ Any contract which by its terms will not be fully executed within five years and which cannot be terminated by the city upon not more than one month's notice without penalty; ~~[and (b) the sale or lease of any city property, real or personal, or the sale or other disposal of any interest therein, the value of which property, lease, or interest is more than \$30,000.00;]~~ shall be made only:

- ~~(1) By authority of an ordinance approved or enacted at an election by an affirmative vote of a majority of the qualified voters of the city who vote on the question of approving or enacting the~~

~~ordinance (the ordinance being submitted to the voters by the council or by initiative of the voters); or~~

~~(2) By authority of a non-emergency ordinance passed by the council, which shall be published in full within ten days after its passage, and which shall include a section reading substantially as follows: "Section \_\_\_\_\_. If one or more referendum petitions with signatures are properly filed within one month after the passage and publication of this ordinance, this ordinance shall not go into effect until the petition or petitions are finally found to be illegal and/or insufficient, or, if any such petition is found legal and sufficient, until the ordinance is approved at an election by a majority of the qualified voters voting on the question. If no referendum petition with signatures is filed, this ordinance shall go into effect one month after its passage and publication."~~

~~[Provided that an entire public utility belonging to the city may be sold or leased only by authority of an ordinance approved or enacted as provided in subdivision (1) above in this section.]~~

## **Section 5-18 Public Improvements**

Public improvements, including local improvements, may be made by the city government itself or by contract. The council shall award all contracts for such improvements; provided that the council may authorize the city manager to award such contracts not exceeding an amount to be determined by the council and subject to such regulations as the council may prescribe. ~~[Except as provided hereinafter, every contract for public improvements of more than \$50,000 shall be awarded to the lowest and best responsible bidder after such notice and opportunity for bidding as the council may prescribe.]~~ The council may, by non-emergency ordinance and upon a finding that it is in the best interests of the city, establish exceptions to the notice, bidding and award provisions of this section provided that any such exception is not based solely upon the amount of the contract. Contracts for public improvement which ~~exceed \$5,000, but which~~ do not exceed **an amount established by ordinance** ~~[\$50,000]~~ may be awarded by solicitation for written quotations made to at least three contractors. All bids may be rejected, and further notice and opportunity for competitive bidding may be given.

## **Section 5-19 Personal Interest**

Subject to all other applicable Charter provisions and city ordinances, the mayor, any councilperson, or any city employee may sell to, barter with, or buy from the city only as provided below:

(a) Sales to the city:

(1) A sale to the city for \$500.00 or less is permitted if it is at a price prevailing in the community.

(2) A sale to the city at any price is permitted if:

(A) at least three (3) written quotes are **solicited by the purchasing authority** ~~[presented to the council]~~ and the **city** ~~[council]~~ selects the quote which is the most advantageous to the city; or

- (B) an invitation to bid is published requesting sealed bids and the city selects the bid which is the most advantageous to the city.

(b) Purchase from the city:

- (1) Purchase from, or barter exchange with, the city for \$500.00 or less or equivalent value is permitted if it is at a price or rate prevailing in the community and such purchase or exchange is offered to the public; or
- (2) Purchase from or barter exchange with the city for any amount or equivalent value is permitted if an invitation to bid is published requesting sealed bids and the city selects the bid which is the most advantageous to the city.

### **Section 5-21 Independent Annual Audit**

The council shall designate a qualified public accountant or accountants who shall make an independent audit of the accounts and evidences of financial transactions of the department of finance and of all other departments, offices and agencies keeping separate or subordinate accounts or making financial transactions, as of the end of every fiscal year at least, and who shall report to the council and to the city manager within **the time established by council resolution** ~~[four months]~~. In lieu of the above, the council may arrange with an appropriate state authority for such an audit when and if permitted by law.