

**City of Kodiak Special Council Meeting Agenda for Wednesday, March 18, 2020
At 1:30 p.m. at the Kodiak Public Library Multi-Purpose Room**

I. Call to Order

Roll Call

II. Public Comments by Teleconference Only on Agenda Items Only (limited to 3 minutes) (486-8610)

III. New Business

- a. Ordinance No. 1395, An Emergency Ordinance of the Council of the City of Kodiak Temporarily Authorizing the Suspension and/or Modification of Various Sections of the City of Kodiak Code of Ordinances Regarding Public Meetings and Participation in Order to Ensure the Health, Safety, and Welfare of Our Community During a State –Declared Public Health Emergency and Declaring an Emergency.....1
- b. City Manager’s Report

IV. Adjournment

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CITY OF KODIAK
ORDINANCE NUMBER 1395

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK TEMPORARILY AUTHORIZING THE SUSPENSION AND/OR MODIFICATION OF VARIOUS SECTIONS OF THE KODIAK CITY CODE OF ORDINANCES REGARDING PUBLIC MEETINGS AND PARTICIPATION IN ORDER TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF OUR COMMUNITY DURING A STATE-DECLARED PUBLIC HEALTH EMERGENCY AND DECLARING AN EMERGENCY

WHEREAS, the United States Center for Disease Control and Prevention (CDC) has identified COVID-19, also known as the “coronavirus,” as a significant public health risk; and

WHEREAS, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the COVID-19 anticipated outbreak in the State of Alaska; and

WHEREAS, the World Health Organization designated the outbreak of COVID-19 as a pandemic on March 11, 2020; 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 as a means to contain the spread of COVID-19; and

WHEREAS, new information and guidance is being provided on state, national, and global levels on a daily basis, requiring that maximum flexibility be given to respond and implement the various containment measures; and

WHEREAS, the City of Kodiak is complementing its Continuity of Operations Plans, and needs the flexibility to cancel or reschedule certain meetings and/or modify its meeting procedures for time-sensitive and important matters so that it can ensure it similarly has protections in place for the public, staff, and its appointed and elected officials; and

WHEREAS, this authorization is intended to be temporary during this state-declared public health emergency, and will provide time for the City to further assess its code and procedures if more permanent code changes are determined to be necessary; and

WHEREAS, Article II, Sec. 14 of the City Charter and City code authorize the City to adopt an emergency ordinance, effective on adoption, to meet a public emergency, and it may be adopted, amended and adopted, or rejected at the meeting at which it is introduced provided the affirmative vote of five voting members (per KCC 2.04.050) is met for adoption of the ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kodiak, Alaska that this ordinance is enacted as follows:

Section 1: This ordinance is not of a general and permanent nature and shall not be codified.

Section 2: Finding of Emergency. The City Council finds that an emergency exists in the State of Alaska and the City of Kodiak due to the imminent outbreak of COVID-19, which has been declared a global pandemic and a public health disaster emergency.

Section 3: Authorization to Waive and/or Modify the Kodiak City Code.

(a) Notwithstanding anything in the Kodiak City Code of Ordinances to the contrary, the Presiding Officer (Mayor) has the authority to modify and/or waive provisions pertaining to scheduling, public participation, teleconferencing, and other related provisions of code or standing rules or orders of the council related to public meetings of the governing body if deemed necessary for public health and safety; provided that, any modification and/or waiver is in compliance with state law.

(b) Notwithstanding anything in the Kodiak City Code of Ordinances to the contrary, the Mayor has authority to modify and/or waive provisions pertaining to scheduling, public participation, teleconferencing, and other related provisions of code, or standing rules or orders of the council related to public meetings of committees and boards if deemed necessary for public health and safety; provided that, any modification and/or waiver is in compliance with state law.

Section 4: This ordinance is effective for a period sixty (60) days.

Section 5: Effective Date. This ordinance is effective immediately upon its adoption.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Effective Date: