



FAIRBANKS DIVERSITY COUNCIL
REGULAR MEETING AGENDA
APRIL 9, 2019 – 5:30 P.M.
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA



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. MAYOR'S COMMENTS & REPORT
7. FIVE-MINUTE PRESENTATIONS (Representatives from: City Council, Fairbanks North Star Borough, Military, Indigenous People, and FNSB School District)
8. CALENDAR OF EVENTS
9. APPROVAL OF PREVIOUS MINUTES
 - a) Regular Meeting Minutes of March 12, 2019
10. HUMAN RESOURCES REPORT
 - a) Discussion and Finalization of Three Proposed Questions for the Second Round of Police Chief Interviews
11. DIVERSITY TOPIC OF THE MONTH
 - a) Open Meetings Act (OMA) Presentation by City Attorney Ewers and OMA Violation Disclosure: Member Email to FDC Dated March 19, 2019
12. UNFINISHED BUSINESS
 - a) FDC Position Statement on Vetoed City Council Ordinance No. 6093
13. NEW BUSINESS
14. FDC COMMITTEE REPORTS
15. FDC MEMBERS' COMMENTS
16. MEETING DATES
 - a) Next Meeting Date, May 14, 2019
17. ADJOURNMENT

Upcoming Committee Meetings:

Education & Outreach Committee – Friday, April 12, 12:00 p.m., City Hall
Accessibility Committee – Thursday, April 18, 4:00 p.m., City Hall



FAIRBANKS DIVERSITY COUNCIL
REGULAR MEETING MINUTES
MARCH 12, 2019 – 5:30 P.M.
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA



The **Fairbanks Diversity Council (FDC)** convened at 5:30 p.m. on the above date to conduct a Regular Meeting at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding (Mayor Matherly left the meeting at 8:10 p.m.) and with the following members in attendance:

Members Present: Lisa Slayton, Seat B
Montean Jackson, Seat C
Juanita Webb, Seat D (telephonic)
Shelissa Thomas, Seat E
David Rucker, Seat G
Rosalind Kan, Seat H
Stephen Greenlaw, Seat I (arrived at 5:40)
Douglas Toelle, Seat J
Sara Harriger, Seat K
Jeff Walters, Seat M
June Rogers, Councilmember
Angela Foster-Snow, HR Director

Members Absent: Zee Nace, Seat A (excused)
Svetlana Nuss, Seat F (excused)
Rita Davis, Seat L (excused)
Vacant, Seat N
Kelvin Lee, Seat O (excused)

Also Present: D. Danyielle Snider, City Clerk
Eric Jewkes, Chief of Police
Patricia Manuel, HR Admin. Assistant
Mike Meeks, Chief of Staff
Paul Ewers, City Attorney

CALL TO ORDER & READING OF THE FDC MISSION STATEMENT

Mayor Matherly called the meeting to order.

PLEDGE OF ALLEGIANCE

Mayor Matherly led the group in the Pledge of Allegiance, and he passed the gavel to **Vice Chair Jackson** to chair the remainder of the meeting.

APPROVAL OF AGENDA

Ms. Harriger, seconded by **Mr. Rucker**, moved to APPROVE the Agenda.

Vice Chair Jackson requested that the update on Fairbanks Police Department (FPD) film production [agenda item 10(a)] be moved up on the agenda to be heard before Citizens' Comments. She explained that a representative from Engel Entertainment will be on the phone line to discuss the production with members and will be available to answer questions but that the representative is on the east coast.

Mr. Walters, seconded by **Ms. Slayton**, moved to AMEND the agenda by adding Ordinance No. 6093 to Unfinished Business.

Ms. Kan spoke in support of adding Ordinance No. 6093 to the Agenda.

Vice Chair Jackson took a voice vote on the motion to APPROVE the Agenda, as Amended. The motion PASSED.

Ms. Harriger stated that the FDC would like to hear about the filming progress with the FPD and the rights of private businesses when filming is taking place on their property.

Engel Entertainment (EE) representative Stephanie Angelides introduced herself and provided some information about the company. She stated that the crew follows FPD officers both on the job and off duty as citizens in Fairbanks. She stated that the show focuses not only on officers' jobs, but also on what it is like to live in Fairbanks. In reference to privacy, Ms. Angelides stated that if someone does not want to be shown on TV, they blur out their faces or cut them out of the film altogether, if possible. She stated that EE requires every person filmed to sign a release before they appear on the show. She stated the same applies to businesses – if EE crews step on private property they have permission before doing so. Ms. Angelides stated that EE does not force its way into any scenario and tries to be as respectful as possible. She stated that filming with the FPD is going well. She stated that although she has not been to Fairbanks, she has seen some of the footage and she is happy with what she has seen so far. She stated that she is happy to have this type of dialogue with the FDC.

Ms. Harriger asked whether releases are required to be signed by individuals no matter what. Ms. Angelides stated that it is only required if an individual is identifiable. She stated that EE can show individuals with blurred faces, but they try not to if a person has not given consent. She stated that when there is a key story and someone involved has not given consent, they try to shoot around them as much as possible. **Ms. Harriger** asked whether there is a cash exchange. Ms. Angelides stated that EE tries to avoid that also, but that is determined on a case-by-case basis.

Mr. Walters asked about the timeframe for the filming: 1) when it began, 2) how long it will last, and 3) when the show will air on TV. Ms. Angelides stated that filming began near the end of February, and there is typically eight weeks of film time. She stated that the show will air on TV in September or October. **Mr. Walters** asked who determines what is aired and not aired. Ms. Angelides stated that EE edits the film and pieces it together. She stated that EE then sends the edited version to the City for review. **Ms. Harriger** stated that the only input from the City would be through the FPD, and it is her understanding that they only can request edits if the footage is harmful to City staff. Ms. Angelides stated that is not the case. She stated that the film can be edited if it puts a case, citizen, or officer at risk or if there is inaccurate information. She stated that in those cases, the film can be reedited and sent back to the City for another review.

Mr. Rucker asked how EE deals with having an individual sign a release in a situation where the person is under the influence. Ms. Angelides stated that such a situation is very specific to crew members involved. She stated that the crew may determine the level of intoxication and, if need be, follow up with the individual the following day. **Mr. Rucker** asked about a police officer's right to not be filmed. Ms. Angelides stated that if an officer asks the crew to stop filming, they stop. She stated that officers have a choice in whether to participate.

