



FAIRBANKS DIVERSITY COUNCIL  
REGULAR MEETING AGENDA  
JANUARY 8, 2019 – 5:30 P.M.  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA



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*The City of Fairbanks recognizes that our community is a diverse one, with a wide variety of ethnic backgrounds, cultures, beliefs and orientations and recognizes this diversity as an asset and resource for our community. The establishment of a Fairbanks Diversity Council can provide the City Council and Fairbanks North Star Borough Assembly with advice and recommendations to promote equal opportunity for all members of the public.*

1. CALL TO ORDER & READING OF THE FDC MISSION STATEMENT
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. CITIZENS' COMMENTS (Limited to 3 Minutes)
6. CALENDAR OF EVENTS
7. APPROVAL OF PREVIOUS MINUTES
  - a) Regular Meeting Minutes of December 11, 2018
8. HUMAN RESOURCES REPORT
9. DIVERSITY TOPIC OF THE MONTH
10. UNFINISHED BUSINESS
  - a) Diversity Council Input on City Council Action Items
    - i) Resolution No. 4846 (recommendation from the Education/Outreach Committee)
    - ii) Ordinance No. 6093 (recommendation from the Accessibility Committee)
11. NEW BUSINESS
12. FDC COMMITTEE REPORTS
13. FDC MEMBERS' COMMENTS
14. MEETING DATES
  - a) Next Meeting Date, February 12, 2019
15. ADJOURNMENT

**Upcoming Committee Meetings:**

Education & Outreach Committee – Friday, January 11, 12:00 p.m., City Hall  
The January 17 Accessibility Committee has been cancelled.



She stated that the organization's mission includes diversity as a justice issue. Ms. Koponen stated that the APC puts on various activities including samplings, potlucks, movies, the Peace Feast, a booth at Tanana Valley State Fair, and other activities. She stated that the APC website is [www.alaskapeace.org](http://www.alaskapeace.org), and the organization was incorporated in 2005.

In response to questions from FDC members about the APC's involvement in jury issues, Ms. Koponen stated that the APC showcased the Fairbanks Youth Court at a monthly potluck last winter. She stated that the APC is not involved in the jury system but that the group could entertain the issue at their January meeting. Mr. Turney was asked to send Ms. Koponen more information.

**Ms. Harriger** asked Ms. Koponen to speak about what she sees as the APC's most pressing diversity issues in the Fairbanks community. Ms. Koponen stated that the APC is currently looking at the Doctrine of Discovery. She stated that with the APC's weekly news brief, they report on various issues that come to their attention. She stated that they have been focused on Native Alaskan issues, but all issues are connected.

**Ms. Rogers** asked what sustainability means in the APC context. Ms. Koponen stated that it is open to interpretation and has not been defined in the APC bylaws or mission statement. She stated that they address it in the context of environmental sustainability through local resources.

**Mr. Greenlaw** asked whether the APC puts on non-violence workshops. Ms. Koponen stated that there will be a workshop in January, but she does not have the dates yet. She stated that the "Alternatives to Violence" project is an international project, and it is usually a Friday through Sunday workshop for schools, prisons, or anyone who is interested.

**Ms. Kan** commented on the many activities the APC is involved in, and she asked how the APC reaches people to volunteer. Ms. Koponen stated that people are welcome to attend APC board meetings and join the APC listserv. She stated that board member elections happen in April. She stated that the APC publicizes through its website, the radio, and in newspapers and flyers. She introduced the other board members present.

Mia Genaux – Ms. Genaux stated that she is with the local Quakers and is a member of the APC. She invited an FDC rep to attend the Peace Feast in June, and she listed other organizations who have attended and presented at the event. In terms of sustainability, she stated that the APC pays attention to local food production. She stated that nearly 100 years ago, the community was producing almost 100% of what it needed. She shared that the workshop on alternatives to violence would take place January 11-13, 2019.

**Vice Chair Jackson** asked about partnering with local co-ops and the University of Alaska Fairbanks (UAF) to meet sustainability goals. Ms. Genaux stated that the APC supports local food production and is not a producer. She stated the APC supplies information to support food production. She stated that the APC has had affiliates who were involved with UAF.

