ORDINANCE NO. 5939, As Amended

AN ORDINANCE ENACTING FGC SECTIONS 2-231 THROUGH 2-235 CREATING A FAIRBANKS DIVERSITY COUNCIL

WHEREAS, 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; and

WHEREAS, the City can take further proactive steps to promote equal treatment of the diverse groups in our community to develop the diversity for it to become an edifying force for our community in today's globalization context; and

WHEREAS, 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, including the adoption of a Diversity Action Plan;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. Fairbanks General Code Sections 2-231 through 2-235 are hereby adopted as Division 3 of Article III Boards and Commission, under Chapter 2:

DIVISION 3. FAIRBANKS DIVERSITY COUNCIL

Sec. 2-231. Fairbanks Diversity Council (hereafter FDC) – Creation; purpose.

In order to provide a citizens' forum, serve as a diversity advisory board and recommend adoption of a Diversity Action Plan, the FDC is hereby created. The FDC shall be composed of volunteer citizens who shall be residents or employees of the City of Fairbanks or Fairbanks North Star Borough, plus, as non-voting members, the City Mayor, a City Council member and the City Human Resources Director.

Sec. 2-232. FDC – Composition; term of office.

(a) The FDC shall include 15 public voting members broadly selected to represent the diverse people of Fairbanks. Twelve members, at least eight of whom must be residents of the City of Fairbanks, shall be appointed by the City Mayor subject to the approval of the City Council. Three members shall be appointed by the Fairbanks North Star Borough Mayor subject to the approval of the Fairbanks North Star Borough Assembly. All appointments of the public members shall be for three-year terms, without compensation. The term of members shall be until June 30 of the third year from appointment. The first members of the commission shall be appointed in staggering terms that end on June 30 as follows: five members for a term of one year, five members for a term of two years, and five members for a term of three years.

(b) In the event of the death, resignation, removal or disqualification of any member of the FDC the City Mayor or Fairbanks North Star Borough Mayor, as the case may be, shall appoint to the FDC, subject to confirmation by the City Council or Borough Assembly, as the case may be, a member who shall serve for the unexpired term vacated.

(c) The City Attorney or designee shall be made available upon request to provide information, not to act as legal counsel, to the FDC.

Sec. 2-233. Chairperson; committees; quorum; meetings.

(a) The City Mayor shall serve as non-voting Chairperson. A Vice-Chairperson shall be appointed by the City Mayor from the membership, subject to the approval of the FDC. The Vice-Chairperson's term shall be for three years. No person shall serve more than two full consecutive terms as Vice-Chairperson.

(b) The FDC may organize committees and adopt administrative rules and procedures to accomplish its purposes.

(c) A quorum shall be necessary to conduct a meeting. A quorum shall consist of eight public voting members of the FDC. The business of the FDC shall be transacted by a majority vote of voting members present after a quorum is established.

(d) All meetings shall be held, and notices and agendas shall be posted, in compliance with the Alaska Open Meetings Act. Minutes of FDC proceedings shall be kept and filed in accordance with applicable laws dealing with public records. In all matters of parliamentary procedure not covered by rules and procedures adopted under subsection b above, the current version of Robert's Rules of Order will govern.

(e) The FDC shall keep permanent records or minutes of all meetings. The minutes shall promptly be filed in the office of the City Clerk and shall be open to public inspection. The City Clerk shall supply the FDC with administrative support.

Sec. 2-234. FDC - Duties; rules.

The FDC is an advisory body with the following duties:

1. Members are expected to attend all scheduled meetings, unless excused by the membership.

2. Except for the City Mayor, members of the FDC may be removed by the City Council or Fairbanks North Star Borough Assembly, as the case may be, on motion adopted by the affirmative vote of four of the members of the City Council, or six of the members of the Fairbanks North Star Borough Assembly.

3. When a member has a conflict of interest on an issue, the member shall announce such conflict and refrain from discussing, voting or participating in any manner on the issue if a majority of the quorum so decides.

4. The Chairperson, or Vice-Chairperson in the absence of the Chairperson, shall preside at all meetings, decide all points of order or procedure and perform any duties required by law, ordinance or these rules. The Chairperson shall have the power to call regular or special meetings. Upon request of eight members to the Chairperson, a special meeting will be held.

5. FDC meetings may include written reports, presentations or other necessary types of activities to provide information to its members and allow the FDC to discharge its duties. Meetings are open to the public to receive public comment in the same manner as done by the City Council.