Mr. Rucker asked whether the film could be released as evidence, if necessary. Ms. Angelides stated that what is aired can be seen by anyone. She stated that she does not believe the unaired

footage can be released because it is owned by A&E; she added that the footage is not retained beyond the release date of the show. **Mr. Rucker** asked whether the information could be obtained by subpoena. City Attorney Ewers stated that a third party could try but might not be successful.

Mayor Matherly asked Ms. Angelides to describe what an episode will look like. Ms. Angelides stated that an episode would be about 44 minutes long and would jump between various locations in Alaska: Fairbanks, Petersburg, Kotzebue, and Kodiak. She stated that they will be pod-type episodes.

Ms. Harriger asked about the profit model for the show. Additionally, she asked who at the City the footage would go to for review. Ms. Angelides stated that EE is in the service industry and that the network profits by ad sales. She stated that the City Police Chief is the person designated for review of footage.

Ms. Rogers asked whether sequences may be used for other film projects. Ms. Angelides replied that the footage may be used for teasers, but the filming EE is doing is for the show. **Ms. Rogers** requested a copy of EE's release forms.

Ms. Slayton asked how situations would be handled involving upset people who are filmed. She brought up a recent incident that occurred at the Bread Line. Chief Jewkes stated that as soon as he was notified of the incident, he contacted Hannah Hill at the Bread Lind. He stated that he thought it was a positive conversation. He stated that when concerns are raised by business owners, FPD communicates with them. Ms. Angelides clarified that EE does not influence the calls or stops of police officers; she stated that the crew members are like flies on the wall.

Ms. Harriger asked how citizens may give feedback to EE. Ms. Angelides stated that EE has an email exchange by which people may contact them directly. She stated that she would send that information to the City along with EE's social media handle.

Vice Chair Jackson asked whether the City has done any community outreach in regard to the television show. Chief Jewkes that it has not.

CITIZENS' COMMENTS (Limited to 3 Minutes)

Yonni Fischer – Ms. Fischer shared an experience with being pulled over by the Alaska State Troopers where a film crew was present. She stated that the incident occurred about 5 years ago, and indicated that it was not a positive experience. Ms. Fischer stated that she worked for 12 years for a non-profit in the mental health field, and the organization helped sponsor crisis intervention programs for a number of agencies. She stated it is her understanding that crisis intervention training is not mandatory for police, and she explained what the training involves.

Helen Marie Matesi – Ms. Matesi thanked the FDC for doing its job, for supporting a diverse community, and for recommending the passage of Ordinance No. 6093. She thanked the City Council also, and she expressed deep disappointment in Mayor Matherly for vetoing the ordinance. She stated that Mayor Matherly is entitled every day of his life as a white, straight male. She thanked the Mayor and HR for the new hires at FPD, and she asked whether FDC members were a part of the hiring process. She also asked about the diversity of the new officers that were hired. In regard to the Bread Line issue, she questioned whether people may avoid calling the police

when they need them because they know the film crew is present. She stated that the misfortune of people is not entertainment, and she apologized for not being more positive in her comments.

Alex Thornton – Mr. Thornton stated that the television show never seemed above board. He stated he had a meeting with the Mayor and Chief Jewkes about his concerns. Mr. Thornton stated that Chief Jewkes stated he did not believe in FOIA requests. Mr. Thornton stated that the contract was rushed, and the original teaser for the show was about the murder of a child. He expressed disappointment that the Mayor continues to overlook what is best for Fairbanks. In reference to Ordinance No. 6093, Mr. Thornton stated that it is not just a queer issue, but it affects everyone. He stated that the issue should not go to a popular vote. He stated that the City Council had the option to put the issue to a vote of the people before they wasted 11 weeks of time.

Alex Jafre – Mr. Jafre thanked Mayor Matherly for vetoing Ordinance No. 6093 and apologized to the Mayor for all the hate. He indicated that all the uproar over the issue is nothing more than people whining for special rights, and he stated that the ordinance does not give anyone rights they do not already have. He stated he is involved in gospel music, and that is something you cannot do that if you are in conflict with the Christian faith. He quoted Saint Catherine of Siena on the severity of the sin of homosexuality. Mr. Jafre commented that religious people should not have to change to accommodate a modern political philosophy.

Kerin Brown – Mr. Brown stated that he supports the Mayor. He stated that he is a minority and a moderate republican. He stated that he does not believe that religion has anything to do with the issue. He stated he is thinking about running for public office, specifically for the Mayor's seat.

Alyssa Quintyne – Ms. Quintyne provided a land acknowledgement. She stated she was not able to testify at the previous evening's City Council meeting, and she wanted to share her testimony with the FDC. She stated that as a community organizer and as a survivor of discrimination, it was difficult to go through the entire process of the ordinance only to have it vetoed. She spoke against putting the rights of marginalized people up to a popular vote. Ms. Quintyne stated there is a serious issue of decorum at City Council meetings, and certain Council Members are allowed to attack and berate community members of the public.

Krista Christiansen – Ms. Christiansen expressed frustration with the veto of Ordinance No. 6093. She stated that voters elected the City Council with the expectation that they would educate themselves on complex issues, then enact legislation to support the values of the Golden Heart City. She stated the Council did that, then the mayor vetoed it. She spoke about the misinformation in the community and to the ignorance and misunderstanding of those opposed to the ordinance. She shared data about discrimination against transgender people. Ms. Christiansen stated she looks forward to the day when the Mayor values and respects everyone, and the ordinance can be passed.

Stacie McIntosh – Ms. McIntosh stated a considerable amount of time went into Ordinance No. 6093; she stated she is disappointed that it was vetoed and that the veto was upheld. She agreed with others that people's rights should not be put to a public vote. She stated that the City of Fairbanks now has a reputation of being a place where people have been denied equal protection. She stated it feels as though all the community's dirty laundry has been put out for everyone to see and that hate and prejudice is acceptable. She questioned what the Mayor will do to lead the community and fix the divide.

Jean Scheaffer – Ms. Scheaffer read a letter she sent to the City Council after hearing about the meeting the previous evening. The letter spoke to equality being doled out by those who do not understand the Constitution, and it stated that Christian groups have hijacked the procession towards equality and justice for all. The letter expressed Ms. Scheaffer’s belief that the bias against the ordinance is religious-based; it stated that she is appalled at the outrageous hold out for equality.