**Mr. Rucker** asked about the Peace Feast. Ms. Genaux stated that the event typically occurs the first Saturday in June. She referenced the handout given to FDC members in regard to the event.

Hayden Nevill – Mr. Nevill thanked the FDC for their work and expressed disappointment that the Mayor was not present. He stated that he is with the Gender Pioneers and commented that Council

Member Ottersten did a great job with Ordinance No. 6093. He asked the FDC to take a look at the religious language that was added to make sure it ensures LGBTQ protection, and he stated that religion is already covered by federal law. He commented that Christianity has been used to argue both sides of slavery, rights to vote, and other issues. He indicated that he would like to see the religious exemption language removed from the ordinance, and he listed referenced several statements made at the City Council meeting that were untrue.

**Mr. Walters** asked Mr. Nevill to elaborate on the reason for adding the religious exemption language if it is redundant with federal law. Mr. Nevill stated that he is a veterinarian by trade, and Ms. Ottersten has a much better understanding of the law. He stated he has learned that when religious exemptions are added to law, it leads to “squishy” law and increases the chance of lawsuits. He stated the original ordinance was fine and that the law was made weaker by adding the religious exemption language. He indicated that there may be better language to use. He stated that some people in Fairbanks are unable to get medication, employment, and housing, and he would like to see Fairbanks pass the best law it can to protect the people in the community.

**Ms. Rogers** stated that she believes the Council postponed the ordinance in order to make it better. She stated that there are work sessions scheduled for January 8-10 to work on the ordinance and to have more discussion. Mr. Nevill stated that it would have been much less damaging to the LGBTQ community if they had known in advance that it may be postponed. He spoke to the damaging testimony that was given at the ordinance’s public hearing and stated that there are many who are hurting because the ordinance did not pass.

**Mr. Rucker** stated that under most state and federal law, the protection for the LGBTQ community is not actually in the law, but in the interpretation of the law. He stated that he is happy to see that cities and states are addressing the issue. Mr. Nevill stated that he would like the FDC to take a look at the ordinance and give its recommendation. He stated that exclusions are based on fear and that folks have created a lie that transgender people are predators.

**Ms. Harriger** pointed out that the community often relies on religious organizations to help accomplish things. She stated that the ordinance not only addresses the LGBTQ community, it addresses race, color, and more. She wondered whether religious exemptions apply to other areas. **Mr. Toelle** stated that it does, as churches are not required to be accessible. **Mr. Rucker** stated that Title 1 of the ADA is lacking in those respects. He cautioned everyone to keep in mind that exemptions are put in place by the court system, and if the courts change their stance it is good to have something in place at the local and state levels.

**Mr. Walters** stated that Anchorage, Sitka, and Juneau have similar ordinances, and he asked how long they have been in effect and whether any litigation has resulted from the ordinances. Mr. Nevill stated that they are not a litigious group of people. He commented that the ordinance would be a tool to let others know that our City does not tolerate discrimination. He stated that Sitka’s ordinance was adopted last year, and the Juneau and Anchorage ordinances were adopted within the last two years.

**Ms. Rogers** stated that she would appreciate if Mr. Nevill could attend the next Housing and Homeless Coalition meeting to offer his point of view.

**Mr. Toelle** stated that disability laws were passed 28 years ago, and he still has a fulltime job to enforce those laws.

**Mr. Rucker** indicated that the ordinance is a big leap in the right direction and that things can be fixed along the way. He thanked everyone who came forward to give testimony to the Council and stated that it takes courage to speak about difficult issues.

**Mr. Walters** stated that the City Council will take up the ordinance again on February 25, 2019.

Sine Anahita – Ms. Anahita stated that she testified at the City Council meeting and that she would like to see a more visible police presence of police at those types of meetings.

Mike Meeks, City of Fairbanks Chief of Staff – Mr. Meeks stated that Chief Jewkes attended the City Council meeting, and there were a few people he was keeping his eye on. He stated he feels that the City was ready in case something happened, and the Chief did speak with some people about remaining calm. He stated that the City Council gave City staff homework in regard to the ordinance, and the FDC can help. He stated that the Council has requested to hear from people in the housing industry, the human resources field, and the field of law.

