

**ORDINANCE NO. 6126**

**AN EMERGENCY ORDINANCE TEMPORARILY AUTHORIZING THE TELEPHONIC PARTICIPATION OF COUNCIL MEMBERS AT COUNCIL MEETINGS AND TEMPORARILY AUTHORIZING THE MAYOR TO MODIFY PROVISIONS OF THE FAIRBANKS GENERAL CODE REGARDING PUBLIC MEETINGS AND PARTICIPATION IN ORDER TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF OUR COMMUNITY DURING A STATE-DECLARED PUBLIC HEALTH EMERGENCY**

**WHEREAS**, coronavirus or COVID-19, a respiratory illness that can cause serious illness or death, is caused by the SARS CoV-2 virus, which is a new strain of coronavirus that had not previously been identified in humans and can easily spread from person to person; and

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) declared that the global coronavirus crisis is now a pandemic; and

**WHEREAS**, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of COVID-19 in Alaska; and

**WHEREAS**, various agencies and organizations statewide and in our local community are canceling or restricting public gatherings, extending spring break, and postponing nonessential travel to contain the spread of COVID-19; and

**WHEREAS**, new information and guidance is being provided on state, national, and global levels daily, requiring that flexibility is needed to respond to and to implement the various containment measures; and

**WHEREAS**, Fairbanks Charter Sec. 2.8 mandates that the City Council meet no fewer than two times per month, so canceling council meetings is not an option; and

**WHEREAS**, in times of crisis, it is vital that council meetings are held, so the Council has the opportunity to address the needs of the City; and

**WHEREAS**, balancing the health risks of COVID-19 and transparent government principles, the Council finds it necessary to temporarily change how City Council meetings are conducted, to allow for telephonic participation by council members, and to allow the Mayor flexibility to implement temporary policies to minimize the risk of spreading the virus; and

**WHEREAS**, Fairbanks Charter Sec. 3.6 allows for adoption of an ordinance at a single meeting upon an express finding by all council members present that an emergency exists; and

**WHEREAS**, the provisions of this ordinance are intended to be temporary during this state declared public health emergency.

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

**Section 1.** The provision of FGC Sec. 2-115(b) (text set out below) limiting council member telephonic participation at City Council meetings is hereby suspended through the effective period of this ordinance. Council members are encouraged to participate telephonically if they have been exposed to COVID-19 or if they have health concerns.


**Sec. 2-115. – Absences; teleconferencing.**

(b) Teleconferencing/videoconferencing. A council member may only participate telephonically or by videoconference at any regularly scheduled or special city council meeting if their presence is required to establish a quorum.

**Section 2.** The mayor is granted the authority to modify or waive provisions of the Fairbanks General Code pertaining to scheduling, methods of public participation, teleconferencing, and other provisions relating to public meetings if deemed necessary for public health and safety. Any such modification or waiver is subject to review and change by the Council at the next Council meeting.

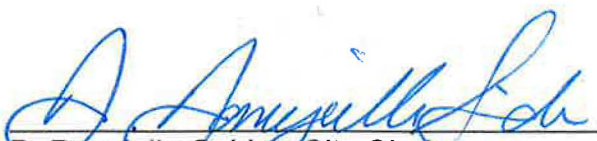
**Section 3.** All provisions of this ordinance will expire no later than May 31, 2020, unless extended by action of the City Council.

**Section 4.** That the effective date of this Ordinance shall be the 24th day of March 2020.

  
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Jim Matherly, City Mayor

AYES: Pruhs, Therrien, Kun, Gibson, Rogers  
NAYS: None  
ABSENT: Cleworth  
ADOPTED: March 19, 2020

ATTEST:

  
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D. Danyielle Snider, City Clerk

APPROVED AS TO FORM:

  
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Paul J. Ewers, City Attorney