Shirley Lee – Ms. Lee stated that she is attending as a representative of Tanana Chiefs Conference (TCC); she stated that her personal comments will be given at the end of her testimony. She talked about TCC as an organization and stated that TCC is increasingly concerned about the reality television show. She stated that the number of Alaska Natives arrested or incarcerated in Alaska is disproportionate to the population, and TCC is concerned that the show will perpetuate the stereotyping of Alaska Natives. She stressed that the misery of people should not be used for entertainment or recruitment purposes. She questioned how mental capacity is determined in order for an individual to sign a release and at what point the privacy of a citizen is disregarded for filming purposes. She stated that TCC will not allow filming on any of its properties in Fairbanks. Ms. Lee stated TCC is awaiting a report from the Mayor and Chief Jewkes on excessive force by an officer at one of TCC’s facilities. She stated that as a priest and citizen of the City, she has strongly supported Ordinance No. 6093. She stated that all people deserve equal protection.

Hannah Hill – Ms. Hill stated that she is the Executive Director of the Bread Line. She stated that the Bread Line is an anti-hunger non-profit organization that has been feeding the hungry in Fairbanks for many years. She stated that there is an increasing need in the community. She spoke highly of Bread Line staff, and she shared a recent incident that occurred at the facility involving the FPD. She stated that an individual had threatened Bread Line staff with a knife. She stated that staff was concerned when FPD arrived down the street (which is where the individual had gone) with a film crew, although nothing untoward occurred. Ms. Hill stated that some staff members voiced hesitancy in calling the police in the future because of the film crew, as they were concerned with the privacy and dignity of Bread Line guests. She stated it is also disturbing because she does not believe some officers have specialized training in crisis intervention and de-escalation not involving force. She expressed that filming police interactions with a vulnerable population is exploitation for profit and a violation of privacy. Ms. Hill stated that she is also concerned with consent for those who are intoxicated, who have a mental illness or a brain injury, or whose primary language is not English. She stated that she did have a good conversation with Chief Jewkes about the issue, but she remains unsettled.

Vice Chair Jackson called for a brief recess.

Satya Pearl – Ms. Pearl stated she is present because of the Mayor’s veto of Ordinance No. 6093. She stated that to veto the ordinance and say that the issue should go to a popular vote is unacceptable. She stated that many people risked their jobs and housing to show support for the ordinance, and the Mayor delivered a loud slap in the face to each one. She spoke to the fear of losing a job or a place to live just because of one’s partner. She stated that she loves Fairbanks, but at times like this she does not feel that Fairbanks loves her back.

Hayden Nevill – Mr. Nevill commented on the lack of diversity of the City Council and stated that the FDC exists to bring other voices to the table. He stated that a Council Member stated that the

two groups historically discriminated against the most are religious groups and LGBTQ people. He stated that while it is not a contest, the discrimination against the LGBTQ community is much less in magnitude than the discrimination experienced by indigenous people and African-Americans in the United States. Mr. Nevill stated that the FDC deserves an explanation of the Mayor's veto, and he encouraged the FDC to keep exercising its concern and having a voice. He stated that the FDC should be involved in the police hiring process, and that the City needs a Mayor who listens to the FDC. He offered his complete support to the FDC.

Liz Lyke – Ms. Lyke stated she is speaking as a friend to the LGBTQ youth in the community; she stated that many are afraid to speak. She commented that Ordinance No. 6093 is an ordinance you adopt but hope you never have to use. She stated that LGBTQ kids have grown up with access to opportunities in schools, and now it is being taken away. She spoke to the message being sent to the youth in the community and to their inability to have a voice if they are under the age of 18.

Kathy Ottersten – Ms. Ottersten stated that she is not going to speak on Ordinance No. 6093 except to say “thank you” to the FDC. She addressed the City's contract with Engel Entertainment and its provisions for the review of footage. She stated that she had suggested that there should be a committee to review the footage and that there should be minorities on the committee. She stated that the show says to the rest of the nation what Fairbanks is.

Frank Turney – Mr. Turney provided some information on racism in jury selection. He stated that Alaska Natives and Blacks are being denied jury service. He spoke briefly to the Batson challenge. He shared that Mayor Matherly stated that the jury issue was too big for the FDC and that the FDC agreed with him about that; he stated that the FDC never took action on the jury issue. Mr. Turney brought up complaints about the FPD and stated that the Mayor and City Council never addresses the issue. He spoke about the City's Fact Finding Commission that was created to investigate those types of complaints. He stated he hopes the FDC would pass a resolution regarding jury discrimination.

Sveta Yamin-Pasternak – Ms. Yamin-Pasternak stated that putting the issue of rights of the LGBTQ community up for a popular vote is not equivalent to putting an issue such as taxation before voters. She stated that the issues cannot be compared. She spoke to some of the struggles experienced by transgender people. She urged Mayor Matherly to understand that issues such as the taxation of marijuana cannot be compared to human rights and the protection of minorities.

Esther Cunningham – Ms. Cunningham urged the City to not follow the script of other police shows in the reality television show with EE. She suggested that the show focus on unsolved crimes instead. She spoke to the community policing efforts under former Police Chief Aragon. She spoke to a community that serves, helps, and understands each other. She encouraged the City to ensure that the television show is a positive thing for the community.

Rebecca Dunne – Ms. Dunne stated that she works in the City, owns a small business in the City, and spends her paychecks in the City. She expressed concern that the Mayor wants to put the issue of Ordinance No. 6093 to a popular vote. She expressed concern that the Mayor and two members of the City Council did not listen to the recommendation of the FDC, that they think it is acceptable to put people in danger, that they do not understand that they are part of a representative government, that they do not understand that current state and federal non-discrimination laws do not include sexual orientation or gender identity as protected classes, that they believed lies and

hate speech, that they did not listen to over 100 businesses that drive the economy of the City, and that they did not listen to a majority of their constituents who testified about the real harm they have experienced. She stated that she will be devoting her time, voice, and abilities to whichever competent and caring citizen runs against Mayor Matherly this year and against Council Members Cleworth and Pruhs next year.

Kathleen Doyle – Ms. Doyle stated that Fairbanks has been her community of choice since the 1970s, and she questioned that choice for the first time when she left the previous evening's Council Meeting. She stated that Ordinance No. 6093 is an issue of basic civil rights, basic human rights, and she finds the action of the Mayor abhorrent. She stated it is disturbing and unacceptable to have to have all the time and work that went into the ordinance disregarded by the Mayor. She stated that basic human rights should not be put to a public vote.