Hearing no more requests for comment, **Vice Chair Jackson** declared Citizens' Comments closed.

### **CALENDAR OF EVENTS**

There were no items discussed under Calendar of Events.

### **APPROVAL OF PREVIOUS MINUTES**

- a) Regular Meeting Minutes of September 11, 2018
- b) Regular Meeting Minutes of October 16, 2018

**Mr. Toelle**, seconded by **Mr. Walters**, moved to APPROVE both sets of Meeting Minutes.

**Vice Chair Jackson** called for objection to APPROVING both sets of Meeting Minutes and, hearing none, so ORDERED.

### **HUMAN RESOURCES REPORT**

**Ms. Foster-Snow** stated that there are many openings at the Fairbanks Police Department (FPD). She shared that the Dispatch Manager position was recently filled internally by Mayor Matherly. She stated that there is an Accounts Payable position open in the Finance Department, and it is currently being advertised through the union. She stated that she needs a volunteer from the FDC to serve on the hiring panel December 19 for a Senior Driver position at the Fairbanks Fire Department (FFD). 8:30 – 1 p.m. **Mr. Walters** stated that he has served on hiring panels, and he encouraged everyone to participate.

**Vice Chair Jackson** stated that she requested information previously in regard to sexual assault cases closed at FPD, and she would like to see a breakdown by ethnicity, gender, etc. She asked

about FPD follow-up in those cases and stated that she would also like to know what will happen with the Community Services Patrol and the FPD in the coming year. She commented on the number of sirens she hears in her neighborhood. **Ms. Foster-Snow** stated that Mr. Meeks is now managing the Emergency Services Patrol (ESP).

Mr. Meeks stated that the Council recently held a work session to discuss the future of the ESP contract. He stated that the City is on track to receive 6,000 calls in 2019. He stated he has plenty of charts and data he could provide, and he stated that calls and transports continue to increase. He spoke to the funding sources for the ESP and shared that the City has asked the State legislature for funding in its resolution regarding 2019 capital and legislative priorities.

**Ms. Foster-Snow** stated that she would see if FPD and the Fairbanks Emergency Communications Center (FECC) could help in regard to Vice Chair Jackson's request for sexual assault statistics. **Ms. Davis** requested that cold case data be added to that request.

### **DIVERSITY TOPIC OF THE MONTH**

**Vice Chair Jackson** referenced the ideas FDC members provided at an FDC work session earlier in the year. She stated that she would like the FDC to make a list of diversity topics of the month for the year so that everyone gets a chance to be heard. She indicated that it should be a group decision, not just one person. **Ms. Foster-Snow** stated that the sheets from that work session are hanging in her office and that maybe a list could be compiled before the next meeting so the group could vote on topics.

Members briefly discussed diversity topics of the month and how best to fit them in with the goals of the FDC. **Ms. Rogers** stated that the FDC needs to keep in mind its working relationship with the Borough. She indicated that there is a need for a formal approach on reporting to the Borough.

### **NEW BUSINESS**

- a) Diversity Council Input on City Council Action Items
  - i) Resolution No. 4846

**Vice Chair Jackson** stated that the FDC is an advisory group to the City Council. She stated that Resolution No. 4846 was brought before City Council and was passed without input or solicitation for input of the FDC.. She expressed concern me that the FDC did not have an opportunity to provide its input on an issue that would have such an impact to the Fairbanks community. She expressed concern with the timeline, oversight, and length of the contract and with whether the City Council had enough information.

**Ms. Harriger** stated that her understanding is that the City Council did not have much time to consider the resolution and that Chief Jewkes will have five days to review content before it is put into production. She stated she understands that he only has oversight over that which pertains to City employees, not others involved. She stated that she would like to see the City release a statement about the intent of the show. She commented that it is too late to change the contract, but there could be more transparency; she added that she would like to know what has been filmed so far and what the production schedule is.

