



RESOLUTION NO. 2019-01, AS AMENDED

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 Fairbanks 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 Fairbanks Diversity Council; and**

WHEREAS, it is our understanding that no City Ordinance can abridge any state or federal constitutional protections for freedom of religion and that 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.

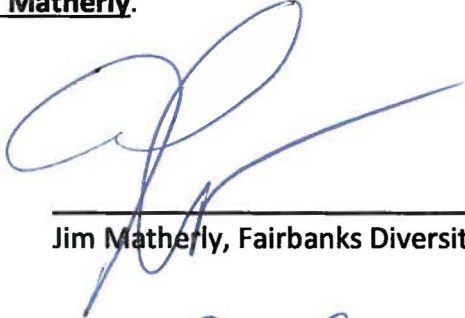
NOW, THEREFORE, BE IT RESOLVED that the Fairbanks Diversity Council strongly supports passage of City Ordinance 6093 in a form that offers protections in our community for the following classes; race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity, gender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

BE IT FURTHER RESOLVED that the Fairbanks Diversity Council recommends that the definition of “employer” in Ordinance No. 6093, as Amended, be amended by changing the number of employees from 15 to 4.


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 in the presence of non-voting, ex-officio members, City Council Member June Rogers and Mayor Jim Matherly.

Signed: 

Jim Matherly, Fairbanks Diversity Council Chair

Attest: 

D. Danyielle Snider, CMC, City Clerk