Sarah Elder – Ms. Elder stated that the “under God” portion of the Pledge of Allegiance was not added until 1954. She shared a story about why God created atheists, and the reason is to teach people the lesson of true compassion. She expressed concern that the Mayor had posted on Facebook that he was praying following the meeting on the ordinance; she stated it was clear he was praying about whether or not to veto. She stated it is unfortunate that an elected official would allow their religion to affect their work. Ms. Elder stated that she emailed the Mayor and made an appointment to meet with him. She stated she arranged for a babysitter and less than an hour before the appointment, the Mayor canceled the meeting. She stated that she rescheduled to meet with him earlier in the day, and he canceled that meeting also.

Jeremiah Youmans – Mr. Youmans discussed the reservations people have about Ordinance No. 6093. He stated that people claim that protections are already in place; he stated that if that's the case, why would it not be good to memorialize that in City Code? He stated he opposes a referendum because he fears that people may not understand what they are voting on. He questioned why the ordinance was undone if it was known that a referendum would come about.

Julie Smith – Ms. Smith stated that the entire process for Ordinance No. 6093 has been difficult. She stated that she belongs a number of minorities as an atheist, an Inupiaq, a woman, a bisexual, and a disabled person. She made reference to a comment made by a community member at a recent meeting that she is a reprobate; she stated that a reprobate is a sinner who is not of the elect and who is predestined to damnation. She stated she would like the FDC to organize diversity training for the Mayor and members of the City Council.

Kate Hosten – Ms. Hosten stated she has known that she was bisexual for a few years, but had not come out until the passage of Ordinance No. 6093. She stated that the veto happened next, and she was out and unprotected. She stated that the veto has consequences and the lives of people are impacted. She indicated that others came out during that time as well. She stated that if the issue goes to a ballot measure, people will be putting themselves in danger by going door-to-door to campaign for their rights. She spoke to civility and to the awful things that have been said in City Council Chambers; she suggested that guidelines be put in place to address the issue.

Shoshana Kun – Ms. Kun thanked the FDC for its help with Ordinance No. 6093. She expressed concern with the EE contract and questioned who will screen the final outcome of the show. She supported having a committee with cultural and ethnic representation participate in the process.

Kristen Schupp – Ms. Schupp stated that there is no neutrality in human rights; she stated that a person is either for them or against them – either part of the solution or part of the problem. She stated that Fairbanks is fantastic community if you are not being discriminated against. She acknowledged that Fairbanks is not perfect; she stated that communities need to recognize its weaknesses in order to grow. She listed statistics on the relationship between hate crimes and the LGBTQ community. Ms. Schupp stated that human rights have no boundaries and the issue should never be put on a ballot. She stated that she left the City Council Meeting with disgust and stated that Councilmen were condescending and patronizing to Councilwomen and community members.

Bobby Burgess – Mr. Burgess stated that he read part of his testimony the previous evening but did not get through it all. He spoke to the responsibilities of elected officials and about the function of government to serve the people. He stated a few courageous elected officials listened and tried to find ways to protect citizens, and a large group of courageous people have been stepping up. He commented that the Mayor is being cowardly and that he is disappointed with two Council Members, especially Councilman Pruhs.

Annie Dougherty – Ms. Dougherty stated that if people truly want diversity, they need to welcome people who think differently than they do and accept those who may not agree with their views. She stated that discrimination is a part of reality and is often viewed negatively. She explained that people use discrimination every day to make decisions. She stated that Ordinance No. 6093 aims to reduce discrimination in the work force, but indicated that discrimination is not necessarily a bad thing. She provided multiple examples where she was discriminated against in the workforce. She stated that she believes it is a fundamental right of business owners to discriminate in order to make business decisions. She stated she supports the veto of Ordinance No. 6093.

Igor Pasternak – Mr. Pasternak stated that he was born and raised in Ukraine and comes from a Jewish family who was often discriminated against. He stated that he feels lucky to live in the United States. He stated that anti-Semitism has been allowed because of government. He stated that he is married to a woman but was stereotyped and called a “faggot” by fellow cab drivers when he worked in the Chicago area. He urged Mayor Matherly to understand that protections against discrimination are not special rights.

Satya Pearl on behalf of Becky Anderson – Ms. Pearl read the testimony of her friend, Becky Anderson, who was unable to attend the meeting. Ms. Anderson stated that she is a Christian but is wise enough to know that judging others is above her pay grade. She gave a shout out to old and new friends in the LGBTQ community. She stated that the LGBTQ community does not deserve what has happened, to be discriminated against, or the hideous accusations that have been aimed at it. She expressed disappointment that the Mayor vetoed Ordinance No. 6093. She stated it is essential that the issue not go to a popular vote. She stated that the City Council is elected to research issues based on facts, not fear. She questioned what would have happened in the deep South if the issue of equal rights for African-Americans had gone to a popular vote.

Daughter speaking on behalf of her father, Victor Fisher – She stated that her father could not be present. She stated that her father is the last living writer of the Alaska Constitution. She, on behalf of her father, invited Mayor Matherly to review the equality section of the Constitution.

Lisa Slayton – Ms. Slayton stated she is speaking as a citizen of the outlying areas. She shared an email she sent to the Mayor and to the News Miner where she expressed disappointment in the

Mayor's decision on Ordinance No. 6093. She stated that she is greatly offended and concerned by the Mayor's comment in regard to the opinions on the ordinance of those in neighboring Fairbanks communities. She requested that the Mayor pledge to not accept funds from anyone outside the City of Fairbanks in his campaign for reelection.

Daniel Dougherty – Mr. Dougherty stated that he is a student at UAF and has learned how to analyze his beliefs from many perspectives to come to a reasonable conclusion. He stated he has heard many views on Ordinance No. 6093 and that one argument is that being gay is a sin; he stated he disagrees with that theocratic viewpoint. He stated that an employer's mentality when making a decision about who to hire should not be regulated by an ordinance. He stated that it is unethical to try to regulate how anyone thinks.

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

FIVE-MINUTE PRESENTATIONS (Representatives from: City Council, Fairbanks North Star Borough, Military, Indigenous People, and FNSB School District)

Ms. Rogers stated that it is difficult to summarize what happened at the previous evening's Council meeting. She stated there was discussion prior to voting on whether to override the Mayor's veto, and the override failed by a 2-4 vote. She stated that there was more discussion later in the meeting during a conversation on where the issue may go from there. She stated the Council is seeking to find common ground and a way forward. **Ms. Rogers** stated that the Council made some headway during that discussion, but another meeting on the issue has not yet been set. She stated that Council Member Ottersten had commented that people had been sending her messages during the meeting that the issue was too raw for continued discussion. She stated that there will likely be a large attendance at the next City Council meeting no matter what the agenda.

