Sponsored by: J. Erickson, Borough Manager
Introduced: 03-19-2020
Public Hearing Date: 3-19-2020
Date of Approval: 3-19-2020

CITY AND BOROUGH OF YAKUTAT
EMERGENCY ORDINANCE 20-663

AN EMERGENCY ORDINANCE AMENDING SECTION 2.12.200 OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT TO PERMIT TELECONFERENCE ATTENDANCE BY MEMBERS AT ASSEMBLY MEETINGS FOR PURPOSES OF ESTABLISHING A QUORUM

WHEREAS, both the federal and state governments have declared the COVID-19 outbreak a public health emergency; and

WHEREAS, the Borough Assembly has, pursuant to AS 26.23.140, declared the existence of a local emergency based upon the COVID-19 outbreak; and

WHEREAS, COVID-19 is easily transmittable person to person, and numerous governmental entities have recommended social distancing and limitations to the number of persons in a single gathering; and

WHEREAS, it might be difficult or impossible to obtain the physical presence of four members of the Assembly at a meeting in order to conduct borough business; and

WHEREAS, it is vital that the Assembly be able to meet and consider questions regarding public health concerns, and to authorize and direct actions by borough officials in response to the outbreak; and

WHEREAS, an emergency exists because the Borough must be able to respond quickly and efficiently to the public emergency which currently exists and there is insufficient time to follow ordinary ordinance adoption procedures in the existing time frame.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, as follows:

Section 1. No Codification. This ordinance is not of a general and permanent nature and shall not be codified.

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

Section 3. Amendment. Section 2.12.200 of the Code of the City and Borough of Yakutat is hereby amended by amending paragraph B and adding a new paragraph C, as follows. The new language is in bold and underlined.

> 2.12.200 Quorum -- Voting.
>
> A. Four Assembly members constitute a quorum. Four affirmative votes are required for the passage of an ordinance, resolution or motion.
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> B. The final vote on each ordinance, resolution or substantive motion is a recorded roll call vote. All Assembly members present **at a meeting, either in person or by teleconference,** shall vote unless the Assembly, for special reasons, permits a member to abstain.
>
> **C. Assembly Members are permitted to attend meetings via teleconference. Assembly members participating by teleconference shall be counted for purposes of determining a quorum. There is no minimum number of Assembly members who must be physically present at a meeting for purposes of determining a quorum.**

Section 4. Effective Period. Pursuant to the provisions of CCBY 1.20.040(C), this ordinance is effective for a period of sixty (60) days.

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

PASSED AND APPROVED THIS 19 DAY OF March, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

C. Bremner

CINDY BREMNER
MAYOR

CATHY BREMNER
BOROUGH CLERK

CITY AND BOROUGH OF YAKUTAT
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