

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2021-03

A RESOLUTION OF THE UNALASKA CITY COUNCIL ADOPTING A POLICY FOR PUBLIC COMMENT AT CITY COUNCIL MEETINGS

WHEREAS, public comment is an essential part of local government meetings; and

WHEREAS, the purpose of public comment is for members of the public to inform the City Council about their views; and

WHEREAS, guidelines for public comment are necessary for fairness and consistency; and

WHEREAS, because the format of City Council meetings has evolved to include participation via telephone and online platforms, additional guidelines are necessary to manage public comment for these participants in an orderly fashion.

NOW THEREFORE BE IT RESOLVED that the attached Policy for Public Comment at Meetings of the Unalaska City Council is hereby adopted.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on February _____, 2021.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Estkarlen Magdaong
Acting City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Marjie Veeder, City Clerk
Through: Erin Reinders, City Manager
Date: February 9, 2021
Re: Resolution 2021-03: Adopting a policy for public comment at Council meetings

SUMMARY: Guidelines for public comment are recommended to preserve fairness and consistency for members of the public wishing to provide public comment. Additionally, with participation in Council meetings by telephone and online platforms increasingly common, further guidelines are necessary to manage public comment in an orderly fashion without undue disruption. The proposed public comment policy is consistent with our Code of Ordinances and has been developed with the assistance of the City Attorney.

PREVIOUS COUNCIL ACTION: Unalaska Code of Ordinances at § 2.20.020 provides numerous opportunities for public comment and participation at regular council meetings: two opportunities for Community Input & Announcements, one near the beginning of the meeting and one near the end of the meeting; a separate time for Public Comment on Agenda Items; a separate time for items requiring public hearing by statute; and a period of public comment during council's discussion of each regular agenda item, provided the speaker has first notified the City Clerk of their intention to provide comment.

The presiding officer has at times set time limits for public comment.

Previous written policies about public comment at Council Meetings were not found.

Council discussed this item at their regular meeting on January 12, 2021; assigned three council members (Robinson, Coleman and Bell) to a committee to review and provide recommendations to the City Council; and postponed consideration of this item to January 26, 2021. As the committee had not completed their review by January 26, this item was further postponed to February 9, 2021.

DISCUSSION: A policy providing guidelines for public comment is recommended so that both Council and members of the public know what to expect and to provide a framework for fairness and consistency. Participation in council meetings by telephone and online platforms emphasizes the need for such a policy to better manage public comment without unduly disrupting the meetings and allowing everyone to be heard who wishes to speak.

In addition to the removal of redundant language, minor edits to wording and a slight reorganization of the document, the committee makes the following recommendations, which are included in the proposed policy presented this evening:

1. Wording changes to the background paragraph; and
2. Removal of the requirement that persons participating by telephone or online platforms notify the City Clerk one hour in advance of the start of the meeting. Rather, those participants must notify the Clerk, but may do so using the features available by telephone or online platforms (i.e. in ZOOM, the "raise your hand" feature or a chat notification; or *6 by telephone). Notification may also be provided to the City Clerk during normal business hours in advance of the meeting.

ALTERNATIVES: Council may choose to (a) adopt the policy as presented; (b) make amendments to the policy; or (c) choose not adopt a policy about public comment at council meetings.

FINANCIAL IMPLICATIONS: Not applicable.

LEGAL: The City Attorney assisted in preparing the proposed policy and has reviewed and approved the recommendations of the committee.

STAFF RECOMMENDATION: Staff recommends a written policy to provide guidelines for public comment at their meetings. This is council's policy and therefore a council decision.

PROPOSED MOTION: I move to adopt Resolution 2021-03.

CITY MANAGER COMMENTS: I support the Staff Recommendation. Staff is prepared to revise according to Council's feedback.

**UNALASKA CITY COUNCIL
POLICY FOR PUBLIC COMMENT
AT MEETINGS OF THE CITY COUNCIL**

Adopted by Resolution 2021-03 on February __, 2021

PURPOSE: The purpose of this policy is to provide guidelines for public comment at meetings of Unalaska City Council.