Mr. Rucker stated that he is the Equal Employment Opportunity (EEO) officer at the Fairbanks North Star Borough School District (FNSBSD). He stated that everyone is concerned with proposed budgets, taking time and energy to address those. He stated that in terms of diversity, he would like to reach out and make sure that everyone knows that if anyone is being harassed in the schools, they should contact him. He acknowledged that emotions are running high in the community at this point, and he wants to ensure safety and keep a focus on learning.

Vice Chair Jackson requested that at the April meeting Mr. Rucker provide the FDC with a report on bullying behaviors across the age groups in the District. She also requested to learn about staff training and the types of information being disseminated to parents.

CALENDAR OF EVENTS

Mayor Matherly stated that the TCC Annual Convention is taking place, and there will be a potlatch at the end of the week.

Ms. Harriger stated that on April 5 and May 10 the next two installments of the International Year of Indigenous Languages events will take place at the Morris Thompson Cultural and Visitors Center.

Mr. Rucker shared that on March 21, the FNSBSD will put on a community outreach event to conduct mock interviews with people and help them work on their resumes.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of February 12, 2019

Mr. Toelle, seconded by **Mr. Walters**, moved to APPROVE the Meeting Minutes.

Vice Chair Jackson called for objection to APPROVING the Regular Meeting Minutes and, hearing none, so ORDERED.

HUMAN RESOURCES REPORT

Ms. Foster-Snow listed current and upcoming position vacancies City-wide. She stated that the position of Chief of Police has been open internally, just opened externally, and will remain open until March 25. She stated that the hiring panel has been selected as follows: Captain Ron Wall, Alaska State Troopers (AST); Joe Dallaire, Asst. District Attorney; Brenda Stanfill, Director of Interior Alaska Center for Non-violent Living (IACNVL); Perry Ahsogeak, Director of Behavioral Health at Fairbanks Native Association (FNA); Montean Jackson, FDC Member; Chief Doug Schrage, University Fire Department; Colonel Sean Fisher, Fort Wainwright Garrison Commander; and Julie Ritchie, Fairbanks Emergency Communications Center (FECC) Lead Dispatcher. She stated that Mayor Matherly has asked to involve the FDC in the hiring process, and there will be more to come on that. **Ms. Foster-Snow** stated that Chief Jewkes has some data to provide.

Ms. Slayton stated that section 6 of the Diversity Action Plan (DAP) states that the FDC will participate in police interviews.

Vice Chair Jackson expressed interest in inviting the newly-hired advocate to attend an FDC meeting. She stated she is interested in hearing a report on the number of sexual assault cases closed last year at FPD and what kind of support or outreach was provided by FPD prior to those cases being closed.

Chief Jewkes distributed a summary of FPD case statistics from 2012 through 2018. He spoke in greater detail to the sexual assault statistics and their respective statuses. He stated that cases can be closed for a number of reasons, and follow-up with a victim can depend on the reason a case was closed. He stated that IACNVL is a primary resource for sexual assault victims, and there is a sexual assault response team (SART) that responds to sexual assault incidents.

Ms. Harriger asked how often victims fall out of contact with FPD. Chief Jewkes replied that it is not uncommon but that he does not personally track each case. **Ms. Harriger** asked whether FPD has a policy on how many times to follow up before a case is closed. Chief Jewkes replied that the number of attempted contacts varies, and it is up to the detective unit.

Ms. Rogers acknowledged Chief Jewkes' upcoming retirement; she expressed hope that during the transition, cold cases stay in the forefront. Chief Jewkes stated that cold cases are still assigned

to a specific person, and he spoke to the low staffing levels at FPD in recent years. He stated that active homicide cases and emergent life safety issues take precedent over cold cases.

Vice Chair Jackson raised the issue of FDC member participation on FPD hiring panels. Chief Jewkes stated that the offer to participate has been made repeatedly, and other than Mr. Walters and Ms. Jackson, there has not been much interest. He stated that Ms. Slayton recently sent an email indicating her interest in participating. He stated that once the upcoming test dates are set, he will forward the schedule to FDC members. **Ms. Rogers** stated she is sorry to hear that people are not putting their names in the hat to serve on a hiring panel; she encouraged everyone to participate. She explained that getting involved in the process helps a person better understand the role police officers fill. **Mr. Walters** stated that he has served several times on FPD hiring panels, and he felt that his input was valued. He stated he was unaware that there were more interviews. He stated that it is a very educational experience. Chief Jewkes spoke to the regimented process; he stated that the effort is to ensure that each candidate has the same experience. He stated that the of last two individuals hired, one is a Hispanic male, and the other is a female.

Vice Chair Jackson asked about other community outreach efforts that FPD is involved in or ideas the Chief may have for outreach besides the coffee with law enforcement events. Chief Jewkes replied that FPD looks for opportunities to interact, but it is difficult when staff is reduced by 40%. He stated that the department has very little expendable time. He briefly spoke to FPD's vision statement which is centered around "excellence in every contact". He stated that officers may not always be right or give people the answer they want, but he believes that officers should represent the City with excellence and be compassionate and approachable. He stated his hope is that FPD can garner the support, trust and pride of the community.

Mr. Walters spoke to the earlier suggestion that a committee review the EE footage. He asked whether the contract dictates who would perform the review. Chief Jewkes stated that he believes there is some room for some advisory-type input from a small group. **Ms. Harriger** asked if the Chief would be open to a three-person panel joining him for review. Chief Jewkes indicated that the possibility may not be off the table but that it would likely be up to the next Chief of Police.

Vice Chair Jackson asked how many positions are currently open at FPD. Chief Jewkes replied that there are seven vacancies, and there will likely be four retirements in 2019. He explained that there are 45 sworn staff members. Chief Jewkes stated that EE representative Stephanie Angelides did a good job presenting to the FDC, and he expressed hope that the television show would help with recruitment. He stated that what the City is doing now to attract applicants is not working. He added that he has no desire to portray Fairbanks in a negative way. **Vice Chair Jackson** asked about collaborative efforts to "grow our own" law enforcement officers. Chief Jewkes stated that FPD has a recruiting team that talks to the Emergency Management and Criminal Justice programs at UAF.

Ms. Harriger asked whether the City still has student resource officers in the high schools. Chief Jewkes replied that the grant-funded program ended about five years ago. He stated that right now the issue is not about funding, it is about the shortage of police officers.