Mr. Meeks agreed that the process was hurried. He stated that attorneys from the City and Engel Entertainment were going back and forth with language, and it came down to now or not at all. He stated that the City's intent in entering the contract was to increase recruitment. He stated that no filming has been done yet, and there is no schedule set.

**Ms. Harriger** stated that it may help to release more information about the intent of the show to the public. She asked whether the Council's advice was sought in advance of introducing the resolution. Mr. Meeks replied that the meeting agenda had been sent to the City Council four days in advance of the meeting.

**Vice Chair Jackson** stated that the contract might not seem like a big deal to a big dog, but it is a huge deal for the disadvantaged in the community.

**Mr. Walters** stated that the FDC has not been submitting much to the City Council. He stated that he would be willing to work on the issue before the next meeting. He suggested that a letter be drafted for FDC review stating the concerns of the body with some possible recommendations.

**Ms. Harriger**, seconded by **Mr. Walters**, moved to recommend that the City Council assign a member of the FDC to accompany Chief Jewkes in the review of the video material for Engel Entertainment.

With the concurrence of the Second, **Ms. Harriger** amended the above motion to add that the FDC convene a subcommittee to draft a recommendation to the City Council to consider ways to formalize consultation with the FDC prior to engaging in a contracts similar to the contract under discussion.

**Ms. Harriger**, with the concurrence of the Second, moved to WITHDRAW the motion.

**Vice Chair Jackson** stated that she would like to see more than one person to review with Chief Jewkes or create a review panel. **Ms. Webb** suggested that the FDC look at ways to prevent something like this from happening again. **Ms. Harriger** stated that the review process is for the purpose of protecting City employees, not necessarily members of the public, and that an FDC presence on the review panel may only be symbolic.

**Ms. Rogers** stated that she is the only Council Member who voted against the resolution, and she indicated that bully tactics were used by the company.

**Mr. Greenlaw** asked about the company's background and credibility. **Ms. Harriger** stated she heard from a reliable source that the company is credible, but they have no history in Fairbanks.

**Mr. Toelle** stated that he spoke with the man in charge of the Alaska State Troopers film contract which had the same purpose of recruitment. He stated that it did not end up being a good recruitment tool, and there was no value in it. **Ms. Webb** stated that in her experience these types of shows can create a financial burden for a community.

**Vice Chair Jackson** spoke to having two documents prepared for review at the next meeting: one to address the FDC's concerns with the contract and a possible review panel and another document

to address the communication between the City Council and the FDC. **Ms. Foster-Snow** suggested that the Education/Outreach Committee take up the task at its next meeting. No members objected to the suggestion, and the Education/Outreach Committee was tasked with drafting documents to bring back to the FDC for review at the January meeting.

ii) Ordinance No. 6093

Kathy Ottersten – Ms. Ottersten stated that the City Council will hold three consecutive mornings in January in regard to the ordinance, and those meetings are open to the public. She stated that the Council will determine whether more public input is needed after those work sessions. She stated that she did not leave the City Council meeting feeling discouraged, but she felt as though she had a lot more information. Ms. Ottersten stated that it is important to find ways to include state and federal law references into the ordinance, and she stated that she made a mistake by not understanding the mistrust people have for the courts.

Mr. Nevill stated that the two things Mayor Matherly asked for was that the City Council have more time to review the ordinance and that the FDC have an opportunity to look at the ordinance.

Ms. Ottersten stated she believes the ordinance will go through an evolution and commented that it is a community engagement. She spoke to the large number of emails she received in regard to the ordinance and stated that she read each of them carefully. She stated that the Council Meeting the previous night reflected exactly what the Fairbanks community is.

**Mr. Rucker** pointed out that the ordinance has nothing built in for City enforcement, so the only remedy for discrimination at the local level is the court. Ms. Ottersten stated that she considered City resources, and the ordinance is more of a statement of community values versus law. She expressed her belief that nearly all the problems that arise could be resolved outside the court.

**Mr. Walters** expressed hope that other groups and organizations such as Access Alaska and the NAACP could weigh in on the ordinance before the February 25 City Council meeting. **Mr. Greenlaw** asked whether the FDC could write a letter to Mayor Matherly in regard to Ordinance No. 6093. **Vice Chair Jackson** stated that she hoped the Accessibility Committee could draft a letter to the City Council in support of the ordinance. It was decided that the Accessibility Committee would draft a letter of recommendation to the City Council in regard to Ordinance No. 6093 for the FDC to review at their January meeting.