SCOPE: This policy applies to all regular meetings, special meetings and work sessions.

BACKGROUND: City Council meetings are designed for the Council to discuss and make decisions on issues before the Council. A meeting of the City Council is held in public to provide transparency in the decision making process. Opportunities for public input are provided and the City Council takes the input into consideration in making decisions.

For regular meetings, the Unalaska Code of Ordinances provides numerous opportunities for public comment:

- a) Community Input & Announcements - § 2.20.020(A)(9) & (14): This is a time for members of the public to provide general information to council and to make announcements of interest to the community. This opportunity occurs twice, once early in the meeting and a second time immediately before the meeting adjourns.
- b) Public Testimony on Agenda Items - § 2.20.020(A)(10): This is a time for members of the public to provide information to Council regarding items listed on the agenda if the speaker does not wish to wait until the specific item comes up on the agenda.
- c) Public Hearing - § 2.20.020(A)(11): When an item requires public hearing by statute or ordinance, the presiding officer will open the public hearing for members of the public to provide comment.
- d) Public Comment during Council Discussion - § 2.20.020(B): A period for public testimony for each agenda item shall occur during the City Council's discussion of the item. Members of the audience wishing to testify on an agenda item during a regular meeting must notify the City Clerk.

Opportunities for public comment at special meetings will be provided in accordance with the agenda for that special meeting, which shall include public comment during council discussion.

During a work session, members of the audience wishing to testify may raise their hand and be recognized by the Mayor.

STATEMENT OF POLICY: The purpose of public comment is for citizens to provide information and inform the City Council about their opinions. The Mayor and City Council value community input and encourage participation in public comment opportunities at meetings of the City Council.

Public comment opportunities are not a time for members of the public to ask questions of, or engage in dialogue with the Mayor, City Council Members or City Staff. Community members are encouraged to contact City Staff during normal business hours, or to contact the Mayor and City Council members directly.

These guidelines apply to all types of public comment opportunities described above.

- 1) Public Comment by spoken or written word is limited to three (3) minutes per person. Persons may not give their time to another person and may address a single topic or agenda item only once during a meeting.
- 2) If you wish to speak when an item appears on the regular agenda during council discussion, § 2.20.020(B), notify the City Clerk.
 - a) In person, the City Clerk may be notified by signing up on the public comment sign-up sheet available in chambers.
 - b) For telephone or online platforms, the City Clerk may be notified as described in 4(a) below.
- 3) **PUBLIC COMMENT IN PERSON**
 - a) Wait to be recognized by the presiding officer.
 - b) Use the microphone provided.
 - c) State your name.
 - d) Address all comments to the Mayor and City Council as a body.
- 4) **PUBLIC COMMENT BY TELEPHONE OR ONLINE PLATFORMS**
 - a) In order to promote an orderly meeting, all persons participating by telephone or online platforms must notify the City Clerk using notification features available in the online platform (i.e. in ZOOM, the “raise your hand” feature or a chat notification; or *6 by telephone). Participants may also choose to notify the City Clerk during regular business hours before the start of the meeting. By necessity, this requirement applies to all opportunities for public comment for persons participating by telephone or online.
 - b) At the appointed time, the speaker will be allowed to un-mute.
 - c) Wait to be recognized by the presiding officer.
 - d) State your name.
 - e) Address all comments to the Mayor and City Council as a body.
- 5) **WRITTEN COMMENT**
 - a) Written comment is accepted by e-mail, regular mail, fax or hand delivery.
 - b) The name of the person providing written comment must be included.
 - c) Written comment shall be submitted to the City Clerk’s Department no later than one hour prior to the start of the meeting, to be read into the record by the City Clerk or presiding officer’s designee.
 - d) A person submitting written comment may request that it be read at any one of the points on the agenda where public comment is allowed. If the person does not request otherwise, the written comment will be read during Community Input & Announcements.