DIVERSITY TOPIC OF THE MONTH

- a) Update on Fairbanks Police Department Film Production with Engel Entertainment

This item was addressed before Citizens' Comments earlier in the meeting.

Vice Chair Jackson addressed City Attorney Ewers in regard to the Open Meetings Act (OMA) agenda item under New Business. Mr. Ewers stated that he and the City Clerk could put together a webinar on the OMA to have available for members to view at their leisure. He stated that may be a better option than rushing through the agenda item. He offered to be available to answer questions from members about the OMA, and he stated that the Clerk could email the PowerPoint presentation to FDC members.

Ms. Rogers reminded members to not “reply all” to emails with other FDC members; she also reminded everyone of what constitutes a serial meeting. Mr. Ewers expanded on the definition of a “serial meeting” or “walking meeting”.

Vice Chair Jackson asked Chief Jewkes about marijuana licenses in the City of Fairbanks. Chief Jewkes stated that he would email FDC members data on the existing licenses in the City. He stated that there are currently 44 marijuana licenses of different types within the City. **Vice Chair Jackson** asked about density restrictions within the City. Chief Jewkes stated that the Borough regulates the zoning for marijuana licenses and that there are buffer zone requirements, but there is no density restriction within the City. He stated, however, that there is a limit on the number of retail marijuana store licenses allowed in the City limits. Clerk Snider stated that the City, Borough, and State each have different buffer zone requirements for the various types of marijuana licenses, and those respective buffer zone requirements each have a different method of measurement. She clarified that not all of the 44 marijuana licenses are actively operating; she stated that the number of licenses that have come before the City Council for consideration are as follows: 8 cultivation, 4 manufacturing, 13 retail, and 1 testing.

UNFINISHED BUSINESS

a) Ordinance No. 6093

Mr. Walters acknowledged that the City Council has set aside the issue for the time being. He stated that he wishes the Mayor was present to provide specific details about his reason for vetoing Ordinance No. 6093. He stated he would like to encourage the Council to continue working on the ordinance and not put the issue before the voters. He spoke to the important distinction of an issue being initiated through a petition by the people versus being proposed by the City Council.

Ms. Slayton stated that the citizens who have spoken want the FDC to do something in regard to the Mayor's veto of Ordinance No. 6093. She stated she feels the FDC is obligated to do so.

Ms. Kan questioned whether the FDC has changed its position on the issue. She stated that she has not changed her position since the FDC approved its resolution, and if everyone feels the same, the group should put something in writing.

Mr. Toelle suggested that the FDC task the Accessibility Committee with drafting a response. He stated that people mistake the U.S. government for a pure democracy, but it is a republic; he stated that things would look much different if it were a democracy. He stated that the FDC should decide what its opinion is and put it to the Committee for drafting.

Mr. Rucker expressed frustration with the Mayor's veto but acknowledged that it is within his authority to do so. He commended the Mayor for allowing everyone to have a voice during the process. He stated that he wants to ensure that the opposition to the veto remains civil and sticks to the facts.

Ms. Thomas concurred with Mr. Rucker. She stated that she understands why the City Council is taking a "cool off" period; she stated that the ordeal has been ugly. She told how her father used to tell her that sometimes you have to respect the position even if you do not like the person. She stated that she has been appalled by the lack of disrespect toward the Mayor and City Council members. She stated that sometimes she is offended when she hears people equate the ordinance to civil rights. **Ms. Thomas** stated she was raised in a Black family by parents who did not have a choice as to the color of their skin. She indicated that some of the issues surrounding Ordinance No. 6093 come down to choices. She spoke against bullying and spoke in favor of coming together in a peaceable way. She stated that there are many protection laws already in place.

Ms. Kan stated that the focus should be on the issue and should not be personal.

Mr. Toelle acknowledged that the level of discrimination against different groups has varied. He stated that does not mean the civil rights of a certain group are any less important than that of another group. He stated that every group has their own history.

Mr. Rucker stated that one argument offered at the City Council meeting was that there are other options for resolving discrimination cases other than the local court. He stated that federal litigation is not a good or an affordable option. He spoke in greater detail to the time and cost associated with federal litigation. **Mr. Rucker** stated that the Equal Employment Opportunity Commission (EEOC) has been cut repeatedly since he became involved with it in 1995, and they will not get more investigators. He stated that at one point, there were 27 investigators when he worked with the EEOC in Phoenix, and over a period of six years the number of investigators was cut to 11. He stated that mediators were also cut. He stated that 101 cases were filed with the EEOC in 2017 for the entire state of Alaska. He explained that the process is slow, and it takes about a month to get an interview. He stated that nearly half of the cases are not moved forward after the interview because of a lack of evidence. He stated that another half of the charges are dropped after the EEOC receives an employer's defense. He stated that it takes 2 – 3 years for a solid case to make it through the investigative process. **Mr. Rucker** stated that the number of cases filed with the EEOC in the last five years has declined by 42%, not because discrimination has been solved, but because of staffing issues. He stated that when a Council Member says that there other entities that can investigate these cases, they are wrong.

Ms. Harriger stated that this is an issue of human rights. She stated that it does no good to compare who has struggled the most or who has been treated the worst. She stated that people deserve to live free and experience the same opportunities. She spoke to the responsibility of being civil and respectful to one another. She stated that the community cannot look to another place to enforce its values and that she believes the FDC needs to act. She expressed concern for the community in the coming weeks and months because the issue has been contentious and has drawn in a lot of outside interest. She stated it is worth tasking a committee with drafting a letter reaffirming the FDC's position on Ordinance No. 6093.

Mr. Toelle stated that he received some messages that the trauma surrounding the issue is continuing and that perhaps a break is needed. He spoke in support of reaffirming the FDC's previous position and ending the discussion for the time being.

Vice Chair Jackson stated that the Accessibility Committee will meet on March 21. She stated that people are passionate about this issue, and she believes it is a fight worth fighting. She stated that the mission statement was not read at the beginning of the meeting, so she read it aloud.

Ms. Slayton stated that she knew she was gay when she was 5 years old, and she knew she needed to keep it quiet. She stated that she did not choose to be gay and go through hell on earth repeatedly. She stated being gay is not a belief. She expressed disappointment in Mayor Matherly for not being present when he knew the issue would be discussed later in the meeting. She stated that instead, he slunk out the back door. **Ms. Slayton** spoke in favor of reaffirming the FDC's position on the ordinance. She indicated that the FDC should condemn the Mayor and the two Councilmen for their behavior actions in regard to Ordinance No. 6093. She stated that citizens are expecting the FDC to do something to help them, and she will do everything she can to ensure that citizens are safe throughout this ordeal. She stated that no group's rights take precedence over another group's rights, and she does not want to discuss which group is experiencing greater hurt.