**Ms. Rogers** pointed out that although the Mayor is not present, he is the FDC Chair. She stated that the FDC needs to remember that in its written communications to the City Council.

*Clerk Snider stated that the FDC had lost quorum as Mr. Lee was no longer on the telephone.*

### **FDC MEMBERS' COMMENTS**

**Mr. Greenlaw** stated that although he did not attend the City Council meeting, he listened in and was deeply disturbed by the homophobic, transphobic, bigoted comments. He expressed hope that those comments were a minority and that it was not the Fairbanks he had come to love. **Mr. Greenlaw** stated that he does not believe the Mayor gave the same fair consideration of time for the TV show resolution as he did for the equal rights ordinance.



**Ms. Davis** stated that there was good discussion at the meeting. She spoke to doing better in 2019 and wished everyone a Merry Christmas.

**Ms. Webb** questioned why Mayor Matherly is absent. She expressed interest in getting the Policies and Procedures Committee started again. She asked Mr. Toelle to send out a reminder prior to the Accessibility Committee Meeting, and she wished everyone happy holidays. She shared that she would be out of town from January 7 through March 1.

**Ms. Foster-Snow** wished everyone happy holidays.

**Mr. Toelle** commented that he would be out of town in January and is cancelling the January Accessibility Committee meeting. He agreed with Mr. Greenlaw in that he does not understand the discrepancy in how the Mayor sought or did not seek the input of the FDC. He stated that he was encouraged by Ms. Ottersten, and he wished everyone happy holidays. He stated that he would not be able to attend the January meeting.

**Mr. Rucker** stated that in regard to the equality ordinance, people fixate on the LGBTQ portion of it; he commented that he looks at it like the next logical step in civil rights. He stated that he sees the minds and hearts of people being changed, but it is a slow and steady process. He stated that he has seen dramatic changes in the workplace over the past 20 years and that the ordinance is the next step. He stated that the ordinance is extremely inclusive.

**Ms. Rogers** stated that she enjoys listening to Mr. Rucker, and she is glad he is a member of the FDC. She spoke about the love she felt in the room at the City Council meeting the previous night, and she stated that people are responsible for each other. She spoke to the simple gesture of saying hello to someone on the street and commented that it is outrageous to walk by another human being and not acknowledge them with a hello. **Ms. Rogers** spoke about the fear that many have mentioned throughout the meeting, and she stated that she does not understand it. She shared a personal experience and spoke to the importance of embracing others and to the value of discussion. She stated that she views the work ahead as necessary to embrace those people who represent themselves in a way that is difficult to embrace.

**Mr. Walters** mentioned the wonderful International Friendship Day event; he stated that he and a few other FDC members attended the event. He stated that he would be interested to know whether there was negative feedback following the school board meeting where they addressed the LGBTQ issue. He spoke about future FDC agenda items and stated that he would like the City Attorney to make an Open Meetings Act (OMA) presentation to the FDC in February or March. **Mr. Walters** spoke to the FDC mission statement and to the Diversity Action Plan (DAP). He shared that the local Parents, Families, and Friends of Lesbians and Gays (PFLAG) organization met in November and it was a good meeting. He thanked Ms. Ottersten for bringing the equal rights ordinance forward and for taking the heat at the City Council meeting. He wished everyone happy holidays.

Mr. Meeks stated that the Mayor is the father of young children, and he is not present because he needed to be “Dad.”

**Vice Chair Jackson** stated that the evening’s conversation was stimulating and is what the FDC is all about. She commented that when one group or individual is hurting, everyone is hurting.

She spoke to the richness of the Fairbanks community and stated that she could not think of a better place to live. She spoke to the importance of uplifting others and planting seeds of change. She reminded everyone of the dates of the upcoming committee meetings, and she wished everyone a Merry Christmas.

### **MEETING DATES**

The next Regular Meeting of the FDC is scheduled for Tuesday January 8, 2019.