6. The FDC may recommend a Diversity Action Plan after review of local, regional and national diversity programs and recommend to the administrations of the City of Fairbanks and Fairbanks North Star Borough a Diversity Action Plan found to be lawful and worthy of implementation.

7. Assist the City on accessibility issues.

8. Plan, develop and implement recognition and public awareness programs.

9. Develop a constructive working relationship with the following sectors of the community:

    (a) Business and industry,

    (b) Schools and educational institutions,

    (c) Governmental bodies and agencies, to include military services

    (d) Healthcare and service providers,

    (e) Youth, parent and senior citizen groups and organizations, and persons protected by the American Disability Act, and

    (f) Public and private agencies involved in diversity issues and employment, and

    (g) Persons of all and any socio economic status.

10. Hold quarterly meetings, plus special meetings as deemed necessary by the Chairperson or membership, to address concerns in the areas of employment, public accommodations, police policies, transportation, housing, public awareness and sensitivity, and other such subjects as may be deemed appropriate by the City Mayor, City Council, Fairbanks North Star Borough Mayor, Fairbanks North Star Borough Assembly or the FDC itself.

11. Provide written reports to the public with general recommendations, submit special reports at the request of the City Mayor or City Council or Fairbanks North Star Borough Mayor or Fairbanks North Star Borough Assembly, and submit an annual report of its activities by December 1 of each year.

12. The FDC shall not become involved in employee discipline issues or in matters outside the jurisdiction of the City of Fairbanks or the Fairbanks North Star Borough.

Sec. 2-235. Diversity Action Plan – Guiding Principles.

(a) The purpose of the Diversity Action Plan is to increase the capacity of the City to succeed in its mission of serving all of the people of Fairbanks. The Diversity Action Plan will provide guidance to the City Council and employees of the City to become culturally competent and inclusive. The following guiding principles shall apply to the Diversity Action Plan:
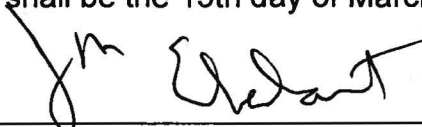
1. The Diversity Action Plan is a business necessity, crucial to the continuing

success of the City. The focus of the City's diversity development strategy is the creation of an organizational culture that values diversity and supports cultural competency in its workforce. Diversity is one of the foundations upon which the City's goals for organizational development, workforce development, service design and service delivery will be built.

2. Everyone associated with the City is a stakeholder in diversity development. The City will provide its employees with methods to recognize, support and reward diversity development efforts and accomplishments. The City will include community partners in planning for diversity development.

3. All City employees are professionally and personally accountable to assess how their beliefs, attitudes and knowledge affect the City's capacity to serve our multicultural community. This includes seeking self-understanding, gaining knowledge of other cultures, developing cross-cultural communication skills, providing leadership and supporting appropriate cultural change within the City.

4. Equal Employment Opportunity, the Americans with Disabilities Act, along with other civil rights legislation, rules and policies are viewed as a set of tools that provides the foundation for diversity development. Compliance with these laws, rules and policies establishes direction and provides guidelines for organizational change within the City. They support the increase of diversity and cultural competency, and the reduction of bias in our workforce. They provide a framework for creating an environment of inclusion in the City.
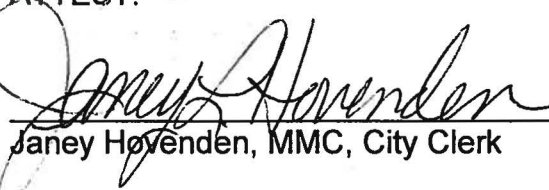
(b) After adoption by the City Council, the Diversity Action Plan shall be amended as necessary and with a full review performed at least every five years after initial adoption.

SECTION 2. The effective date of this Ordinance shall be the 15th day of March 2014.
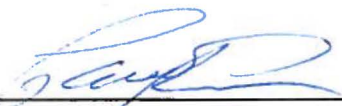
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JOHN EBERHART, MAYOR

AYES: Staley, Gatewood, Hilling, Anderson, Walley
NAYS: None
ABSENT: Matherly
ADOPTED: March 10, 2014

ATTEST:

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Janey Hovenden, MMC, City Clerk

APPROVED AS TO FORM

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Paul J. Ewers, City Attorney