

1 By: Matt Cooper
2 Introduced: 04/23/2020
3 Advanced: 04/23/2020
4 Amended: 05/07/2020
5 Adopted: 05/07/2020
6 Immediate
7 Reconsideration Failed: 05/07/2020
8 Adopted: 05/07/2020
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10 FAIRBANKS NORTH STAR BOROUGH

11
12 ORDINANCE NO. 2020 – 16

13
14 AN ORDINANCE AMENDING CHAPTER 2.16 FNSBC TO ADD A NEW SECTION FNSBC
15 2.16.150, PUBLIC MEETINGS DURING A DISASTER
16

17 WHEREAS, The Fairbanks North Star Borough Code of Ordinances
18 authorizes Assembly participation by teleconferencing of no more than three members
19 unless it is a special meeting called to consider an emergency action; and
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21 WHEREAS, Code also authorizes only certain meetings of boards of
22 commissions to be conducted by teleconference; and
23

24 WHEREAS, There may be occasions that, for health or safety reasons, it is
25 in the public interest to modify or waive various code provisions and rules of procedure
26 governing these meetings.
27

28 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
29 North Star Borough:
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31 Section 1. This ordinance is of a general and permanent nature and shall
32 be codified.
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34 Section 2. FNSBC 2.16.150, Public meetings during a disaster, is hereby
35 added as follows:

36 Notwithstanding anything in the Fairbanks North Star Borough Code of Ordinances to the
37 contrary, the presiding officer or the mayor, as appropriate, shall have the authority to
38 modify and/or waive code provisions or rules of procedure governing public meetings,
39 including pertaining to scheduling, public participation and teleconferencing, when
40 necessary due to a disaster; provided that any modification and/or waiver is in compliance
41 with state law.

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED, CAPITALIZED]

- 42 A. Modifications and waivers to established code and rules of procedure should be
 43 done only after first considering if the meeting can be postponed or delayed. Meetings
 44 should not be postponed or delayed if matters will be effectively defeated by doing so
 45 unless there is no reasonable alternative. A meeting may be held either in full or in part,
 46 such as convening to act only on time-sensitive matters.
 47 B. If a meeting must be held and teleconferencing or remote participation is utilized:
 48 1. Rules governing in-person quorum requirements or limitations on
 49 participation by teleconference may be suspended.
 50 2. Opportunities to listen and participate by telephonic or written means must
 51 be provided to the public if such participation is otherwise allowable at the meeting.
 52 3. Staff reports may be provided by memorandum or videoconferencing,
 53 provided that any written or visual materials are accessible to the public in advance of
 54 the meeting.
 55 4. Other procedures furthering the goals of public participation while still
 56 allowing essential business to be conducted may be established.
 57 C. Nothing in this section is intended to limit the authority of the mayor or the
 58 presiding officer as otherwise provided under law.
 59 D. The presiding officer or the mayor, as applicable, shall notify the assembly by
 60 written communication of modifications or waivers approved pursuant to this section for
 61 concurrence at the next scheduled meeting. If a majority of the assembly does not
 62 concur with the enacted modifications or waivers, it may terminate the authority granted
 63 under this section for the subject event or it may amend the modifications or waivers.
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65 Section 3. Effective Date. This ordinance is effective at 5:00 p.m. on the
 66 first Borough business day following its adoption.
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68 ADOPTED THE 7TH DAY OF MAY 2020.



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Matt Cooper
Presiding Officer

82 ATTEST:

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April Trickey, CMC
Borough Clerk

Yeses: Lyke, Cash, Tomaszewski, O'Neill, Sanford, Williams, Cooper, Quist
 Noes: Lojewski

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
 Text to be *added* is underlined
 Text to be *deleted* is [BRACKETED, CAPITALIZED]