**Ms. Rogers** thanked Vice Chair Jackson for the lengthy meeting and stated that the agenda is far more important than time restraints.

### **ADJOURNMENT**

**Mr. Toelle**, seconded by **Mr. Rucker**, moved to ADJOURN the meeting.

Hearing no objection, **Vice Chair Jackson** declared the meeting  
ADJOURNED at 8:18 p.m.

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Montean Jackson, Vice Chair

D. Danyielle Snider, CMC, City Clerk

Transcribed by: DS



**RESOLUTION NO. 2019-02**

**A RESOLUTION BY THE FAIRBANKS DIVERSITY COUNCIL URGING THE FAIRBANKS CITY COUNCIL TO CONSULT WITH THE FAIRBANKS DIVERSITY COUNCIL PRIOR TO TAKING ACTIONS THAT MAY IMPACT THE REPUTATION AND WELL-BEING OF OUR COMMUNITY AND DIVERSE COMMUNITY MEMBERS**

**WHEREAS**, it is among the duties of the Fairbanks Diversity Council to provide a citizens' forum, serve as a diversity advisory board, and address concerns in the areas of employment, public accommodations, police policies, transportation, housing, public awareness and sensitivity, and other such subjects as appropriate; and

**WHEREAS**, neither the Diversity Council nor the Fairbanks City Council was consulted well prior to approval of a multi-year contract by the city to create a television program depicting the daily activities of the officers of the Fairbanks Police Department, including in the course of their duties within Fairbanks; and

**WHEREAS**, it may reasonably be anticipated that such a television show, if produced, might strongly influence opinions about Fairbanks and its residents as broadly as at the national level, influencing perceptions of Fairbanks' residents and of Fairbanks as a place to live, work, and visit.

**NOW, THEREFORE, BE IT RESOLVED** that the Diversity Council requests the City of Fairbanks consider enacting a policy or protocol of early consultation with the City Council and the Diversity Council on projects undertaken by the City or Departments of the City that may reasonably be anticipated to impact the reputation and well-being of the City and its diverse residents.

**PASSED** and **APPROVED** this 8th day of January 2019 by the Fairbanks Diversity Council.

Signed:

\_\_\_\_\_  
Jim Matherly, Fairbanks Diversity Council Chair

Attest:

\_\_\_\_\_  
D. Danyielle Snider, CMC, City Clerk



January 8, 2019

Mayor Jim Matherly and  
Fairbanks City Council Members  
800 Cushman Street  
Fairbanks, AK 99701

RE: Communications between the City Council and the Fairbanks Diversity Council

Dear Mayor Matherly and Fairbanks City Council members,

The Fairbanks Diversity Council has noted with concern the multi-year contract approved by the Fairbanks City Council to create a television program depicting the daily professional and personal activities of the officers of the Fairbanks Police Department.

Our body is responsible for providing a citizens' forum, serving as a diversity advisory board to the City Council, and addressing the community's concerns in the areas of employment, public accommodations, police policies, transportation, housing, public awareness and sensitivity, and other such subjects as they affect diverse populations within our community.

We believe it may reasonably be anticipated that this television show, if produced, might strongly influence opinions about Fairbanks and its residents as broadly as at the national level, influencing perceptions of Fairbanks' residents and of Fairbanks as a place to live, work, and visit. This may impact vulnerable populations within the community, and it may impact sectors such as the tourism industry in unanticipated ways.

Our understanding is that the contract was negotiated in good faith as a recruitment tool for the Police Department, and that the City Council was not aware of the negotiations until a late date. Our position is that a policy or protocol should be put in place to ensure early and adequate consultation with the City Council and the Diversity Council on projects undertaken by the City or Departments of the City that may reasonably be anticipated to impact the reputation and well-being of the City and its diverse residents.