Mr. Greenlaw stated that he believes the most important question to ask is "what is the most decent thing to do?". He stated that he would like to ask the Mayor what he thinks that is.

Ms. Slayton, seconded by **Ms. Harriger**, moved to REAFFIRM the FDC's position on Ordinance No. 6093 as stated in its Resolution No. 2019-01 and attached addendum.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO REAFFIRM THE FDC'S POSITION ON ORDINANCE NO. 6093 AS STATED IN ITS RESOLUTION NO. 2019-01 AND ATTACHED ADDENDUM AS FOLLOWS:

YEAS: Greenlaw, Harriger, Toelle, Slayton, Jackson, Walters, Webb, Kan, Rucker
NAYS: Thomas

Vice Chair Jackson declared the MOTION CARRIED.

It was the consensus of the group to request that the Accessibility Committee formalize the FDC's reaffirmation by drafting a statement at their next meeting to bring back to the FDC. **Mr. Walters** added that he would discourage putting the equal rights ordinance to a public vote. **Ms. Harriger** stated that the Accessibility Committee can discuss next steps and draft a position statement to bring back to the full FDC.

NEW BUSINESS

- a) Open Meetings Act Presentation by City Attorney Ewers and City Clerk Snider

This item was briefly discussed before Unfinished Business.

- b) City Website Presentation by City Clerk Snider

This item was rolled to the next meeting agenda.

FDC COMMITTEE REPORTS

Clerk Snider stated that Ms. Nuss requested to join the Education/Outreach Committee.

FDC MEMBERS' COMMENTS

Mr. Rucker encouraged students to report any issues related to harassment to their school principal or counselor or call the FNSBSD HR Department; he provided his phone extension.

Ms. Slayton stated that the meeting was productive, and she was glad to hear from so many members of the community. She encouraged people to say or do something if they see someone being bullied. She stated there are a lot of hate groups coming up from the Lower 48, and there are now four in Alaska. She indicated that problems related to discrimination have existed for some time in Fairbanks.

Ms. Thomas reiterated the importance of working together without negativity, name-calling, and bashing. She stated that when you point a finger, there are three pointing back at yourself. She thanked Mayor Matherly for not being negative during the City Council meetings.

Mr. Greenlaw thanked the FDC for being a place where people can come to address ongoing issues and for helping bridge silos in the community. He stated that the most powerful thing throughout history is different people coming together for the common good to create better communities.

Ms. Webb thanked everyone who spoke and shared their opinions. She stated she appreciates City staff, and she is happy the FDC is reaffirming its position.

Mr. Toelle expressed appreciation to everyone who attended, and he invited people to email him.

Ms. Kan cautioned against the FDC "cooling off" its stance. She stated that other things like negativity and name-calling should not distract the FDC from its work. She stated it was a good meeting, and she is proud to be a part of the group.

Mr. Walters thanked everyone who attended. He mentioned that people may not realize that the FDC had previously forwarded a written document to the City Council regarding the EE film contract. He read aloud a portion of that statement.

Ms. Rogers stated that although the word "better" is common, she likes the word. She stated that people can always work towards "better" no matter what part of a process they are in. She stated that she has served on the FDC since its creation, and it is work that she is proud of. She stated there was so much personal investment in working together during the meeting, no impatience was displayed with the length of the meeting, and the FDC stayed the course and worked on the issues.

Ms. Harriger thanked City staff for all their time, and she expressed appreciation to all those who attended and gave comments. She spoke to maintaining civility while waging the fight.

Vice Chair Jackson thanked everyone for being respectful and calm. She stated that it is always good to take in comments, even when there is disagreement. She stated that the Mayor and City Council has a lot to think about. She read aloud the following piece about humanity:

Humanity is an attitude of caring and mercy toward all people. We all breathe the same air. We all cherish our children's future. We all suffer and rejoice. Although in the eternal scheme of life, each of us is small, we are one of a kind, irreplaceable. We lose our humanity whenever we generalize about a group of people and separate ourselves from them because of external characteristics such as race, sex or identity. We tap into our humanity when we put ourselves in others' shoes and are genuinely concerned for their welfare. Our humanity grows as we serve others. There is no "they", only "us".

Vice Chair Jackson stated that she is proud of the FDC, and she thanked community members for attending.

MEETING DATES

- a) The next Regular Meeting of the FDC is scheduled for Tuesday, April 9, 2019.

ADJOURNMENT

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

Hearing no objection, **Vice Chair Jackson** declared the meeting
ADJOURNED at 10:11 p.m.

Jim Matherly, Mayor/Chair

D. Danyielle Snider, CMC, City Clerk

Transcribed by: DS

The Open Meetings Act (OMA)

PURPOSE AND GOAL

- Transparency in government and the public process:
 - Actions be taken openly
 - Deliberations be conducted openly

Who is covered by the OMA?

- A “governmental body” of a “public entity”
- A “public entity” includes:
 - An entity of the state or of a political subdivision of the state [the City of Fairbanks], a school district and other governmental units of the state or a political subdivision of the state.
 - Does not include the court system or the **legislative branch of state government.**
- A “governmental body is defined as:
 - an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity;

Fairbanks Diversity Council

- The FDC is covered under the definition of a “governmental body” because it is a “council” of a public entity [the City of Fairbanks], and it has authority to advise or make recommendations to the City.

What does the OMA require?

- “All meetings of a governmental body of a public entity of the state are open to the public except as provided by this section or another provision of law.” AS 44.62.310(a).
- “Reasonable public notice shall be given for all meetings required to be open under this section. The notice must include the *date*, *time*, and *place* of the meeting . . .” AS 44.62.310(e). “The governmental body shall provide notice in a consistent fashion for all its meetings.” AS 44.62.310(e).

What is Reasonable Notice?

- How far in advance must notice be given?
 - Notice has to be reasonable based on circumstances
 - Matters of great importance may need more notice
 - A matter that requires immediate action because of an emergency may get by with less notice.
 - Internal process should be followed
 - Notice must be consistent
- What should be in the notice?
 - The date, time and place of the meeting
 - Depending on the complexity or level of controversy of the issue(s), more detail may be warranted

What is a meeting?

- A gathering of members of an advisory body is a meeting under the OMA when...
- The governmental body only has authority to advise or to make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity, **AND**
- More than three members or a majority of the members, whichever is *less*, meet at a prearranged gathering for the purpose of considering a matter upon which the governmental body is empowered to act.

Serial Meetings Prohibited

- A “polling” of members is referred to as “serial meeting”
- For example, “polling” takes place if a member contacts other members of the body, one at a time, to discuss business of the FDC
- Any time public business is being conducted outside of public scrutiny there is a danger a court may conclude that the OMA is being violated
- This includes all types of communication between members (written, telephonic, electronic, and face-to-face)

Social Gatherings

- The OMA does not apply to purely social gatherings
- Chance encounters by members of an advisory body do not constitute a meeting; however a prearranged gathering for the purpose of any step of the deliberative process is considered a meeting
- “Off the record” conversations between members often take place during recesses or before/after meetings; members should be careful not to discuss FDC business during these types of casual conversations

Social Media

- Social media services have transformed the ability of citizens and their governments to communicate and interact.
- They have also created new challenges for governments.
- Additional guidance is needed (from the State of Alaska) so members of governmental bodies do not inadvertently violate the OMA.

Cases from Massachusetts

- Citizen emailed all members of a 3-member council requesting clarification of an agenda item;
- Council chair responded by hitting “reply all”;
- In the response, chair expressed an opinion on public business;
- None of the other members responded;
- Citizen filed an open meetings complaint with the Attorney General’s Office

Mass. cases continued

- Found: Chair violated Massachusetts' open meetings law; Council did not because no members replied.
- “Expression of an opinion on matters within the body’s jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds.”

Mass. cases continued

- Quorum of a board exchanged emails on the work schedule of the board's assistant and discussed the decision-making authority of individual board members.
- Held: the assistant's work schedule did not constitute "public business," so no violation but
- Authority of board members was public business, so discussion of this topic was an open meetings law violation

Mass. cases continued

- These were email cases, but the result would likely have been the same if the communication had been on Twitter, Facebook, or Instagram.
- The creation of the communication and its deliberative effect are key, not the method of or medium used for the communication.

Suggestions

- Avoid “friending” or “following” members on the Diversity Council;
- But if you do, refrain from commenting on posts on other members’ pages or sites [on any matter within the jurisdiction of the FDC]
- Just because you are on the FDC doesn’t mean you lose your right to free speech, but
- Courts have held that the restrictions imposed by open meetings laws do not violate the First Amendment rights of elected officials.

Helpful Resources

- The Open Meetings Act can be found online at:
<http://www.legis.state.ak.us/basis/statutes.asp#44.62.310>
- Additional resources relating to the OMA can be found at the State's Community and Regional Affairs website:
<https://www.commerce.alaska.gov/web/dcra/LocalGovernmentOnline/LocalGovernmentElectedOfficials/OpenMeetingsAct.aspx>
- Contact the City Clerk at (907) 459-6774 or by email at dsnider@fairbanks.us or the City Attorney at 459-6754 or by email at pewers@Fairbanks.us.

From: lisnstac@ptialaska.net
To: hayden.nevill@gmail.com; [Diversity Council](#)
Subject: Re: Fairbanks Ordinance 6093 veto
Date: Tuesday, March 19, 2019 7:31:19 PM

Hi Hayden,

Thank you for contacting the Diversity Council. I plan to bring this issue before the Diversity Council at our next meeting. I will also be asking the Diversity Council to respond to the inappropriate, divisive, inaccurate, and hurtful comments of City Council member David Pruhs at the last City Council meeting. These comments are unacceptable in a public servant and will not be tolerated further.

Thank you,
Lisa Slayton

On Tue, 19 Mar 2019 13:58:24 -0800, Hayden Nevill wrote:

Hello Diversity Council members,

Thank you for your volunteer service to our community. I appreciate your willingness to lend your voices to make Fairbanks stronger.

I am writing about Ordinance 6093, from the perspective of the transgender community and many others who were active in organizing to support it.

We would like for the ordinance to not be further discussed by the City Council at this time. I heard some interest in scheduling more work sessions to determine what amendments are needed to make 6093 acceptable to Councilmembers Pruhs and Cleworth, and the Mayor. We have several concerns about this. The first is that the Mayor stated that the ordinance should go to a popular vote; he did not express an interest in amending 6093 so it could be passed without a veto. From public commentary, it is also unclear if Mr. Pruhs would support an amended version of 6093. Mr. Cleworth initially stated that his "deal breaker" was exclusion of the requirement that a complaint be brought to EEOC first (before using the provisions of this ordinance). Later, Mr. Cleworth stated that he wanted the public accommodations portion of the ordinance removed in order to secure his vote. As Mr. Rucker explained at your last meeting, the EEOC is not an effective alternative to Ordinance 6093. Also, removing the public accommodations section of 6093 would gut it, because one the primary reasons we need 6093 is the discrimination faced by LGBTQ+ people in businesses. Removing the public accommodations section would mean, for example, that it is still not clearly illegal for a pharmacist to deny to fill our prescriptions.

We also do not want this ordinance to go on the ballot. The rights of a marginalized community should never be put to a popular vote. If this does get onto the ballot, we

will be putting people in harm's way as they go door-to-door advocating for their own civil rights.

We understand that a citizens' initiative can be used to put equality on the ballot. What we are asking is that the City Council and Mayor do not put it to the ballot.

I hope you as a Diversity Council can make recommendations that the City Council not consider further amendments to 6093 and also not consider putting it (or a similar initiative) on the ballot.

Thank you for your consideration,

Hayden Nevill (*he/him*)
Founder, Gender Pioneers

From: [Doug Toelle](#)
To: [Dani Snider](#)
Subject: Accessibility subcommittee
Date: Thursday, April 04, 2019 11:09:43 AM

Accessibility Committee Meeting

Doug Toelle, June Rogers, David, Sarah (I hope I got those names right)

Put up a sign about the elevator on north side of building

The Fairbanks Diversity Council continues to support its Resolution 2019-01 as amended that was submitted to the Fairbanks City Council in favor of Ordinance 6093 containing protections in the areas of housing, employment, and public accommodations. The Fairbanks Diversity Council appreciates the work of the Fairbanks City Council to pass Ordinance 6093 and is disappointed by the mayor's veto of the Ordinance that would have offered much needed protections in this community. At this time the Fairbanks Diversity Council recommends the Ordinance not be brought to the consent agenda in any form for a vote by the Fairbanks City Council.

Further, the Fairbanks Diversity Council advises against putting this to a ballot proposition. Civil rights and human dignity should never be up for popular vote.