

CITY AND BOROUGH OF WRANGELL

RESOLUTION NO. 02-21-1564

AN EMERGENCY RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING AND REPLACING RESOLUTION NO 01-21-1557, ESTABLISHING THE TEMPORARY AMENDMENT OF WRANGELL MUNICIPAL CODE SECTION 3.05.050 (TELECONFERENCING) RELATED TO ASSEMBLY MEETINGS SECTION AND PROVIDING GUIDANCE FOR ALL NON-ESSENTIAL BOROUGH COMMISSION, BOARD AND COMMITTEE MEETINGS

WHEREAS, COVID-19 or the novel coronavirus is a contagious virus that continues to spread across the world, including in the United States, and specifically now in Alaska; and,

WHEREAS, public health officials describe that COVID-19 is most severe in people older than 60 and people with underlying health conditions like heart disease, lung disease, and diabetes; and

WHEREAS, state and federal public health officials currently recommend social distancing measures that minimize large group meetings and that encourage people to stay six feet apart; and

WHEREAS, the Assembly, boards, commissions, and committees of the City and Borough of Wrangell host multiple public meetings a month; and

WHEREAS, continuity of operations and business of the City & Borough of Wrangell must continue; and

WHEREAS, the health and safety of citizens, employees, and members of the Assembly, commissions, boards and committees is of paramount concern to the City & Borough of Wrangell; and

WHEREAS, certain members of the public (including the Assembly Members and Board and Commission Members) have received the COVID-19 Vaccine; and

WHEREAS, Staff believes that Wrangell Municipal Code Section 3.05.050 that provides for teleconference participation of Assembly meetings, but only if a physical quorum is present in the Borough Assembly Chambers should be temporarily amended; and

WHEREAS, to protect life/health safety the Assembly passed Resolution 03-20-1520 in March of 2020, allowing for phone and video conference meetings because of COVID-19; and

WHEREAS, the Assembly passed Resolution 10-20-1547 in October of 2020, extending that approval because physical distancing could not be accomplished in the Borough Assembly Chambers if in-person meetings were to resume; and

WHEREAS, the Assembly passed Resolution 01-21-1557 in January 2021, further extending the suspension of in-person meetings until March 31, 2021, unless previously terminated; and

WHEREAS, there may still be Assembly Members or Board and Commission Members who do not feel comfortable attending meetings, in-person; and

WHEREAS, to provide protection to those Assembly Members or Board and Commission Members who wish to continue meeting by teleconference, the temporary amendment of WMC Section 3.05.050 must be extended **until June 30, 2021**, unless previously terminated, to allow all Assembly Members, Board and Commission Members, and Borough Staff and the General Public to participate via teleconference or videoconference, if they choose to do so.

WHEREAS, Borough Assembly meetings and other City Boards and Commissions will be held in-person with teleconferencing available to those not attending in-person in the Borough Assembly Chambers at City Hall with a modified plan in place **until June 30, 2021**, unless previously changed; and

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, THAT:

Section 1. Wrangell Municipal Code Section 3.05.050 (Teleconferencing) is temporarily amended as follows:

3.05.050 Teleconferencing and Videoconferencing.

A. The mayor or an assembly member who will be absent from a meeting, including public hearings and work sessions of the assembly, including an executive session, may participate in the meeting by telephone or other electronic means as provided in this section and provided the following circumstances are met:

1. The meeting is held with a quorum of members physically **or via teleconference/videoconference means** present;
2. Reasonable technical capabilities are available at the meeting location to allow the member to participate by teleconference/**videoconference**, including being able to hear and engage in discussion, and being audible to all persons participating in the meeting;

3. Prior to the meeting reasonable efforts will be made to ensure that the member participating by teleconference/videoconference is provided with the meeting agenda and other pertinent documents to be discussed and acted upon; access to the agenda and documents from the borough's website will be considered sufficient access;

4. For any executive session, the member participating by teleconference/videoconference shall acknowledge that there is no other person with the member or in close enough proximity to hear the meeting discussion.

B. Participation of Mayor and Assembly Members by Teleconference/Videoconference.

1. An assembly member may request to participate in any meeting of the assembly by notifying the clerk one hour prior to any meeting. ~~[to arrange for teleconference participation by 4:00 p.m. on the Friday before the Tuesday regular assembly meeting, and at least 12 hours before any special assembly meeting].~~

2. The mayor, or the presiding officer in the absence of the mayor, may request to participate in any meeting of the assembly by notifying the clerk to arrange for teleconference/videoconference participation one hour prior to any meeting. ~~by 4:00 p.m. on the Friday before the Tuesday regular assembly meeting, and at least 12 hours before any special assembly meeting.~~

3. The mayor and any assembly member participating by teleconference/videoconference shall be deemed to be present at the assembly meeting for all purposes, including for quorum and voting; ~~provided, that:~~

~~The mayor, or the presiding officer in the absence of the mayor, shall not preside over the assembly meeting when participating by teleconference.~~

4. The mayor and any assembly member participating by teleconference/videoconference shall have the same right to participate in any matter as if physically present at the assembly meeting, including debate under WMC [3.05.060](#), adjudicatory matters, and presentations. Reasonable efforts shall be made to make available to the mayor and any assembly member participating by teleconference/videoconference any pertinent documents that are to be discussed and/or acted upon, including the assembly packet.

5. The mayor and any assembly member participating by teleconference/videoconference shall have the same right to vote on any

matter as if physically present at the assembly meeting. All voting at the meeting shall be by roll call vote. The assembly member who is participating by teleconference/videoconference, or the mayor when participating by teleconference/videoconference, determines whether the member or the mayor has had the opportunity to evaluate all pertinent information, including any testimony and/or evidence, and is prepared to vote.

~~6. Teleconference participation at any assembly meeting by each assembly member or by the mayor is limited to four times during the 12-month period commencing January 1st each year. However, teleconference participation by a member or the mayor will not be allowed consecutively for more than two regular meetings. Participation in a meeting by teleconference while out of town on municipal business does not count toward the four times for which teleconference participation is permitted or toward the two consecutive regular meetings limit on participation by teleconference.~~

C. All votes taken at the meeting are by roll call of the members physically present at the meeting and the members participating by teleconference/videoconference.

Section 2. This extension of the temporary amendment to Wrangell Municipal Code Section 3.05.050 is effective until June 30, 2021 and shall sunset, unless otherwise previously terminated, June 30, 2021.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 23rd DAY OF February 2021.

CITY & BOROUGH OF WRANGELL

Stephen Prysunka, Mayor

ATTEST: _____
Kim Lane, Borough Clerk