On Behalf of the Fairbanks Diversity Council,

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Montean Jackson, FDC Vice Chair



**RESOLUTION NO. 2019-01**

**A RESOLUTION BY THE FAIRBANKS DIVERSITY COUNCIL URGING THE FAIRBANKS CITY COUNCIL TO PASS CITY ORDINANCE 6093 PERTAINING TO PROTECTION AGAINST DISCRIMINATION ON THE BASIS OF RACE, COLOR, AGE, RELIGION, SEX, FAMILIAL STATUS, DISABILITY, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, AND NATIONAL ORIGIN.**

**WHEREAS**, in 2015 the Diversity Council made a recommendation to the City Council to adopt a resolution in support of state-wide legislation to include sexual orientation, gender identity, and gender expression as protected classes on a state level, stating that “the Fairbanks Diversity Council feels that the proposed change to house bill 42 further protecting Alaskans from being discriminated against specifically because of ‘sexual orientation, gender identity, or expression’ is appropriate and is in harmony with the purpose and mission of the Fairbanks Diversity Council.” **The City Council adopted this resolution on the recommendation of the Diversity Council; and**

**WHEREAS**, existing federal law strongly protects the rights of religious institutions in this regard. Related case law shows that religious schools are also protected as instruments of the church.

**NOW, THEREFORE, BE IT RESOLVED** that the Diversity Council strongly supports passage of City Ordinance 6093 in a form that offers protections in our community for the following classes; race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity, gender expression, and national origin. The Diversity Council recommends **removing** the wording following section 1-22 (b) 4 of the Ordinance, which states “additionally, nothing in this chapter shall abridge the rights of a religious institution that has beliefs in conflict with provisions of this chapter”. Although it is the recommendation of the Diversity Council to remove the section with no amendment, we would be open to the following wording, asserting Constitutional law: “Nothing in this chapter shall abridge any state or federal constitutional protections for freedom of religion.”

**On a final note, some statements and actions at the December 10th City Council meeting gave us pause. All our neighbors should feel welcome and safe at Fairbanks City Council meetings.** In the future, we trust that the City Council will employ strategies to encourage community members to express themselves through respectful dialogue, appropriate content, and civil behavior at public meetings.

**PASSED and APPROVED** this 8th day of January 2019 by the Fairbanks Diversity Council.

Signed:

\_\_\_\_\_  
Jim Matherly, Fairbanks Diversity Council Chair

Attest:

\_\_\_\_\_  
D. Danyielle Snider, CMC, City Clerk



January 8, 2019

Mayor Jim Matherly and  
Fairbanks City Council Members  
800 Cushman Street  
Fairbanks, AK 99701

RE: Recommendations by the FDC on City Ordinance No. 6093, as Amended

Dear Mayor Matherly and City Council Members,

In 2015 the Diversity Council made a recommendation to the City Council to adopt a resolution in support of state-wide legislation to include sexual orientation, gender identity, and gender expression to the protected classes on a state level. In its recommendation the Diversity Council stated, “the Fairbanks Diversity Council feels that the proposed changes to house bill 42 further protect Alaskans from being discriminated against specifically because of ‘sexual orientation, gender identity, or expression’ is appropriate and is in harmony with the purpose and mission of the Fairbanks Diversity Council.” **The City Council adopted this resolution on the recommendation of the Diversity Council.**

Today, the Diversity Council strongly supports passage of City Ordinance 6093 in a form that offers protections in our community for the following classes; race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity, gender expression, and national origin.

Existing federal law strongly protects the rights of religious institutions in this regard. Related case law shows that religious schools are also protected as instruments of the church. The Diversity Council therefore recommends **removing** the wording following section 1-22 (b) 4 of the Ordinance, which states “additionally, nothing in this chapter shall abridge the rights of a religious institution that has beliefs in conflict with provisions of this chapter”. Although it is the recommendation of the Diversity Council to remove the section with no amendment, we would be open to the following wording, asserting Constitutional law: “Nothing in this chapter shall abridge any state or federal constitutional protections for freedom of religion”.

**On a final note, some statements and actions at the December 10th City Council meeting gave us pause. All our neighbors should feel welcome and safe at Fairbanks City Council meetings.** In the future, we trust that the City Council will employ strategies to encourage community members to express themselves through respectful dialogue, appropriate content, and civil behavior at public meetings.

On Behalf of the Fairbanks Diversity Council,

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Montean Jackson, FDC Vice Chair